

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

SB 497 was taken up for consideration on motion of Senator Vaughn:

SB 497 - AN ACT TO AMEND CHAPTER 128 OF VOLUME 33, LAWS OF DELAWARE RELATING TO INCREASING THE NUMBER OF MEMBERS WHO SERVE ON THE BOARD OF HEALTH.

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

HB 541 was taken up for consideration on motion of Senator Marshall:

HB 541 - AN ACT TO AMEND CHAPTER 64 VOLUME 63, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF OCEAN VIEW IN SUSSEX COUNTY, DELAWARE."

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

HB 220 was lifted from the table for consideration on motion of Senator McBride.

The privilege of the floor was extended to Representative Roy.

SA 1 to the Bill which had been placed with the Bill was stricken at the request of the sponsor, Senator Zimmerman.

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

The following Committee reports were announced:

From the Natural Resources and Environmental Control Committee: SB 514 - 1 Merits, 4 Unfavorable; SB 489 - 5 Merits.

Legislative Advisory #34 received from the Office of Counsel to the Governor was read which informed the Senate of the Governor's action on legislation as follows: The Governor signed the following legislation on April 30, 1982: HB 274 w HA 1 (Volume 63, Chapter 229, Laws of Delaware); HB 334 w HA 1 (Volume 63, Chapter 29, Laws of Delaware); HB 428 (Volume 63, Chapter 231, Laws of Delaware); HB 533 w HA 1 (HA 1 to HA 1), HA 2, HA 3, HA 4 (Volume 63, Chapter 232, Laws of Delaware). The Governor vetoed the following legislation on April 30, 1982: HB 289 w HA 1; HB 335.

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

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
May 11, 1982

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

In conformity with the Constitution of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Joseph J. Longobardi, 26 Winterbury Circle, Wilmington, Delaware, to be appointed Vice-Chancellor of the Court of Chancery of the State of Delaware for a term of twelve years.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
May 11, 1982

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

In conformity with the Constitution of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Grover C. Brown, 113 Crescent Drive, Dover, Delaware, to be appointed Chancellor of the Court of Chancery of the State of Delaware for a term of twelve years.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
May 11, 1982

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

In conformity with the Constitution of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Andrew G. T. Moore, II, 11 Red Oak Road, Wilmington, Delaware, to be appointed Justice of the Supreme Court of the State of Delaware for a term of twelve years.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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At 5:15 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 12, 1982.

The Senate reconvened at 2:22 p.m., May 12, 1982, Lt. Governor Castle presiding.

The following Committee reports were announced:

From the Health-Social Services/Aging Committee: SB 538 - 4 Merits.

From the Judiciary Committee: HB 536 - 3 Favorable, 2 Merits.

The following legislation was introduced:

SB 541 - AN ACT TO AMEND CHAPTER 13, OF TITLE 24, DELAWARE CODE, RELATING TO PRIVATE DETECTIVES. Sponsors: Senators Bair, Hughes, Vaughn; Representative Corrozi. Assigned to Administrative Services/Energy Committee.

SS 1 for SB 518 - AN ACT TO AMEND CHAPTER 5, TITLE 4 OF THE DELAWARE CODE TO PROVIDE FOR A BEER LICENSE AND A BEER AND WINE LICENSE AND TO ESTABLISH FEES FOR SAID LICENSES. Sponsors: Senators Holloway and Hughes. The Substitute Bill was laid on the table on motion of Senator Holloway.

SA 1 to SB 454. Sponsor: Senator Hughes. Placed with the Bill.

SA 1 to HB 154. Sponsor: Senator McBride. Placed with the Bill.

SCR 122 - RECOGNIZING DELAWARE ARTS APPRECIATION DAYS. Sponsors: Senators Bair, Adams, Arnold, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman; Representatives Anderson, Barnes, Pennett, Brady, Buckworth, Burris, Cain, Campanelli, Cathcart, Cordrey, Corrozi, Darling, Derrickson, Dixon, Edwards, Ennis, Fallon, Free, George, Gilligan, Harrington, Hebner, Holloway, Jester, Jonkiert, Mack, Maroney, McKay, Minner, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Soles, Spence, VanSciver, West.

The Resolution was considered for adoption on motion of Senator Bair and the roll call vote taken which revealed 17 Senators voting YES and 4 (Connor, Holloway, Martin and McDowell) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 123 - CONGRATULATING KELLY HASTINGS, OF LAUREL, AS DELAWARE WINNER OF AN ARTISTIC DISCOVERY, A NATIONAL ART COMPETITION SPONSORED BY CONGRESSMAN TOM EVANS AND THE CONGRESSIONAL ARTS CAUCUS. Sponsors: Senator Littleton and Representative Cordrey.

All the Senators were added as co-sponsors of the Resolution after which the Resolution was considered for adoption on motion of Senator Littleton and the roll call vote taken which revealed 18 Senators voting YES and 3 (Connor, Holloway and Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

Pursuant to the above Resolution, Senator Littleton introduced Kelly Hastings to the Senate.

SB 542 - AN ACT TO AMEND TITLES 13, 19, AND 30 OF THE DELAWARE CODE RELATING TO FAMILY COURT ATTACHMENT OF UNEMPLOYMENT COMPENSATION BENEFITS AND INCOME TAX OVERPAYMENTS AND REFUNDS. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SB 543 - AN ACT TO AMEND CHAPTER 15, TITLE 24, DELAWARE CODE, TO REQUIRE CERTAIN HOTELS AND MOTELS TO PROVIDE TELEPHONE SERVICE IN EVERY ROOM. Sponsor: Senator Holloway. Assigned to Community Affairs Committee.

SB 544 - AN ACT TO AMEND CHAPTER 15, TITLE 24, DELAWARE CODE, TO REQUIRE KEEPERS OF INNS, HOTELS, AND MOTELS TO MAKE ACCOMMODATIONS AVAILABLE AT ADVERTISED RATES WHERE POSSIBLE AND PROVIDING A PENALTY FOR FAILURE TO DO SO. Sponsor: Senator Holloway. Assigned to Community Affairs Committee.

SB 545 - AN ACT TO PLACE THE PROTHONOTARY, REGISTER IN CHANCERY AND SHERIFF'S OFFICES UNDER THE JURISDICTION OF THE STATE OF DELAWARE. Sponsors: Senator Marshall and Representative VanSciver. Assigned to Community Affairs Committee.

SB 546 - AN ACT TO AMEND TITLE 28, DELAWARE CODE, TO PROVIDE FOR THE REGULATION AND CONTROL OF LOTTERIES CONDUCTED BY VOLUNTEER FIRE COMPANIES, VETERAN ORGANIZATIONS, RELIGIOUS OR CHARITABLE ORGANIZATIONS, OR BY FRATERNAL SOCIETIES AND AUTHORIZING THE DELAWARE GAMING CONTROL BOARD TO IMPLEMENT SUCH LOTTERIES. Sponsors: Senator Marshall and Representative Free; Senator Citro; Representatives Cathcart, Edwards, Gilligan, Buckworth, Mack. Laid on the table on motion of Senator Marshall.

At 2:38 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 27th Legislative Day.

27TH LEGISLATIVE DAY  
May 12, 1982

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

A Prayer was offered by Senator Arnold.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

SS 1 for SB 354 was taken up for consideration on motion of Senator Neal:

SS 1 for SB 354 - AN ACT TO AMEND CHAPTER 31, PART 1, TITLE 14 OF THE DELAWARE CODE RELATING TO THE EDUCATION OF THE HANDICAPPED AND PROVIDING CERTAIN PROCEDURAL SAFEGUARDS; AND TO AMEND CHAPTER 9, PART 1, TITLE 10 OF THE DELAWARE CODE RELATING TO THE JURISDICTION OF THE FAMILY COURT.

Senators Hughes and Holloway marked PRESENT.

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

HB 130 was taken up for consideration on motion of Senator Sharp:

HB 130 - AN ACT TO AMEND CHAPTER 15, PART IV, TITLE 12 OF THE DELAWARE CODE RELATING TO POWERS OF ATTORNEY AND PROVIDING FOR A UNIFORM DURABLE POWER OF ATTORNEY ACT.

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to A. Laird Stabler, Jr.

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

Senator Connor marked PRESENT.

The roll call vote on HB 130 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

HB 323 w HA 1 was taken up for consideration on motion of Senator Zimmerman:

HB 323 w HA 1 - AN ACT TO AMEND CHAPTER 66, OF TITLE 7, DELAWARE CODE, TO PROVIDE FOR ENFORCEMENT BY CIVIL PENALTY AND TO ADD A LESSER CRIMINAL PENALTY.

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to Thomas P. Eichler.

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

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

The roll call vote on SA 1 w SA 1 was then taken on motion of Senator Zimmerman and revealed 19 Senators voting YES and 2 (Citro and Holloway) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on HB 323 w HA 1 w SA 1 (w SA 1) was then taken and revealed 19 Senators voting YES and 2 (Adams and Cordrey) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

At 3:35 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus and reconvened at 4:20 p.m., Lt. Governor Castle presiding.

The following Committee reports were announced:

From the Administrative Services/Energy Committee: SB 525 - 5 Merits; SB 535 - 2 Favorable, 3 Merits.

SB 547 was introduced and assigned to Health-Social Services/Aging Committee:

SB 547 - AN ACT TO AMEND CHAPTER 31, PART 1, TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION OF THE HANDICAPPED AND PROVIDING CERTAIN PROCEDURAL SAFEGUARDS; AND TO AMEND CHAPTER 9, PART 1, TITLE 10 OF THE DELAWARE CODE RELATING TO THE JURISDICTION OF THE FAMILY COURT. Sponsors: Senators Holloway, McDowell, Marshall, Sharp, McBride, Martin, Vaughn, Cook, Zimmerman, Torbert, Adams, Cordrey, Neal, Berndt, Connor, Knox, Littleton, Arnold; Representatives Anderson, Barnes, Brady, Cathcart, Corrozi, Edwards, Ennis, Fallon, Free, Jester, Maroney, Minner, Oberle, Powell, Soles, VanSciver, Dixon, Mack, Harrington, Roy, Spence.

SCR 124 was introduced and considered for adoption on motion of Senator Bair:

SCR 124 - CONGRATULATING MR. LEWIS A WELLS ON THE OCCASION OF HIS RETIREMENT FROM THE WESLEY COLLEGE FACULTY ON MAY 15, 1982. Sponsors: Senators Bair, Zimmerman and Torbert; Representative Harrington.

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

SCR 125 was introduced and considered for adoption on motion of Senator Bair:

SCR 125 - CONGRATULATING DR. ROLAND O. JONES ON THE OCCASION OF HIS RETIREMENT FROM THE WESLEY COLLEGE FACULTY ON MAY 15, 1982. Sponsors: Senators Bair, Zimmerman and Torbert; Representative Harrington.

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

SCR 120 and SCR 121 were stricken at the request of the sponsor, Senator Bair.

SB 489 was taken up for consideration on motion of Senator Cook:

SB 489 - AN ACT TO AMEND CHAPTER 71, TITLE 7 OF THE DELAWARE CODE TO PROVIDE FOR EXEMPTIONS UNDER CERTAIN CIRCUMSTANCES FROM THE NOISE CONTROL LAW.

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

HB 248 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 248 w HA 1 - AN ACT TO AMEND CHAPTER 14, TITLE 11 OF THE DELAWARE CODE RELATING TO DEADLY WEAPONS AND DANGEROUS INSTRUMENTS.

The privilege of the floor was extended to Henry Ridgely (Senate Attorney).

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

YES: Senators Adams, Citro, Connor, Cook, Hughes, McBride, Vaughn 7.

NO: Senators Cordrey, Knox, Marshall, McDowell, Neal, Torbert, Zimmerman - 7.

NOT VOTING: Senators Arnold, Bair, Berndt, Holloway, Littleton, Martin, Sharp - 7.

Therefore, the Bill was declared defeated and returned to the House.

At 5:00 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 13, 1982.

The Senate reconvened at 2:51 p.m., May 13, 1982, Lt. Governor Castle presiding.

The following legislation was introduced:

SB 548 - AN ACT TO AMEND CHAPTER 69, TITLE 21, DELAWARE CODE, RELATING TO REMOVAL OF MOTOR VEHICLES FROM PUBLIC HIGHWAYS BY POLICE. Sponsors: Senator Martin; Representative Cathcart. Assigned to Public Safety Committee.

SB 549 - AN ACT TO AMEND CHAPTER 42, TITLE 21 OF THE DELAWARE CODE IN ORDER TO PROVIDE AN INCREASED REPORTING VALUE FOR MOTOR VEHICLE TRAFFIC ACCIDENTS. Sponsors: Senators Citro, Vaughn, Hughes, Bair, Marshall; Representatives Corrozi, VanSciver. Assigned to Public Safety Committee.

SB 550 - AN ACT TO AMEND CHAPTER 23, TITLE 21 OF THE DELAWARE CODE RELATING TO INCREASING THE FEE FOR A DUPLICATE CERTIFICATE OF TITLE FOR A VEHICLE. Sponsors: Senators Bair, Hughes, Vaughn; Representative Corrozi. Assigned to Public Safety Committee.

SB 551 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE CONCERNING THE COLLECTION OF REALTY TRANSFER TAX. Sponsors: Senator Marshall; Representative VanSciver. Assigned to Revenue and Taxation Committee.

SB 552 - AN ACT TO AMEND TITLE 11, CHAPTER 42 OF THE DELAWARE CODE RELATING TO PUNISHMENT FOR FIRST DEGREE MURDER. Sponsors: Senators Marshall, Torbert, Connor, Hughes, Citro; Representatives Jonkiert and Riddagh. Assigned to Judiciary Committee.

SB 553 - AN ACT TO AMEND SECTION 1109 OF TITLE 30 OF THE DELAWARE CODE TO ALLOW THE DEDUCTION OF SEWER SERVICE CHARGES. Sponsors: Senator Marshall, Representative VanSciver; Senators Sharp, Vaughn, Martin, McBride, Citro; Representatives Corrozi, Campanelli, Jonkiert. Assigned to Revenue and Taxation Committee.

SB 554 - AN ACT TO AMEND CHAPTER 21, TITLE 21, DELAWARE CODE, RELATING TO THE REGISTRATION OF MOTOR VEHICLES OF DISABLED VETERANS. Sponsors: Senators McBride, Torbert, Hughes, Vaughn, Citro, Sharp; Representatives Edwards, Cathcart, Jonkiert, Dixon, Buckworth, Barnes. Assigned to Public Safety Committee.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 154; HCR 155; HCR 156; SCR 118; SCR 123; HS 1 for HJR 26 and passed HB 433; HB 511; HB 576 w HA 1.



The following legislation was introduced:

**HB 433 - AN ACT TO AMEND CHAPTER 22, TITLE 25 OF THE DELAWARE CODE RELATING TO UNIT PROPERTIES; AND PROVIDING FOR AN AMOUNT OF INTEREST TO BE CHARGED ON CERTAIN ASSESSMENTS.** Sponsors: Representatives Powell and Riddagh. Assigned to Revenue and Taxation Committee.

**HB 511 - AN ACT TO AMEND CHAPTER 21, TITLE 21, DELAWARE CODE, RELATING TO REGISTRATION PLATES FOR THE HANDICAPPED.** Sponsor: Representative Spence. Assigned to Public Safety Committee.

**HB 576 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO THE CRIMINAL JURISDICTION OF INFERIOR COURTS AND JUSTICES OF THE PEACE.** Sponsors: Representatives Bennett, Riddagh, Darling, Minner, George; Senators Berndt, Knox, McDowell. Assigned to Judiciary Committee.

**HS 1 for HJR 26 - PROPOSING A "BILL OF RIGHTS" FOR DELAWARE RESIDENTS WHO ARE VICTIMS OF CRIME.** Sponsors: Representatives Riddagh, Spence, Minner, Mack, Jonkiert, Sincok, Cathcart, Bennett, Roy, Smith, Dixon, Powell, Barnes, Corrozi, Oberle, Edwards, Harrington, Fallon, Buckworth, Maroney, Soles, Derrickson, VanSciver, Campanelli; Senators Vaughn, Sharp, Arnold, Littleton, Cook, Citro, Hughes, Neal, Holloway, Torbert, McBride. Assigned to Judiciary Committee.

**SR 79** was introduced and considered for adoption on motion of Senator Adams:

**SR 79 - WISHING MARK E. MERVINE, OF BRIDGEVILLE, A SENATORIAL ASSISTANT DURING THE 131ST GENERAL ASSEMBLY, THE BEST OF LUCK AS HE LEAVES TO PREPARE FOR A LEGAL CAREER.** Sponsor: Senator Adams.

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

Pursuant to the above Resolution, the privilege of the floor was extended to Mark E. Mervine.

The Following Committee reports were announced:

From the Executive Committee the nominations for appointment by the Governor: Andrew Moore - 3 Favorable, 3 Merits; Joseph J. Longobardi - 6 Favorable; Walter Gebhart - 2 Favorable, 4 Merits; Grover C. Brown - 2 Favorable, 4 Merits.

**HC 154** was introduced and considered for adoption on motion of Senator Sharp:

**HC 154 - WISHING BRUCE PEISINO, OF CHRISTIANA HIGH SCHOOL A RAPID AND FULL RECOVERY FROM THE CRITICAL SPINAL INJURY HE SUFFERED WHILE QUARTERBACKING HIS FOOTBALL TEAM IN OCTOBER.** Sponsors: Representatives Spence, VanSciver; Senator Sharp.

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

**HC 155** was introduced and considered for adoption on motion of Senator Cordrey:

**HC 155 - MOURNING THE DEATH OF BEN W. BARKER, DIRECTOR OF THE STATE DIVISION OF VOCATIONAL REHABILITATION AND A NATIONALLY-KNOWN LEADER IN AID FOR THE DEAF.** Sponsors: Representatives Oberle, Anderson, Barnes, Bennett, Brady, Buckworth, Burris, Cain, Campanelli, Cathcart, Cordrey, Corrozi, Darling, Derrickson, Dixon, Edwards, Ennis, Fallon, Free, George, Gilligan, Harrington, Hebner, Holloway, Jester, Jonkiert, Mack, Maroney, McKay, Minner, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Soles, Spence, VanSciver, West; Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman.

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

**SCR 126** was introduced and considered for adoption on motion of Senator Sharp:

**SCR 126 - PROVIDING FOR AN EXTENSION OF THE DEADLINE FOR PRESENTING THE FINDINGS OF THE WASTE MANAGEMENT STUDY COMMISSION.** Sponsors: Senator Sharp, Representative Petrilli.

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

**HC 156** was introduced and considered for adoption on motion of Senator Bair:

**HC 156 - ASKING FOR WIDE PUBLIC SUPPORT FOR THE DELAWARE OLYMPIC COMMITTEE WHICH HAS STARTED ITS QUADRENNIAL CAMPAIGN FOR FUNDS TO HELP FINANCE THE 1984 OLYMPIC TEAM.** Sponsors: Representatives Buckworth, Barnes, Corrozi, Ennis, Free, Mack, Spence.

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

**SR 76** was lifted from the table and considered for adoption on motion of Senator Neal:

**SR 76 - DIRECTING LEGISLATIVE COUNCIL TO PROVIDE TO THE MEMBERS OF THE GENERAL ASSEMBLY A LISTING OF JUDICIAL OPINIONS INDICATING LEGAL PROBLEMS DESERVING THE ATTENTION OF THE GENERAL ASSEMBLY.**

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

At 3:20 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 7<sup>th</sup> Legislative Day.

28TH LEGISLATIVE DAY  
May 13, 1982

The Senate convened at 3:20 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Arnold.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

At 3:21 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:25 p.m., Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 438 w HA 1 (w HA 1), HA 2, 3; HB 555 w HA 1; HB 556 w HA 2; SB 502.

Senator McDowell marked PRESENT.

SB 524 was reported out of the Revenue and Taxation Committee: 4 Merits.

The following legislation was introduced:

HB 438 w HA 1 (w HA 1), HA 2, 3 - AN ACT TO AMEND CHAPTER 17, TITLE 7 OF THE DELAWARE CODE RELATING TO DOGS. Sponsors: Representative Oberle and Senator Martin. Assigned to Natural Resources and Environmental Control Committee.

HB 555 w HA 1 - AN ACT TO AMEND CHAPTER 5 AND CHAPTER 35, TITLE II OF THE DELAWARE CODE, RELATING TO THE INTIMIDATION OF VICTIMS AND WITNESSES. Sponsors: Representatives Riddagh, Spence, Jonkiert, Mack, Minner, Roy, Harrington, Oberle; Senators Sharp, Arnold, Vaughn, Hughes, Cook, Littleton. Assigned to Judiciary Committee.

HB 556 w HA 2 - AN ACT TO AMEND CHAPTER 35, PART II, TITLE II OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE; AND PROVIDING FOR CERTAIN LIMITATIONS TO THE EXCLUSIONARY RULE. Sponsors: Representatives Riddagh, Spence, Jonkiert, Mack, Minner, Powell, Bennett, Roy, Oberle, Harrington, Dixon, Buckworth; Senators Vaughn, Arnold, Citro, Littleton, Hughes, Torbert, Cook. Assigned to Judiciary Committee.

SB 555 - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE TO PROVIDE GROUP LIFE INSURANCE FOR STATE RETIREES. Sponsors: Senators Cook, Connor and Cordrey; Representatives Oberle and Roy. Assigned to Finance Committee.

Senator Martin marked PRESENT.

SB 473 was taken up for consideration on motion of Senator Torbert:

SB 473 - AN ACT TO AMEND SUBPART B, SUBCHAPTER II, TITLE II, DELAWARE CODE, RELATING TO FIRST DEGREE MURDER.

At 4:40 p.m., Lt. Governor Castle presiding.

The privilege of the floor was extended to Gary Dalton (Senate Attorney).

The roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (Knox) voting NO, and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 446 was taken up for consideration on motion of Senator Torbert:

SB 446 - AN ACT TO AMEND SUBCHAPTER I, PART II, TITLE 21, DELAWARE CODE, RELATING TO MANDATORY AUTOMOBILE INSURANCE COVERAGE AND PROVIDING FUNDS THEREFOR.

The privilege of the floor was extended to Henry Ridgely and Gary Dalton (Senate Attorneys) after which the Bill was laid on the table on further motion of the Senator.

On motion of Senator Adams, the Governor's nomination for appointment of Grover C. Brown was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Berndt) ABSENT; therefore, the appointment was declared confirmed.

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

On motion of Senator Adams, the Governor's nomination for appointment of Joseph J. Longobardi was taken up for consideration and the roll call vote taken; however, the roll call was laid on the table before being announced on motion of Senator Adams.

On motion of Senator Adams, the roll call vote on the Governor's nomination for appointment was lifted and revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

At 5:25 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 18, 1982.

The Senate reconvened at 2:35 p.m., May 18, 1982, Senator Cordrey presiding.

HB 154 w HA 1, 2, 3, 4, 6 was reported out of the Judiciary Committee: 1 Favorable, 3 Merits.

The following legislation was introduced:

SB 556 - AN ACT TO AMEND TITLE 24, SECTION 1781, DELAWARE CODE PERTAINING TO THE ANATOMICAL GIFTS BY MINORS WITH PARENTAL CONSENT. Sponsors: Senators Cordrey and Bair; Representatives Sincok, Maroney, Soles. Assigned to Executive Committee.

SA 1 to HA 1 to HB 426. Sponsor: Senator Berndt. Placed with the Bill.

Lt. Governor Castle presiding.

The Secretary announced that a message from the House informed the Senate that it had passed SB 353 w HA 1, 3; HB 547 w HA 1; HB 585; HB 617 w HA 1; HB 640 and adopted HCR 157; HCR 158; SCR 117; SCR 126.

The following legislation was introduced:

HB 547 w HA 1 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE BY ESTABLISHING MINIMUM STANDARDS FOR MEDICARE SUPPLEMENT INSURANCE. Sponsors: Representative Harrington; Senator Sharp. Assigned to Insurance and Elections Committee.

HB 585 - AN ACT TO AMEND SECTION 520(b), TITLE 29, DELAWARE CODE, TO CLARIFY ELIGIBILITY FOR HEALTH CARE INSURANCE COVERAGE. Sponsors: Representatives Sinecock and Powell; Senator Cook. Assigned to Insurance and Elections Committee.

HB 617 w HA 1 - AN ACT TO AMEND TITLE 16, DELAWARE CODE, RELATING TO THE SHELTERED WORKSHOP PROGRAM OF THE DIVISION FOR THE VISUALLY IMPAIRED. Sponsors: Representatives Petrilli, Brady, Oberle; Senator Holloway. Assigned to Health-Social Services/Aging Committee.

HB 640 - AN ACT TO REQUIRE THE EXECUTIVE BRANCH OF GOVERNMENT TO PREPARE AND SUBMIT TO THE GENERAL ASSEMBLY BEGINNING WITH THE FISCAL YEAR 1984 A BUDGET BILL FOR ALL PROPOSED EXPENDITURES OF STATE SPECIAL FUNDS, EXCLUDING FEDERAL GRANTS AND NON-FEDERAL GRANTS AND GIFTS, BEQUESTS, TUITION RECEIPTS AND THE PROCEEDS OF DEBT INSTRUMENTS BY STATE AGENCIES, AND TO AMEND CHAPTER 76, TITLE 29, DELAWARE CODE, BY REORGANIZING THE DELAWARE STATE CLEARINGHOUSE COMMITTEE. Sponsors: Representatives George, Sinecock, McKay, Anderson, Barnes, Bennett, Brady, Buckworth, Cain, Cathcart, Cordrey, Corrozi, Darling, Derrickson, Dixon, Edwards, Ennis, Fallon, Free, Gilligan, Harrington, Holloway, Jester, Jonkiert, Mack, Maroney, Minner, Oberle, Plant, Powell, Riddagh, Smith, Soles, Spence, VanSciver, West; Senators Adams, Bair, Berndt, Cook, Holloway, Hughes, Littleton, Marshall, Martin, McBride, McDowell, Sharp, Vaughn. Assigned to Finance Committee.

SCR 127 was introduced and considered for adoption on motion of Senator Holloway:

SCR 127 - URGING THE FAMILY COURT OF DELAWARE TO RECOMMEND CREATIVE AND INNOVATIVE METHODS OF TREATMENT OF VICTIMS OF INCEST TO THE GENERAL ASSEMBLY. Sponsor: Senator Holloway.

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

SCR 157 was introduced and considered for adoption on motion of Senator Marshall:

SCR 157 - THANKING THE GIRLS CLUBS OF DELAWARE FOR THEIR OUTSTANDING WORK AND MARKING THE WEEK OF MAY 9-15, 1982, AS GIRLS CLUB WEEK. Sponsors: Representatives Jonkiert and Maroney; Senator Marshall.

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

SCR 158 was introduced and considered for adoption on motion of Senator Cordrey:

SCR 158 - MOURNING THE DEATH OF JOSEPH BENJAMIN (JOE BEN) HUDSON, OF MISSION, BELIEVED TO HAVE BEEN DELAWARE'S OLDEST LIVING RESIDENT AT 108 YEARS. Sponsors: Representative West and Senator Cordrey.

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

SB 353 which had previously passed the Senate and now returned from the House with HA 1 was laid on the table at the request of the sponsor, Senator Vaughn.

SCR 128 was introduced and considered for adoption on motion of Senator Zimmerman:

SCR 128 - RECOGNIZING THE HUGH O'BRIAN YOUTH FOUNDATION FOR ITS MANY CONTRIBUTIONS TO YOUTH ACROSS THE COUNTRY AND WELCOMING ITS FOUNDER, HUGH O'BRIAN TO DELAWARE, THE FIRST STATE. Sponsors: Senator Zimmerman and Representative Bennett; Senators McBride, McDowell, Torbert, Connor, Neal, Bair; Representatives McKay, Fallon, Free, Jester, Campanelli.

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

SA 1 and SA 2 to SB 446 were introduced by Senator Torbert and placed with the Bill.

At 2:55 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 29th Legislative Day.

#### 29TH LEGISLATIVE DAY

May 18, 1982

The Senate convened at 2:55 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

The following veto messages from the Governor were read:

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
May 14, 1982

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

Because of technical defects in the bill, I am returning without my signature Senate Bill No. 251 as amended by House Amendment No. 1 which is entitled: "AN ACT TO AMEND CHAPTER 31, TITLE 24, DELAWARE CODE RELATING TO PRE-NEED FUNERAL CONTRACTS."

The provisions of Delaware law concerning pre-need funeral contracts were formerly numbered Sections 3120 through 3127 of Title 24 but have been redesignated as Sections 301 through 308 of Title 5. However, Senate Bill No. 251 amends Title 24 rather than Title 5. Further, there are apparent conflicts between the provision of Senate Bill No. 251 and the present provisions in Title 5. Because it would be desirable to have the bill redrafted and these conflicts resolved, I am returning Senate Bill No. 251 as amended by House Amendment No. 1 without my signature.

Respectfully submitted,  
Pierre S. duPont, IV, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
May 14, 1982

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

I am returning without my signature Senate Bill No. 344, as amended by House Amendment No. 1, which was received on May 4, 1982, and is entitled: "AN ACT TO AMEND CHAPTER 6, TITLE 29, DELAWARE CODE, RELATING TO REQUIREMENT THAT EACH DEPARTMENT, AGENCY, COMMISSION OR AUTHORITY OF THIS STATE ADOPT A FORMS MANAGEMENT PLAN WHICH MEETS CERTAIN CRITERIA; PROVIDING FOR A FORMS MANAGEMENT OFFICER IN EACH AGENCY; REQUIRING EACH AGENCY TO USE ONLY FORMS APPROVED UNDER ITS FORMS MANAGEMENT PLAN; REQUIRING EACH AGENCY TO FILE ITS PLAN WITH THE BUREAU OF ARCHIVES AND RECORDS; PROVIDING FOR THE APPROVAL AND MONITORING OF EACH PLAN BY THE BUREAU OF ARCHIVES AND RECORDS."

Briefly stated, this bill directs all state agencies, departments and commissions to develop a "forms management plan" designed to encourage consolidation and management of standard government forms as a means of simplifying their content and use. While the bill has a worthy purpose, I am returning it unsigned because it will likely burden, rather than assist, many agencies in achieving its laudable purpose and because I believe state government can better implement a forms management plan absent the inflexible procedural constraints imposed by this legislation.

Early in this Administration we embarked on a related project, establishing a records management plan that provides uniform schedules for preservation or disposition of records created by public bodies in the State of Delaware. These efforts have measurably improved the records management process, achieving significant cost efficiencies in the system of storing or disposing of records and in assuring interagency conformity in records disposition. This example thus teaches that state agencies and departments can undertake forms management projects without legislation.

Senate Bill No. 344 also will impose a uniform procedure on all agencies and departments without regard for the specific problems or circumstances with which different agencies may be faced in the area of forms and records management. This broad brush approach will likely have untoward consequences, adding to the proliferation and complication of government records and forms rather than reducing and simplifying them. In addition, administrative costs associated with implementing the plan mandated by this bill may well exceed its expected benefits. Our experience to date indicates that significant economies and more positive results can be achieved if, by executive or administrative order, agencies and departments within state government proceed by their own means to devise forms management procedures that are specifically tailored to identify and address problems of each agency or department.

Accordingly, because I am confident that state government can undertake a forms management program as part of its overall records management effort, and that such efforts can be undertaken more cheaply and with fewer of the organizational burdens associated with this legislation, I am returning Senate Bill No. 344 with House Amendment No. 1 without my signature.

Respectfully submitted,  
Pierre S. duPont, IV, Governor

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SB 538 was taken up for consideration on motion of Senator Holloway:

SB 538 - AN ACT TO AMEND SUBCHAPTER II, TITLE 13, DELAWARE CODE, RELATING TO VIOLATION OF FAMILY COURT SUPPORT ORDERS.

The privilege of the floor was extended to Henry Ridgely (Senate Attorney) after which the roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 515 was stricken at the request of the sponsor, Senator Marshall.

SB 525 was taken up for consideration on motion of Senator Holloway:

SB 525 - AN ACT TO AMEND CHAPTER 4, TITLE 24 OF THE DELAWARE CODE RELATING TO THE LICENSING OF BARBERS.

The privilege of the floor was extended to Henry Ridgely (Senate Attorney) after which the Bill was laid on the table on further motion of Senator Holloway.

SCR 129 was introduced and considered for adoption on motion of Senator McBride:

SCR 129 - WELCOMING VISITING JAPANESE EDUCATORS TO DELAWARE. Sponsors: Senator McBride and Representative McKay.

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

At 3:28 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:45 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SS 1 for SB 480 - AN ACT TO AMEND CHAPTER 79, TITLE 29, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A LEAD AGENCY OF SERVICES TO CHILDREN AND YOUTH. Sponsors: Senators McDowell and Bair (jointly), Senators Vaughn, Marshall, Connor, Martin, Zimmerman, Sharp, Holloway, Torbert, Berndt, Neal; Representatives George, Cain, Jester, Gilligan, Anderson, Dixon, Campanelli, Soles, Plant, Darling, West, Minner, Bennett, Cordrey, Jonkiert, Roy, Spence, Cathcart, Smith, Corrozi. Adopted in lieu of the Original.

SA 1 to SB 353. Sponsor: Senator Vaughn. Placed with the Bill.

SA 1 to SB 525. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 189. Sponsor: Senator Neal. Placed with the Bill.

At 4:47 p.m., Lt. Governor Castle presiding.

SA 2 to SB 516. Sponsor: Senator Sharp. Placed with the Bill.

HB 589 - AN ACT TO AMEND CHAPTER 17 OF TITLE 24, DELAWARE CODE TO PERMIT THE BOARD OF MEDICAL PRACTICE TO DISCIPLINE A PHYSICIAN WHOSE LICENSE TO PRACTICE MEDICINE HAS BEEN SUSPENDED OR REVOKED IN ANOTHER STATE. Sponsors: Representatives Maroney and Holloway, Jr. The Chair assigned the Bill to the Administrative Services/Energy Committee; however, at the request of Senator Holloway the Bill was reassigned to the Health-Social Services/Aging Committee.

HB 598 - AN ACT TO AMEND CHAPTER 51, TITLE 25 OF THE DELAWARE CODE RELATING TO TERMINATION OF A RENTAL AGREEMENT. Sponsors: Representative Anderson and Senator Martin; Representatives Cordrey, Dixon, Jester, Minner, Cain, Gilligan, Plant, West, Holloway, Jr., Darling, Jonkiert; Senators Sharp and Holloway, Sr.; Representatives Brady, Fallon, Riddagh, Corrozi, Cathcart, Mack, Edwards and VanSciver. Assigned to Administrative Services/Energy Committee.

HB 612 - AN ACT TO AMEND CHAPTER 42, VOLUME 53, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE CITY OF SEAFORD" TO PROVIDE FOR THE APPOINTMENT OF THE CITY MANAGER AND THE ASSISTANT CITY MANAGER FOR AN INDEFINITE TERM, TO PROVIDE FOR THEIR REMOVAL, TO PROVIDE FOR THE APPOINTMENT AND DISMISSAL OF EMPLOYEES BY THE CITY MANAGER, TO PROVIDE FOR THE APPOINTMENT OF THE CHIEF OF POLICE AND FOR THE OPERATION OF THE POLICE DEPARTMENT. Sponsor: Representative Fallon. Assigned to Community Affairs Committee.

HB 629 - AN ACT TO AMEND CHAPTER 50, VOLUME 57, LAWS OF DELAWARE, RELATING TO THE CHARTER OF THE TOWN OF VIOLA. Sponsors: Representative Darling and Senator Cook. Assigned to Community Affairs Committee.

HB 543 w HA 1 - AN ACT TO AMEND SUBCHAPTER III, CHAPTER 27, TITLE 21, DELAWARE CODE AND CHAPTER 474 OF 61 LAWS OF DELAWARE RELATING TO OPERATION OF A VEHICLE WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS. Sponsors: Representatives Minner, Darling, Oberle, Brady, Powell; Senators Cordrey and Zimmerman. Assigned to Public Safety Committee.

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

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
May 18, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Henry James Decker, R.D. #2, Box 153, Dover, Delaware, to be appointed as Secretary of the Department of Public Safety, effective July 15, 1982, to serve at the pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
May 18, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Marna C. Whittington, P.O. Box 485, Wilmington, Delaware, to be appointed as Budget Director of the State of Delaware effective July 15, 1982, to serve at the pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
Pierre S. duPont, Governor

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SB 525 was lifted from the table for consideration on motion of Senator Holloway.

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to Gary Dalton (Senate Attorney).

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

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

Senator Zimmerman introduced Hugh O'Brian who was present in the Chamber to the Senate and he was extended the privilege of the floor at which point he hugged and kissed the Secretary of the Senate, Betty Jean Caniford.

SB 525 w SA 1 was lifted from the table for consideration on motion of Senator Holloway and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Holloway, Knox, Littleton, Martin, McBride, McDowell, Neal - 14.

NO: Senators Cordrey, Marshall, Sharp, Torbert, Vaughn - 5.

NOT VOTING: Senator Hughes - 1.

ABSENT: Senator Zimmerman - 1.

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

HB 395 w HA 2 was taken up for consideration on motion of Senator Sharp:

HB 395 w HA 2 - AN ACT TO AMEND CHAPTER 23, PART II, TITLE 19 OF THE DELAWARE CODE RELATING TO THE USE OF DEDUCTIBILITY CLAUSES IN THE STATE WORKMENS' COMPENSATION ACT.

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

SB 524 was taken up for consideration on motion of Senator Holloway:

SB 524 - AN ACT TO AMEND CHAPTER 48, TITLE 29, DELAWARE CODE, RELATING TO LOTTERIES.

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

The Secretary announced that a message from the House informed the Senate that it had passed HB 589; HB 598; HB 612; HB 629; HB 543 w HA 1 and adopted SCR 128 and SCR 129.

At 5:35 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 19, 1982.

The Senate reconvened at 2:40 p.m., May 19, 1982, Senator Cordrey presiding.

HB 589 was reported out of the Health-Social Services/Aging Committee: 4 Merits.

The following legislation was introduced:

SB 557 - AN ACT TO AMEND CHAPTER 13 OF TITLE 18 OF THE DELAWARE CODE RELATING TO ELIGIBLE INVESTMENTS OF INSURANCE COMPANIES. Sponsor: Senator Cordrey. Assigned to Insurance and Elections Committee.

SA 1 to SS 1 for SB 480. Sponsor: Senator Bair. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had passed HB 443 and SB 358.

HB 443 was introduced and assigned to Insurance and Elections Committee:

HB 443 - AN ACT TO AMEND CHAPTER 42, TITLE 18, DELAWARE CODE RELATING TO THE SCOPE OF THE DELAWARE INSURANCE GUARANTEE ASSOCIATION ACT. Sponsor: Representative Harrington.

SCR 130 - COMMENDING THE VOCATIONAL-INDUSTRIAL CLUBS OF AMERICA AND THEIR ADVISORS FOR THE LEADERSHIP MANIFESTED AT THE BETHANY BEACH CONFERENCE. Sponsors: Senators Berndt, Connor, Cordrey; Representatives Derrickson, Barnes, Gilligan, Van Seiver.

The Resolution was considered for adoption on motion of Senator Berndt and the roll call vote taken which revealed 17 Senators voting YES and 4 (Arnold, Bair, Connor and Holloway) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

The following Committee reports were announced:

From the Judiciary Committee: SB 529 - 4 Merits; SB 532 - 4 Merits; SB 536 - 3 Merits; HB 298 w HA 1 - 4 Merits; HB 299 - 4 Merits; HB 309 w HA 1 - 4 Merits; HB 424 - 4 Merits; HB 426 w HA 1 (w HA 1), HA 4, 5 - 1 Favorable, 3 Merits; HB 555 w HA 1 - 4 Merits; HB 556 w HA 2 - 4 Merits; HB 561 w HA 1 - 4 Merits; HS 1 for HJR 26 - 2 Favorable, 1 Merits.

From the Insurance and Elections Committee: SB 469 - 1 Favorable, 3 Merits; SB 519 - 4 Merits; HB 206 - 4 Merits; HB 520 w HA 2 - 4 Merits; HB 547 w HA 1 - 4 Merits; HB 580 - 4 Merits.

At 2:55 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 30th Legislative Day.

### 30TH LEGISLATIVE DAY May 19, 1982

The Senate convened at 2:55 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21. The Journal of the previous day was approved as read on motion of Senator Sharp.

At 2:59 p.m., Lt. Governor Castle presiding.

SCR 131 was introduced and considered for adoption on motion of Senator Martin:

SCR 131 - MOURNING THE DEATH OF B. THOMAS ELLIOTT, OF LAUREL, FATHER OF STATE INSURANCE COMMISSIONER DAVID H. ELLIOTT. Sponsors: Senator Martin and all the Senators.

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

Senators Arnold and Zimmerman marked PRESENT during roll call.

SS 1 for SB 480 was taken up for consideration on motion of Senator McDowell:

SS 1 for SB 480 - AN ACT TO AMEND CHAPTER 79, TITLE 29, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A LEAD AGENCY OF SERVICES TO CHILDREN AND YOUTH.

Senator McDowell moved that the necessary rules be suspended for consideration of the Substitute Bill since the Title was different from the Original Bill; there was no objection.

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to Pat Schramm, Secretary of Health and Social Services.

The Senate recessed at 3:40 p.m. and reconvened at 3:45 p.m. for the purpose of changing the tape.

SS 1 for SB 480 was still before the Senate.

SA 1 to the Bill which had been placed with the Bill was laid on the table on motion of the sponsor, Senator Bair.

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

Senator Connor marked PRESENT.

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

SB 561 was introduced and taken up for consideration under suspension of the necessary rules on motion of Senator McDowell:

SB 561 - AN ACT TO AMEND CHAPTER 79, TITLE 29, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A LEAD AGENCY OF SERVICES TO CHILDREN AND YOUTH. Sponsors: Senators McDowell and Bair jointly; Senators Vaughn, Marshall, Connor, Martin, Zimmerman, Sharp, Holloway, Torbert, Berndt, Neal; Representatives George, Cain, Jester, Gilligan, Anderson, Dixon, Campanelli Soles, Plant, Darling, West, Minner, Bennett, Cordrey, Jonkiert, Roy, Spence, Cathcart, Smith.

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to John L. Sullivan (Department of Correction), Martha Verge duPont (Child, Inc.), Beverly C. Williams (Executive Director of AID), and Alan L. McClelland (Governor's Commission of Mental Health).

SA 1 to the Bill was introduced by Senator Bair and considered for adoption on her motion. The roll call vote on the Amendment was taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on SB 561 w SA 1 was then taken and revealed-

YES: Senators Adams, Arnold, Bair, Citro, Connor, Cook, Cordrey, Holloway, Marshall, Martin, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 16.

NO: Senators Berndt, Hughes, Knox, Littleton, McBride - 5.

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

SR 80 was introduced and considered for adoption on motion of Senator Hughes:

SR 80 - EXTENDING BIRTHDAY CONGRATULATIONS TO OUR VETERAN AND ESTEEMED COLLEAGUE, SENATOR ROBERT J. (BOB) BERNDT, OF GORDON HEIGHTS. Sponsors: Senator Hughes and all the Senators.

The roll call vote on the Resolution was taken and revealed 20 Senators voting YES and 1 (Berndt) voting NO; therefore, the Resolution was declared adopted.

At 6:14 p.m. on motion of Senator Sharp, the Senate recessed until 2:30 p.m., May 20, 1982.

The Senate reconvened at 2:45 p.m., May 20, 1982, Senator Cordrey presiding.

The following legislation was introduced:

SB 562 - AN ACT TO AMEND CHAPTER 7 OF THE DELAWARE CODE RELATING TO FALCONRY LICENSING. Sponsors: Senators Zimmerman, Vaughn, Bair, Berndt; Representatives Barnes, Edwards, Darling, Cordrey. Assigned to Natural Resources and Environmental Control Committee.

SB 558 - AN ACT TO PERMIT AN EMPLOYEE OF THE DEPARTMENT OF ELECTIONS OF NEW CASTLE COUNTY TO RETAIN EXCESS WAGES (\$514.00). Sponsor: Senator Berndt. Assigned to Finance Committee.

SB 559 - AN ACT TO AMEND §902, TITLE 22 DELAWARE CODE RELATING TO LIMITATIONS ON THE MUNICIPAL USER TAX AND A PHASED REDUCTION THEREOF UPON NONRESIDENTS OF THE MUNICIPALITY. Sponsor: Senator Arnold. Assigned to Revenue and Taxation Committee.

SB 560 - AN ACT TO AMEND PART II, TITLE 16 OF THE DELAWARE CODE RELATING TO "LIVING WILLS" AND SIMILAR DOCUMENTS WHEREIN TERMINALLY-ILL PATIENTS AND OTHER PERSONS MAY AUTHORIZE THE DISCONTINUANCE OF CERTAIN MEDICAL PROCEDURES. Sponsors: Senator McBride, Representative Barnes; Senators Adams, Cook, Cordrey, Martin, Sharp, Torbert, Vaughn, Arnold, Bair, Berndt, Hughes, Knox, Neal; Representatives Buckworth, Corrozi, Fallon, Hebner, Powell, Riddagh, Sincok, Spence, Anderson, Bennett, Cordrey, Darling, Holloway, Minner, Soles. Assigned to Health-Social Services/Aging Committee.

SA 1 to SB 485. Sponsors: Senators Sharp, Citro. Placed with the Bill.

SA 1 to SS 1 for SB 517. Sponsor: Senator Sharp. Placed with the Bill.

The following Committee reports were announced:

From the Highways and Transportation Committee: SB 397 - 5 Merits; HS 1 for HB 247 - 4 Merits.

At 2:51 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 31st Legislative Day.

### 31ST LEGISLATIVE DAY

May 20, 1982

The Senate convened at 2:51 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Adams.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

Senator Marshall moved that SB 559 be reassigned from the Revenue and Taxation Committee to the Community Affairs Committee. The roll call vote on the motion was taken and revealed:

YES: Senators Marshall, McDowell, Neal - 3.

NO: Senators Adams, Citro, Cook, Cordrey, Littleton, McBride, Sharp, Torbert, Vaughn, Zimmerman - 10.

ABSENT: Senators Arnold, Bair, Berndt, Connor, Holloway, Hughes, Knox, Martin - 8.

Therefore, the motion was defeated and the Bill remained in the Revenue and Taxation Committee.

Senators Holloway and McDowell marked PRESENT.

SR 81 was introduced and considered for adoption on motion of Senator Holloway:

SR 81 - THANKING THE STUDENT NURSES FROM THE DELAWARE STATE COLLEGE FOR PARTICIPATING TODAY, MAY 19, 1982, IN THE HIGH BLOOD PRESSURE CONTROL PROGRAM COORDINATED BY THE DIVISION OF PUBLIC HEALTH. Sponsor: Senator Holloway.

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

Senators Arnold, Knox, Bair marked PRESENT.

Legislative Advisory #35 received from the Office of Counsel to the Governor was read which informed the Senate of the Governor's action on legislation as follows:



On May 8, 1982 the Governor signed HB 564 w HA 1 (Volume 63, Chapter 233, Laws of Delaware; on May 13 the Governor signed HB 49 (Volume 63, Chapter 234, Laws of Delaware, HB 331 (Volume 63, Chapter 236, Laws of Delaware), SB 280 w HA 1 (Volume 63, Chapter 237, Laws of Delaware), SB 410 w HA 1 (Volume 63, Chapter 238, Laws of Delaware), SB 449 w HA 1 (Volume 63, Chapter 239, Laws of Delaware), SB 318 (Volume 63, Chapter 240, Laws of Delaware), SB 502 (Volume 63, Chapter 241, Laws of Delaware). On May 13, the Governor signed HS 1 for HB 91 (Volume 63, Chapter 235, Laws of Delaware). The Governor vetoed the following legislation on May 14: SB 251 w HA 1 and SB 344 w HA 1. SCR 90 was signed by the Governor on March 20 and should have been included in Legislative Advisory #31.

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SB 94 was taken up for consideration on motion of Senator McDowell:

SB 94 - AN ACT TO AMEND CHAPTER 51, PART II, TITLE 14 OF THE DELAWARE CODE RELATING TO THE APPOINTMENT OF MEMBERS TO THE BOARD OF TRUSTEES OF THE UNIVERSITY OF DELAWARE.

Senators Berndt, Hughes, Connor and Martin marked PRESENT.

During discussion of the Bill and the Amendments offered to it, the privilege of the floor was extended to Henry Ridgely (Senate Attorney) and Christopher J. Christie (Delaware Undergraduate Student Congress).

At 3:12 p.m., Lt. Governor Castle presiding.

SA 1 to the Bill was introduced by Senator Berndt and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 18 Senators voting YES, 1 (McDowell) NOT VOTING, and 2 (Holloway and Sharp) ABSENT; therefore, the Amendment was declared adopted.

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

YES: Senators Adams, Arnold, Bair, Berndt, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, McDowell, Neal, Torbert, Zimmerman - 15.

NO: Senators Connor, Martin, McBride and Vaughn - 4.

ABSENT: Senators Citro and Sharp - 2.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 94 w SA 1, 2 was then taken; however, the roll call was laid on the table before being announced on motion of Senator McDowell.

SB 279 was taken up for consideration on motion of Senator McBride:

SB 279 - AN ACT TO AMEND CHAPTER 30, PART III, TITLE 30 OF THE DELAWARE CODE RELATING TO THE MOTOR VEHICLE DOCUMENT FEE.

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

HB 154 w HA 1, 3, 4, 6 was taken up for consideration on motion of Senator McBride:

HB 154 w HA 1, 3, 4, 6 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO THE RULES OF THE ROAD AND THE USE OF CHILD RESTRAINT SYSTEMS.

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

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

NO: Senators Adams, Bair, Citro, Connor, Cook, Cordrey, Holloway, Littleton, McDowell, Neal, Sharp, Torbert, Vaughn - 13.

ABSENT: Senators Arnold, Berndt, Hughes, Knox - 4.

Therefore, the Amendment was declared defeated.

At 5:15 p.m., Senator Cordrey presiding.

The roll call vote on HB 154 w HA 1, 3, 4, 6 was then taken and revealed:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Holloway, Hughes, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn - 16.

NO: Senators Adams, Cook, Cordrey, Littleton, Zimmerman - 5.

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

HB 589 was taken up for consideration on motion of Senator Holloway:

HB 589 - AN ACT TO AMEND CHAPTER 17 OF TITLE 24, DELAWARE CODE TO PERMIT THE BOARD OF MEDICAL PRACTICE TO DISCIPLINE A PHYSICIAN WHOSE LICENSE TO PRACTICE MEDICINE HAS BEEN SUSPENDED OR REVOKED IN ANOTHER STATE.

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

At 5:24 p.m., Senator Sharp presiding.

SCR 132 was introduced and considered for adoption on motion of Senator Cordrey:

SCR 132 - URGING THE DELAWARE INSURANCE COMMISSIONER TO RECONSIDER HIS DECISION TO NOT DISAPPROVE A RATE INCREASE BY BLUE CROSS AND BLUE SHIELD OF DELAWARE INC. UNTIL A PUBLIC HEARING HAS BEEN HELD. Sponsors: Senators Cordrey, Zimmerman, Marshall.

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

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

At 5:31 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., May 25, 1982.

The Senate reconvened at 2:29 p.m., May 25, 1982, Senator Cordrey presiding.

The following legislation was introduced:

SA 1 to SB 513. Sponsor: Senator Adams. Placed with the Bill.

SA 1 to SB 539. Sponsor: Senator Adams. Placed with the Bill.

SB 563 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE BY PROVIDING FOR THE ORGANIZATION OF LIMITED PURPOSE TRUST COMPANIES AND TO AMEND THE CAPITAL STOCK REQUIREMENTS OF BANKS AND TRUST COMPANIES. Sponsors: Senator Cordrey; Representative Powell. Assigned to Banking Committee.

SB 564 - AN ACT TO AMEND CHAPTER 501, TITLE 24 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF PUBLIC WORKS AND THE PRACTICE OF ENGINEERING ON PUBLIC WORKS. Sponsor: Senator Connor. Assigned to Administrative Services/Energy Committee.

SB 565 - AN ACT TO AMEND SUBCHAPTER II, TITLE 16, DELAWARE CODE, RELATING TO POWERS AND DUTIES OF THE DIVISION OF PUBLIC HEALTH. Sponsor: Senator Torbert. Assigned to Health-Social Services/Aging Committee.

SB 566 - AN ACT TO AMEND TITLE 24 AND TITLE 30, DELAWARE CODE, RELATING TO THE LICENSING OF LOCKSMITHS AND SUPPLIERS OF LOCKSMITH TOOLS AND EQUIPMENT; PROVIDING AN ANNUAL TAX THEREON; AND PROVIDING PENALTIES. Sponsors: Senators Marshall, Connor, Hughes, McBride, Vaughn; Representatives Campanelli, Dixon, Mack, Oberle, Riddagh, Sincok, West. Assigned to Revenue and Taxation Committee.

SB 567 - AN ACT TO AMEND CHAPTER 45, TITLE 12 OF THE DELAWARE CODE RELATING TO THE DELAWARE UNIFORM GIFTS TO MINORS ACT. Sponsor: Senator Berndt. Assigned to Health-Social Services/Aging Committee; however, at the request of Senator Berndt, the Bill was reassigned to Judiciary Committee.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 160, HCR 161, HCR 162, HCR 163, HCR 164, SCR 122, SCR 124, SCR 125, SCR 130, SCR 131.

HCR 160 was introduced and considered for adoption on motion of Senator Holloway:

HCR 160 - JOINING IN THE CHORUS OF PRAISE FOR THE CAREER OF RABBI HERBERT E. DROOZ AS HE RETIRES AFTER NEARLY 40 YEARS AT TEMPLE BETH EMETH IN WILMINGTON. Sponsors: Representative George, Senator McDowell.

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

HCR 161 was introduced and considered for adoption on motion of Senator Marshall:

HCR 161 - WELCOMING COMMISSIONER JOHN D. NEEDHAM, THE NATIONAL COMMANDER OF THE SALVATION ARMY, TO DELAWARE ON JUNE 2-3, 1982. Sponsors: Representative Jonkiert, Senator Marshall.

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

HCR 162 was introduced and considered for adoption on motion of Senator Vaughn:

HCR 162 - MOURNING THE DEATH OF CARLTON M. DAVIS, OF CLAYTON, A MEMBER OF THE HOUSE OF REPRESENTATIVES IN THE 117TH GENERAL ASSEMBLY. Sponsors: Representative Riddagh; Senators Cook and Vaughn.

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

HCR 163 was introduced and considered for adoption on motion of Senator Bair:

HCR 163 - CONGRATULATING THE UNIVERSITY OF DELAWARE'S WOMEN'S LACROSSE TEAM UPON WINNING THE DIVISION II TITLE FOR THE SECOND CONSECUTIVE YEAR. Sponsor: Representatives Soles and Bennett.

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

HCR 164 was introduced and considered for adoption on motion of Senator Knox:

HCR 164 - CONGRATULATING PARTICIPANTS IN THE ANNUAL VOCATIONAL SKILLS AND LEADERSHIP CONTEST SPONSORED BY THE VOCATIONAL INDUSTRIAL CLUBS OF AMERICA. Sponsors: Representative Van Sciver and all Members of the House and Senate.

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

SB 557 was reported out of the Insurance and Elections Committee: 4 Merits.

At 2:44 p.m., on motion of Senator Sharp, the Senate adjourned to immediately convene for the 32nd Legislative Day.

32ND LEGISLATIVE DAY  
May 25, 1982

The Senate convened at 2:44 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Hughes.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.  
The Journal of the previous day was approved as read on motion of Senator Sharp.

The Secretary announced that a message from the House informed the Senate that it had passed HB 490 w HA 1, HS 1 for HB 491.

SB 556 was reported out of the Executive Committee: 1 Favorable, 4 Merits.

The following legislation was introduced:

HB 490 w HA 1 - AN ACT TO AMEND CHAPTER 5, SUBCHAPTER III, SUBPART I, OF TITLE 11 OF THE DELAWARE CODE, TO MAKE IT A CRIME TO FRAUDULENTLY CONVEY OR RECEIVE PUBLIC LANDS. Sponsors: Representatives Minner and Smith. Assigned to Judiciary Committee.

HB 491 - AN ACT TO AMEND CHAPTER 45 OF TITLE 7 OF THE DELAWARE CODE TO ALLOW FOR TITLE OR INTEREST IN PUBLIC LANDS TO BE OBTAINED ONLY BY DEED OR WRITTEN INSTRUMENT. Sponsors: Representatives Minner and Smith. Assigned to Judiciary Committee.

Senators Holloway and McDowell marked PRESENT.

SCR 133 was introduced and considered for adoption on motion of Senator Holloway:

SCR 133 - EXPRESSING GRATEFUL APPRECIATION TO THE PLANNERS OF THE STATEWIDE CONFERENCE ON DRUG, ALCOHOL AND GAMBLING ADDICTION IN THE STATE OF DELAWARE, HELD AT WILMINGTON HIGH SCHOOL ON MONDAY, MAY 17, 1982 ATTENDED BY OVER FOUR HUNDRED CITIZENS. Sponsors: Senators Holloway, Marshall, McBride, McDowell, Torbert, Berndt, Knox, Neal; Representative Edwards.

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

SCR 134 was introduced and considered for adoption on motion of Senator Adams:

SCR 134 - CONGRATULATING THE WOODBRIDGE HIGH SCHOOL TEAM AND COACH BILL DEGNAN FOR WINNING THE DIVISION II TRACK AND FIELD CHAMPIONSHIP. Sponsors: Senator Adams, Representatives Barnes.

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

SB 513 was taken up for consideration on motion of Senator Adams:

SB 513 - AN ACT TO AMEND TITLE 6, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A MOTOR VEHICLE FRANCHISING PRACTICES ACT.

During discussion of the Bill and the Amendments offered to it, the privilege of the floor was extended to Walter E. Huizenga (NADA), Norman R. Sherbert (General Motors Corporation), Henry Ridgely (Senate Attorney) and William D. Luke, Jr. (Delaware Automobile Dealers Association).

At 2:59 p.m., Lt. Governor Castle presiding.

The Senate recessed at 4:00 p.m. to change the tape and reconvened at 4:03 p.m.

SB 513 was still before the Senate.

Senator Connor marked PRESENT.

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

Senator Martin marked PRESENT.

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

The Senate recessed at 4:40 p.m. on motion of Senator Sharp and reconvened at 4:42 p.m., Senator Sharp presiding.

The following Committee reports were announced:

From the Community Affairs Committee: SB 530 - 5 Merits; SB 543 - 5 Merits; SB 544 - 5 Merits.

SB 513 w SA 1 was lifted from the table for consideration on motion of Senator Adams.

SA 2 to the Bill was introduced by Senator Adams and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 18 Senators voting YES and 3 (Bair, Martin and Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 513 w SA 1, 2 was then taken on motion of Senator Adams and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 4:47 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., May 26, 1982.

The Senate reconvened at 2:13 p.m., May 26, 1982, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 630; HB 631; HB 632; HB 633 w HA 1; HB 634; HB 635; HB 637; HB 638; HB 639 w HA 1; HB 567 w HA 1, 2.

SB 503 was reported out of the Agriculture Committee: 3 Favorable, 3 Merits.

The following legislation was introduced:

SA 1 to SB 524. Sponsor: Senator Holloway. Placed with the Bill.

SB 568 - AN ACT TO AMEND CHAPTER 11, TITLE 16, DELAWARE CODE, RELATING TO THE RIGHTS OF PATIENTS IN REST AND NURSING HOMES. Sponsor: Senator Cordrey. Assigned to Health-Social Services/Aging Committee.

SB 569 - 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 CHRISTINA-SCHOOL DISTRICT, TO BE UTILIZED FOR THE CONSTRUCTION OF CERTAIN FACILITIES IN THE STERCK SCHOOL FOR THE HEARING IMPAIRED. Sponsors: Senator Martin; Representatives Anderson, Jester. Assigned to Finance Committee.

HB 567 - AN ACT TO AMEND CHAPTER 4 AND CHAPTER 39, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE; AND PROVIDING FOR CERTAIN VERDICTS IN CRIMINAL CASES. Sponsors: Representatives Riddagh, Spence, Jonkiert, Mack, Minner, Roy, Harrington, Oberle; Senators Arnold, Vaughn, Hughes, Cook, Littleton. Assigned to Judiciary Committee.

HB 630 - AN ACT TO AMEND CHAPTER 11, TITLE 12, DELAWARE CODE, RELATING TO THE ESCHEAT OF ABANDONED OR UNCLAIMED PROPERTY. Sponsors: Representative Powell; Senator Cook. Assigned to Judiciary Committee; however, reassigned to Revenue and Taxation Committee on motion of Senator Berndt without objection.

HB 631 - AN ACT TO AMEND CHAPTER 61, TITLE 30, DELAWARE CODE, TO IMPOSE A PENALTY FOR FAILURE TO FILE PUBLIC ACCOMMODATION TAX RETURNS. Sponsors: Representative Powell; Senator Cook. Assigned to Revenue and Taxation Committee.

HB 632 - AN ACT TO AMEND SECTION 1195, CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO PENALTIES FOR FAILURE TO PAY CERTAIN TAXES. Sponsors: Representative Powell; Senator Cook. Assigned to Revenue and Taxation Committee.

HB 633 w HA 1 - AN ACT TO AMEND CHAPTER 19, TITLE 30, DELAWARE CODE, RELATING TO THE CORPORATION INCOME TAX. Sponsors Representative Powell; Senator Cook. Assigned to Revenue and Taxation Committee.

HB 634 - AN ACT TO AMEND CHAPTER 61, TITLE 30, DELAWARE CODE, RELATING TO PUBLIC ACCOMMODATION TAXES. Sponsors Representative Powell; Senator Cook. Assigned to Revenue and Taxation Committee.

HB 635 - AN ACT TO AMEND CHAPTER 19, TITLE 30, DELAWARE CODE, RELATING TO THE CORPORATION INCOME TAX. Sponsors Representative Powell; Senator Cook. Assigned to Revenue and Taxation Committee.

HB 637 - AN ACT TO AMEND SECTION 1194, CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO FAILURE TO FILE RETURNS. Sponsors Representative Powell; Senator Cook. Assigned to Revenue and Taxation Committee.

HB 638 - AN ACT TO AMEND CHAPTER 21, TITLE 30, DELAWARE CODE, RELATING TO OCCUPATIONAL AND BUSINESS LICENSES AND TAXES. Sponsors Representative Powell; Senator Cook. Assigned to Revenue and Taxation Committee.

HB 639 w HA 1 - AN ACT TO AMEND CHAPTER 21, PART III, TITLE 30, DELAWARE CODE, TO PROVIDE PROCEDURES FOR OBTAINING AND ENFORCING JUDGMENTS AGAINST CERTAIN DELINQUENT TAXPAYERS. Sponsors Representative Powell; Senator Cook. Assigned to Revenue and Taxation Committee.

The following Committee reports were announced:

From the Agriculture Committee: HB 570 - 2 Favorable, 4 Merits.

From the Health-Social Services/Aging Committee: SB 419 - 1 Favorable, 4 Merits; SB 501 - 6 Merits; SB 560 - 6 Merits; HB 440 w HA 1, 2 5 Merits; HB 617 - 6 Merits.

HB 636 w HA 1 which had been laid on the table was assigned to Revenue and Taxation Committee on motion of Senator Cook.

SB 563 was reported out of the Banking Committee: 5 Merits.

SCR 135 was introduced and considered for adoption on motion of Senator Sharp:

SCR 135 - CONGRATULATING THE MINQUAS FIRE COMPANY NO. 1, OF NEWPORT, ON ITS 75TH ANNIVERSARY AS A VOLUNTEER ORGANIZATION. Sponsors: Senators Sharp, McBride; Representative VanSeiver.

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

At 2:25 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 33rd Legislative Day.

### 33RD LEGISLATIVE DAY May 26, 1982

The Senate convened at 2:25 p.m., Senator Cordrey presiding.  
A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

SB 503 was taken up for consideration on motion of Senator Adams:

SB 503 - AN ACT AUTHORIZING THE DEPARTMENT OF AGRICULTURE TO CONTINUE THE PILOT PROJECT ON THE CONCEPTS OF DYNAMIC SEEDING (WEATHER MODIFICATION).

The privilege of the floor was extended to Lewis T. Moore, Division of Atmospheric Resources Research.

At 2:50 p.m., Senator Holloway presiding.

At 3:09 p.m., Lt. Governor Castle presiding.

The Bill was laid on the table on motion of Senator Adams.

At the request of Lieutenant Governor Castle, Don Coker (Assistant Director of Legislative Council) introduced to the Senate Mr. Agbola and Mr. Ilori, visitors from Akure State in Nigeria.

Senators McDowell, Berndt, Holloway, Adams, Hughes, Martin, Zimmerman, Connor marked PRESENT.

SB 503 was lifted from the table for consideration on motion of Senator Adams and the roll call vote taken which revealed:

YES: Senators Adams, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, McBride, McDowell, Torbert, Vaughn - 15.

NO: Senators Arnold, Marshall, Neal, Sharp, Zimmerman - 5.

ABSENT: Senator Martin - 1.

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

At 3:56 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:48 p.m., Senator Cordrey presiding.

SB 516 was reported out of the Administrative Services/Energy Committee: 5 Merits.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 143, HCR 166, HCR 167, HCR 168, SCR 133, SCR 134.

Legislative Advisory #36 received from the Office of Counsel to the Governor was read which informed the Senate of the following action on legislation by the Governor:

On May 20, 1982 the Governor signed HB 220 (Volume 63, Chapter 242, Laws of Delaware), HB 369 w SA 1 (Volume 63, Chapter 243, Laws of Delaware), HB 414 w HA 1 (Volume 63, Chapter 244, Laws of Delaware), HB 541 (Volume 63, Chapter 245, Laws of Delaware), HB 579 w HA 1 (Volume 63, Chapter 246, Laws of Delaware); on May 24 the Governor signed HB 458 (Volume 63, Chapter 247, Laws of Delaware); on May 20 the Governor signed SJR 31 (no Chapter assigned).

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The following legislation was introduced:

SA 1 to SB 505. Sponsor: Senator Martin. Placed with the Bill.

SA 1 to SB 548. Sponsor: Senator Martin. Placed with the Bill.

SB 570 - AN ACT TO AMEND CHAPTER 9 AND CHAPTER 21 OF TITLE 5 OF THE DELAWARE CODE RELATING TO MUTUAL SAVINGS BANKS AND SAVINGS SOCIETIES, SUBJECTING THEM TO THE SAME GENERAL LOAN LIMITATIONS APPLICABLE TO OTHER STATE BANKS OR TRUST COMPANIES. Sponsors: Senators Holloway, Sharp, Littleton, Torbert, Hughes; Representatives Gilligan, Harrington, Hebner, Oberle, Corrozi. Assigned to Banking Committee.

At 4:50 p.m., Lt. Governor Castle presiding.

SB 571 - AN ACT TO AMEND CHAPTER 43, TITLE 21 OF THE DELAWARE CODE RELATING TO THE USE OF A SPECIAL GREEN LIGHT FOR A COMMAND POST AT AN ACCIDENT, FIRE OR DISASTER SCENE AND FOR USE ON A HAZARDOUS MATERIAL RESPONSE VEHICLE. Sponsors: Senators Sharp, Hughes; Representatives Spence, Gilligan, Minner, Campanelli, Oberle, Cathcart, Edwards. Assigned to Public Safety Committee.

SB 572 - AN ACT TO AUTHORIZE AND DIRECT THE DEPARTMENT OF NATURAL RESOURCES TO CONDUCT A FEASIBILITY STUDY OF CONVERSION OF ELEVEN STATE-OWNED WORLD WAR II FIRE TOWERS TO PUBLIC USE, AND PROVIDING FUNDS THEREFOR. Sponsor: Senator Martin. Assigned to Natural Resources and Environmental Control Committee.

SB 573 - AN ACT TO AMEND CHAPTER 25, TITLE 18, DELAWARE CODE, TO REQUIRE HEALTH AND ACCIDENT INSURANCE COMPANIES TO FILE RATES PRIOR TO THE EFFECTIVE DATE, AND TO REQUIRE HEALTH AND ACCIDENT COMPANIES TO PAY THE COSTS OF EMPLOYING ANY NEEDED CONSULTANTS TO REVIEW THEIR FILINGS, AND REQUIRE COMPLETE ANNUAL STATEMENTS FROM HEALTH SERVICE CORPORATIONS. Sponsors: Senators Sharp and Zimmerman, Representative Harrington. Assigned to Insurance and Elections Committee.

SB 533 w HA 1, 3 was lifted from the table for consideration on motion of Senator Vaughn.

The privilege of the floor was extended to Commissioner John L. Sullivan (Corrections Department).

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

YES: Senators Adams, Cook, Cordrey, Holloway, Hughes, Littleton, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 14.

NO: Senators Arnold, Bair, Berndt, Citro, Connor, Knox, Neal - 7.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 353 w HA 1, 3, SA 1 was then taken and revealed 19 Senators voting YES and 2 (Citro and Connor) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration of the Senate Amendment.

At 5:30 p.m. on motion of Senator Sharp, the Senate recessed until 1:30 p.m., May 27, 1982.

The Senate reconvened at 1:28 p.m., May 27, 1982, Lt. Governor Castle presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 695, HB 707, HB 600, HB 641.

The following legislation was introduced:

HB 600 - AN ACT TO AMEND SECTION 5526(b), CHAPTER 55, TITLE 29 OF THE DELAWARE CODE BY CHANGING THE DATE FOR DISABILITY PENSIONERS TO REPORT THEIR EARNINGS. Sponsors: Representative Powell, Senator Cook. Assigned to Revenue and Taxation Committee.

HB 641 - AN ACT TO AMEND CHAPTER 33, TITLE 12 OF THE DELAWARE CODE, RELATING TO BANKS OR TRUST COMPANIES ESTABLISHING COMMON FUNDS FOR THE COLLECTIVE INVESTMENT OF FUNDS HELD IN A FIDUCIARY OR AGENCY CAPACITY. Sponsors: Representatives Powell, McKay; Senators Adams, Cordrey. Assigned to Revenue and Taxation Committee.

HB 695 - AN ACT TO AMEND CHAPTER 4, PART 1, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL LIABILITY OF THE OWNER OR LEGAL OCCUPANT OF A DWELLING FOR INJURIES TO AN UNLAWFUL INTRUDER. Sponsors: Representative Riddagh, Senator Sharp; Representatives Barnes, Buckworth, Catheart, Edwards, Ennis, Harrington, Mack, Oberle, Spence, West, Campanelli, Darling, Dixon, Jonkiert, Minner; Senators Marshall, McBride, Torbert, Vaughn, Arnold, Bair, Citro, Hughes, Littleton. Assigned to Judiciary Committee.

HB 707 - AN ACT TO AMEND TITLE 10 AND TITLE 25 OF THE DELAWARE CODE RELATING TO THE LIMITATION OF REAL ACTIONS. Sponsors: Representatives Riddagh, Dixon, Petrilli, Harrington, Jester, Edwards, Campanelli, West, Minner, Barnes, Brady, Bennett; Senators Zimmerman, Vaughn, McBride, Holloway, Hughes, Cook, Torbert. Assigned to Judiciary Committee.

SB 574 - AN ACT TO AMEND PART III, TITLE 12 OF THE DELAWARE CODE, RELATING TO DISCLAIMER OF INTERESTS IN PROPERTY. Sponsors: Senators Zimmerman and Berndt; Representatives Sincok, Anderson. Assigned to Judiciary Committee.

SB 575 - AN ACT TO AMEND CHAPTER 41, TITLE 21, DELAWARE CODE, RELATING TO LOCAL AUTHORITIES AND THE FORCE AND EFFECT OF LOCAL TRAFFIC ORDINANCES AND TO AMEND CHAPTER 27, TITLE 21, TO PROVIDE FOR A CLARIFICATION OF THE WORD "CONVICTION". Sponsors: Senators Neal, Martin; Representatives Soles, Petrilli. Assigned to Public Safety Committee.

SB 576 - AN ACT TO AMEND CHAPTER 63, VOLUME 12, LAWS OF DELAWARE, ENTITLED "AN ACT TO INCORPORATE THE ARTISANS' SAVINGS BANK," AS AMENDED, TO PERMIT THE BANK TO MAKE CERTAIN LOANS. Sponsors: Senators Holloway, Sharp, Hughes, Torbert, Littleton; Representatives Oberle, Hebner, Harrington. Assigned to Banking Committee.

SB 577 - AN ACT TO AMEND C1(101) OF VOLUME 8, LAWS OF DELAWARE, ENTITLED "AN ACT TO INCORPORATE THE WILMINGTON SAVINGS FUND SOCIETY," AS AMENDED, TO PROVIDE THAT THE SOCIETY MAY MAKE CERTAIN LOANS AND INVESTMENTS. Sponsors: Senators Holloway, Sharp, Hughes, Torbert, Littleton; Representatives Oberle, Hebner, Harrington, Killigan. Assigned to Banking Committee.

SA 1 to SB 469. Sponsor: Senator Sharp. Placed with the Bill.

HCR 143 - REQUESTING THE SUPPORT OF THE DELAWARE CONGRESSIONAL DELEGATION FOR REAUTHORIZATION OF THE ENDANGERED SPECIES ACT. Sponsor: Representative Smith. Laid on the table on motion of Senator Knox.

SB 568 was reported from the Health-Social Services/Aging Committee: 4 Merits.

HCR 166 was introduced and considered for adoption on motion of Senator Knox:

HCR 166 - SALUTING THE SIXTEEN OFFICERS OF THE DELAWARE STATE POLICE, MEMBERS OF THE CLASS OF 1963, WHO ARE RETIRING. Sponsors: Representative Oberle and all the Representatives and all the Senators.

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

HCR 167 was introduced and considered for adoption on motion of Senator Torbert:

HCR 167 - CONGRATULATING CLYDE JENSEN, OF CAMDEN, UPON HIS NOMINATION FOR THE PRESIDENT'S VOLUNTEER ACTION AWARD. Sponsors: Representative Buckworth, Senator Torbert.

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

HCR 168 was introduced and considered for adoption on motion of Senator Marshall:

HCR 168 - CONGRATULATING JOHN FRANCIS SMAGALA, JR., OF WILMINGTON, UPON HIS SELECTION FOR THE MIDDLE ATLANTIC AAU CULTURAL EXCHANGE WRESTLING TEAM WHICH WILL TOUR ECUADOR AND THE DOMINICAN REPUBLIC THIS SUMMER. Sponsors: Representative Jonkiert, Senator Marshall; Representatives Spence and Gilligan.

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

At 1:44 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 34th Legislative Day.

34TH LEGISLATIVE DAY  
May 27, 1982

The Senate convened at 1:44 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

Senator McDowell marked PRESENT.

SB 531 was reported from the Community Affairs Committee: 3 Merits.

SCR 136 was introduced and considered for adoption on motion of Senator Cordrey:

SCR 136 - AUTHORIZING THE TOWN OF SOUTH BETHANY TO ERECT AN INFORMATION SIGN FOR THE TOWN OF SOUTH BETHANY IN THE MEDIAN OF ROUTE 1. Sponsor: Senator Cordrey.

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

HCR 143 was lifted from the table for consideration on motion of Senator Knox:

HCR 143 - REQUESTING THE SUPPORT OF THE DELAWARE CONGRESSIONAL DELEGATION FOR REAUTHORIZATION OF THE ENDANGERED SPECIES ACT.

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

Senator Zimmerman marked PRESENT.

SB 83 was taken up for consideration on motion of Senator Marshall:

SB 83 - AN ACT TO AMEND CHAPTER 11, PART 11, TITLE 30, OF THE DELAWARE CODE TO PROVIDE EDUCATIONAL EXEMPTION FROM TAXABLE INCOME.

The privilege of the floor was extended to William D. D'Onofrio after which the roll call vote on the Bill was taken; however, the roll call was laid on the table before being announced on motion of Senator Marshall.

Senator Martin marked PRESENT.

SB 529 was taken up for consideration on motion of Senator Cordrey:

SB 529 - AN ACT TO AMEND TITLE 10, CHAPTER 87, DELAWARE CODE ANNOTATED, RELATING TO SUSSEX COUNTY SHERIFF AND PROTHONOTARY.

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

SB 530 was taken up for consideration on motion of Senator Adams:

SB 530 - AN ACT TO AMEND SECTION 9418, TITLE 9, OF THE DELAWARE CODE ANNOTATED, AS IT RELATES TO THE SUSSEX COUNTY CLERK OF THE PEACE.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (Hughes) NOT VOTING and 1 (Connor) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

Lt. Governor Castle introduced Madelyn Johnston (Delaware Special Olympics) who was granted the privilege of the floor.

SB 531 was taken up for consideration on motion of Senator Adams:

SB 531 - AN ACT TO AMEND SECTION 6305, TITLE 9, OF THE DELAWARE CODE ANNOTATED, AS IT RELATES TO SUSSEX COUNTY BUILDING PERMIT FEES.

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

SB 385 was taken up for consideration on motion of Senator Torbert:

SB 385 - AN ACT TO AMEND CHAPTER 55, TITLE 15, DELAWARE CODE, RELATING TO ABSENTEE VOTING IN SPECIAL ELECTIONS.

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

SB 397 was temporarily deferred on motion of Senator Zimmerman.

HB 536 was taken up for consideration on motion of Senator Sharp:

**HB 536 - A BILL TO AMEND THE "TIED-HOUSE" PROVISIONS OF THE LIQUOR CONTROL ACT TO PERMIT CORPORATIONS WHOSE STOCK IS PUBLICLY TRADED TO HAVE OWNERSHIP INTERESTS IN MANUFACTURING AND CONSUMER SALES OF ALCOHOLIC LIQUORS WHERE SUCH OWNERSHIP WOULD NOT BE ANTI-COMPETITIVE.**

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Citro and Marshall) NOT VOTING; therefore, the Bill was declared passed by the Senate and returned to the House.

Senator Connor marked PRESENT.

SB 469 was taken up for consideration on motion of Senator Sharp:

**SB 469 - AN ACT TO AMEND TITLE 18, DELAWARE CODE, BY ESTABLISHING A DELAWARE LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION.**

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

SB 469 w SA 1 was then laid on the table on further motion of the Senator.

SB 519 was taken up for consideration on motion of Senator Sharp:

**SB 519 - AN ACT TO AMEND TITLE 18, SECTION 513 OF THE DELAWARE CODE TO INCREASE INSURERS' STATUTORY DEPOSIT.**

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

HB 520 w HA 2 was taken up for consideration on motion of Senator Sharp:

**HB 520 w HA 2 - AN ACT TO AMEND CHAPTER 39, TITLE 18, DELAWARE CODE RELATING TO REASONS FOR CANCELLATION OR NONRENEWAL OF AUTOMOBILE INSURANCE.**

The privilege of the floor was extended to J. Pat McCann, representing the Insurance Department, after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Hughes and McDowell) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

SB 469 w SA 1 was lifted from the table for consideration on motion of Senator Sharp.

The privilege of the floor was extended to J. Pat McCann, representing the Insurance Department, after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Neal) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 3:47 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:35 p.m., Senator Sharp presiding.

SB 556 was taken up for consideration on motion of Senator Cordrey:

**SB 556 - AN ACT TO AMEND TITLE 24, SECTION 1781, DELAWARE CODE PERTAINING TO THE ANATOMICAL GIFTS BY MINORS WITH PARENTAL CONSENT.**

The roll call vote on the Bill was taken and revealed 17 Senators voting YES and 4 (Bair, Hughes, Littleton and McDowell) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 4:46 p.m., Senator Cordrey presiding.

SB 485 was lifted from the table for consideration on motion of Senator Sharp.

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

The roll call vote on SB 485 w SA 1 was then taken and revealed 19 Senators voting YES, 1 (Zimmerman) NO, and 1 (McDowell) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 536 was taken up for consideration on motion of Senator Sharp:

**SB 536 - AN ACT TO AMEND CHAPTER 2, TITLE 14, DELAWARE CODE, RELATING TO THE USE OF SCHOOL FACILITIES BY NON-PROFIT COMMUNITY ORGANIZATIONS.**

The privilege of the floor was extended to Henry Ridgely (Senate attorney) after which the Bill was laid on the table on further motion of the Senator.

The following legislation was introduced:

**SB 578 - AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF TRANSPORTATION TO NAME THE SOUTH MARKET STREET BRIDGE IN WILMINGTON THE JOHN E. REILLY, SR. BRIDGE IN HONOR OF THE LATE STATE SENATOR.** Sponsors: Senator Holloway and Representative Holloway. Laid on the table on motion of Senator Holloway.

**SB 579 - AN ACT TO AMEND CHAPTER 21 OF TITLE 21, DELAWARE CODE, RELATING TO MINIMUM INSURANCE COVERAGE REQUIREMENTS FOR ALL MOTOR VEHICLES REGISTERED IN THIS STATE.** Sponsor: Senator Vaughn. Assigned to Public Safety Committee.

**SB 580 - AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF TRANSPORTATION TO NAME THE WALNUT STREET BRIDGE IN WILMINGTON THE LEO J. DUGAN BRIDGE IN HONOR OF THE LATE STATE REPRESENTATIVE AND CITY COUNCILMAN.** Sponsors: Senator Holloway and Representative Holloway. Laid on the table on motion of Senator Holloway.

**SB 581 - AN ACT TO AMEND SUBCHAPTER IV, CHAPTER 10, TITLE 14, OF THE DELAWARE CODE, RELATING TO ELECTIONS IN REORGANIZED SCHOOL DISTRICTS AND TO ABSENTEE VOTING.** Sponsors: Senators Bair and Neal, Representative Smith. Assigned to Education Committee.



SB 582 - AN ACT TO AMEND CHAPTERS 31 AND 50, TITLE 24, DELAWARE CODE, RELATING TO THE BOARD OF FUNERAL SERVICE PRACTITIONERS. Sponsors: Senator Vaughn and Representative Harrington. Assigned to Administrative Services/Energy Committee.

SB 583 - AN ACT TO PROVIDE THAT A REFERENDUM BE HELD IN THE NOVEMBER 1982 GENERAL ELECTION ON THE QUESTION OF A VERIFIABLE U.S.-SOVIET FREEZE ON NUCLEAR WEAPONS. Sponsors: Senators McDowell, Holloway, Marshall, Neal, Martin, Vaughn, Zimmerman, Berndt; Representatives George, Holloway, Free, Brady, Sincok, Maroney, Campanelli, Cathcart, Mack, Spence, Oberle, Soles, Anderson, Cain, Minner. Assigned to Executive Committee.

SB 584 - AN ACT RELATING TO TITLE 29, CHAPTER 79, OF THE DELAWARE CODE, TO REPEAL SUBCHAPTER III, "PAYMENT FOR SERVICES". Sponsors: Senators Holloway and Adams. Assigned to Health-Social Services/Aging Committee.

The Secretary announced that a message from the House informed the Senate that it had passed HB 623; SB 395 w HA 2; SB 508; SB 427 and adopted HCR 169.

The following legislation was introduced:

SA 1 to HB 543. Sponsor: Senator Torbert. Placed with the Bill.

HB 623 - AN ACT TO AMEND THE FOLLOWING: (1) SUBSECTIONS (a) AND (b), SECTION 6055, CHAPTER 60, TITLE 7 OF THE DELAWARE CODE RELATING TO ALLOWING BEVERAGE CONTAINERS SOLD OR OFFERED FOR SALE IN DELAWARE TO BE LABELED BY STAMPING OR OTHER METHOD, ALLOWING THE ABBREVIATION OF THE WORD DELAWARE, AND THE ELIMINATING OF THE REQUIREMENT THAT DEPOSIT NOTATIONS BE PERMANENTLY PRINTED OR EMBOSSED ON BEVERAGE CONTAINERS THAT HAVE BEEN CERTIFIED AS REFILLABLE; (2) SUBSECTION (b), SECTION 6054, CHAPTER 60, TITLE 7 OF THE DELAWARE CODE RELATING TO NOT REQUIRING A DEPOSIT FOR THE ON-PREMISE SALE OF A BEVERAGE CONTAINER; (3) SUBSECTION (b), SECTION 6052, CHAPTER 60, TITLE 7 OF THE DELAWARE CODE CHANGING THE WORD "GALLONS" TO "QUARTS". Sponsors: Representatives Smith and Gilligan; Senators Martin and Knox. Assigned to Natural Resources and Environmental Control Committee.

SA 2 to HB 426. Sponsor: Senator Hughes. Placed with the Bill.

SA 1 to SB 528. Sponsors: Senators Neal and Zimmerman. Placed with the Bill.

SA 1 to SB 552. Sponsor: Senator Marshall. Placed with the Bill.

SS 1 for SB 551. Sponsor: Senator Marshall. AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE CONCERNING THE COLLECTION OF REALTY TRANSFER TAX. Sponsor: Senator Marshall. Assigned to Revenue and Taxation Committee.

The following Committee reports were announced:

From the Small Business Committee: SB 528 - 3 Favorable, 2 Merits.

From the Public Safety Committee: SB 533 - 4 Merits; SB 548 - 4 Merits; SB 554 - 4 Merits; SB 571 - 1 Favorable, 3 Merits; HB 382 - 4 Merits; HB 379 - 4 Merits; HB 383 - 4 Merits; HB 384 - 4 Merits.

From the Revenue and Taxation Committee: SB 566 - 5 Merits.

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

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
May 27, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Margret L. Barrett, 711 Miller Drive, Dover, Delaware, to be appointed as a Justice of the Peace of the State of Delaware for a term of four years replacing Wallace P. Wooten, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
May 27, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Helen M. Brandt, 155 Crescent Drive, Dover, Delaware, to be appointed as a Justice of the Peace of the State of Delaware for a term of four years, to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
May 27, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: A. Tyson Cohee, Felton, Delaware, to be reappointed as a Justice of the Peace of the State of Delaware for a term of four years.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
May 27, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Virginia W. Johnson, 2204 North Harrison Street, Wilmington, Delaware, to be reappointed as a Justice of the Peace of the State of Delaware for a term of four years effective June 30, 1982.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
May 27, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: George W. Kershner, III, Holly Springs Road, Felton, Delaware, to be reappointed as a Justice of the Peace of the State of Delaware for a term of four years.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
May 27, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Duncan R. Mackie, 22 The Green, Dover, Delaware, to be appointed as a Justice of the Peace of the State of Delaware for a term of four years, to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
May 27, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Louise L. Reiver, 6 Orbit Circle, Newark, Delaware, to be appointed as a Justice of the Peace of the State of Delaware for a term of four years, to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
May 27, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Harry M. Thompson, 529 Clayton Road, Smyrna, Delaware, to be reappointed as a Justice of the Peace of the State of Delaware for a term of four years.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
May 27, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Thomas J. Orr, 2502 Bayview Avenue, Lewes, Delaware, to be reappointed as a Justice of the Peace of the State of Delaware for a term of four years.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
May 27, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Dean S. Phillips, P.O. Box 366, Bethany Beach, Delaware, to be appointed as a Justice of the Peace of the State of Delaware for a term of four years, to replace Emory B. Brittingham, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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SR 82 was introduced and considered for adoption on motion of Senator Zimmerman:

SR 82 - COMMENDING THE DOVER HIGH SCHOOL BAND AND THE DOVER HIGH SCHOOL CHORUS FOR HAVING WON FIRST PLACE HONORS AT THE MUSIC IN PARK FESTIVALS AND THE FESTIVAL OF MUSIC. Sponsor: Senator Zimmerman.

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

SR 83 was introduced and considered for adoption on motion of Senator McBride:

SR 83 - PAUSING FOR A MOMENT OF SILENCE IN HONOR OF THOSE AMERICANS WHO, IN PAST WARS AND CONFLICTS, MADE THE SUPREME SACRIFICE. Sponsors: Senator McBride and all the Senators.

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

HCR 169 was introduced and considered for adoption on motion of Senator Sharp:

HCR 169 - ENCOURAGING SUPPORT FOR THE 12TH ANNUAL FIELD AND TRACK GAMES SPONSORED BY THE DELAWARE SPECIAL OLYMPICS ON JUNE 4, 5, AND 6, 1982. Sponsors: Representative Hebner and all the Representatives, Senator Cordrey and all the Senators.

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

SB 395 which had previously passed the Senate, was taken up for reconsideration as now further amended by HA 2.

The roll call vote on SB 395 w HA 2 was therefore taken and revealed 19 Senators voting YES and 2 (McDowell and Neal) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for his consideration.

SR 84 was introduced and considered for adoption on motion of Senator Holloway:

SR 84 - THANKING ANNE T. FITZGERALD, OF NEWARK, FOR HER EXCELLENT SERVICE FOR THE SENATE AS SHE LEAVES TODAY. Sponsor: Senator Holloway.

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

At 5:40 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 1, 1982.

The Senate reconvened at 1:46 p.m., June 1, 1982, Senator Cordrey presiding.

A message from Anne Higgins (Special Assistant to the President) was read thanking the Senate for SR 70.

A message from Anne Higgins (Special Assistant to the President) was read thanking the Senate for SCR 9.

SB 585 was introduced and assigned to Administrative Services/Energy Committee:

SB 585 - AN ACT TO AMEND CHAPTER 9, TITLE 4, DELAWARE CODE, RELATING TO OFFENSES CONCERNING CERTAIN PERSONS. Sponsor: Senator Holloway.

At 1:50 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 35th Legislative Day.

35TH LEGISLATIVE DAY  
June 1, 1982

The Senate convened at 1:50 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Sharp.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.  
The Journal of the previous day was approved as read on motion of Senator Sharp.

Senators Neal, McBride, Berndt, Torbert, Bair marked PRESENT.

SB 535 was taken up for consideration on motion of Senator McDowell:

SB 535 - AN ACT TO AMEND PART VII, TITLE 7 OF THE DELAWARE CODE RELATING TO THE UTILIZATION OF SOLAR ENERGY; AND PROVIDING FOR THE CREATION OF SOLAR EASEMENTS.  
At 2:09 p.m., Lt. Governor Castle presiding.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Hughes, Knox, Marshall, McBride, McDowell, Neal, Sharp, Vaughn - 16.

NO: Senator Torbert - 1.

ABSENT: Senators Connor, Littleton, Martin, Zimmerman - 4.

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

HB 426 w HA 1 (w HA 1), 4, 5 was taken up for consideration on motion of Senator Sharp:

HB 426 w HA 1 (w HA 1), 4, 5 - AN ACT TO AMEND CHAPTER 37, TITLE 10 OF THE DELAWARE CODE RELATING TO WRONGFUL DEATH ACTIONS.

During discussion of the Bill and the Amendments offered to it, the privilege of the floor was extended to J. E. Babiary, Jr. (Delaware Law Association), Clifford B. Hearn, Jr. (American Insurance Auditors), Representative Roger Roy and Henry Ridgely (Senate Attorney).

Senators Littleton and Martin marked PRESENT.

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

YES: Senators Berndt and Neal - 2.

NO: Senators Adams, Arnold, Bair, Citro, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 17.

ABSENT: Senators Connor and Cook - 2.

Therefore, the Amendment was declared lost.

Senator Cook marked PRESENT.

SA 2 to the Bill which had been placed with the Bill was stricken at the request of the sponsor, Senator Hughes.

The roll call vote on HB 426 w HA 1 (w HA 1), 4, 5 was then taken; however, the roll call was laid on the table before being announced on motion of Senator Marshall. On further motion of Senator Marshall, the roll call was then immediately lifted and revealed 19 Senators voting YES, 1 (Berndt) voting NO, and 1 (Connor) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 547 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 547 w HA 1 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE BY ESTABLISHING MINIMUM STANDARDS FOR MEDICARE SUPPLEMENT INSURANCE.

Final consideration of the Bill was then deferred on further motion of the Senator.

SB 563 was taken up for consideration on motion of Senator Cordrey:

SB 563 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE BY PROVIDING FOR THE ORGANIZATION OF LIMITED PURPOSE TRUST COMPANIES AND TO AMEND THE CAPITAL STOCK REQUIREMENTS OF BANKS AND TRUST COMPANIES.

Senator Connor marked PRESENT.

The privilege of the floor was extended to James B. Jackson (Delaware Bankers Association) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Cook) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 516 was taken up for consideration on motion of Senator Sharp:

SB 516 - AN ACT TO AMEND CHAPTER 1, TITLE 24, DELAWARE CODE, RELATING TO CERTIFIED PUBLIC ACCOUNTANTS.

During discussion of the Bill and the various amendments offered to it, the privilege of the floor was extended to John W. Moffitt (Delaware Society of Certified Public Accountants).

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

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Sharp.

SA 1 to SA 2 was introduced and considered for adoption on motion of Senator Sharp. The roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (Cook) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SA 2 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Cook) ABSENT; therefore, the Amendment was declared adopted.

The roll call on SA 2 w SA 1 was then rescinded on motion of Senator Sharp.

SA 2 to SA 2 was then introduced and considered for adoption on motion of Senator Sharp. The roll call vote on the Amendment was then taken and revealed 20 Senators voting YES and 1 (Hughes) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SA 2 w SA 1, 2 was then taken and revealed 20 Senators voting YES and 1 (Hughes) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 516 w SA 1, SA 2 (w SA 1, 2) was then taken and revealed 19 Senators voting YES, 1 (Marshall) voting NO, and 1 (Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 547 w HA 1 was taken up for consideration on motion of Senator Sharp.

HB 547 w HA 1 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE BY ESTABLISHING MINIMUM STANDARDS FOR MEDICARE SUPPLEMENT INSURANCE.

The privilege of the floor was extended to J. Pat McCann (Insurance Department) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

At 4:25 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:08 p.m., Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 698.

The following legislation was introduced:

SB 586 - AN ACT TO AMEND 6701 (1), (2), CHAPTER 67, TITLE 18, DELAWARE CODE RELATING TO THE DEFINITION OF "COVERED FIREMEN" AND "LINE OF DUTY" FOR LINE OF DUTY DISABILITY BENEFITS TO VOLUNTEER FIREMEN. Sponsors: Senators Zimmerman, Connor, Adams, Littleton, Marshall; Representative Minner. Assigned to Finance Committee.

SB 587 - AN ACT TO AMEND 6601 (2), CHAPTER 66, TITLE 18, DELAWARE CODE RELATING TO THE DEFINITION OF "DEATH IN THE LINE OF DUTY" AS APPLIED TO VOLUNTEER FIREMEN FOR LINE OF DUTY DEATH BENEFITS. Sponsors: Senator Zimmerman, Representative Minner. Assigned to Finance Committee.

SB 588 - AN ACT TO AMEND CHAPTER 16, TITLE 16, DELAWARE CODE RELATING TO LITTER CONTROL. Sponsor: Senator Zimmerman. Assigned to Natural Resources and Environmental Control Committee.

SB 589 - AN ACT TO AMEND TITLE 19, CHAPTER 23, DELAWARE CODE RELATING TO WORKMEN'S COMPENSATION AND DEFINING CERTAIN EMPLOYERS. Sponsors Senators Adams and Knox; Representative Derrickson. Assigned to Labor and Industrial Relations Committee.

SB 590 - A BOND ACT OF THE STATE OF DELAWARE DEAUTHORIZING PREVIOUSLY AUTHORIZED GENERAL OBLIGATION BONDS OF THE STATE OF DELAWARE AND APPROPRIATING CERTAIN SUMS FROM THE FUTURE SCHOOL CONSTRUCTION FUND FOR THE REPAIR OF A FREE PUBLIC SCHOOL. Sponsors: Senators Cook, Adams, Littleton; Representatives Sincok and Fallon. Assigned to Finance Committee.

SB 591 - AN ACT TO AMEND SUBCHAPTER 1, CHAPTER 19, TITLE 11, DELAWARE CODE RELATING TO PROVIDING STATEWIDE AUTHORITY TO CERTAIN POLICE OFFICERS UNDER CERTAIN CONDITIONS. Sponsors: Senators Adams, Vaughn, Torbert, Hughes, Citro, Cordrey, Sharp; Representatives Barnes, Riddagh, Spence, Minner, Oberle. Assigned to Judiciary Committee.

SA 1 to SB 506. Sponsors: Senator Zimmerman, Representative Minner. Placed with the Bill.

SA 1 to SB 562. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 1 to SB 570. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to HB 440. Sponsor: Senator McBride. Placed with the Bill.

HB 698 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO POLLING PLACES IN SCHOOL DISTRICT ELECTIONS. Sponsors: Representative Jester, Senator Vaughn. Assigned to Insurance and Elections Committee.

SCR 138 was introduced and considered for adoption on motion of Senator Neal:

SCR 138 - COMMENDING AND CONGRATULATING CHIEF WILLIAM BRIERLEY OF THE NEWARK POLICE DEPARTMENT ON HIS SELECTION AS GENERAL CHAIRMAN OF THE DIVISION OF STATE ASSOCIATIONS OF CHIEFS OF POLICE OF THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE. Sponsors: Senator Neal, Representative Oberle; Senators Arnold, Martin, Sharp, Vaughn; Representatives Anderson, Petrilli, Soles.

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

SCR 137 was introduced and considered for adoption on motion of Senator Adams:

SCR 137 - CONGRATULATING FORMER SPEAKER OF THE HOUSE WILLIAM J. GORDY, OF LAUREL, UPON HIS SELECTION FOR A CERTIFICATE OF APPRECIATION FROM THE UNIVERSITY OF DELAWARE. Sponsors: Senators Adams, Cordrey, Littleton; Representative Cordrey.

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

HB 617 w HA 1 was taken up for consideration on motion of Senator Holloway:

HB 617 w HA 1 - AN ACT TO AMEND TITLE 16, DELAWARE CODE, RELATING TO THE SHELTERED WORKSHOP PROGRAM OF THE DIVISION FOR THE VISUALLY IMPAIRED.

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

At 5:24 p.m. on motion of Senator Sharp, the Senate recessed until 1:30 p.m., June 2, 1982.

The Senate reconvened at 1:47 p.m., June 2, 1982, Senator Cordrey presiding.

The following Committee reports were announced:

From the Judiciary Committee: SB 552 - 5 Merits; HB 567 w HA 1, 2 - 6 Merits; HB 574 - 1 Favorable, 4 Merits; HB 576 w HA 1 - 5 Merits; HB 695 - 2 Favorable, 3 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 602 w HA 3 and adopted HCR 171.

HB 602 w HA 3 was introduced and assigned to Education Committee:

HB 602 w HA 3 - AN ACT TO AMEND DELAWARE CODE TITLES 14, 10, 11 AND 31 RELATING TO PUBLIC SCHOOL TRUANCY. Sponsors: Representative Spence and Senator McBride; Representatives Riddagh, Edwards, Mack, Dixon, Oberle, Cathcart, Minner, West, Cordrey, Jester, Plant, Holloway, Cain, Anderson, Campanelli, Free, Corrozi, Buckworth, Bennett, Soles, Roy, Ennis, Barnes; Senators Hughes, Arnold and Neal.

SJR 33 was introduced and laid on the table on motion of Senator Sharp:

SJR 33 - IN RESPECT TO A SESSION OF THE MEMBERS AND OFFICERS OF THE 131ST GENERAL ASSEMBLY OF THE STATE OF DELAWARE COMMEMORATING THE 300TH ANNIVERSARY OF THE LANDING OF WILLIAM PENN AT NEW CASTLE, DELAWARE. Sponsors: Senators Connor, Martin, McBride, Holloway; Representatives Mack, Cathcart, Dixon, Spence.

SR 85 was introduced and laid on the table on motion of Senator Torbert:

SR 85 - COMMENDING THE W. B. SIMPSON ELEMENTARY SCHOOL FIFTH GRADE MATH TEAM FOR WINNING THE STATE CHAMPIONSHIP. Sponsor: Senator Torbert.

HCR 171 was introduced and considered for adoption on motion of Senator Citro:

HCR 171 - REQUESTING GENERAL MOTORS CORPORATION RECONSIDER THEIR DECISION TO PURCHASE SUBCOMPACT JAPANESE AUTOS. Sponsors: Representatives VanSeiver, Oberle, Spence, Cathcart, Mack; Senator Citro.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, McBride, McDowell, Sharp, Torbert, Vaughn - 16.

NO: Senator Neal - 1.

ABSENT: Senators Connor, Hughes, Martin, Zimmerman - 4.

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

Senator Sharp moved that the roll call vote on SB 516 w SA 1, SA 2 (w SA 1, 2) be rescinded.

The roll call vote on the motion was taken and revealed 18 Senators voting YES and 3 (Connor, Martin and Zimmerman) ABSENT; therefore, the motion prevailed.

At 2:07 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 36th Legislative Day.

### 36TH LEGISLATIVE DAY

June 2, 1982

The Senate convened at 2:07 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

At 2:10 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus and reconvened at 3:40 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Agriculture Committee: SB 539 - 6 Merits.

From the Banking Committee: SB 570 - 1 Favorable, 4 Merits; SB 576 - 4 Merits; SB 577 - 4 Merits.

Senator Connor marked PRESENT.

The following legislation was introduced:

SB 592 - AN ACT TO AMEND TITLE 31, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF AN ADULT PROTECTIVE SERVICES UNIT WITHIN THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. Sponsors: Senator Holloway; Representatives Edwards, VanSeiver, Corrozi, Petrilli, Mack, Ennis, Derrickson. Assigned to Health-Social Services/Aging Committee.

SA 1 to SB 581. Sponsor: Senator Bair. Placed with the Bill.

SA 1 to SB 560. Sponsor: Senator Holloway. Placed with the Bill.

SB 560 was taken up for consideration on motion of Senator McBride:

SB 560 - AN ACT TO AMEND PART II, TITLE 16 OF THE DELAWARE CODE RELATING TO "LIVING WILLS" AND SIMILAR DOCUMENTS WHEREIN TERMINALLY-ILL PATIENTS AND OTHER PERSONS MAY AUTHORIZE THE DISCONTINUANCE OF CERTAIN MEDICAL PROCEDURES.

Senator Martin marked PRESENT.

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

SR 55 was lifted from the table for consideration on motion of Senator Torbert and the roll call vote taken which revealed 19 Senators voting YES and 2 (Arnold and Marshall) ABSENT; therefore, the Resolution was declared adopted.

SB 560 was lifted from the table for consideration on motion of Senator McBride.

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

The roll call vote on SB 560 w SA 1 was then taken and revealed:

YES: Senators Adams, Bair, Berndt, Citro, Cook, Cordrey, Hughes, Knox, Littleton, McBride, Neal, Sharp, Torbert Vaughn, Zimmerman - 15.

NO: Senators Connor, Marshall, McDowell - 3.

NOT VOTING: Senator Holloway - 1.

ABSENT: Senators Arnold and Martin - 2.

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

SB 528 was taken up for consideration on motion of Senator Zimmerman:

SB 528 - AN ACT TO AMEND CHAPTER 65, TITLE 29, DELAWARE CODE, RELATING TO PROMPT PAYMENT OF BILLS BY AGENCIES OF THE STATE OF DELAWARE.

At 4:00 p. m., Senator Adams presiding.

The privilege of the floor was extended to George E. Hale (Delaware Development Office).

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

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

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

NOT VOTING: Senators Citro and Holloway - 2.

Therefore, the Amendment was declared defeated.

Senator Arnold marked PRESENT.

The roll call vote on SB 528 was then taken and revealed 19 Senators voting YES and 2 (Berndt and Knox) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 533 was stricken at the request of the sponsor, Senator Sharp.

SB 571 was taken up for consideration on motion of Senator Sharp:

SB 571 - AN ACT TO AMEND CHAPTER 43, TITLE 21 OF THE DELAWARE CODE RELATING TO THE USE OF A SPECIAL GREEN LIGHT FOR A COMMAND POST AT AN ACCIDENT, FIRE OR DISASTER SCENE AND FOR USE ON A HAZARDOUS MATERIAL RESPONSE VEHICLE.

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

On motion of Senator Vaughn, the necessary rules were suspended for the introduction and consideration of HB 698:

HB 698 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO POLLING PLACES IN SCHOOL DISTRICT ELECTIONS.

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

HB 471 was taken up for consideration on motion of Senator Holloway:

HB 471 - AN ACT TO AMEND CHAPTER 68, TITLE 16 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM CIVIL OR CRIMINAL LIABILITY FOR FOOD DONATIONS.

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

HB 578 was taken up for consideration on motion of Senator Holloway:

HB 578 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, RELATING TO PURCHASING BY THE DIVISION OF VISUALLY IMPAIRED.

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

HS 1 for HJR 26 was taken up for consideration on motion of Senator Sharp:

HS 1 for HJR 26 - PROPOSING A "BILL OF RIGHTS" FOR DELAWARE RESIDENTS WHO ARE VICTIMS OF CRIME.



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

SJR 33 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Connor:

SJR 33 - IN RESPECT TO A SESSION OF THE MEMBERS AND OFFICERS OF THE 131st GENERAL ASSEMBLY OF THE STATE OF DELAWARE COMMEMORATING THE 300th ANNIVERSARY OF THE LANDING OF WILLIAM PENN AT NEW CASTLE, DELAWARE. Sponsors: Senators Connor, Martin, McBride, Holloway; Representatives Mack, Cathcart, Dixon, Spence.

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

At 5:27 p.m. on motion of Senator Sharp, the Senate recessed until 1:30 p.m., June 3, 1982.

The Senate reconvened at 2:31 p.m., June 3, 1982, Senator Cordrey presiding.

The following Committee reports were announced:

From the Natural Resources and Environmental Control Committee: SB 562 - 1 Favorable, 2 Merits; SB 588 - 1 Favorable, 2 Merits.

From the Finance Committee: SB 590 - 5 Merits.

From the Health-Social Services/Aging Committee: SB 592 - 4 Merits.

From the Revenue and Taxation Committee: HB 641 - 5 Merits.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 170; HCR 172; HCR 173; SCR 135; SCR 136; SCR 137; SCR 138. SB 303 w SA 1, HA 1 was defeated in the House.

The following legislation was introduced:

SB 593 - AN ACT TO AMEND CHAPTER 55 OF TITLE 25 OF THE DELAWARE CODE RELATING TO PAYMENT OF INTEREST ON SECURITY AND OTHER DEPOSITS PAID BY RENTERS OF CERTAIN RESIDENTIAL PROPERTY. Sponsors: Senator Bair; Representative Soles. Assigned to Administrative Services/Energy Committee.

SB 594 - AN ACT TO AMEND CHAPTER 14, TITLE II DELAWARE CODE RELATING TO WEARING BODY ARMOR DURING THE COMMISSION OF A FELONY. Sponsors: Senators Hughes, Vaughn, Adams, Bair, Berndt, Citro, Connor, Knox, Littleton, McDowell, Neal, Sharp. Assigned to Judiciary Committee.

SB 595 - AN ACT TO AMEND CHAPTER 10, TITLE 14, DELAWARE CODE, RELATING TO ABSENTEE VOTING IN SCHOOL ELECTIONS. Sponsors: Senators McDowell, Citro, Adams, Bair, Arnold; Representatives Ennis, Hebner, Mack, Holloway, Cathcart, Plant, Campanelli, McKay, Minner, Soles, Barnes, VanSciver, Free, Cordrey, Buckworth, Spence, Anderson, Dixon, Corrozi, Jester, Darling, Cain, Fallon, Riddag, West, George, Roy. Assigned to Education Committee.

SB 596 - AN ACT TO AMEND CHAPTER 6, TITLE 24, DELAWARE CODE, RELATING TO NUMBER OF COSMETOLOGISTS' APPRENTICES AND THE FEE SCHEDULE FOR THIS PROFESSION. Sponsors: Senator Holloway; Representative Derrickson. Assigned to Health-Social Services/Aging Committee.

At 2:35 p.m., Lt. Governor Castle presiding.

At the request of Senator McDowell, SB 596 which had been assigned to Health-Social Services/Aging Committee, was reassigned to Administrative Services/Energy Committee.

HCR 170 was introduced and considered for adoption on motion of Senator Berndt:

HCR 170 - URGING THE PRESIDENT OF THE UNITED STATES TO PROPOSE TO THE GOVERNMENT OF THE SOVIET UNION AN IMMEDIATE VERIFIABLE UNITED STATES-SOVIET UNION NUCLEAR WEAPONS FREEZE. Sponsors: Representatives Cathcart, Anderson, Barnes, Bennett, Brady, Buckworth, Burris, Cain, Campanelli, Corrozi, Dixon, Free, George, Mack, Harrington, Holloway, Maroney, Minner, Oberle, Petrilli, Powell, Sincok, Smith, Soles, Spence, VanSciver, Hebner; Senators Berndt, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn.

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

YES: Senators Adams, Bair, Berndt, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 15.

NO: Senators Arnold, Hughes, Littleton - 3.

NOT VOTING: Senator Knox - 1.

ABSENT: Senators Citro and Connor - 2.

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

The following nominations for appointment by the Governor were reported from the Executive Committee: A Tyson Cohee - 6 Merits; George Kershner, III, - 6 Merits; Harry M. Thompson - 6 Merits; Lynn W. Williams - 1 Favorable, 5 Merits; Joseph S. Yucht - 1 Favorable, 5 Merits.

HCR 172 was introduced and considered for adoption on motion of Senator Citro:

HCR 172 - CONGRATULATING ELIZABETH C. WILLIAMS ON HER SELECTION AS A 1982 PRESIDENTIAL SCHOLAR. Sponsors: Representative VanSciver; Senators Citro and McBride.

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

HCR 173 was introduced and considered for adoption on motion of Senator Knox:  
HCR 173 - CONGRATULATING FREDERICK R. WAUGH ON HIS SELECTION AS A 1982  
PRESIDENTIAL SCHOLAR. Sponsors: Representatives Corrozi, VanSciver, Senator Citro.

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

At 3:00 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 37th Legislative Day.

37TH LEGISLATIVE DAY  
June 3, 1982

The Senate convened at 3:00 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

SB 583 was reported out of the Executive Committee: 1 Favorable, 3 Merits, 1 Unfavorable.

On motion of Senator Adams, the Governor's nomination for appointment of Harry M. Thompson was taken up for consideration and the roll call vote taken which revealed 19 Senators voting YES and 2 (Holloway and Zimmerman) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Lynn W. Williams was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Joseph S. Yucht was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of A. Tyson Cohee was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of George W. Kershner, III, was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the appointment was declared confirmed.

Consideration of HB 242 which was next on the Agenda was deferred on motion of Senator Sharp.

HB 580 was taken up for consideration on motion of Senator Sharp who then yielded to Senator Bair to floor-manage the Bill:

HB 580 - AN ACT TO AMEND SECTION 10004 OF TITLE 29, DELAWARE CODE BY EXEMPTING TOWNS WHICH ARE DIRECT DEMOCRACIES FROM KEEPING INDIVIDUAL VOTING RECORDS.

The following communication was read and is made part of this record at the request of Senator Bair:

STATE OF DELAWARE  
SENATE  
LEGISLATIVE HALL  
Dover, Delaware  
June 3, 1982

TO: MEMBERS OF THE SENATE  
FROM: Senator Myrna Bair  
DATE: June 3, 1982  
RE: HOUSE BILL 580

House Bill 580 has been proposed in response to the following correspondence:

"We have been keeping written records for each individual voter at Town Assembly for the past five years since the Sunshine Law went into effect. During that time no one has ever asked to look at them.

We find the procedure an impediment to our meetings. It takes time and is constantly confusing to the voters. Worst of all, minority voters are sometimes pressured to go along with the majority so the vote can be recorded as unanimous and an individual recording can be avoided. This practice does not promote the democratic spirit.

Arden's governmental process has benefitted from other requirement of the Sunshine Law, such as keeping attendance lists and posting all committee meeting agendas. However, we feel this particular clause is a hindrance to our form of direct democracy."

Village of Arden Town Meeting  
Sally Hamburger, Secretary

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The roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (Zimmerman) voting NO and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 566 was taken up for consideration on motion of Senator Sharp:

HB 566 - AN ACT TO AMEND CHAPTER 7, TITLE 11, DELAWARE CODE, RELATING TO CHILD CUSTODY.

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

SB 552 was taken up for consideration on motion of Senator Marshall:

SB 552 - AN ACT TO AMEND TITLE 11, CHAPTER 42 OF THE DELAWARE CODE RELATING TO PUNISHMENT FOR FIRST DEGREE MURDER.

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

YES: Senators Adams, Bair, Citro, Connor, Cordrey, Hughes, Littleton, Marshall, Martin, McBride, McDowell, Torbert, Vaughn, Zimmerman - 14.

NO: Senators Arnold, Berndt, Knox, Neal - 4.

NOT VOTING: Senator Sharp - 1.

ABSENT: Senators Cook and Holloway - 2.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 552 w SA 1 was then taken on motion of Senator Marshall; however, the roll call was laid on the table before being announced on further motion of the Senator.

HS 1 for HB 247 w HA 1 was taken up for consideration on motion of Senator Martin:

HS 1 for HB 247 w HA 1 - AN ACT TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO POST SIGNS NOTIFYING DRIVERS ENTERING DELAWARE THAT LITTERING IS SUBJECT TO FINES UP TO \$250.

The roll call vote on the Bill was taken; however, before being announced, the roll call was tabled on motion of Senator Sharp.

SB 578 was taken up for consideration on motion of Senator Holloway:

SB 578 - AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF TRANSPORTATION TO NAME THE SOUTH MARKET STREET BRIDGE IN WILMINGTON THE JOHN E. REILLY, SR. BRIDGE IN HONOR OF THE LATE STATE SENATOR.

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

SB 580 was taken up for consideration on motion of Senator Holloway:

SB 580 - AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF TRANSPORTATION TO NAME THE WALNUT STREET BRIDGE IN WILMINGTON THE LEO J. DUGAN BRIDGE IN HONOR OF THE LATE STATE REPRESENTATIVE AND CITY COUNCILMAN.

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

The following communication from the Governor was read:

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
June 3, 1982

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

On April 28, 1982 I submitted to the Senate the name of Dr. Franklin C. Daiber to serve on the Delaware Advisory Council on Natural Areas to serve at the Pleasure of the Governor.

Since, I have signed Senate Bill No. 318, which designates specific terms for the members of this Council.

Accordingly, I hereby amend Dr. Daiber's nomination by specifying that he serve for a term of four years.

Sincerely,  
Pierre S. duPont, Governor

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At 4:02 p.m., the Senate recessed to change the tape and reconvened at 4:07 p.m., Senator Adams presiding.

HB 424 was taken up for consideration on motion of Senator Sharp:  
HB 424 - AN ACT TO AMEND CHAPTER 42, TITLE 11 OF THE DELAWARE CODE RELATING TO THE SENTENCE FOR RAPE IN THE FIRST DEGREE.

The privilege of the floor was extended to Richard Gebelein after which the Bill was laid on the table on further motion of the Senator.

SB 590 was taken up for consideration on motion of Senator Cook:

SB 590 - A BOND ACT OF THE STATE OF DELAWARE DEAUTHORIZING PREVIOUSLY AUTHORIZED GENERAL OBLIGATION BONDS OF THE STATE OF DELAWARE AND APPROPRIATING CERTAIN SUMS FROM THE FUTURE SCHOOL CONSTRUCTION FUND FOR THE REPAIR OF A FREE PUBLIC SCHOOL.

Senator Adams was added as co-sponsor of the Bill after which the roll call vote was taken and revealed 20 Senators voting YES and 1 (Martin) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 588 was taken up for consideration on motion of Senator Zimmerman:

SB 588 - AN ACT TO AMEND CHAPTER 16, TITLE 16, DELAWARE CODE RELATING TO LITTER CONTROL.

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

YES: Senators Adams, Arnold, Berndt, Citro, Connor, Cook, Holloway, Hughes, Knox, Littleton, Neal, Sharp, Torbert Vaughn, Zimmerman - 15.

NO: Senators Bair, Cordrey, Marshall, Martin, McBride - 5.

ABSENT: Senator McDowell - 1.

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

On motion of Senator Martin, the roll call vote on HS 1 for HB 247 w HA 1 was lifted and announced:

YES: Senators Adams, Connor, Cook, Holloway, Hughes, Littleton, Marshall, Martin, McBride, Vaughn, Zimmerman - 11.

NO: Senators Arnold, Bair, Berndt, Cordrey, Knox, McDowell, Neal, Sharp, Torbert - 9.

ABSENT: Senator Citro - 1.

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

At 5:35 p.m. on motion of Senator Sharp, the Senate recessed until June 8, 1982 at 1:30 p.m.

The Senate reconvened at 2:44 p.m., June 8, 1982, Lt. Governor Castle presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HS 1 for HB 365 w HA 1, 2, 3 (w HA 1, 2); SB 451 w SA 1; SB 139 w SA 1, 3, HA 1.

SCR 140 was introduced and considered for adoption on motion of Senator Bair:

SCR 140 - RECOGNIZING BARBARA C. HERR FOR HER WORK AS CHAIR OF THE GOVERNOR'S COMMISSION ON THE STATUS OF WOMEN. Sponsors: Senators Bair, Cook; Representatives Smith, Soles, Jester, Anderson, Fallon, Maroney, Minner.

Senator McBride was added as co-sponsor after which the roll call vote on the Resolution was taken and revealed 20 Senators voting YES and 1 (Connor) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

The following Committee reports were announced:

From the Finance Committee: SB 555 - 5 Merits; HB 640 - 4 Merits; HB 487 w HA 1 - 1 Favorable, 4 Merits; SB 478 - 5 Merits; SB 540 - 5 Merits.

The following legislation was introduced:

SB 597 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO MILDRED CARPENTER, A FORMER STATE EMPLOYEE; APPROPRIATION MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE, AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE MADE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE. Sponsor: Senator Cordrey. Assigned to Finance Committee.

SB 598 - AN ACT TO AMEND CHAPTER 65, TITLE 9 OF THE DELAWARE CODE; RELATING TO SANITARY AND WATER DISTRICTS OF SUSSEX COUNTY. Sponsors: Senators Cordrey, Adams and Littleton. Assigned to Community Affairs Committee.

SB 599 - AN ACT TO AMEND CHAPTER 27, TITLE 24, DELAWARE CODE, RELATING TO PERSONS AFFECTED BY THE PROFESSIONAL LAND SURVEYORS ACT. Sponsor: Senator Cordrey. Assigned to Administrative Services/Energy Committee.

SB 600 - AN ACT TO AMEND AND REVISE CHAPTER 71, TITLE 7 OF THE DELAWARE CODE RELATING TO NOISE CONTROL AND ABATEMENT. Sponsor: Senator Holloway. Assigned to Natural Resources and Environmental Control Committee.

SB 601 - AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER, BEING CHAPTER 158, VOLUME 36, LAWS OF DELAWARE, AS AMENDED, RELATING TO CONFERRING UPON THE MAYOR AND COUNCIL OF THE CITY OF DOVER CERTAIN POWERS RELATING TO THE COLLECTION OF PROPERTY TAXES ON NEW CONSTRUCTION WITHIN THE CITY OF DOVER. Sponsors: Senator Zimmerman; Representatives Bennett and Harrington. Assigned to Community Affairs Committee.

SB 602 - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE AND CHAPTER 65, PART IV, TITLE 11, DELAWARE CODE BY DELETING THOSE SECTIONS RELATIVE TO SPECIAL PENSION BENEFITS FOR CORRECTIONS OFFICERS. Sponsors: Senators Adams, Berndt; Representatives Sincok, McKay. Assigned to Finance Committee.

SB 603 - AN ACT TO AMEND CHAPTER 15, TITLE 13 OF THE DELAWARE CODE RELATING TO DIVORCE AND ANNULMENT. Sponsor: Senator Sharp. Assigned to Judiciary Committee.

SB 604 - AN ACT TO AMEND SECTION 12.9, ARTICLE 12, §6501, SUBCHAPTER I, CHAPTER 65, TITLE 7 OF THE DELAWARE CODE, RELATING TO THE DELAWARE RIVER BASIN COMPACT AND THE INTEREST RATE OF BONDS ISSUED BY THE DELAWARE RIVER BASIN COMMISSION. Sponsors: Senators Knox and Berndt. Assigned to Natural Resources and Environmental Control Committee.

SB 605 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 3 OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE JUDICIARY. Sponsors: Senator Adams and Representative Brady. Assigned to Judiciary Committee.

SB 606 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1983; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. Sponsors: Senator Cook, Representative Sincok; Senators Berndt, Holloway, Sr., Hughes, McBride, Vaughn; Representatives Bennett, Corrozi, Derrickson, Gilligan, Petrilli. Assigned to Finance Committee.

SA 1 to SB 478. Sponsor: Senator Holloway. Placed with the Bill.

At 3:00 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 38th Legislative Day.

38TH LEGISLATIVE DAY  
June 8, 1982

The Senate convened at 3:00 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

SB 419 was taken up for consideration on motion of Senator Marshall:

SB 419 - AN ACT TO AMEND CHAPTER 17 OF TITLE 24 OF THE DELAWARE CODE MANDATING PROPER MEDICAL TREATMENT FOR CHILDREN BORN ALIVE AFTER AN ABORTION OR ATTEMPTED ABORTION.

The privilege of the floor was extended to Richard J. McMahon, representing the Attorney General.

The following communication was read and is made part of this Journal at the request of Senator Marshall:

STATE OF DELAWARE  
DEPARTMENT OF JUSTICE  
STATE OFFICE BUILDING  
WILMINGTON, DELAWARE  
JUNE 8, 1982

EXCERPTS FROM FINAL REPORT -  
INVESTIGATION OF ABORTIONS  
AT THE WILMINGTON MEDICAL CENTER

On October 2, 1979, the Department of Justice issued its Interim Report concerning the investigation into abortion practices and procedures at the Wilmington Medical Center.

There were three areas of inquiry which were addressed by that Report. Those areas of inquiry are as follows.

1. A thorough review of the status of all Delaware statutes dealing with the subject of abortion.
2. Procedures for dealing with the validity of information with regard to live births, which result from failed abortion procedures.
3. An examination of the case histories of the two reported live births at the Wilmington Medical Center for a determination as to any possible criminal conduct involved.

RESULTS

"3. The investigation began and was centered upon an analysis of the two live births which occurred after saline abortion procedures at the Wilmington Medical Center during the Spring of 1979. An examination of the events which led up to these abortion procedures and to the resulting live births, formed the basis for a general analysis of abortion procedures practice in the State of Delaware."

\* \* \* \* \*

"It was determined during the investigation that one of the two infants was discovered to be alive immediately after its delivery, pursuant to the abortion procedure. The medical personnel at the Wilmington Medical Center immediately rushed that infant to the pediatric intensive care nursery, where the infant received the full measure of medical skill and care possible; and, as a result survived and continues to survive to this date in a healthy condition. This result was due to action by the nursing staff, and does not necessarily indicate what would have occurred had the treating physician been present. He noted in his summary as follows:

"The patient proceeded to move along well and spontaneously delivered a live born female weighing something over two pounds. (I do not have the exact details available at this moment.) At 1:10 a.m. on the morning of 4/18. In spite of the fact that I have been calling every hour up until several hours before this delivery and had left word that I was to be notified of any unusual problems directly by my home phone, the number available at the desk, I was notified by (...) (night supervisor) who by chance happened to be on the floor at the time of the passage of this immature infant. I was notified of this event at 1:20 a.m., approximately 10 minutes after the fetus had been delivered and already taken to the Premature Nursery. I wish to note that this was done according to hospital policy and not according to my wishes as I had no part in the decision-making inasmuch as the nursing staff initiated these measures on their own according to their interpretation of the "policy".'

The other infant born alive as a result of abortion procedures did not exhibit obvious life signs at the time of its delivery from the womb. This infant was handled in the normal fashion that a fetus (products of an abortion) were handled at that time after such an abortion procedure. The fetus was placed into a plastic container and left unattended in an adjacent room. However, within an hour after delivery, one of the hospital personnel noticed some sign of life, a pulsating umbilical cord, and the infant was then rushed to the pediatric intensive care nursery. This infant also survived and remains alive and healthy at the present time.

The investigation revealed, therefore, that there was at that time no set policy as to the steps to be taken to determine live births after an abortion. Likewise, there was no policy understood by the treating physicians as to the requirements for treatment of such a live born infant."

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The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Holloway and Knox) voting No; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SJR 34 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Martin:

SJR 34 - IN RECOGNITION OF LEGISLATORS, LIVING AND DECEASED, WHOSE TENURE OF SERVICE IN THE DELAWARE GENERAL ASSEMBLY HAS BEEN 20 YEARS OR MORE. Sponsors: Senator Martin and all the Senators and Representatives

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

Pursuant to the above Resolution, the privilege of the floor was extended to Calvin R. McCullough, former Senator and longest serving Senator. Members of Senator McCullough's family who were present in the Chamber were introduced by Senator Martin.

SR 89 was introduced and considered for adoption on motion of Senator Zimmerman:

SR 89 - COMMENDING HEATHER HARTMAN OF HOLY CROSS HIGH SCHOOL FOR WINNING THE FIRST SINGLES CHAMPIONSHIP IN THE FINAL OF THE DELAWARE HIGH SCHOOL TENNIS TOURNAMENT. Sponsor: Senator Zimmerman.

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

Pursuant to the above Resolution, Heather Hartman and her mother were introduced to the Senate by Senator Zimmerman.

SB 562 was taken up for consideration on motion of Senator Zimmerman:

SB 562 - AN ACT TO AMEND CHAPTER 7 OF THE DELAWARE CODE RELATING TO FALCONRY LICENSING.

During discussion of the Bill and the Amendments offered to it, the privilege of the floor was extended to R. Dudley Ross and Paul F. Burns.

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

SA 2 to the Bill (sponsored by Senator Zimmerman) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (McDowell) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 562 w SA 1, 2 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Littleton, Marshall, McBride, Neal, Torbert, Vaughn, Zimmerman - 15.

NO: Senators Connor, Knox, McDowell, Sharp - 4.

ABSENT: Senators Hughes and Martin - 2.

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

SB 396 was taken up for consideration on motion of Senator Zimmerman:

SB 396 - AN ACT TO AMEND CHAPTER 39, TITLE 18, DELAWARE CODE RELATING TO PROHIBITIONS AGAINST PREMIUM INCREASES.

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

HB 555 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 555 w HA 1 - AN ACT TO AMEND CHAPTER 5 AND CHAPTER 35, TITLE 11 OF THE DELAWARE CODE, RELATING TO THE INTIMIDATION OF VICTIMS AND WITNESSES.

The privilege of the floor was extended to Gary Dalton, Senate Attorney, after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Martin) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

SB 396 was lifted from the table for consideration on motion of Senator Zimmerman.

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

The roll call vote on SB 396 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 695 was taken up for consideration on motion of Senator Sharp:

HB 695 - AN ACT TO AMEND CHAPTER 4, PART I, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL LIABILITY OF THE OWNER OR LEGAL OCCUPANT OF A DWELLING FOR INJURIES TO AN UNLAWFUL INTRUDER.

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

HCR 119 was lifted from the table for consideration on motion of Senator Sharp:

HCR 119 - REQUESTING THE MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO SUPPORT THE FAIR PRACTICES IN AUTOMOTIVE PRODUCTS BILL REQUIRING THAT CARS AND TRUCKS SOLD IN THE UNITED STATES CONTAIN A PERCENTAGE OF AMERICAN-MADE PARTS.

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

YES: Senators Arnold, Bair, Citro, Connor, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn - 14.

NO: Senators Adams, Berndt, Hughes, Knox, Littleton - 5.

ABSENT: Senators Neal and Zimmerman - 2.

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

SB 583 was taken up for consideration on motion of Senator McDowell:

SB 583 - AN ACT TO PROVIDE THAT A REFERENDUM BE HELD IN THE NOVEMBER 1982 GENERAL ELECTION ON THE QUESTION OF A VERIFIABLE U.S.-SOVIET FREEZE ON NUCLEAR WEAPONS.

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

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

NO: Senators Arnold, Hughes, Knox, Littleton - 4.

ABSENT: Senator Neal - 1.

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

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 174 and HCR 177.

HCR 174 was introduced and considered for adoption on motion of Senator Connor:

HCR 174 - MARKING THE EIGHTH ANNIVERSARY OF THE DE LA WARR SENIOR CENTER ON JUNE 9, 1982. Sponsors: Representative Cathcart, Senator Connor.

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

HCR 177 was introduced and considered for adoption on motion of Senator Berndt:

HCR 177 - THANKING DORA E. BUNITSKY, OF MCDANIEL CREST, FOR HER FINE SERVICE AS SHE RETIRES JUNE 9, 1982, AS A SCHOOL FOOD SERVICE EMPLOYEE. Sponsors: Representatives Sincok and Cathcart; Senator Berndt.

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

Senator Cordrey introduced to the Senate Senator Cook's son who was present in the Chamber.

The following legislation was introduced:

HS 1 for HB 365 w HA 1, 2, 3 (w HA 1, 2) - AN ACT TO AMEND CHAPTER 19, TITLE 24 OF THE DELAWARE CODE RELATING TO NURSING AND SCHOOLS OF NURSING. Sponsors: Representatives Edwards, Maroney, Gilligan, Minner; Senators Holloway, Neal, McBride, Littleton. Assigned to Health-Social Services/Aging Committee.

SA 1 to SB 606. Sponsors: Senators Cook, Adams, Cordrey, Holloway, Marshall, Martin, McDowell, McBride, Sharp, Torbert, Vaughn, Zimmerman. Placed with the Bill.

At 6:01 p.m. on motion of Senator Sharp, the Senate recessed until 1:00 p.m., June 9, 1982.

The Senate reconvened at 2:10 p.m., June 9, 1982, Lt. Governor Castle presiding.

The following communication from the Governor was read:

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
June 4, 1982

The Honorable Michael N. Castle, President of the Senate  
131st General Assembly of the State of Delaware  
Dover, Delaware 19901

The Honorable Richard S. Cordrey, President Pro Tempore of the Senate  
131st General Assembly of the State of Delaware  
Dover, Delaware 19901

Dear Mr. President and Mr. President Pro Tempore:

Pursuant to the provisions of Article IV, Section 3 of the Delaware Constitution of 1897, this is to notify you of my intention to submit to the Senate for confirmation the appointment of Joshua Wesley Martin, III, to fill the vacancy in the office of Associate Judge of the Superior Court of the State of Delaware.

As the Constitution requires that this notification to you be a public communication, I believe it would be appropriate for this communication to be read to the Senate and entered in the Journal.

Sincerely yours,  
Pierre S. duPont, IV, Governor

cc: The Honorable Thurman Adams  
The Honorable Thomas B. Sharp  
The Honorable Andrew Knox  
The Honorable Daniel L. Herrmann  
The Honorable Albert J. Stiffl

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

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
June 8, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Bruce O. Kallos, 903 Barley Mill Road, Wilmington, Delaware, to be reappointed a member of the Board of Pension Trustees to serve for a term of four years.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
June 8, 1982

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



In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Ronald G. McCabe, Box 32, Route 1, Millville, Delaware, to be reappointed as a member of the Solid Waste Authority, effective July 2, 1982 to serve for a term of three years.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
June 8, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Anna B. King, 189 Ryan Avenue, New Castle, Delaware, to be reappointed as a member of the Consumer Affairs Board, effective August 8, 1982, to serve for a term of four years.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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The following legislation was introduced:

SB 607 - AN ACT TO AMEND CHAPTER 302, VOLUME 49, LAWS OF DELAWARE, BEING "AN ACT TO INCORPORATE THE TOWN OF FENWICK ISLAND, DELAWARE" RELATING TO THE ELECTIONS AND THE ELIGIBILITY TO SERVE ON THE TOWN COUNCIL. Sponsor: Senator Cordrey. Assigned to Community Affairs Committee.

SB 608 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, RELATING TO METHOD OF PAYMENT OF STATE OFFICIALS AND EMPLOYEES AND HOURLY EMPLOYEES OF THE DEPARTMENT OF TRANSPORTATION. Sponsors: Senator Torbert; Representative Buckworth. Assigned to Finance Committee.

SB 609 - AN ACT TO AMEND CHAPTER 66, TITLE 18, RELATING TO LINE-OF-DUTY DEATH BENEFITS. Sponsors: Senators Zimmerman, Connor; Representative Minner. Assigned to Insurance and Elections Committee.

SS 1 for SB 557 - AN ACT TO AMEND CHAPTER 13 OF TITLE 18 OF THE DELAWARE CODE RELATING TO ELIGIBLE INVESTMENTS OF INSURANCE COMPANIES. Sponsor: Senator Cordrey. Adopted in lieu of the Original.

SA 2 to SB 303. Sponsor: Senator McBride. Placed with the Bill.

SA 3 to SB 392. Sponsor: Senator Vaughn. Placed with the Bill.

SA 1 to SB 393. Sponsor: Senator Bair. Placed with the Bill.

SA 4 to SB 392. Sponsor: Senator Vaughn. Placed with the Bill.

SA 1 to SB 476. Sponsor: Senator Torbert. Placed with the Bill.

SA 1 to SB 565. Sponsor: Senator Torbert. Placed with the Bill.

SA 1 to SB 597. Sponsor: Senator Cordrey. Placed with the Bill.

SA 1 to HB 419. Sponsor: Senator Holloway. Placed with the Bill.

SA 2 to HB 419. Sponsors: Senator Holloway, Representative Plant. Placed with the Bill.

SA 1 to HB 424. Sponsor: Senator McBride. Placed with the Bill.

Senator Adams introduced the All Star Children who were present in the Chamber.

SA 1 to HB 640. Sponsor: Senator Cook. Placed with the Bill.

SA 2 to HB 640. Sponsor: Senator Knox. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had passed HB 515 w HA 1; SB 303 w SA 1, HA 1; SB 43 w SA 1; and adopted HCR 175; HCR 176; HCR 178; SJR 34.

HB 515 w HA 1 was introduced and assigned to Health-Social Services/Aging Committee;

HB 515 w HA 1 - AN ACT TO AMEND CHAPTER 3, TITLE 31 OF THE DELAWARE CODE BY ADDING A NEW SUBCHAPTER RELATING TO INFANTICIDE. Sponsors: Representative Edwards and Senator Holloway.

SB 139 w SA 1, 3, HA 1 was laid on the table at the request of Senator McBride.

SB 303 w SA 1, HA 1 was laid on the table at the request of Senator Bair.

SR 86 was introduced and considered for adoption on motion of Senator Cordrey;

SR 86 - IN REFERENCE TO STAFF. Sponsors: Senators Cordrey and Sharp.

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

SR 87 - IN REFERENCE TO STAFF. Sponsors: Senators Cordrey and Sharp.

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

SR 88 was introduced and considered for adoption on motion of Senator Neal:

SR 88 - CONGRATULATING CHARLIE B. FRISWELL ON BEING NAMED SMALL BUSINESS PERSON OF THE YEAR BY THE NEW CASTLE COUNTY CHAMBER OF COMMERCE. Sponsor: Senator Neal.

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

SCR 139 was introduced and considered for adoption on motion of Senator Adams:

SCR 139 - ESTABLISHING A COMMITTEE TO REVIEW THE PENSION STATUS OF CORRECTIONS OFFICERS. Sponsors: Senators Adams, Berndt; Representatives Sincok, McKay.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES, 1 (McDowell) NOT VOTING, and 1 (Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

HCR 175 was introduced and considered for adoption on motion of Senator Knox:

HCR 175 - CONGRATULATING THE DICKINSON HIGH SCHOOL SOFTBALL TEAM ON WINNING THE DELAWARE STATE TOURNAMENT. Sponsors: Representatives Roy, Petrilli, Powell, Gilligan, Corozzi; Senators Arnold, Sharp.

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

HCR 176 was introduced and considered for adoption on motion of Senator Adams:

HCR 176 - THANKING OTIS D. FINCHER, OF DOVER, RETIRING STATE CONSERVATIONIST FOR THE SOIL CONSERVATION SERVICE, FOR HIS OUTSTANDING CONTRIBUTION. Sponsors: Representatives Sincok, Jester; Senators Adams and Littleton

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

HCR 178 was introduced and considered for adoption on motion of Senator Adams:

HCR 178 - CONGRATULATING PAUL BASTIANELLI, OF SUSSEX CENTRAL HIGH SCHOOL, UPON HIS SELECTION AS AN ALL-AMERICA WRESTLER BY WRESTLING USA MAGAZINE. Sponsors: Representative West; Senators Cordrey and Adams.

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

SB 589 was reported out of the Labor Committee: 1 Favorable, 3 Merits.

At 2:38 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 39th Legislative Day.

### 39TH LEGISLATIVE DAY June 9, 1982

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

A Prayer was offered by Senator Arnold.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

HCR 46 was lifted from the table for consideration on motion of Senator Sharp:

HCR 46 - URGING THE CONGRESS OF THE UNITED STATES TO RESTRICT JURISDICTIONS OF FEDERAL COURTS.

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

YES: Senators Adams, Arnold, Citro, Connor, Cook, Cordrey, Hughes, Knox, Littleton, Marshall, Martin, McBride, Sharp, Torbert, Vaughn - 15.

NO: Senator Neal - 1.

NOT VOTING: Senators Berndt, Holloway, McDowell, Zimmerman - 4.

ABSENT: Senator Bair - 1.

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

SB 392 was taken up for consideration on motion of Senator Vaughn:

SB 392 - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO THE ESTABLISHMENT OF A DELAWARE CRIMINAL JUSTICE INFORMATION SYSTEM.

SA 1 and SA 2 to the Bill which had been placed with the Bill were stricken at the request of the sponsor, Senator Vaughn.

SA 3 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Vaughn and the roll call vote taken which revealed 19 Senators voting YES and 2 (Bair and McDowell) ABSENT; therefore, the Amendment was declared adopted.

SA 4 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Vaughn and the roll call vote taken which revealed 19 Senators voting YES and 2 (Bair and McDowell) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Captain Jay R. Brackin (State Bureau of Identification) after which the roll call vote on SB 392 w SA 3, 4 was taken and revealed 20 Senators voting YES and 1 (Bair) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 3:00 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:08 p.m., Senator Cordrey presiding.  
Senator Bair marked PRESENT.

The following Committee reports were announced:

From the Public Safety Committee: HB 543 w HA 1 - 3 Merits, 1 Unfavorable; SB 579 - 4 Merits.

From the Education Committee: HS 1 for HB 343 w HA 1 - 1 Favorable, 3 Merits; HB 517 w HA 1 - 1 Favorable, 3 Merits; HB 602 w HA 3 - 3 Merits, 1 Unfavorable; HB 613 w HA 1 - 1 Favorable, 3 Merits.

From the Finance Committee: SB 558 - 4 Merits; HS 1 for HB 415 - 5 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed SB 563; HB 649; HB 653; HB 677; HB 682; HB 546 w HA 1, 4.

The following legislation was introduced:

SJR 35 - AUTHORIZING THE FUNDING OF A FEASIBILITY STUDY TO DETERMINE THE PRACTICALITY OF PUBLIC OWNERSHIP OF THE DELAWARE PORTION OF DELMARVA POWER AND LIGHT COMPANY'S ELECTRIC PRODUCTION AND OPERATING SYSTEM; AND DIRECTING THE PUBLIC SERVICE COMMISSION TO SUPPLY THE NEEDED FUNDS FROM ITS REVOLVING FUND. Sponsors: Senators McDowell, Connor and Holloway; Representatives West, Plant, Holloway and Oberle. Assigned to Finance Committee.

SA 3 to SB 303. Sponsor: Senator Connor. Placed with the Bill.

SA 1 to SB 532. Sponsor: Senator McDowell. Placed with the Bill.

SA 2 to SB 539. Sponsor: Senator Adams. Placed with the Bill.

SA 2 to SB 552. Sponsor: Senator Marshall. Placed with the Bill.

SA 1 to SB 589. Sponsor: Senator Adams. Placed with the Bill.

SA 3 to HB 419. Sponsors: Senator Holloway and Representative Plant. Placed with the Bill.

HB 546 w HA 1, 4 - AN ACT TO AMEND CHAPTER 21 OF TITLE 21, DELAWARE CODE RELATING TO REQUIREMENTS OF INSURANCE FOR ALL MOTOR VEHICLES REGISTERED IN THIS STATE. Sponsors: Representatives Harrington, Ennis, Powell, Dixon. Assigned to Insurance and Elections Committee.

HB 649 - AN ACT TO AMEND §2306, TITLE 12, DELAWARE CODE, RELATING TO THE DISTRIBUTION OF A DECEDENT'S PROPERTY. Sponsors: Representative Buckworth; Senator Torbert. Assigned to Judiciary Committee.

HB 653 - AN ACT TO AMEND CHAPTER 80, TITLE 29 OF THE DELAWARE CODE RELATING TO PARK MANAGERS AND OTHER PERSONNEL. Sponsors: Representatives Buckworth, Barnes, Darling, Soles. Assigned to Natural Resources and Environmental Control Committee.

HB 677 - AN ACT TO AMEND CHAPTER 167, VOLUME 40, LAWS OF DELAWARE, RELATING TO THE CHARTER OF THE CITY OF HARRINGTON. Sponsors: Representative Darling and Senator Cook. Assigned to Community Affairs Committee.

HB 682 - AN ACT TO AMEND §6059(3), TITLE 7, DELAWARE CODE, PERMITTING THE SALE OF BEVERAGES IN NONREFILLABLE GLASS BEVERAGE CONTAINERS. Sponsors: Representatives Roy, Smith, Oberle, Cathcart, Spence, Burris, Bennett, Dixon; Senator Hughes. Assigned to Natural Resources and Environmental Control Committee.

The following nominations for appointment by the Governor were reported out of the Executive Committee: Lozelle J. DeLuz - 5 Merits; Alfred Fraczkowski - 5 Merits; Franklin C. Daiber - 5 Merits; Ellis B. Parrott - 5 Merits.

SB 303 w SA 1, HA 1 was lifted from the table for consideration on motion of Senator Bair.

During discussion of the Bill and the additional Amendments offered to it, the privilege of the floor was extended to Jack Freebery (Red Clay School District) and Ray W. Christian (Colonial School District).

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

YES: Senators Adams, Connor, Cook, Marshall, Martin, McBride, Neal, Torbert, Vaughn - 9.

NO: Senators Arnold, Bair, Berndt, Citro, Cordrey, Holloway, Hughes, Knox, McDowell, Sharp - 10.

NOT VOTING: Senator Littleton - 1.

ABSENT: Senator Zimmerman - 1.

Therefore, the Amendment was declared defeated.

SA 3 to the Bill was introduced by Senator Connor. Before action was taken on the Amendment however, it was stricken at the request of the sponsor.

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

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

NO: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Hughes, Knox, McBride, Sharp, Torbert, Vaughn - 14.

ABSENT: Senators Littleton, McDowell, Zimmerman - 3.

Therefore, the Amendment was declared defeated.

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

YES: Senators Connor, Cook, Marshall, Martin, McBride, Neal, Vaughn - 7.

NO: Senators Adams, Arnold, Bair, Berndt, Citro, Cordrey, Holloway, Hughes, Knox, McDowell, Sharp, Torbert - 12.

NOT VOTING: Senator Littleton - 1.

ABSENT: Senator Zimmerman - 1.

The roll call vote on SB 303 w SA 1, HA 1 was then taken; however, the roll call was laid on the table before being announced on motion of Senator Sharp.

SB 592 was taken up for consideration on motion of Senator Holloway:

SB 592 - AN ACT TO AMEND TITLE 31, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF AN ADULT PROTECTIVE SERVICES UNIT WITHIN THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES.

The privilege of the floor was extended to Representative VanSciver, Eleanor L. Cain (Division of Aging) and Mary E. Doto (Governor's Council on Aging).

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

The following letter from U.S. Senator Roth was read:

UNITED STATES SENATE  
WASHINGTON, D. C.  
May 27, 1982

The Honorable Bernard J. Brady  
Assistant Secretary of the Senate  
State of Delaware  
Dover, Delaware 19901

Dear Mr. Brady:

Thank you for the copy of the General Assembly's Resolution regarding a proposed energy import fee. Should this matter come before the Senate Finance Committee, I will give it careful consideration keeping the views of the Delaware legislature in mind.

Sincerely,  
William V. Roth, Jr.  
U. S. Senate

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SB 506 and SB 587 were stricken at the request of the sponsor, Senator Zimmerman.

The roll call vote on SB 552 w SA 1 was rescinded on motion of Senator Marshall. No objection.

At 6:00 p.m. on motion of Senator Sharp, the Senate recessed until 1:30 p.m., June 10, 1982.

The Senate reconvened at 1:37 p.m., June 10, 1982, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 571; SB 590; SB 459; SB 461; HB 642 w HA 1; HB 787; SB 265; SB 307; SB 342 w HA 1 (w HA 1).

The following legislation was introduced:

HB 787 - AN ACT TO AMEND CHAPTER 5, TITLE 4 OF THE DELAWARE CODE RELATING TO OFF-PREMISES SALES LICENSES FOR CLUBS AND MULTIPLE ACTIVITY CLUBS. Sponsors: Representatives Minner, Burris, Roy, Buckworth and Harrington. Assigned to Judiciary Committee.

HB 642 w HA 1 - AN ACT TO GRANT TITLE TO THE RABBITS FERRY SCHOOL TO THE RABBITS FERRY COMMUNITY CENTER. Sponsor: Representative Derrickson. Assigned to Executive Committee.

HB 571 - AN ACT TO AMEND SECTION 2220, CHAPTER 22, TITLE 25, DELAWARE CODE, BY REQUIRING CONDOMINIUM CONVERSIONS TO CONFORM TO SUBDIVISION AND ZONING REGULATIONS. Sponsors: Representatives Soles, Cain, Jester, Petrilli, Oberle; Senators Neal and Vaughn. Assigned to Administrative Services/Energy Committee.

SB 610 - AN ACT TO AMEND CHAPTER 25, TITLE 24, DELAWARE CODE, RELATING TO QUALIFICATIONS OF APPLICANTS FOR PHARMACISTS. Sponsor: Senator Holloway. Assigned to Administrative Services/Energy Committee.

SB 611 - AN ACT TO AMEND CHAPTER 17, TITLE 18 OF THE DELAWARE CODE REGARDING LICENSE RENEWAL PROCEDURES FOR APPOINTMENTS OF INSURANCE AGENTS AND LIMITED AND FRATERNAL INSURANCE REPRESENTATIVES. Sponsor: Senator Adams. Assigned to Insurance and Elections Committee.

SA 1 to HB 613. Sponsors: Senators McBride, McDowell, Bair, Connor, Neal. Placed with the Bill.

SA 1 to SB 609. Sponsors: Senator Zimmerman; Representative Minner. Placed with the Bill.

The following Committee reports were announced:

From the Judiciary Committee: SB 594 - 2 Favorable, 2 Merits; HB 490 w HA 1 - 4 Merits; HS 1 for HB 491 - 4 Merits; HB 707 - 4 Merits.

SCR 141 was introduced and considered for adoption on motion of Senator Bair:

SCR 141 - CONGRATULATING THE CONCORD HIGH SCHOOL BASEBALL TEAM UPON WINNING THE STATE CHAMPIONSHIP FOR THE SECOND YEAR IN A ROW. Sponsors: Senators Bair, Hughes, Berndt, Knox; Representatives Sincok, Hebner, Smith.

The roll call vote on the Resolution was taken and revealed 16 Senators voting YES and 5 (Connor, Littleton, Marshall, Martin, Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

On motion of Senator Adams SB 342 which had previously passed the Senate, was taken up for reconsideration as now further amended by HA 1 (w HA 1).

The roll call vote on SB 342 w HA 1 (w HA 1) was then taken and revealed 16 Senators voting YES and 5 (Citro, Connor, Marshall, Martin and Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for his consideration.

At 1:47 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 40th Legislative Day.

#### 40TH LEGISLATIVE DAY

June 10, 1982

The Senate convened at 1:47 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Sharp.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

SB 570 was taken up for consideration on motion of Senator Holloway:

SB 570 - AN ACT TO AMEND CHAPTER 9 AND CHAPTER 21 OF TITLE 5 OF THE DELAWARE CODE RELATING TO MUTUAL SAVINGS BANKS AND SAVINGS SOCIETIES, SUBJECTING THEM TO THE SAME GENERAL LOAN LIMITATIONS APPLICABLE TO OTHER STATE BANKS OR TRUST COMPANIES.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Holloway and the roll call vote taken which revealed 15 Senators voting YES and 6 (Citro, Connor, Marshall, Martin, McDowell, Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 570 w SA 1 was then taken and revealed 17 Senators voting YES and 4 (Connor, Martin, McDowell, Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 577 was taken up for consideration on motion of Senator Holloway:

SB 577 - AN ACT TO AMEND C(101) OF VOLUME 8, LAWS OF DELAWARE, ENTITLED "AN ACT TO INCORPORATE THE WILMINGTON SAVINGS FUND SOCIETY," AS AMENDED, TO PROVIDE THAT THE SOCIETY MAY MAKE CERTAIN LOANS AND INVESTMENTS.

The privilege of the floor was extended to John E. Malarkey (State Banking Commissioner) and J. M. Moran (Wilmington Trust Company) after which the roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Connor, Martin, Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 576 was laid on the table on motion of Senator Holloway.

At 2:02 p.m., Senator Adams presiding.

HB 641 was taken up for consideration on motion of Senator Cordrey:

HB 641 - AN ACT TO AMEND CHAPTER 33, TITLE 12 OF THE DELAWARE CODE, RELATING TO BANKS OR TRUST COMPANIES ESTABLISHING COMMON FUNDS FOR THE COLLECTIVE INVESTMENT OF FUNDS HELD IN A FIDUCIARY OR AGENCY CAPACITY.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, McBride, McDowell, Neal, Torbert, Vaughn - 17.

NOT VOTING: Senator Sharp - 1.

ABSENT: Senators Connor, Martin, Zimmerman - 3.

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

HB 640 was taken up for consideration on motion of Senator Cook:

HB 640 - AN ACT TO REQUIRE THE EXECUTIVE BRANCH OF GOVERNMENT TO PREPARE AND SUBMIT TO THE GENERAL ASSEMBLY BEGINNING WITH THE FISCAL YEAR 1984 A BUDGET BILL FOR ALL PROPOSED EXPENDITURES OF STATE SPECIAL FUNDS, EXCLUDING FEDERAL GRANTS AND NON-FEDERAL GRANTS AND GIFTS, BEQUESTS, TUITION RECEIPTS AND THE PROCEEDS OF DEBT INSTRUMENTS BY STATE AGENCIES, AND TO AMEND CHAPTER 76, TITLE 29, DELAWARE CODE, BY REORGANIZING THE DELAWARE STATE CLEARINGHOUSE COMMITTEE.

During discussion of the Bill and the Amendments offered to it, the privilege of the floor was extended to Duane Olsen, Controller General.

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

At 2:15 p.m., Lt. Governor Castle presiding.

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

YES: Senators Arnold, Bair, Berndt, Holloway, Hughes, Knox, Littleton, Marshall, McBride, McDowell, Neal, Torbert - 12.

NO: Senators Adams, Cook, Vaughn, Zimmerman - 4.

ABSENT: Senators Citro, Connor, Cordrey, Martin, Sharp - 5.

Therefore, the Amendment was declared adopted.

The roll call vote on HB 640 w SA 1, 2 was then taken and revealed 19 Senators voting YES and 2 (Connor and Martin) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendments.

SB 576 was taken up for consideration on motion of Senator Holloway:

SB 576 - AN ACT TO AMEND CHAPTER 63, VOLUME 12, LAWS OF DELAWARE, ENTITLED "AN ACT TO INCORPORATE THE ARTISANS' SAVINGS BANK," AS AMENDED, TO PERMIT THE BANK TO MAKE CERTAIN LOANS.

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to John E. Malarkey, State Banking Commissioner.

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

The roll call vote on SB 576 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Connor and Martin) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 555 was taken up for consideration on motion of Senator Cook:

SB 555 - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE TO PROVIDE GROUP LIFE INSURANCE FOR STATE RETIREES.

Senator Martin marked PRESENT.

At his request, Senator Cordrey was added as co-sponsor of the Bill.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Connor, Holloway and Marshall) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 548 was stricken at the request of the sponsor, Senator Martin.

SB 505 was taken up for consideration on motion of Senator Martin:

SB 505 - AN ACT TO AMEND CHAPTER 69, TITLE 21, DELAWARE CODE RELATING TO REMOVAL OF MOTOR VEHICLES FROM PUBLIC HIGHWAYS.

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

The roll call vote on SB 505 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Connor and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 306 was taken up for consideration on motion of Senator Neal:

SB 306 - AN ACT TO AMEND CHAPTER 11, TITLE 9, OF THE DELAWARE CODE RELATING TO VACANCIES IN THE OFFICE OF THE COUNTY EXECUTIVE OF NEW CASTLE COUNTY AND IN THE OFFICES OF OTHER ELECTED OFFICIALS OF THE COUNTY GOVERNING BODY.

The privilege of the floor was extended to Henry Ridgely (Senate Attorney) after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Bair, Berndt, Citro, Cook, Cordrey, Hughes, Knox, Littleton, Marshall, Martin, McBride, Neal, Torbert, Vaughn - 15.

NO: Senators McDowell and Zimmerman - 2.

NOT VOTING: Senator Sharp - 1.

ABSENT: Senators Arnold, Connor, Holloway - 3.

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

At 3:05 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:05 p.m., Senator Cordrey presiding.

SB 139 w SA 1, 3, HA 1 was lifted from the table for consideration on motion of Senator McBride and the roll call vote taken which revealed:

YES: Senators Adams, Bair, Connor, Cook, Knox, Littleton, Martin, McBride, Neal, Torbert, Vaughn - 11.

NO: Senators Cordrey, Marshall, McDowell, Sharp - 4.

NOT VOTING: Senator Arnold - 1.

ABSENT: Senators Berndt, Citro, Holloway, Hughes, Zimmerman - 5.

Therefore, the Bill was declared defeated since a 3/5 vote was required for passage.

Senator Connor marked PRESENT.

HB 237 was taken up for consideration on motion of Senator Sharp who then yielded to Senator Marshall to floor-manage the Bill:

HB 237 - AN ACT TO AMEND TITLE 15 DELAWARE CODE, CHAPTER 55, RELATING TO PROVISIONS FOR ABSENTEE VOTING.

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

YES: Senators Adams, Bair, Berndt, Citro, Connor, Cook, Cordrey, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 18.  
NO: Senators Arnold, Neal - 2.

ABSENT: Senator Holloway - 1.

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

HB 487 w HA 1 was taken up for consideration on motion of Senator Cook:

HB 487 w HA 1 - AN ACT TO AMEND CHAPTER 17, TITLE 14, DELAWARE CODE, RELATING TO THE EXPENDITURE OF APPROPRIATED FUNDS FOR EXCEPTIONAL CHILDREN.

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

SB 476 was taken up for consideration on motion of Senator Torbert:

SB 476 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO CONFLICT OF INTEREST.

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to Gary Dalton and Henry Ridgely (Senate Attorneys.)

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

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

SB 589 was taken up for consideration on motion of Senator Adams:

SB 589 - AN ACT TO AMEND TITLE 19, CHAPTER 23, DELAWARE CODE RELATING TO WORKMEN'S COMPENSATION AND DEFINING CERTAIN EMPLOYERS.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Adams and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on SB 589 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

On motion of Senator Adams, the Governor's nomination for appointment of Franklin Daiber was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Sharp) ABSENT; therefore, the appointment was declared confirmed.

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

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Hughes, Knox, Littleton, Neal - 9.

NO: Senators Adams, Cook, Cordrey, Marshall, McBride, McDowell, Torbert, Vaughn, Zimmerman - 9.

NOT VOTING: Senators Holloway and Martin - 2.

ABSENT: Senator Sharp - 1.

Therefore, the appointment was declared defeated.

On motion of Senator Adams, the Governor's nomination for appointment of Lozelle J. DeLuz was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Sharp) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Alfred Fraczkowski was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Sharp) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Ellis B. Parrott was taken up for consideration and the roll call vote taken which revealed 19 Senators voting YES and 2 (Holloway and Sharp) ABSENT; therefore, the appointment was declared confirmed.

The following Committee reports were announced:

From the Executive Committee: Ronald McCabe - 1 Favorable, 5 Merits; Anna B. King - 6 Merits; Bruce A. Kallos - 1 Favorable, 5 Merits.

From the Public Safety Committee: HB 511 - 1 Favorable, 3 Merits.

SR 90 was introduced and considered for adoption on motion of Senator Bair:

SR 90 - WISHING WILLIAM P. CARROLL, OF CENTREVILLE, A SENATORIAL ASSISTANT DURING THE 131ST GENERAL ASSEMBLY, THE BEST OF LUCK IN HIS COLLEGE CAREER.  
Sponsor: Senator Bair.

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

HCR 184 was introduced and considered for adoption on motion of Senator McDowell:

HCR 184 - WISHING FOR A SPEEDY RETURN TO GOOD HEALTH FOR FORMER SPEAKER OF THE HOUSE JOHN P. FERGUSON. Sponsors: Representative Spence and all the Representatives and Senators.

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

SR 91 was introduced and considered for adoption on motion of Senator Holloway:

SR 91 - MOURNING THE DEATH OF LEROY (SATCHEL) PAIGE, AN OUTSTANDING PITCHER AND BASEBALL LEGEND. Sponsor: Senator Holloway.

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

SCR 142 was introduced and considered for adoption on motion of Senator McBride:

SCR 142 - RENEWING OUR RESPECT FOR OUR AMERICAN FLAG. Sponsors: Senator McBride and all Senators and Representatives.

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

On motion of Senator Arnold, the roll call vote on SB 139 w SA 1, 3, HA 1 was rescinded and the Bill restored to the Calendar. There was no objection.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 179; HCR 180; HCR 182; HCR 183; HCR 186; SCR 140; HCR 181; HCR 185; HCR 184 and passed HB 451 w HA 1; SB 308 w HA 1; SB 355; SB 356.

SB 564 was stricken at the request of the sponsor, Senator Connor.

At 5:40 p.m. on motion of Senator McDowell, the Senate recessed until 1:30 p.m., June 15, 1982.

The Senate reconvened at 2:10 p.m., June 15, 1982, Lt. Governor Castle presiding.

The Secretary announced that a message from the House informed the Senate that it had passed SB 177; HB 468 w HA 1; SB 401 w SA 1, 2; SB 402; SB 403 w SA 1.

The following legislation was introduced:

SB 612 - AN ACT TO AMEND CHAPTER 43, TITLE 21, OF THE DELAWARE CODE, RELATING TO VEHICLE WINDSHIELDS, FRONT SIDE WINDOWS AND SIDE WINGS. Sponsors: Senator Marshall; Representative Spence. Assigned to Public Safety Committee.

SB 613 - AN ACT TO AMEND CHAPTER 1, OF TITLE 21, DELAWARE CODE RELATING TO THE DEFINITION OF "PROOF OF FINANCIAL RESPONSIBILITY" Sponsor: Senator Vaughn. Assigned to Public Safety Committee.

SB 614 - AN ACT TO AMEND CHAPTER 28, TITLE 24 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF PUBLIC WORKS AND THE PRACTICE OF ENGINEERING ON PUBLIC WORKS. Sponsor: Senator Connor. Assigned to Administrative Services/Energy Committee.

SB 615 - AN ACT TO AMEND CHAPTER 80, VOLUME 63, LAWS OF DELAWARE, BEING AN ACT ENTITLED, "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1982; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS." Sponsors: Senators Berndt, McBride; Representatives Gilligan, Sincock. Assigned to Finance Committee.

SB 616 - AN ACT TO AMEND CHAPTER 5, TITLE 31 OF THE DELAWARE CODE RELATING TO STATE PUBLIC ASSISTANCE AND PROVIDING CIVIL AND CRIMINAL PENALTIES FOR CERTAIN UNLAWFUL ACTS. Sponsors: Senator Citro; Representative VanSciver. Assigned to Health-Social Services/Aging Committee.

SB 617 - AN ACT TO AMEND CHAPTER 61, TITLE 29, SECTION 6102, DELAWARE CODE RELATING TO THE COMPOSITION OF THE DELAWARE FUND. Sponsors: Senators Citro, Hughes; Representative VanSciver. Assigned to Finance Committee.

SB 618 - AN ACT TO AMEND CHAPTER 75, PART V, TITLE 15 OF THE DELAWARE CODE RELATING TO THE CONDUCT OF ELECTIONS. Sponsor: Senator Cordrey. Assigned to Insurance and Elections Committee.

SA 1 to SB 579. Sponsor: Senator Vaughn. Placed with the Bill.

SA 1 to SB 600. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 610. Sponsor: Senator Holloway. Placed with the Bill.

HB 451 w HA 1 - AN ACT TO AMEND CHAPTER 1, TITLE 4 OF THE DELAWARE CODE REDEFINING THE WORD "RESTAURANT". Sponsor: Representative Jonkiert. Assigned to Administrative Services/Energy Committee.

HB 468 w HA 1 - AN ACT TO AMEND TITLE 11, DELAWARE CODE, RELATING TO TRANSFERS OF CRIMINAL CASES FROM JUSTICE OF THE PEACE COURTS, MAYOR'S COURTS OR ALDERMAN'S COURTS TO THE COURT OF COMMON PLEAS. Sponsor: Representative West. Assigned to Judiciary Committee.

SB 308 w HA 1 was laid on the table on motion of Senator Sharp.

HCR 179 was introduced and considered for adoption on motion of Senator Berndt:

HCR 179 - MARKING THE WEEK OF JUNE 13-19, 1982, AS NATIONAL ORCHESTRA WEEK. Sponsor: Representative Maroney.

The roll call vote on the Resolution was taken and revealed 16 Senators voting YES and 5 (Connor, Cook, Littleton, Martin, Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 180 was introduced and considered for adoption on motion of Senator Torbert:



HCR 180 - COMMENDING JOSHUA T. WEST, OF DOVER, FOR HIS OUTSTANDING SERVICE AS HE RETIRES AS A MEMBER OF THE BOARD OF EDUCATION OF THE CAESAR RODNEY SCHOOL DISTRICT. Sponsors: Representatives Buckworth, Bennett; Senators Torbert, Zimmerman.

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

HCR 181 was introduced and considered for adoption on motion of Senator Vaughn:

HCR 181 - URGING THE STATE OFFICE OF PERSONNEL TO ADOPT POLICIES AND IMPLEMENT RULES TO PROVIDE THAT ANY PERSON CONVICTED FOR FAILING TO COMPLY WITH THE MILITARY SELECTIVE SERVICE ACT SHALL BE INELIGIBLE TO HOLD ANY POSITION OF STATE EMPLOYMENT. Sponsors: Representative Dixon, Senators Arnold, Vaughn; Representative Barnes, Edwards.

The privilege of the floor was extended to Henry Ridgely (Senate Attorney) after which the roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Connor, Marshall, Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 182 was introduced and considered for adoption on motion of Senator Holloway:

HCR 182 - JOINING THE OBSERVANCE OF CHILD ABUSE PREVENTION WEEK JUNE 6 THROUGH JUNE 12, 1982. Sponsors: Representative Maroney, Senator Holloway.

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

HCR 183 was introduced and considered for adoption on motion of Senator Holloway:

HCR 183 - MOURNING THE DEATH OF EUGENE C. SYROVATKA, J.D., EXECUTIVE DIRECTOR OF THE NEW CASTLE COUNTY MEDICAL SOCIETY AND THE DELAWARE ACADEMY OF MEDICINE. Sponsors: Representatives Maroney, Ennis; Senator Holloway.

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

HCR 185 was introduced and laid on the table on motion of Senator Holloway:

HCR 185 - REQUESTING GOVERNOR PIERRE S. DUPONT 4TH TO CONSIDER THE CREATION OF A SEPARATE DEPARTMENT FOR ALCOHOLISM AND DRUG ABUSE AND TO HAVE LEGISLATION PREPARED TO ACCOMPLISH THIS PURPOSE. Sponsors: Representative Edwards, Senator Holloway.

HCR 186 was introduced and considered for adoption on motion of Senator Knox:

HCR 186 - CONGRATULATING THE DELAWARE FEDERATION OF GARDEN CLUBS FOR WINNING FIRST PLACE IN THE 1981 COMPETITION OF THE NATIONAL COUNCIL OF STATE GARDEN CLUBS. Sponsor: Representative Powell.

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

The following Committee reports were announced:

From the Administrative Services/Energy Committee: SB 491 - 3 Favorable, 4 Merits; SB 596 - 5 Merits, 2 Unfavorable; HB 598 - 1 Favorable, 6 Merits; HB 577 - 3 Favorable, 4 Merits.

Senator Cordrey introduced State Senator Lee Robinson of Georgia to the Senate.

At 2:47 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 41st Legislative Day.

#### 41ST LEGISLATIVE DAY

June 15, 1982

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

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

Legislative Advisory #37 was read which informed the Senate that the Governor signed the following legislation: on May 26, 1982 - SB 358 (Volume 63, Chapter 248, Laws of Delaware); on June 1, 1982 - HB 323 w HA 1, SA 1 (w SA 1) (Volume 63, Chapter 249, Laws of Delaware); HB 395 w HA 2 (Volume 63, Chapter 250, Laws of Delaware); on June 2 - HB 154 w HA 1, 3, 4, 6 (Volume 63, Chapter 251, Laws of Delaware); on June 3 - HB 589 - (Volume 63, Chapter 252, Laws of Delaware); on June 4 - HB 698 (Volume 63, Chapter 253, Laws of Delaware); on June 8 - SB 427 (Volume 63, Chapter 254, Laws of Delaware); SB 508 (Volume 63, Chapter 255, Laws of Delaware); on June 9 - HB 426 w HA 1 (w HA 1), 4, 5 (Volume 63, Chapter 256, Laws of Delaware); HB 520 w HA 2 (Volume 63, Chapter 257, Laws of Delaware); HB 536 (Volume 63, Chapter 258, Laws of Delaware); HB 617 w HA 1 (Volume 63, Chapter 259, Laws of Delaware); SB 395 w HA 2 (Volume 63, Chapter 260, Laws of Delaware); SB 563 (Volume 63, Chapter 261, Laws of Delaware); on June 1 - HCR 166 (no Chapter number assigned); on June 3 - HS 1 for HJR 26 (no Chapter number assigned); on June 9 - SJR 34 (no Chapter number assigned).

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The following letter concerning HB 200 was read and is made part of this record at the request of Senator Sharp:

STATE OF DELAWARE  
DEPARTMENT OF JUSTICE  
STATE OFFICE BUILDING  
WILMINGTON, DELAWARE  
10 June 1982

The Honorable John A. Campanelli  
State Representative  
Legislative Hall  
Dover, Delaware

Re: House Bill 200  
Opinion No. 82-1016

Dear Representative Campanelli:

You have asked the opinion of this Office as to whether Article VIII, Section 11 of the Constitution of the State of Delaware was applicable to the vote taken by the House of Representatives on House Bill 200 during the 131st General Assembly. It is our opinion that Article VIII, §11 was applicable and House Bill 200 must be adopted by a three-fifths concurrence of both the House of Representatives and the Senate.

House Bill 200 was adopted to repeal the existing Worker's Compensation Act and establish a new system for the compensation for work related injuries and deaths occurring subsequent to February 1, 1982. A repealing act such as H.B. 200 constitutes a new act and if it adopts provisions in place of the repealed statute, those provisions are new legislation for purposes of enactment, even though they may be similar or identical in substance to the prior statute. *Morford v. Emerson*, Del. Super., 10 A.2d 515 (1939). Accordingly, H.B. 200 must comply with applicable requirements of Art. VIII, §11 since it was enacted subsequent to Art. VIII.

Article VIII, §11(a) provides:

No tax or license fee may be imposed or levied except pursuant to an act of the General Assembly adopted with the concurrence of three-fifths of all members of each House.

The issue presented is whether H.B. 200 imposes or levies a "tax" or a "license fee". The terms "tax" and "license fee" share many characteristics and are often used interchangeable. Both concepts involve a mandatory exaction or charge reasonably assessed by a governmental entity upon persons or property within its jurisdiction for a public or governmental purpose. 51 Am. Jur. 2d, *Licenses and Permits*, §1; 71 Am. Jur. 2d, *State and Local Taxation* §§1-4, 16. The distinction between the two is that a tax is a levy authorized under the government's taxing power as a revenue producing measure, while a license fee is a levy authorized under the police power of a government as a means of regulating or restricting a particular activity. *Conard v. State*, Del. Super., 16 A.2d 121 (1940).

In H.B. 200, Sections 2272, 2277 and 2278 can be interpreted as imposing a tax or license fee. Section 2272 requires insurance carriers and self-insurers to pay to the Industrial Accident Board percentages of premiums or payrolls for the establishment of a Second Injury Fund. Section 2277 imposes a "tax" upon carrier premiums and self-insurers' payrolls for the privilege of carrying on the business of Worker's Compensation Insurance in this State. Section 2278 imposes an "assessment" upon Worker's Compensation Insurance carriers to pay the administrative expenses of the act.

Each of the above sections imposes a mandatory levy upon carriers and self-insurers in order to raise revenues for the operation and maintenance of the Worker's Compensation system created by H.B. 200. The public purpose of Worker's Compensation legislation in general and the Second Injury Fund in particular has long been recognized. The system is designed to assure an economically adequate level of compensation to injured workers and shift the cost of such employment related injuries to the consumer as part of the costs of production. *Hill v. Moskin Stores, Inc.*, Del. Supr., 165 A.2d 4417 (1960); *Price v. All American Engineering Co.*, Del. Supr., 320 A.2d 336 (1974).

The *Price* decision specifically notes that the Fund's payments are made to a limited category of recipients. Moreover, an exaction imposed by statute does not lose its character because it is applied to a certain class and there is no requirement that the class be the primary recipient of the tax's benefits, provided that a public purpose is served. *Houce v. Little River Drainage District*, 239 U.S. 254 (1915); *Board of Assessment Review for New Castle County v. Stewart*, Del. Supr., 378 A.2d 113 (1977). The Legislature has wide discretion in the classification of tax payers so long as the classification adopted is reasonable and not arbitrary. In *Aetna Casualty and Surety Co., v. Smith*, Del. Supr., 131 A.2d 168 (1957), the Supreme Court determined that a tax on fire insurance premiums assessed against fire insurance carriers for the purpose of increasing funds for firefighter pension funds was reasonable and valid. As such, the above cited sections of H.B. 200 meet the general definitions of tax and license fee.

This conclusion is supported by the few cases which have addressed the issue of whether mandatory premium and payroll percentage payments and contributions constitute taxes or license fees. The case of *State v. Vinther*, Wash. Supr., 29 P.2d 694 (1934), held that an employer's mandatory payroll percentage contributions to the State Workmen's Compensation Accident Fund were license fees or taxes imposed in furtherance of the public policy of caring for workmen injured in industry. This rationale was followed in the case of *State Industrial Accident Commission v. Aebi*, Ore. Supr., 162 P.2d 513 (1945), in which the Supreme Court of Oregon held that an employer's mandatory contributions under Oregon's Workmen's Compensation Act were taxes within the meaning of the Federal Bankruptcy Act. Finally, in the case of *Harper v. New Jersey Manufacturers Casualty Insurance Co.*, 58 A. 2d 792, *aff'd* 62 A. 2d 135 (1949) a New Jersey court held that the State's Workmen's Compensation Act, which required Workmen's Compensation carriers and self-insurers to make premium and payroll percentage contributions to the State Compensation Funds, was a tax measure. No authority contrary to this position has been disclosed by research.

In addition to the above cases, further support is available for the conclusion that Section 2277 of H.B. 200 imposes a tax. This section states that it imposes a "tax" upon carrier premiums and self-insurer payrolls for the "privilege of carrying on the business of Worker's Compensation Insurance in this State". It has uniformly been held that a fee exacted as a prerequisite to the carrying on of a particular occupation or business is either a license fee or a tax. 51 AM. Jur. 2d, *License and Permits*, §14; 25 Words and Phrases, *License Fee*. However, where a fee is enacted solely for revenue purposes and its payment grants the privilege to carry on business without further conditions or restrictions, then the payment is a tax. *Conard v. State*, *supra*. Since its accompanying provisions in H.B. 200 do not evidence an intent to otherwise regulate or restrict the activities of Worker Compensation carriers and self-insurers, Section 2277 should be considered a tax.

The question whether Section 2278 is a tax or license fee is less susceptible to resolution. Section 2278 imposes an "assessment" upon insurance carriers to pay the Act's administrative expenses. A minority of jurisdictions have held that assessments of any form which are deposited into a specially designated fund and not into a state's general revenue fund are not taxes but special assessments. *Natural Gas Co. v. McCanless*, Tenn. Supr., 194 S.W.2d 476 (1946). While the issue has not been directly addressed in Delaware, the Supreme Court decision in *Aetna Casualty and Surety Company v. Smith*, *supra* strongly suggests that a distinction similar to that made in *McCanless* would not be adopted. In the *Aetna* decision, statutes which imposed payments upon insurance carrier premiums for the purpose of augmenting police and fire pension funds were held to be unconstitutional since they appropriated public money to municipal corporations without the three-fifths vote of each House of the General Assembly as required by Article VIII, Section 4 of the State Constitution. These payments were made into the specially earmarked funds and the State Insurance Commissioner maintained that these earmarked funds removed subsequent appropriations from the restrictions of Article VIII, Section 4. The Court disagreed, concluding that the constitutional provisions governed all appropriations and suggested that the General Assembly could not avoid constitutional provisions merely by creating individual funds. The Court stated, "the fact that it is paid into a special fund...is unimportant". *Id.* at 175.

The *McCanless* distinction has been abandoned by most jurisdictions except with regard to assessments made exclusively for the payment of administrative costs, when such payments are not mingled with any other funds. *Port Authority of Allegheny County v. Smith*, Pa. Cmwith., 382 A.2d 153 (1978); *Duquesne Farms, Inc. v. Ball*, Mich. Supr., 273 N.W. 2d 877 (1979); *Efros v. Russo*, N.J. Supr., 177 A.2d 565 (1962). Since Section 2278 meets the requirements set forth in the above cases and the General Assembly describes the levy imposed as an "assessment", Section 2278 should be considered a special assessment rather than a tax or license fee for purposes of Art. VIII, §11.

The final question presented is whether Sections 2272 and 2277 are severable from the remaining provisions of H.B. 200. The Delaware Supreme Court addressed the question of severability in *State v. Schorr*, Del. Supr., 65 A.2d 810 (1948), holding that:

It is also well settled, that where part of a statute found to be unconstitutional is so connected with other parts as to make them mutually dependent upon each other as conditions, considerations or compensations for the other, in such a manner as to justify the belief that the Legislature intended them as a whole, they stand or fall together. *Id.* at 822.

Sections 2272 and 2277 provide the basis funding mechanism for H.B. 200. If these provisions were excised from the Bill, its essential purposes of providing adequate benefits to injured workers and shifting the cost of such injuries would be defeated. The Bill as a whole is dependent upon the valid enactment of these sections and, as such, they are not severable from it.

In conclusion, it is the opinion of this Office that Sections 2272 and 2278 of H.B. 200 impose new taxes or license fees and are not severable from the Bill as a whole. Accordingly, Art. VIII, §11 of the State Constitution requires that H. B. 200 be adopted by a three-fifths concurrence of each House in order to be valid. Since Art. VIII, §11 was in effect when H.B. 200 was passed by a less than three-fifths majority of the House of Representatives, that vote was insufficient.

If you have any questions concerning this matter, please feel free to contact me.

Very truly yours,  
Timothy A. Casey  
Deputy Attorney General

APPROVED:

Richard S. Gebelein, Attorney General.

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Senator Knox moved that the necessary rules be suspended for consideration of HB 200. The roll call vote on the motion of taken and revealed:

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

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

ABSENT: Senator Connor - 1.

Therefore, the motion was defeated.

The following letter was read and is made part of this Journal at the request of Senator Sharp:

STATE OF DELAWARE  
DEPARTMENT OF INSURANCE  
June 8, 1982

The Honorable Thomas B. Sharp  
Delaware State Senate  
Legislative Hall  
Dover, Delaware

Dear Senator Sharp:

In accordance with your request to be informed of rate filings relative to workers' compensation insurance in the State of Delaware, I am informing you that according to documents and verbal conversations with Mr. Stephen Makgill, President of the Delaware Compensation Rating Bureau, the Bureau will be presenting a complete and official rate filing that will request a 13% decrease in workers' compensation rates. I do not have an effective date at this time, but will inform you as soon as that information is available.

If you would like to review any information and/or filing please feel free to contact myself or Pat McCann. Thank you for your continued interest on this issue.

Sincerely,  
David H. Elliott

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SS 1 for SB 557 was taken up for consideration on motion of Senator Cordrey:

SS 1 for SB 557 - AN ACT TO AMEND CHAPTER 13 OF TITLE 18 OF THE DELAWARE CODE RELATING TO ELIGIBLE INVESTMENTS OF INSURANCE COMPANIES.

Senators McDowell, Martin, Bair and Connor marked PRESENT.

At 3:50 p.m., Senator Sharp presiding.

The privilege of the floor was extended to G. Francis Biondi, Esq., representing the New York Life Insurance Annuity Corporation after which the roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 3:53 p.m., on motion of Senator Cordrey, the Senate recessed for Party Caucus and reconvened at 4:55 p.m., Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 745 w HA 1 (w HA 1), 2, 6, 7, 12.

The following legislation was introduced:

SB 619 - AN ACT TO AMEND CHAPTER 63 OF TITLE 7 OF THE DELAWARE CODE PERTAINING TO HAZARDOUS WASTE MANAGEMENT AND CHAPTER 64 OF TITLE 7 OF THE DELAWARE CODE PERTAINING TO THE DELAWARE SOLID WASTE AUTHORITY. Sponsors: Senators Zimmerman and Berndt; Representatives Smith and Jonkiert. Assigned to Natural Resources and Environmental Control Committee.

SB 620 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENDITURE OF SPECIAL LAW ENFORCEMENT ASSISTANCE FUNDS FOR USE IN INVESTIGATING DRUG, COUNTERFEIT DRUG, PROSTITUTION, PORNOGRAPHY AND ORGANIZED CRIME CASES AS PROVIDED IN TITLE 11, DELAWARE CODE CHAPTER 41, SUBPART B. Sponsors: Senators Citro, Hughes, Bair, Vaughn; Representatives Spence, VanSciver. Assigned to Judiciary Committee.

SB 621 - AN ACT TO AMEND CHAPTER 80, TITLE 29, DELAWARE CODE, RELATING TO CHARGING FEES BY THE DIVISION OF ENVIRONMENTAL CONTROL OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. Sponsors: Senators Zimmerman, Cook, Berndt; Representatives Darling and Oberle. Assigned to Natural Resources and Environmental Control Committee.

SB 622 - AN ACT TO AMEND CHAPTER 9 AND CHAPTER 7 OF TITLE 4 OF THE DELAWARE CODE, RELATING TO ALCOHOLIC OFFENSES INVOLVING MINORS AND TO THE EMPLOYMENT OF MINORS IN LICENSED LIQUOR ESTABLISHMENTS. Sponsors: Senator Torbert; Representatives Buckworth, Spence. Assigned to Administrative Services/Energy Committee.

SB 623 - AN ACT RELATING TO TITLE 29, CHAPTER 79, OF THE DELAWARE CODE, SUBCHAPTER III, "PAYMENT FOR SERVICES". Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

SB 624 - AN ACT TO PERMIT PACKAGE STORES LOCATED WITHIN SHOPPING CENTERS TO RELOCATE THEIR PREMISES ANYWHERE WITHIN THE SHOPPING CENTER, WHETHER MORE OR LESS THAN 500 FEET. Sponsors: Senators Holloway and Berndt; Representative Ennis. Laid on the table on motion of Senator Holloway.

SA 2 to SB 476. Sponsor: Senator Torbert. Placed with the Bill.

SA 3 to SB 539. Sponsor: Senator Adams. Placed with the Bill.

SA 1 to SB 566. Sponsor: Senator Marshall. Placed with the Bill.

SA 8 to HB 200. Sponsor: Senator Knox. Placed with the Bill.

SR 92 - URGING MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO RESPECTFULLY REQUEST THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT TO GRANT THE WILMINGTON HOUSING AUTHORITY A VARIANCE IN PUBLIC HOUSING REGULATIONS TO ENABLE THE AUTHORITY TO GENERATE REVENUES NECESSARY TO AVOID MASS EVICTION OF AUTHORITY TENANTS. Sponsor: Senator Holloway. Laid on the table on motion of Senator Holloway.

HB 745 w HA 1 (w HA 1), 2, 6, 7, 12 - AN ACT TO AMEND CHAPTER 9 AND CHAPTER 11, TITLE 7, DELAWARE CODE RELATING TO FISHING IN TIDAL AND NON-TIDAL WATERS OF THE STATE. Sponsors: Representatives Derrickson, Minner; Senator Knox. Assigned to Natural Resources and Environmental Control Committee.

SB 476 w SA 1 was lifted from the table for consideration on motion of Senator Torbert.

The privilege of the floor was extended to Michael Purczyk, Senate Attorney.

SA 2 to the Bill was introduced by Senator Torbert and considered for adoption. The roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (Hughes) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SA 1 to the Bill was then rescinded on motion of Senator Torbert and the Amendment stricken.

The roll call vote on SB 476 w SA 2 was then taken and revealed 20 Senators voting YES and 1 (Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 110 was taken up for consideration on motion of Senator Connor:

SB 110 - AN ACT TO AMEND CHAPTER 13, TITLE 26 OF THE DELAWARE CODE RELATING TO EMINENT DOMAIN.

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

YES: Senators Adams, Citro, Connor, Cook, Cordrey, Littleton, Martin, McDowell, Vaughn, Zimmerman - 10.

NO: Senators Bair, Berndt, Holloway, Knox, Marshall, McBride, Neal, Sharp, Torbert - 9.

NOT VOTING: Senator Arnold - 1.

ABSENT: Senator Hughes - 1.

Therefore, the Bill was declared defeated.

SB 539 was taken up for consideration on motion of Senator Adams:

SB 539 - AN ACT TO AMEND CHAPTER 14, TITLE 3, DELAWARE CODE, RELATING TO NOXIOUS WEEDS.

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

SA 2 to the Bill which had been placed with the Bill was stricken at the request of the sponsor, Senator Adams.

SA 3 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Adams and the roll call vote taken which revealed 19 Senators voting YES and 2 (Hughes and Knox) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 539 w SA 1, 3 was then taken and revealed 19 Senators voting YES and 2 (Hughes and Knox) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At the request of Senator Holloway the privilege of the floor was extended to Amy B. Hecht (Delaware Board of Nursing, Delaware Nurses' Association) and Gwendolyn Braxton (Delaware Nurses' Association) to speak on HB 365 w HA 1, 2, 3 (w HA 1, 2).

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

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
June 15, 1982

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

On behalf of the Board of Trustees of the University of Delaware and in conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate, the following, elected by the Board of Trustees to be a member of that Board: Andrew A. Williamson, 12 Kathlyn Court, Wilmington, Delaware, to be reappointed as a member of the Board of Trustees, University of Delaware, for a one year term to expire June 30, 1983.

The above name is not a gubernatorial appointment.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
June 15, 1982

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

On behalf of the Board of Trustees of the University of Delaware and in conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate, the following, elected by the Board of Trustees to be a member of that Board: John E. Burris, Clark Avenue, Milford, Delaware, to be reappointed as a member of the Board of Trustees, University of Delaware, for a six year term to expire May 31, 1988.

The above name is not a gubernatorial appointment.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
June 15, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Joshua W. Martin, 4610 Big Rock Drive, Wilmington, Delaware, to be appointed a Judge of the Superior Court of the State of Delaware for a term of twelve years, to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
June 15, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: William C. Pfeifer, 17 Garrison's Circle, Smyrna, Delaware, to be reappointed as a member of the Board of Parole to serve for a term of four years.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
June 15, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: James M. Rudd, 15 Holcomb Lane, New Castle, Delaware, to be appointed a member of the Board of Parole to serve for a term of four years, to succeed Margaret G. Scrivens, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
June 15, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: J. Frank Gordy, Sr., 711 E. Market Street, Georgetown, Delaware, to be reappointed a member of the Board of Parole to serve for a term of four years.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

\* \* \* \* \*

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
June 15, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Edward D. Harvey, 23 White Oak Road, Rehoboth Beach, Delaware, to be appointed a member of the Board of Pension Trustees to serve for a term of four years, to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
June 15, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Theodore W. Ryan, 2311 Greenleaf, Wilmington, Delaware, to be reappointed a member of the Solid Waste Authority to serve for a term of three years.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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The following Committee reports were announced:

From the Administrative Services/Energy Committee: SB 599 - 5 Merits.

From the Education Committee: SJR 32 - 1 Favorable, 3 Merits.

Senator Martin moved that the roll call vote on SB 302 be rescinded.

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

YES: Senators Adams, Bair, Berndt, Connor, Cook, Cordrey, Littleton, Marshall, Martin, McBride, Neal, Vaughn - 12.

NO: Senators Citro, McDowell, Sharp, Torbert - 4.

NOT VOTING: Senators Arnold, Holloway and Zimmerman - 3.

ABSENT: Senators Hughes and Knox - 2.

Therefore, the motion prevailed and the roll call vote on SB 302 was rescinded.

SB 566 was stricken at the request of the sponsor, Senator Marshall.

At 5:52 p.m. on motion of Senator Sharp, the Senate recessed until 1:30 p.m., June 16, 1982.

The Senate reconvened at 1:55 p.m., June 16, 1982, Senator Cordrey presiding.

The following Committee reports were announced:

From the Finance Committee: SB 597 - 4 Merits.

From the Public Safety Committee: SB 612 - 4 Merits; SB 613 - 4 Merits.

SR 94 was introduced and considered for adoption on motion of Senator Holloway:

SR 94 - REQUESTING THE FAMILY COURT OF THE STATE OF DELAWARE TO PROVIDE THE SENATE WITH INFORMATION CONCERNING THE EFFECTIVENESS OF CURRENT CHILD-SUPPORT LAWS. Sponsor: Senator Holloway.

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

YES: Senators Adams, Citro, Cordrey, Holloway, Knox, Marshall, McBride, McDowell, Sharp, Torbert, Vaughn - 11.

ABSENT: Senators Arnold, Bair, Berndt, Connor, Cook, Hughes, Littleton, Martin, Neal, Zimmerman - 10.

Therefore, the Resolution was declared adopted.

At 2:00 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 42nd Legislative Day.



42ND LEGISLATIVE DAY  
June 16, 1982

The Senate convened at 2:00 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

On motion of Senator Adams, the Governor's nomination for appointment of Bruce O. Kallos was taken up for consideration and the roll call vote taken which revealed 18 Senators voting YES and 3 (Connor, Littleton, Martin) ABSENT; therefore, the appointment was declared confirmed.

Senators Zimmerman and Neal marked PRESENT.

On motion of Senator Adams, the Governor's nomination for appointment of Anna B. King was taken up for consideration and the roll call vote taken which revealed 18 Senators voting YES and 3 (Connor, Littleton, Martin) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Ronald G. McCabe was taken up for consideration and the roll call vote taken which revealed 18 Senators voting YES and 3 (Connor, Littleton, Martin) ABSENT; therefore, the appointment was declared confirmed.

The following Committee reports were announced:

From the Judiciary Committee: SB 574 - 3 Merits; SB 591 - 3 Merits; SB 605 - 3 Merits.

From the Insurance and Elections Committee: SB 611 - 3 Merits; SB 618 - 3 Merits.

From the Revenue and Taxation Committee: HB 600 - 4 Merits; HB 630 - 5 Merits; HB 631 - 5 Merits; HB 632 - 5 Merits; HB 633 - 5 Merits; HB 634 - 5 Merits; HB 635 - 5 Merits; HB 636 w HA 1 - 5 Merits; HB 637 - 5 Merits; HB 638 - 4 Merits; HB 639 w HA 1 - 5 Merits.

SR 93 was introduced and considered for adoption on motion of Senator Zimmerman:

SR 93 - URGING THE NEMOURS CLINIC INC. OF WILMINGTON TO OPEN AND STAFF A SATELLITE OFFICE IN DOWNSTATE DELAWARE TO DISPENSE DENTURES, EYEGLASSES, AND PHARMACEUTICAL ASSISTANCE TO NEEDY SENIOR CITIZENS. Sponsors: Senators Zimmerman, Adams, Cordrey, Cook, Torbert, Vaughn, Littleton.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Hughes, Knox, Marshall, McBride, McDowell, Neal, Torbert, Vaughn, Zimmerman - 17.

NOT VOTING: Senator Sharp - 1.

ABSENT: Senators Connor, Littleton, Martin - 3.

Therefore, the Resolution was declared adopted.

SB 532 was taken up for consideration on motion of Senator McDowell:

SB 532 - AN ACT TO AMEND SUBCHAPTER VI, CHAPTER 39, TITLE 12, DELAWARE CODE, RELATING TO POWERS AND DUTIES OF THE PUBLIC GUARDIAN.

Senator Littleton marked PRESENT.

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

Senator Martin marked PRESENT.

The Senate recessed for change of tape at 2:29 p.m., and reconvened at 2:31 p.m.

The privilege of the floor was extended to Henry Ridgely, Senate Attorney.

The roll call vote on SB 532 w SA 1 was then taken and revealed:

YES: Senators Bair, Citro, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 14.

NO: Senators Adams, Arnold, Littleton, Neal - 4.

NOT VOTING: Senators Berndt and Hughes - 2.

ABSENT: Senator Connor - 1.

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

HS 1 for HB 415 w HA 1 was taken up for consideration on motion of Senator Cook:

HS 1 for HB 415 w HA 1 - AN ACT TO AMEND CHAPTER 19, TITLE 29 OF THE DELAWARE CODE RELATING TO FISCAL PROJECTIONS.

Senator Connor marked PRESENT.

The privilege of the floor was extended to Michael Purzycki, Senate Attorney, after which the roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House.

SCR 143 was introduced and considered for adoption on motion of Senator Adams:

SCR 143 - EXPRESSING OUR APPRECIATION FOR THE SPLENDID SERVICE RENDERED BY DR. SAMUEL LENHER DURING TEN YEARS AS CHAIRMAN OF THE BOARD OF TRUSTEES OF THE UNIVERSITY OF DELAWARE. Sponsors: Senators Adams, Berndt and all the Senators; Representatives Barnes, Bennett, Sincok.

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

HB 570 was taken up for consideration on motion of Senator Adams:

HB 570 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE TO INCREASE FROM TWO TO FIVE MILES THE DISTANCE A REDUCED-REGISTRATIN FEE FARM TRUCK MAY BE OPERATED OR TOWED BETWEEN FARMS OWNED OR MANAGED BY THE OWNER OF THE VEHICLE.

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

At 3:11 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:00 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SB 625 - AN ACT TO AMEND TITLES 19, 9, 11, 18, 24, 29, 30 AND 31 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION, PROVIDING FOR THE "WORKERS' COMPENSATION ACT OF 1982". Sponsors: Senators Adams and Citro; Representatives Barnes and Bennett. Assigned to Executive Committee.

SA 1 to SB 540. Sponsors: Senators Torbert and Zimmerman; Representative Bennett. Placed with the Bill.

SA 1 to SB 573. Sponsor: Senator Sharp. Placed with the Bill.

HB 450 w HA 1 was reported out of the Executive Committee: 6 Merits.

On motion of Senator McBride, HB 517 w HA 1 which had been assigned to the Education Committee was reassigned to the Finance Committee.

HB 602 w HA 3 was taken up for consideration on motion of Senator McBride:

HB 602 w HA 3 - AN ACT TO AMEND DELAWARE CODE TITLES 14, 10, 11 AND 31 RELATING TO PUBLIC SCHOOL TRUANCY.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Berndt, Cook and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

SB 552 w SA 1 was taken up for consideration on motion of Senator Marshall.

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

The privilege of the floor was extended to Gary Dalton (Senate Attorney) after which the roll call vote on SB 552 w SA 1, 2 was taken and revealed:

YES: Senators Adams, Arnold, Bair, Citro, Connor, Cook, Cordrey, Hughes, Littleton, Marshall, Martin, McBride, Neal, Sharp, Torbert, Vaughn - 16.

NO: Senator Knox - 1.

NOT VOTING: Senators Holloway, McDowell, Zimmerman - 3.

ABSENT: Senator Berndt - 1.

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

SB 540 was taken up for consideration on motion of Senator Torbert:

SB 540 - AN ACT AWARDDING SPECIAL PENSION BENEFITS TO GEORGE A. WARD AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER THE PENSION PROVIDED AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE.

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

At 4:37 p.m., Senator Adams presiding.

The privilege of the floor was extended to Henry Ridgely, Senate Attorney, after which the roll call vote on SB 540 w SA 1 was taken and revealed:

YES: Senators Adams, Cook, Holloway, Hughes, Littleton, Marshall, Martin, McBride, McDowell, Torbert, Vaughn, Zimmerman - 12.

NO: Senators Connor, Cordrey, Knox, Neal - 4.

NOT VOTING: Senators Arnold, Bair, Citro, Sharp - 4.

ABSENT: Senator Berndt - 1.

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

SB 319 was taken up for consideration on motion of Senator Hughes:

SB 319 - AN ACT TO AMEND CHAPTER 1, TITLE 22, OF THE DELAWARE CODE TO REQUIRE THE ERECTION OF SIGNS AT INTERSECTIONS OF ROADWAYS WITH CITY BOUNDARIES.

SS 1 for the Bill was introduced by Senator Hughes and adopted in lieu of the Original.

SB 319 was then stricken on motion of the Senator.

SS 1 for SB 319 was then stricken on further motion of the Senator.

HB 543 w HA 1 was taken up for consideration on motion of Senator Torbert:

HB 543 w HA 1 - AN ACT TO AMEND SUBCHAPTER III, CHAPTER 27, TITLE 21, DELAWARE CODE AND CHAPTER 474 OF 61 LAWS OF DELAWARE RELATING TO OPERATION OF A VEHICLE WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS.

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to Henry Ridgely and Michael Purzycki (Senate Attorneys).

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

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

SB 579 was taken up for consideration on motion of Senator Vaughn:

SB 579 - AN ACT TO AMEND CHAPTER 21 OF TITLE 21, DELAWARE CODE, RELATING TO MINIMUM INSURANCE COVERAGE REQUIREMENTS FOR ALL MOTOR VEHICLES REGISTERED IN THIS STATE.

The privilege of the floor was extended to Charles H. Burhan (Nationwide Insurance).

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

The roll call vote on SB 579 w SA 1 was then taken and revealed 19 Senators voting YES, 1 (Citro) voting NO and 1 (Berndt) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 613 was taken up for consideration on motion of Senator Vaughn:

SB 613 - AN ACT TO AMEND CHAPTER 1, OF TITLE 21, DELAWARE CODE RELATING TO THE DEFINITION OF "PROOF OF FINANCIAL RESPONSIBILITY"

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

HB 530 w HA 1 was taken up for consideration on motion of Senator Holloway:

HB 530 w HA 1 - AN ACT TO AMEND CHAPTER 32, TITLE 16 OF THE DELAWARE CODE RELATING TO CANCER CONTROL.

The privilege of the floor was extended to Ida J. Ingold, State Cancer Society after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Berndt) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

SB 594 was taken up for consideration on motion of Senator Hughes:

SB 594 - AN ACT TO AMEND CHAPTER 14, TITLE 11 DELAWARE CODE RELATING TO WEARING BODY ARMOR DURING THE COMMISSION OF A FELONY.

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

The following Committee reports were announced:

From the Community Affairs Committee: SB 598 - 6 Merits; SB 607 - 4 Merits.

From the Natural Resources and Environmental Control Committee: SB 600 - 4 Merits; SB 604 - 4 Merits; HB 319 w HA 1 - 4 Merits; HB 322 - 4 Merits; HB 438 w HA 1 (w HA 1), 2, 3 - 4 Merits; HB 653 - 4 Merits.

SCR 144 was introduced and considered for adoption on motion of Senator Zimmerman:

SCR 144 - URGING THE NEMOURS CLINIC INC. OF WILMINGTON TO OPEN AND STAFF A SATELLITE OFFICE IN DOWNSTATE DELAWARE TO DISPENSE DENTURES, EYEGLASSES, AND PHARMACEUTICAL ASSISTANCE TO NEEDY SENIOR CITIZENS. Sponsors: Senators Zimmerman, Adams, Cordrey Cook, Torbert, Vaughn, Littleton; Representatives Cain, Jester, Riddagh, Harrington, Bennett, Minner, Buckworth, Darling, Burris, Derrickson, Barnes, Fallon, Cordrey, West.

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

The roll call vote on SCR 144 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Berndt) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

Senator Marshall moved that SB 625 which had been assigned to the Executive Committee be reassigned to the Labor and Industrial Relations Committee. The roll call vote on the motion was taken and revealed:

YES: Senators Citro, Cook, Holloway, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 12.

NO: Senators Adams, Arnold, Bair, Cordrey, Knox, Littleton - 6.

NOT VOTING: Senators Connor and Hughes - 2.

ABSENT: Senator Berndt - 1.

Therefore, the motion prevailed and the Bill was reassigned to the Labor and Industrial Relations Committee.

SB 514 was stricken at the request of the sponsor, Senator Torbert.

At 6:05 p.m. on motion of Senator Sharp, the Senate recessed until 1:30 p.m., June 17, 1982.

The Senate reconvened at 2:14 p.m., June 17, 1982, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 656; HB 626; HB 691; HB 730 w HA 1; HB 749 w HA 1; HB 760; HB 725; HB 718; SB 442; SB 452; SB 352 w SA 1 and adopted HCR 187; HCR 188; HCR 189; SCR 139; SCR 141; SCR 142.

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

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
June 16, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: C. Leslie Ridings, Jr., 3201 Kammerer Drive, Wilmington, Delaware, to be appointed a member of the Commission on Adult Entertainment Establishments to serve for a term of three years, to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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The following Committee reports were announced:

From the Executive Committee: SB 393 - 6 Merits.

From the Administrative Services/Energy Committee: SB 610 - 4 Merits.

The following legislation was introduced:

SB 626 - AN ACT TO AMEND DELAWARE CODE, TITLE 14, AS IT RELATES TO THE FUNDING OF RESIDENTIAL SERVICES FOR PERSONS WHO ARE AUTISTIC. Sponsors: Senators Neal and McBride. Assigned to Education Committee.

At 2:16 p.m., Lt. Governor Castle presiding.

SB 627 - AN ACT AMENDING CHAPTER 1, TITLE 22 OF THE DELAWARE CODE RELATING TO MUNICIPALITIES BY REQUIRING THE FILING OF COPIES OF ALL ORDINANCES ENACTED BY MUNICIPAL CORPORATIONS WITH THE LAW LIBRARIES IN THE COUNTY IN WHICH THE MUNICIPALITY IS SITUATE; AND AMENDING CHAPTER 6, TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT BY REQUIRING NOTIFICATION OF THE GENERAL ASSEMBLY OF RULES AND REGULATIONS PROMULGATED BY STATE AGENCIES. Sponsors: Senator Zimmerman; Representative Corrozi. Assigned to Community Affairs Committee.

SB 628 - AN ACT TO AMEND SUBCHAPTER III, CHAPTER 79, TITLE 29, DELAWARE CODE, RELATING TO "PAYMENT FOR SERVICES". Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

SB 629 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE ABUSE AND NEGLECT OF CHILDREN AND TITLE 10 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF NEGLECT. Sponsors: Senators Bair and McDowell (jointly); Representatives Cathcart, Campanelli, Spence, Riddagh, Jonkiert, Corrozi. Assigned to Health-Social Services/Aging Committee.

SA 2 to HB 543. Sponsor: Senator Bair. Placed with the Bill.

SA 1 to SB 622. Sponsor: Senator Torbert. Placed with the Bill.

HB 735 - AN ACT TO AMEND SUBCHAPTER II, SECTION 2117, CHAPTER 21, TITLE 23, OF THE DELAWARE CODE RELATING TO RELEASE OF BOAT REGISTRATION INFORMATION. Sponsors: Representatives Sincok and Minner; Senators Cordrey and Berndt. Assigned to Natural Resources and Environmental Control Committee.

HB 757 - AN ACT TO AMEND CHAPTER 1, SUBCHAPTER II, TITLE 26 OF THE DELAWARE CODE RELATING TO THE GRANTING OF EASEMENTS FOR PUBLIC UTILITIES ACROSS RAILROAD PROPERTY. Sponsor: Representative Roy. Assigned to Administrative Services/Energy Committee.

HCN 187 was introduced and considered for adoption on motion of Senator Berndt:

HCN 187 - CONGRATULATING THERESA MULLINS, OF WILMINGTON, UPON HER SELECTION AS A CO-CAPTAIN OF THE NOTRE DAME WOMEN'S VARSITY BASKETBALL TEAM FOR THE 1982-1983 SEASON. Sponsors: Representative Smith and Senator Berndt.

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

HCN 188 was introduced and considered for adoption on motion of Senator Littleton:

HCN 188 - REQUESTING THE MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO SUPPORT AND WORK FOR SENATE JOINT RESOLUTION 199 OF THE SENATE OF THE UNITED STATES WHICH RESTORES THE FREEDOM OF INDIVIDUALS AND GROUPS TO ENGAGE IN PRAYER IN PUBLIC SCHOOLS AND INSTITUTIONS. Sponsors: Representatives Barnes, Spence; Senators Littleton, Adams, Hughes.

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

HCR 189 was introduced and considered for adoption on motion of Senator Bair:

HCR 189 - RECOGNIZING THE EFFECTIVENESS AND NEED FOR TITLE IX PROVISIONS AND DESIGNATING WEDNESDAY, JUNE 23 AS TITLE IX DAY IN DELAWARE. Sponsors: Representatives Minner and Soles.

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

HB 626 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, TO ELIMINATE THE FINING OF PUBLIC EMPLOYEES AS A DISCIPLINARY MEASURE AND THE REQUIREMENT THAT PUBLIC EMPLOYEES WORK WITHOUT THEIR USUAL REMUNERATION. Sponsors: Representatives Oberle, Plant; Senators Connor and Torbert. Assigned to Labor and Industrial Relations Committee.

HB 656 - AN ACT TO GRANT TITLE TO A PORTION OF THE FORMER RICHARDSON & ROBBINS PROPERTY OWNED BY THE STATE TO THE CITY OF DOVER. Sponsors: Representative Harrington, Senator Zimmerman. Assigned to Administrative Services/Energy Committee.

HB 691 - AN ACT TO AMEND CHAPTER 35, TITLE 24 OF THE DELAWARE CODE RELATING TO MANDATORY CONTINUING EDUCATION FOR PSYCHOLOGISTS AS A PREREQUISITE FOR LICENSE RENEWAL. Sponsors: Representatives Jester, Minner, Maroney, Edwards; Senators McDowell, Berndt and Knox. Assigned to Health-Social Services/Aging Committee.

HB 730 w HA 1 - AN ACT TO AMEND TITLE II, DELAWARE CODE, BY CREATING A NEW OFFENSE RELATING TO COMPUTER CRIMES. Sponsors: Representatives Roy, Mack, Smith, George, Free, Minner, Riddagh, Powell, Oberle, Buckworth, Brady, Spence, Petrilli, Sincok, Gilligan, Dixon; Senators Citro, Berndt, Cook, Bair, Hughes. Assigned to Judiciary Committee.

HB 749 w HA 1 - AN ACT TO AMEND CHAPTER 27, SUBCHAPTER 1, TITLE 21 OF THE DELAWARE CODE RELATING TO SCHOOL BUS DRIVERS' LICENSES. Sponsors: Representative Anderson, Senators Sharp, Arnold; Representatives Campanelli, Darling, Jester, Minner, Oberle, Roy, Spence. Assigned to Public Safety Committee.

HB 760 - AN ACT TO AMEND CHAPTERS 23, 25, 27 AND 29, TITLE 30, DELAWARE CODE ELIMINATING THE QUARTERLY OR MONTHLY RETURN FILING REQUIREMENTS FOR GROSS RECEIPT TAXES IN THE CASE OF CERTAIN SMALL BUSINESSES. Sponsors: Representatives Harrington, Barnes, Buckworth, Burris, Cathcart, Corrozi, Edwards, Derrickson, Fallon, Free, Hebner, Mack, Maroney, McKay, Oberle, Petrilli, Powell, Riddagh, Roy, Sincok, Smith, Spence, Cain, VanSciver, Anderson, Bennett, West, Campanelli, Cordrey, Darling, Dixon, George, Gilligan, Holloway, Jester, Jonkier, Minner, Plant, Soles; Senators Arnold, Bair, Berndt, Citro, Connor, Hughes, Knox, Littleton Neal, Adams, Cook, Cordrey, Holloway, Sharp, Marshall, Martin, McBride, McDowell, Torbert, Vaughn, Zimmerman. Assigned to Small Business Committee.

HB 718 - AN ACT TO APPROVE THE TRANSFER AND CONVEYANCE OF CERTAIN LAND BETWEEN THE STATE OF DELAWARE AND DELMARVA POWER AND LIGHT COMPANY. Sponsors: Representative Jester, Senator Vaughn. Assigned to Administrative Services/Energy Committee.

HB 725 - AN ACT TO AMEND TITLE 14, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A DELAWARE HIGHER EDUCATION SUPPLEMENTAL LOAN AUTHORITY; PROVIDING FOR THE MEMBERSHIP, POWERS, DUTIES AND ORGANIZATION OF THE AUTHORITY; PROVIDING THAT THE AUTHORITY MAY ISSUE BONDS FOR ITS CORPORATE PURPOSES RELATING TO LOANS FOR STUDENTS OR PARENTS OF STUDENTS TO ASSIST IN FINANCING THE COST OF HIGHER EDUCATION; PROVIDING FOR THE TERMS AND MANNER OF ISSUANCE OF THE BONDS; DEFINING CERTAIN TERMS; AND GENERALLY RELATING TO THE AUTHORITY, ITS BORROWING POWERS, AND THE FINANCING OF STUDENT LOANS BY THE AUTHORITY. Sponsors: Representatives Bennett, Soles, Cain, Burris, Corrozi, Sincok, Barnes, Powell. Assigned to Education Committee.

The Secretary announced that a message from the House informed the Senate that the House had adopted HR 216 requesting the return to the House of HB 200 for further consideration.

HR 216 - REQUESTING THE SENATE TO RETURN HOUSE BILL NO. 200 TO THE HOUSE OF REPRESENTATIVES FOR FURTHER CONSIDERATION.

At 2:48 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 43rd Legislative Day.

#### 43RD LEGISLATIVE DAY

June 17, 1982

The Senate convened at 2:48 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

HB 419 was taken up for consideration on motion of Senator Holloway:  
HB 419 - AN ACT TO AMEND TITLE 11, DELAWARE CODE, BY PUNISHING CERTAIN ACTS AS DISORDERLY CONDUCT.

SA 1 to the Bill which had been placed with the Bill, was stricken at the request of the sponsor, Senator Holloway.

SA 2 to the Bill which had been placed with the Bill was stricken at the request of the sponsor, Senator Holloway.

SA 3 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Holloway and the roll call vote taken which revealed 19 Senators voting YES, 1 (Vaughn) NOT VOTING, and 1 (Littleton) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on HB 419 w SA 3 was then taken and revealed 19 Senators voting YES, 1 (Vaughn) NOT VOTING, and 1 (Littleton) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

SB 139 w SA 1, 3 which had previously passed the Senate, was taken up for reconsideration as now further amended by HA 1 on motion of Senator McBride.

The roll call vote on SB 139 w SA 1, 3, HA 1 was then taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SB 554 was taken up for consideration on motion of Senator McBride:

SB 554 - AN ACT TO AMEND CHAPTER 21, TITLE 21, DELAWARE CODE, RELATING TO THE REGISTRATION OF MOTOR VEHICLES OF DISABLED VETERANS.

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

At 3:25 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:50 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SB 630 - AN ACT TO AMEND TITLE 24 DELAWARE CODE BY ADDING THERETO A NEW CHAPTER TO PROVIDE FOR A UNIFORM PROCEDURE FOR RENEWAL OF LICENSES OR CERTIFICATES. Sponsors: Senators Berndt, Bair, Hughes. Assigned to Administrative Services/Energy Committee

SB 631 - AN ACT AMENDING SECTION 1719, CHAPTER 17, TITLE 14, DELAWARE CODE, RELATING TO ADJUSTMENT OF APPROPRIATIONS. Sponsor: Senator Holloway. Assigned to Finance Committee.

SA 1 to SB 611. Sponsor: Senator Adams. Placed with the Bill.

HB 551 w HA 1 was reported out of the Judiciary Committee: 4 Merits.

SCR 145 was introduced and considered for adoption on motion of Senator Arnold:

SCR 145 - COMMENDING THE REPORTING OF THE PHILADELPHIA INQUIRER AND INVITING THE PHILADELPHIA INQUIRER TO ESTABLISH AND PUBLISH A DAILY DELAWARE NEWSPAPER. Sponsors: Senators Arnold, Torbert, Bair, Littleton; Representatives Holloway, Dixon, Anderson, Cathcart, Free, Corrozi, Cordrey, Oberle, Spence, Sincok, West.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cordrey, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn - 17.

NO: Senators Cook and Zimmerman - 2.

NOT VOTING: Senator Hughes - 1.

ABSENT: Senator Holloway - 1.

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

SR 95 was introduced and considered for adoption on motion of Senator Holloway:

SR 95 - WISHING SENATOR CHARLES L. (PETE) HUGHES AND MILDRED HUGHES THE HAPPIEST OF DAYS AS THEY CELEBRATE THEIR 44TH WEDDING ANNIVERSARY ON JUNE 18, 1982. Sponsors: Senator Holloway and all the Senators.

The roll call vote on the Resolution was taken and revealed 20 Senators voting YES and 1 (Hughes) NOT VOTING; therefore, the Resolution was declared adopted.

SB 574 was taken up for consideration on motion of Senator Zimmerman:

SB 574 - AN ACT TO AMEND PART III, TITLE 12 OF THE DELAWARE CODE, RELATING TO DISCLAIMER OF INTERESTS IN PROPERTY.

The privilege of the floor was extended to Julian Bauman, Jr. (Bar Association of the State of Delaware).

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

The roll call vote on SB 574 w SA 1 was then taken and revealed 20 Senators voting YES, and 1 (McDowell) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 5:10 p.m., Senator Sharp presiding.

SB 597 was taken up for consideration on motion of Senator Cordrey:

SB 597 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO MILDRED CARPENTER, A FORMER STATE EMPLOYEE; APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE, AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE MADE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cordrey and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on SB 597 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 599 was taken up for consideration on motion of Senator Cordrey:

SB 599 - AN ACT TO AMEND CHAPTER 27, TITLE 24, DELAWARE CODE, RELATING TO PERSONS AFFECTED BY THE PROFESSIONAL LAND SURVEYORS ACT.

SA 1 to the Bill was introduced by Senator Marshall and immediately stricken at his request.

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

SB 302, the roll call vote of which had been rescinded, was taken up for consideration on motion of Senator Martin.

The privilege of the floor was extended to Dallas Ashby (Delaware Association for Adult and Community Education).

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

YES: Senators Arnold, Citro, Connor, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal - 11.

NO: Senators Adams, Bair, Berndt, Cook, Cordrey, Hughes, Sharp, Torbert, Vaughn - 9.

ABSENT: Senator Zimmerman - 1.

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

SB 599 was lifted from the table for consideration on motion of Senator Cordrey.

The privilege of the floor was extended to Earl Kadding (Director of Board of Regional Professional Engineers).

The Bill was then again laid on the table on further motion of Senator Cordrey.

The roll call vote on SB 303 w SA 1, HA 1 was lifted and announced on motion of Senator Bair:

YES: Senators Arnold, Bair, Berndt, Citro, Holloway, Hughes, Knox, Littleton, Marshall, McDowell, Sharp - 11.

NO: Senators Adams, Connor, Cook, Cordrey, Martin, McBride, Neal, Torbert, Vaughn, Zimmerman - 10.

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

HB 677 was reported from the Community Affairs Committee: 4 Merits.

The following legislation was introduced:

HB 271 w HA 3, 4 - AN ACT TO AMEND CHAPTER 7, TITLE 7 OF THE DELAWARE CODE RELATING TO PENALTIES FOR VIOLATION OF CERTAIN FISH AND GAME STATUTES; PROHIBITION OF HUNTING ON SUNDAYS; SPOTLIGHTING DEER AND; PROHIBITION OF SELLING AND TRANSPORTING SKUNKS AND RACCOONS. Sponsors: Representatives Buckworth, Smith, Spence. Assigned to Natural Resources and Environmental Control Committee.

HS 1 for HB 508. AN ACT TO AMEND SUBCHAPTER I, CHAPTER 1, TITLE 13, DELAWARE CODE RELATING TO SOLEMNIZATION OF MARRIAGES. Sponsor: Representative Roy. Assigned to Judiciary Committee.

HB 662 - AN ACT TO AMEND CHAPTER 5, TITLE 31, DELAWARE CODE RELATING TO NONTRANSFERABILITY OF ASSISTANCE GRANTED UNDER THIS CHAPTER. Sponsor: Representative Maroney. Assigned to Executive Committee.

HB 742 - AN ACT TO AMEND CHAPTER 277, VOLUME 49, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF LAUREL", TO PERMIT THE ISSUING OF REVENUE BONDS. Sponsors: Representative Cordrey and Senator Littleton. Assigned to Revenue and Taxation Committee.

HB 747 - AN ACT TO AMEND SECTION 122, TITLE 16 OF THE DELAWARE CODE RELATING TO DUTIES OF THE STATE BOARD OF HEALTH. Sponsors: Representatives Maroney, Fallon, McKay, Edwards, Soles; Senators McBride, Torbert, Neal, Knox. Assigned to Health-Social Services/Aging Committee.

HB 759 - AN ACT TO AMEND CHAPTER 4, TITLE 11 OF THE DELAWARE CODE RELATING TO CONFINEMENT AT THE DELAWARE STATE HOSPITAL. Sponsors: Representatives Maroney, Soles; Senator Knox. Assigned to Judiciary Committee.

HB 764 w HA 1 - AN ACT TO RE-INCORPORATE THE TOWN OF FELTON. Sponsors: Representative Darling; Senator Cook. Assigned to Community Affairs Committee.

HC 159 - REQUESTING A FEASIBILITY STUDY BE MADE CONCERNING THE FORMATION OF A DEPARTMENT OF AGING. Sponsors: Representatives VanSeiver, Edwards; Senator Holloway. Assigned to Health-Social Services/Aging Committee.

At 6:27 p.m. on motion of Senator Cordrey, the Senate recessed until Monday, June 21, 1982 at 1:30 p.m.

The Senate reconvened at 3:18 p.m., June 21, 1982, Senator Cordrey presiding.

SB 602 was reported from the Finance Committee: 6 Merits.

The following legislation was introduced:

SB 632 - AN ACT TO AMEND SUBCHAPTER VI, CHAPTER 7, TITLE 7, DELAWARE CODE, RELATING TO THE HUNTING OF GAME. Sponsors: Senators Vaughn, Zimmerman; Representatives Jester, Minner, Riddagh. Assigned to Natural Resources and Environmental Control Committee.

SB 633 - AN ACT TO AMEND CHAPTER 196, VOLUME 22, LAWS OF DELAWARE, BEING THE CHARTER OF THE CITY OF LEWES. Sponsors: Senator Cordrey; Representative Derrickson. Assigned to Revenue and Taxation Committee.

SB 634 - AN ACT TO AMEND CHAPTER 55, TITLE 15, DELAWARE CODE, RELATING TO ABSENTEE VOTING IN SPECIAL ELECTIONS. Sponsors: Senator Torbert and Representative Buckworth. Assigned to Insurance and Elections Committee.

SB 635 - AN ACT TO AMEND TITLE 8, §39(b) OF THE DELAWARE CODE TO CLARIFY THE AMOUNT OF TAX DUE UPON THE RECEIPT FOR FILING OF AMENDMENTS TO CERTIFICATES OF INCORPORATION INCREASING THE AUTHORIZED CAPITAL STOCK OF A CORPORATION. Sponsor: Senator Cordrey. Assigned to Revenue and Taxation Committee.

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

HS 1 for HB 473. AN ACT TO AMEND SECTIONS 2911 AND 2913 OF TITLE 18 OF THE DELAWARE CODE RELATING TO LIFE INSURANCE POLICY LOANS. Sponsors: Representative Powell; Senator Cook. Assigned to Insurance and Elections Committee.

HB 591 w HA 1 - AN ACT TO AMEND CHAPTER 31, AND CHAPTER 17, TITLE 14 OF THE DELAWARE CODE, RELATING TO EXCEPTIONAL CHILDREN. Sponsors: Representatives Oberle, Senator Bair; Representatives VanSiver, Jester, Powell, Edwards, West, George, Mack, Roy, Harrington, Petrilli, Smith, Soles, Cain, Spence, Cathcart, Buckworth, Riddagh, Bennett, Anderson, Gilligan, Holloway, Derrickson, Ennis; Senators Neal, McDowell, Arnold, Citro, Connor, Hughes, Knox, Sharp. Assigned to Finance Committee.

HB 736 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REVOCATION OF A DRIVER'S LICENSE FOR VEHICULAR ASSAULT. Sponsors: Representatives Spence, Roy, Petrilli, Jonkiert, Cathcart, Bennett, Buckworth, Mack, Barnes, Edwards, Dixon, Sincok, Ennis, Corrozi, Oberle, Maroney, Campanelli, Riddagh; Senators Marshall, Citro, Arnold, Connor, Berndt, Knox, McBride, Sharp, Hughes, Adams. Assigned to Public Safety Committee.

SA 1 to SB 627. Sponsor: Senator Adams. Placed with the Bill.

HS 1 for HB 557 w HA 3, 5, 6, 8, 10, 11, 13, 14, 15, 16, 17, 18, 19, 22 - AN ACT TO AMEND CHAPTER 40, TITLE 14 OF THE DELAWARE CODE, RELATING TO NEGOTIATIONS AND EMPLOYEE RELATIONS OF PROFESSIONAL EMPLOYEES. Sponsors: Representative Oberle, Senator Sharp; Representatives Cain, Campanelli, Cathcart, Free, Dixon, Gilligan, Petrilli, Powell, Plant, Roy, Spence; Senators McDowell, Marshall, McBride. Assigned to Education Committee.

HB 629 was reported from the Community Affairs Committee: 4 Merits.

At 3:24 p.m. on motion of Senator Sharp, the Senate recessed for a short period and reconvened at 4:10 p.m., Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HS 1 for HB 557 w HA 3, 5, 6, 8, 10, 11, 13, 14, 15, 16, 17, 18, 19, 22; HB 591 w HA 1; HB 736; HS 1 for HB 473; SS 1 for SB 119; HB 271 w HA 3, 4; HB 742; HB 764 w HA 1; HS 1 for HB 508; HB 662; HB 747; HB 759; HB 735; HB 757; SB 497 and adopted HCR 159; SCR 143; SJR 33; HCR 190.

The following Committee reports were announced:

From the Natural Resources and Environmental Control Committee: SB 619 - 4 Merits; HB 735 - 4 Merits.

From the Small Business Committee: HB 760 - 3 Favorable, 2 Merits.

SCR 148 was introduced and considered for adoption on motion of Senator Connor:

SCR 148 - COMMENDING JIM SHERMAN FOR HIS OUTSTANDING ACHIEVEMENTS AS A MEMBER OF THE 1982 UNIVERSITY OF DELAWARE BLUE HENS' EAST COAST CONFERENCE CHAMPIONSHIP BASEBALL TEAM. Sponsors: Senators Connor, Cook; Representatives Mack, Dixon, Cathcart.

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

SCR 147 was introduced and considered for adoption on motion of Senator McBride:

SCR 147 - CONGRATULATING WILLIAM E. "BILL" JENKINS ON HIS ELECTION AS STATE COMMANDER OF THE VETERANS OF FOREIGN WARS. Sponsors: Senators McBride, Holloway; Representative Dixon.

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

SCR 146 was introduced and considered for adoption on motion of Senator Neal:

SCR 146 - COMMENDING THE DIVISION OF CENTRAL DATA PROCESSING AND CERTAIN INDIVIDUALS FOR A FAST, EFFICIENT TRANSFER OF CDP COMPUTER OPERATIONS FROM THE HIGHWAY ADMINISTRATION BUILDING INTO THE WILLIAM PENN BUILDING IN THE SILVER LAKE PROJECT. Sponsors: Senator Neal, Representative Roy.



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

HCR 190 was introduced and considered for adoption on motion of Senator Knox:

HCR 190 - REQUESTING SUPERINTENDENTS AND/OR THEIR DESIGNEES OF THE FOUR REORGANIZED SCHOOL DISTRICTS OF NEW CASTLE COUNTY TO MEET AND MAKE RECOMMENDATIONS REGARDING STATE EQUALIZATION FUNDS. Sponsors: Representatives Cathcart, Harrington, Fallon, Powell, Jonkiert, Anderson, Petrilli, Roy, Barnes, Mack, Burris, Buckworth, Brady, Spence, Cain, Plant, Soles, Oberle, Bennett, Ennis, VanSciver, Maroney, Dixon, Holloway; Senators Berndt, Knox, Neal, Bair, Martin, Holloway, Marshall, Connor, Citro.

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

At 4:25 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 44th Legislative Day.

#### 44TH LEGISLATIVE DAY JUNE 21, 1982

The Senate convened at 4:25 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Adams.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

Legislative Advisory #38 was read which informed the Senate that the Governor signed the following legislation: On June 14, 1982, the Governor signed HB 547 w HA 1 (Volume 63, Chapter 262, Laws of Delaware); on June 15, the Governor signed HB 471 (Volume 63, Chapter 263, Laws of Delaware), HB 578 (Volume 63, Chapter 264, Laws of Delaware); on June 17, the Governor signed SB 43 w SA 1 (Volume 63, Chapter 265, Laws of Delaware), SB 590 (Volume 63, Chapter 266, Laws of Delaware).

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HB 725 was reported from the Education Committee: 4 Favorable, 2 Merits.

SJR 32 was taken up for consideration on motion of Senator Bair

SJR 32 - PERMITTING REORGANIZED SCHOOL DISTRICTS TO UTILIZE DIVISION II FUNDS TO ESTABLISH ENERGY MANAGEMENT PROGRAMS.

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

The roll call vote on SJR 32 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

Senators Holloway and Zimmerman marked PRESENT.

SB 596 was taken up for consideration on motion of Senator Holloway:

SB 596 - AN ACT TO AMEND CHAPTER 6, TITLE 24, DELAWARE CODE, RELATING TO NUMBER OF COSMETOLOGISTS' APPRENTICES AND THE FEE SCHEDULE FOR THIS PROFESSION.

The privilege of the floor was extended to Gene I. Slacum (Office of Professional Licensing).

At 4:50 p.m., Senator Sharp presiding.

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

SB 543 was taken up for consideration on motion of Senator Holloway:

SB 543 - AN ACT TO AMEND CHAPTER 15, TITLE 24, DELAWARE CODE, TO REQUIRE CERTAIN HOTELS AND MOTELS TO PROVIDE TELEPHONE SERVICE IN EVERY ROOM.

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

YES: Senators Adams, Citro, Holloway, Marshall - 4.

NO: Senators Bair, Berndt, Connor, Cook, Cordrey, Hughes, Knox, Littleton, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 16.

NOT VOTING: Senator Arnold - 1.

Therefore, the Bill was declared defeated.

SB 544 was taken up for consideration on motion of Senator Holloway:

SB 544 - AN ACT TO AMEND CHAPTER 15, TITLE 24, DELAWARE CODE, TO REQUIRE KEPERS OF INNS, HOTELS, AND MOTELS TO MAKE ACCOMMODATIONS AVAILABLE AT ADVERTISED RATES WHERE POSSIBLE AND PROVIDING A PENALTY FOR FAILURE TO DO SO.

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

SB 611 was taken up for consideration on motion of Senator Adams:

SB 611 - AN ACT TO AMEND CHAPTER 17, TITLE 18 OF THE DELAWARE CODE REGARDING LICENSE RENEWAL PROCEDURES FOR APPOINTMENTS OF INSURANCE AGENTS AND LIMITED AND FRATERNAL INSURANCE REPRESENTATIVES.

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

At 5:18 p.m., Lt. Governor Castle presiding.

The roll call vote on SB 611 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 591 was taken up for consideration on motion of Senator Adams:

SB 591 - AN ACT TO AMEND SUBCHAPTER 1, CHAPTER 19, TITLE 11, DELAWARE CODE RELATING TO PROVIDING STATEWIDE AUTHORITY TO CERTAIN POLICE OFFICERS UNDER CERTAIN CONDITIONS.

The privilege of the floor was extended to Senate Attorneys Gary Dalton and Henry Ridgely after which the Bill was laid on the table on motion of Senator Adams.

SB 605 was taken up for consideration on motion of Senator Adams:

SB 605 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 3 OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE JUDICIARY.

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

SB 618 was taken up for consideration on motion of Senator Cordrey:

SB 618 - AN ACT TO AMEND CHAPTER 75, PART V, TITLE 15 OF THE DELAWARE CODE RELATING TO THE CONDUCT OF ELECTIONS.

The privilege of the floor was extended to Henry Ridgely (Senate Attorney) after which the Bill was laid on the table on motion of Senator Cordrey.

HB 450 w HA 1 was taken up for consideration on motion of Senator Adams:

HB 450 w HA 1 - AN ACT TO AMEND CHAPTER 55, TITLE 29 OF THE DELAWARE CODE RELATING TO CREDITED SERVICE AND ELIGIBILITY UNDER THE PENSION LAWS.

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

SB 602 was taken up for consideration on motion of Senator Adams:

SB 602 - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE AND CHAPTER 65, PART IV, TITLE 11, DELAWARE CODE BY DELETING THOSE SECTIONS RELATIVE TO SPECIAL PENSION BENEFITS FOR CORRECTIONS OFFICERS.

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

SB 598 was taken up for consideration on motion of Senator Cordrey:

SB 598 - AN ACT TO AMEND CHAPTER 65, TITLE 9 OF THE DELAWARE CODE; RELATING TO SANITARY AND WATER DISTRICTS OF SUSSEX COUNTY.

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

SB 607 was taken up for consideration on motion of Senator Cordrey:

SB 607 - AN ACT TO AMEND CHAPTER 302, VOLUME 49, LAWS OF DELAWARE, BEING "AN ACT TO INCORPORATE THE TOWN OF FENWICK ISLAND, DELAWARE" RELATING TO THE ELECTIONS AND THE ELIGIBILITY TO SERVE ON THE TOWN COUNCIL.

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

SB 596 was lifted from the table for consideration on motion of Senator Holloway.

SA 1 to the Bill was introduced by Senator Holloway and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Jack Russell.

The roll call vote on SB 596 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 591 was lifted from the table for consideration on motion of Senator Adams.

SA 1 to the Bill was introduced by Senator Adams and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on SB 591 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Arnold) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 618 was lifted from the table for consideration on motion of Senator Cordrey.

SA 1 to the Bill was introduced by Senator Cordrey and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on SB 618 w SA 1 was then taken and revealed:

YES: Senators Adams, Berndt, Citro, Connor, Cook, Cordrey, Hughes, Knox, Littleton, Marshall, Martin, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 16.

NO: Senators Arnold, Bair, McBride, Neal - 4.

ABSENT: Senator Holloway - 1.

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

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 191.

HCR 191 was introduced:

HCR 191 - MOURNING THE DEATH OF FORMER REPRESENTATIVE JOHN MATUSHEFSKE, OF ST. GEORGES. Sponsors: Representatives Jonkiert, Dixon and all the Representatives; Senator Connor and all the Senators.

The Resolution was then considered for adoption on motion of Senator Connor and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and returned to the House.

The following Committee reports were announced:

From the Executive Committee: HB 642 w HA 1 - 6 Merits.

From the Revenue and Taxation Committee: SB 633 - 1 Favorable, 4 Merits; SB 635 - 1 Favorable, 4 Merits.

From the Natural Resources and Environmental Control Committee: SB 632 - 1 Favorable, 2 Merits, 2 Unfavorable; HB 271 w HA 3, 4 - 5 Merits.

From the Health-Social Services/Aging Committee: HB 747 - 5 Merits.

SR 96 was introduced and considered for adoption on motion of Senator Sharp:

SR 96 - DIRECTING THE BILL CLERK OF THE SENATE TO RETURN HOUSE BILL NO. 200 AS AMENDED TO THE HOUSE OF REPRESENTATIVES.

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

At 6:40 p.m. on motion of Senator Sharp, the Senate recessed until 1:30 p.m., June 22, 1982.

The Senate reconvened at 3:03 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SB 636 - AN ACT TO AMEND TITLE 14, CHAPTER 10, OF THE DELAWARE CODE TO PROVIDE FOR INDEMNITY OF INDIVIDUAL MEMBERS OF LOCAL SCHOOL BOARDS AND THE AGENTS OF LOCAL SCHOOL BOARDS AGAINST DAMAGES, LOSSES AND EXPENSES OF DEFENSE IN CIVIL ACTIONS AND IN CERTAIN CRIMINAL ACTIONS. Sponsors: Senators Littleton and Adams; Representatives Barnes and Cordrey. Assigned to Education Committee.

SB 637 - AN ACT TO AMEND CHAPTER 59, TITLE 29, DELAWARE CODE, TO REQUIRE THE STATE PERSONNEL COMMISSION TO ADOPT A UNIFORM PAY SCALE FOR EMPLOYEES REQUIRED TO BE ON CALL DURING NON-WORKING HOURS. Sponsor: Senator Holloway. Assigned to Labor and Industrial Relations Committee.

SB 638 - AN ACT TO AMEND CHAPTER 29, TITLE 9, DELAWARE CODE, RELATING TO AMBULANCE AND PARAMEDIC SERVICES FOR LOWER NEW CASTLE COUNTY. Sponsors: Senator Vaughn; Representatives Jester and Spence. Assigned to Administrative Services/Energy Committee.

SS 1 for SB 332 - AN ACT TO AMEND CHAPTER 13, TITLE 14 OF THE DELAWARE CODE RELATING TO MAINTENANCE MECHANICS. Sponsors: Senators Neal, Arnold, Bair, Citro, Connor, Hughes, Holloway, Knox, McBride, Vaughn, Martin; Representatives Anderson, Buckworth, Cathcart, Cordrey, Darling, Dixon, Ennis, Fallon, Gilligan, Jonkiert, Mack, Roy, Soles, West. Assigned to Labor and Industrial Relations Committee.

SA 2 to SB 478. Sponsor: Senator Holloway. Placed with the Bill.

On motion of Senator McBride, SS 1 for SB 332 which had been assigned to Labor and Industrial Relations Committee, was reassigned to the Education Committee. No objection.

SA 1 to HB 320. Sponsor: Senator Zimmerman. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had passed HB 456 w HA 1; HB 647; HB 738; SB 570 w SA 1; SB 576 w SA 1; SB 577; HB 582 w HA 1; HB 587; HB 652; HB 784; HB 616; HB 608; HB 741 w HA 1.

SB 638 was reassigned to the Health-Social Services/Aging Committee. No objection.

The following Committee reports were announced:

From the Judiciary Committee: SB 603 - 2 Favorable, 2 Merits; HB 468 w HA 1 - 4 Merits; HS 1 for HB 508 - 4 Merits; HB 649 - 4 Merits; HB 730 w HA 1 - 4 Merits. HB 759 - 4 Merits.

From the Insurance and Elections Committee: SB 573 - 2 Merits, 1 Unfavorable; SB 609 - 3 Merits; SB 634 - 3 Merits; HB 184 - 3 Merits; HB 443 - 3 Merits; HB 546 w HA 1, 2, 4 - 3 Merits; HB 585 - 3 Merits.

The following legislation was introduced:

HB 456 w HA 1 - AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO THE CUSTODY, CARE AND TREATMENT OF DELINQUENT AND DEPENDENT CHILDREN. Sponsor: Representative Maroney. Assigned to Health-Social Services/Aging Committee.

HB 582 w HA 1 - AN ACT TO AMEND CHAPTER 31, TITLE 6, OF THE DELAWARE CODE RELATING TO UNINCORPORATED ASSOCIATION. Sponsors: Representatives Barnes, Harrington, Edwards, Dixon, Bennett. Assigned to Administrative Services/Energy Committee.

HB 587 - AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP A PROGRAM FOR DISTRIBUTION OF SURPLUS TEXTBOOKS AND TO REQUIRE PUBLIC SCHOOLS TO SHARE SUCH BOOKS BETWEEN DISTRICTS. Sponsor: Representative Bennett. Assigned to Education Committee.

HB 608 - AN ACT TO AMEND CHAPTER 10, SUBCHAPTER IV, TITLE 14 OF THE DELAWARE CODE, WITH REFERENCE TO TIME; ANNUAL ELECTION OF SCHOOL BOARD MEMBERS. Sponsors: Representatives Bennett, McKay, Soles, George, Jester, Dixon, Anderson, West, Cain, Cordrey, Minner, Jonkiert. Assigned to Education Committee.

HB 616 - AN ACT TO AMEND CHAPTER 55, TITLE 25 OF THE DELAWARE CODE RELATING TO NOTICE OF RENT INCREASES. Sponsors: Representatives Anderson, Barnes, Bennett, Buckworth, Cain, Corrozi, Cathcart, Cordrey, Derrickson, Dixon, Ennis, Gilligan, Holloway, Jr., Jester, Mack, Plant, Riddagh, Soles, Spence, VanSclver, West; Senators Arnold, Berndt, Sharp, Connor, Holloway, Sr., Martin, McDowell, Neal, Torbert, Vaughn. Assigned to Community Affairs Committee.

HB 647 - AN ACT TO AMEND §2308, TITLE 19, DELAWARE CODE, TO PERMIT AN EXCLUSION FROM WORKMEN'S COMPENSATION FOR OFFICERS OF CORPORATIONS. Sponsors: Representatives Harrington, Barnes, Bennett, Dixon. Assigned to Executive Committee.

HB 652 - AN ACT TO AMEND TITLE 10, DELAWARE CODE, BY CREATING A NEW SECTION 7401 PROVIDING A STATUTORY RIGHT FOR A DEFENDANT TO RECOVER ATTORNEY'S FEES FROM A PLAINTIFF WHO WRONGFULLY INSTITUTES LEGAL PROCEEDINGS. Sponsor: Representative Derrickson. Assigned to Judiciary Committee.

HB 647 was reassigned from Executive to Insurance and Elections Committee. No objection.

HB 738 - AN ACT TO AMEND SECTION 6151, SUBCHAPTER II, CHAPTER 61, TITLE 7, DELAWARE CODE RELATING TO COMMERCIAL VESSELS AND STRUCTURES ANCHORED OVER PUBLIC LANDS BENEATH THE WATERS OF THE STATE. Sponsors: Representatives Smith and Derrickson. Assigned to Natural Resources and Environmental Control Committee.

HB 456 was reassigned from the Health-Social Services/Aging Committee to the Administrative Services/Energy Committee. No objection.

HB 741 - AN ACT TO AMEND CHAPTER 100, TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC LIBRARY RECORDS. Sponsor: Representative Fallon. Assigned to Community Affairs Committee.

HB 784 - AN ACT TO AMEND CHAPTER 41 AND CHAPTER 70, TITLE 21, DELAWARE CODE, RELATING TO FINES FOR CERTAIN PARKING VIOLATIONS. Sponsors: Representatives Spence, Petrilli; Senator Torbert. Assigned to Public Safety Committee.

The following Committee reports were announced:

From the Community Affairs Committee: HB 764 w HA 1 - 6 Merits; HB 615 5 Merits; HB 612 - 5 Merits.

At 3:17 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 45th Legislative Day.

#### 45TH LEGISLATIVE DAY June 22, 1982

The Senate convened at 3:17 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

ABSENT: Senator Neal - 1.

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

Legislative Advisory #39 received from the Office of Counsel to the Governor was read which informed the Senate of the Governor's action on legislation as follows: The Governor signed the following legislation on June 21, 1982: HB 130 w SA 1 (Volume 63, Chapter 267, Laws of Delaware), HB 566 (Volume 63, Chapter 268, Laws of Delaware), HB 580 (Volume 63, Chapter 269, Laws of Delaware), SB 265 (Volume 63, Chapter 270, Laws of Delaware), SB 307 (Volume 63, Chapter 271, Laws of Delaware), SB 451 w SA 1 (Volume 63, Chapter 272, Laws of Delaware), SB 459 (Volume 63, Chapter 273, Laws of Delaware), SB 461 (Volume 63, Chapter 274, Laws of Delaware). The Governor vetoed HS 1 for HB 247 w HA 1 on June 21, 1982.

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Senator Sharp requested the Bill Clerk to return HB 200 to the House as requested by HR 216.

Sensors Bair, Zimmerman, Arnold marked PRESENT.

HB 298 w HA 1 was taken up for consideration on motion of Senator Sharp who yielded to Senator Vaughn to floor-manage the Bill:

HB 298 w HA 1 - AN ACT TO AMEND CHAPTER 7, TITLE 21, DELAWARE CODE, TO ESTABLISH A PROCEDURE WHEN A JUVENILE IS ARRESTED FOR MULTIPLE TRAFFIC OFFENSES, SOME OF WHICH FALL WITHIN THE JURISDICTION OF THE FAMILY COURT WHILE OTHERS FALL WITHIN THE JURISDICTION OF OTHER COURTS.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Holloway and Neal) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House. Senators Connor and McDowell marked PRESENT.

HB 299 was taken up for consideration on motion of Senator Vaughn:

HB 299 - AN ACT TO AMEND CHAPTER 27, TITLE 11, DELAWARE CODE TO GRANT JUSTICE OF THE PEACE COURTS JURISDICTION TO HEAR, TRY AND FINALLY DETERMINE ADDITIONAL MISDEMEANORS THAN THEY PRESENTLY HAVE JURISDICTION TO HEAR, TRY AND FINALLY DETERMINE.

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

HB 309 w HA 1 was taken up for consideration on motion of Senator Vaughn:

HB 309 w HA 1 - AN ACT TO AMEND CHAPTER 7, TITLE 21 OF THE DELAWARE CODE RELATING TO MAIL-IN FINE PROCEDURES AND PENALTYS AND TO FURTHER AMEND CHAPTER 52, TITLE 30 OF THE DELAWARE CODE RELATING TO MOTOR FUEL TAX PENALTYS.

The privilege of the floor was extended to Chief Magistrate Norman A. Barron after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Neal) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 567 w HA 1, 2 was taken up for consideration on motion of Senator Vaughn:

HB 567 w HA 1, 2 - AN ACT TO AMEND CHAPTER 4 AND CHAPTER 39, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE; AND PROVIDING FOR CERTAIN VERDICTS IN CRIMINAL CASES.

At 3:54 p.m., Senator Sharp presiding.

The privilege of the floor was extended to Gary Dalton (Senate Attorney) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Neal) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

SB 604 was taken up for consideration on motion of Senator Knox:

SB 604 - AN ACT TO AMEND SECTION 12.9, ARTICLE 12, §6501, SUBCHAPTER 1, CHAPTER 65, TITLE 7 OF THE DELAWARE CODE, RELATING TO THE DELAWARE RIVER BASIN COMPACT AND THE INTEREST RATE OF BONDS ISSUED BY THE DELAWARE RIVER BASIN COMMISSION.

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

SB 189 was laid on the table on motion of Senator Knox.

SB 612 was taken up for consideration on motion of Senator Marshall:

SB 612 - AN ACT TO AMEND CHAPTER 43, TITLE 21, OF THE DELAWARE CODE, RELATING TO VEHICLE WINDSHIELDS, FRONT SIDE WINDOWS AND SIDE WINGS.

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

The privilege of the floor was extended to Robert J. Voshell, representing the Division of Motor Vehicles, after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Martin and Neal) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 577 was taken up for consideration on motion of Senator McDowell:

HB 577 - AN ACT TO AMEND §5509, TITLE 25, DELAWARE CODE, TO PERMIT ELDERLY TENANTS TO TERMINATE A LEASE WITH THIRTY DAYS NOTICE TO ENTER A RETIREMENT OR SENIOR CITIZENS HOUSING FACILITY.

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

HB 598 was taken up for consideration on motion of Senator McDowell:

HB 598 - AN ACT TO AMEND CHAPTER 51, TITLE 25 OF THE DELAWARE CODE RELATING TO TERMINATION OF A RENTAL AGREEMENT.

The privilege of the floor was extended to Elizabeth R. Carbine (Homebuilders Association/Association of Delaware Realtors) after which the Bill was laid on the table on further motion of the Senator.

HB 511 was taken up for consideration on motion of Senator Torbert:

HB 511 - AN ACT TO AMEND CHAPTER 21, TITLE 21, DELAWARE CODE, RELATING TO REGISTRATION PLATES FOR THE HANDICAPPED.

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

HB 600 was taken up for consideration on motion of Senator Cordrey who yielded to Senator Cook to floor-manage the Bill:

HB 600 - AN ACT TO AMEND SECTION 5526(b), CHAPTER 55, TITLE 29 OF THE DELAWARE CODE BY CHANGING THE DATE FOR DISABILITY PENSIONERS TO REPORT THEIR EARNINGS.

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

HB 630 was taken up for consideration on motion of Senator Cordrey; floor-managed by Senator Cook:

HB 630 - AN ACT TO AMEND CHAPTER 11, TITLE 12, DELAWARE CODE, RELATING TO THE ESCHHEAT OF ABANDONED OR UNCLAIMED PROPERTY.

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

HB 631 was taken up for consideration on motion of Senator Cordrey; floor-managed by Senator Cook:

HB 631 - AN ACT TO AMEND CHAPTER 61, TITLE 30, DELAWARE CODE, TO IMPOSE A PENALTY FOR FAILURE TO FILE PUBLIC ACCOMMODATION TAX RETURNS.

The privilege of the floor was extended to Robert Chastant (Division of Revenue) after which the roll call vote on the Bill was taken and revealed 18 Senators voting YES 1 (Citro) NOT VOTING and 2 (Hughes and Neal) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 632 was taken up for consideration on motion of Senator Cordrey; floor-managed by Senator Cook:

HB 632 - AN ACT TO AMEND SECTION 1195, CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO PENALTIES FOR FAILURE TO PAY CERTAIN TAXES.

The privilege of the floor was extended to Robert Chastant (Division of Revenue) after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Hughes and Neal) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 633 w HA 1 was taken up for consideration on motion of Senator Cordrey; floor-managed by Senator Cook:

HB 633 w HA 1 - AN ACT TO AMEND CHAPTER 19, TITLE 30, DELAWARE CODE, RELATING TO THE CORPORATION INCOME TAX.

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

HB 634 was taken up for consideration on motion of Senator Cordrey; floor-managed by Senator Cook:

HB 634 - AN ACT TO AMEND CHAPTER 61, TITLE 30, DELAWARE CODE, RELATING TO PUBLIC ACCOMMODATION TAXES.

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

HB 635 was taken up for consideration on motion of Senator Cordrey; floor-managed by Senator Cook:

HB 635 - AN ACT TO AMEND CHAPTER 19, TITLE 30, DELAWARE CODE, RELATING TO THE CORPORATION INCOME TAX.

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

HB 636 w HA 1 was taken up for consideration on motion of Senator Cordrey; floor-managed by Senator Cook:

HB 636 w HA 1 - AN ACT TO AMEND CHAPTER 14, TITLE 30, DELAWARE CODE, RELATING TO THE GIFT TAX.

The privilege of the floor was extended to Robert Chastant (Division of Revenue) after which the roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Hughes, Martin and Neal) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 637 was taken up for consideration on motion of Senator Cordrey; floor-managed by Senator Cook:

HB 637 - AN ACT TO AMEND SECTION 1194, CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO FAILURE TO FILE RETURNS.

At 6:01 p.m., Senator Adams presiding.

The privilege of the floor was extended to Robert Chastant (Division of Revenue) after which the Bill was laid on the table on further motion of Senator Cook.

HB 638 was taken up for consideration on motion of Senator Cordrey; floor-managed by Senator Cook:

HB 638 - AN ACT TO AMEND CHAPTER 21, TITLE 30, DELAWARE CODE, RELATING TO OCCUPATIONAL AND BUSINESS LICENSES AND TAXES.

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

HB 639 w HA 1 was taken up for consideration on motion of Senator Cordrey; floor-managed by Senator Cook:

HB 639 w HA 1 - AN ACT TO AMEND CHAPTER 21, PART III, TITLE 30, DELAWARE CODE, TO PROVIDE PROCEDURES FOR OBTAINING AND ENFORCING JUDGMENTS AGAINST CERTAIN DELINQUENT TAXPAYERS.

The privilege of the floor was extended to Robert Chastant after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Neal) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

Senator Holloway introduced Cheryl Caniford (daughter of the Secretary of the Senate) to the Senate. Cheryl was the top winner of the Easter Seal Society Skate-a-thon held in Dover. Today was also Cheryl's twelfth birthday..

SB 619 was taken up for consideration on motion of Senator Zimmerman:

SB 619 - AN ACT TO AMEND CHAPTER 63 OF TITLE 7 OF THE DELAWARE CODE PERTAINING TO HAZARDOUS WASTE MANAGEMENT AND CHAPTER 64 OF TITLE 7 OF THE DELAWARE CODE PERTAINING TO THE DELAWARE SOLID WASTE AUTHORITY.

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

The privilege of the floor was extended to N. C. Vasuki (Delaware Solid Waste Authority) after which the roll call vote on SB 619 w SA 1 was taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McDowell, Torbert, Zimmerman - 17.

NO: Senators McBride, Sharp, Vaughn - 3.

ABSENT: Senator Neal - 1.

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

SCR 149 was introduced and considered for adoption on motion of Senator Connor:

SCR 149 - COMMENDING AND THANKING THE MEMBERS OF DELAWARE'S VOLUNTEER FIRE COMPANIES AND LADIES AUXILIARIES FOR THEIR DEDICATED AND INVALUABLE SERVICE TO THE CITIZENS OF THIS STATE. Sponsors: Senator Connor and all the Senators and Representatives.

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

SB 627 was reported out of the Community Affairs Committee: 5 Merits.

SCR 150 was introduced and considered for adoption on motion of Senator Vaughn:

SCR 150 - URGING THE COUNTY EXECUTIVE OF NEW CASTLE COUNTY COUNCIL, RICHARD COLLINS, NOT TO DISCONTINUE AMBULANCE AND PARAMEDIC SERVICES TO RESIDENTS OF LOWER NEW CASTLE COUNTY. Sponsors: Senator Vaughn; Representatives Jester and Spence.

The roll call vote on the Resolution was taken; however, the roll call was tabled before being announced on motion of Senator Vaughn.

The roll call vote on SCR 150 was then lifted on motion of Senator Vaughn and announced:

YES: Senators Adams, Connor, Cook, Cordrey, Littleton, Martin, McBride, Sharp, Torbert, Vaughn, Zimmerman - 11.

NOT VOTING: Senators Arnold, Bair, Berndt, Hughes, Knox - 5.

ABSENT: Senators Citro, Holloway, Marshall, McDowell, Neal - 5.

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

The Secretary announced that a message from the House informed the Senate that it had passed HB 694.

HB 694 was introduced and assigned to Natural Resources and Environmental Control Committee:

HB 694 - AN ACT TO AMEND CHAPTER 60, TITLE 7 OF THE DELAWARE CODE, BEING VOLUME 61, CHAPTER 503, LAWS OF DELAWARE, RELATING TO THE RECLAMATION AND RECYCLING OF BEVERAGE CONTAINERS. Sponsors: Representatives Burris and Dixon; Senators Berndt and Zimmerman.

Senator Martin moved that HB 694 be reassigned to the Highways and Transportation Committee. The roll call vote on the motion was taken and revealed:

YES: Senators Arnold, Bair, Citro, Cook, Knox, Martin, McDowell - 7.

NO: Senators Adams, Berndt, Connor, Cordrey, Hughes, Littleton, Marshall, McBride, Sharp, Torbert, Vaughn, Zimmerman - 12.

ABSENT: Senators Holloway and Neal - 2.

Therefore, the motion was defeated and the Bill remained in the Natural Resources and Environmental Control Committee.

At 6:55 p.m. on motion of Senator Sharp, the Senate adjourned until 2:00 p.m., June 23, 1982.

#### 46TH LEGISLATIVE DAY

June 23, 1982

The Senate convened at 2:35 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Torbert.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

The Secretary announced that a message from the House informed the Senate that it had passed HB 790; HB 664; HB 666; HB 668; HB 670; HB 671; HB 672; HB 673; SB 489 w HA 1.

Legislative Advisory #40 received from the Office of Counsel to the Governor was read which indicated the Governor's action on legislation as follows: On June 22, 1982, the Governor signed HB 555 w HA 1 (Volume 63, Chapter 275, Laws of Delaware), HB 695 (Volume 63, Chapter 276, Laws of Delaware), SB 342 s HA 1 (w HA 1) (Volume 63, Chapter 277, Laws of Delaware).

Lt. Governor Castle introduced former Senator Louise Connor to the Senate. He also introduced the student of the Political Science Class from Del Tech College.

The following Committee reports were announced:

From the Public Safety Committee: SB 343 - 2 Favorable, 2 Merits; SB 406 - 4 Merits; SB 490 - 4 Merits; SB 534 - 4 Merits; SB 550 - 4 Merits; SB 575 - 4 Merits; HB 749 w HA 1 - 4 Merits; HB 784 - 4 Merits.

From the Revenue and Taxation Committee: HB 742 - 6 Merits.

Senators Arnold, Connor, Berndt, Hughes, Zimmerman, Marshall marked PRESENT.

The following legislation was introduced:

SB 639 - AN ACT TO AMEND CHAPTER 25, TITLE 18 DELAWARE CODE RELATING TO INSURANCE RATES AND PROVIDING FOR A REDUCTION IN WORKMEN'S COMPENSATION INSURANCE RATES. Sponsor: Senator Littleton. Assigned to Insurance and Elections Committee.

SB 640 - AN ACT TO AMEND CHAPTER 23, TITLE 24, AND CHAPTER 23, TITLE 30, DELAWARE CODE, PERTAINING TO PAWNBROKERS AND JUNK DEALERS, BY IMPOSING SPECIAL LICENSING, AUDITING, REPORTING AND OTHER REQUIREMENTS UPON DEALERS IN PRECIOUS METALS. Sponsors: Senator Martin, Representative VanSeiver; Senators Arnold, Citro, Littleton, Vaughn; Representatives Brady, Buckworth, Cathcart, Corrozi, Dixon, Ennis, Fallon, Gilligan, Mack, Petrilli, Powell, Spence. Assigned to Administrative Services/Energy Committee.

SA 1 to SB 632. Sponsor: Senator Vaughn. Placed with the Bill.

SA 1 to H 1 for HB 557. Sponsor: Senator Bair. Placed with the Bill.

SA 1 to SA 1 to SB 600. Sponsor: Senator Holloway. Placed with the Bill.

SB 489 w HA 1 was laid on the table on motion of Senator Cordrey.

SR 97 - CONGRATULATING WILLIAM E. JENKINS, OF DUNLEITH, UPON HIS ELECTION AS THE FIRST BLACK COMMANDER OF THE DELAWARE DEPARTMENT, VETERANS OF FOREIGN WARS. Sponsor: Senator Holloway. Laid on the table on motion of Senator Holloway.

HB 664 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE, RELATING TO DRIVER'S LICENSE REINSTATEMENT FEES. Sponsor: Representative Cathcart. Assigned to Public Safety Committee.

HB 666 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE, RELATING TO PEDESTRIANS. Sponsor: Representative Cathcart. Assigned to Public Safety Committee.

HB 668 - AN ACT TO AMEND CHAPTER 51, TITLE 29 OF THE DELAWARE CODE, RELATING TO EXCLUDING SATURDAYS AS WORK DAYS FOR EMPLOYEES OF THE DEPARTMENT OF PUBLIC SAFETY. Sponsor: Representative Cathcart. Assigned to Public Safety Committee.

HB 670 - AN ACT TO AMEND CHAPTERS 25 AND 63, TITLE 21 OF THE DELAWARE CODE, RELATING TO THE SALE AND TITLE OF USED TAXICABS. Sponsor: Representative Cathcart. Assigned to Highways and Transportation Committee.

HB 671 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO NEW RESIDENTS OBTAINING DRIVERS' LICENSES AND VEHICLE REGISTRATIONS. Sponsor: Representative Cathcart. Assigned to Public Safety Committee.

HB 672 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE, RELATING TO ANTIQUE VEHICLES. Sponsor: Representative Cathcart. Assigned to Public Safety Committee.

HB 673 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE, RELATING TO APPEARANCE FOR DRIVER'S LICENSE RENEWALS. Sponsor: Representative Cathcart. Assigned to Public Safety Committee.

HB 790 - AN ACT TO AMEND TITLE 16, CHAPTER 66 OF THE DELAWARE CODE, RELATING TO THE APPOINTMENT AND AUTHORITY OF THE STATE FIRE PREVENTION COMMISSION. Sponsors: Representatives Hebner, Anderson, Barnes, Bennett, Brady, Buckworth, Burris, Cain, Cathcart, Campanelli, Cordrey, Corrozi, Darling, Dixon, Edwards, Gilligan, Harrington, Jester, Jonkiert, Mack, Minner, Roy, Oberle, Petrilli, Plant, Powell, Riddagh, Sincok, Smith, Spence, West, Fallon, Maroney, Ennis, Soles; Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Vaughn. Assigned to Public Safety Committee.

HB 320 w HA 1 was taken up for consideration on motion of Senator Zimmerman:

HB 320 w HA 1 - AN ACT TO AMEND CHAPTERS 6 AND 71, TITLE 29 OF THE DELAWARE CODE, RELATING TO ENFORCEMENT VEHICLES OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.

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

The roll call vote on HB 320 w HA 1, SA 1 was then taken and revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

HB 435 w HA 1 was taken up for consideration on motion of Senator Zimmerman:



**HB 435 w HA 1 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 31, TITLE 20, OF THE DELAWARE CODE RELATING TO THE EMERGENCY POWERS OF THE GOVERNOR DURING A DROUGHT WARNING, A SEVERE CONTINUING DROUGHT, OR OTHER TYPES OF TEMPORARY CONDITIONS OF FAILURE OR INADEQUACY OF THE SUPPLY OF WATER.**

The privilege of the floor was extended to Michael J. Malkiewicz, Deputy Attorney General.

The roll call vote on the Bill was then taken; however, the roll call was laid on the table before being announced on motion of Senator Zimmerman.

Senator Citro marked PRESENT.

SB 600 was taken up for consideration on motion of Senator Holloway:

**SB 600 - AN ACT TO AMEND AND REVISE CHAPTER 71, TITLE 7 OF THE DELAWARE CODE RELATING TO NOISE CONTROL AND ABATEMENT.**

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to Charles W. Wilkins, III, (Department of Natural Resources and Environmental Control).

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

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

The roll call vote on SB 600 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 478 was taken up for consideration on motion of Senator Holloway:

**SB 478 - AN ACT TO AMEND CHAPTER 79, TITLE 29, DELAWARE CODE, BY ESTABLISHING AN OFFICE OF EMERGENCY MEDICAL SERVICES WITHIN THE DIVISION OF PUBLIC HEALTH, DEPARTMENT OF HEALTH AND SOCIAL SERVICES, AND MAKING APPROPRIATION THEREFOR.**

During discussion of the Bill and the Amendments offered to it, the privilege of the floor was extended to Charles E. Nabb (Division of Public Health).

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

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Holloway and the roll call vote taken which revealed 18 Senators voting YES and 3 (Berndt, Citro and Hughes) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 478 w SA 1, 2 was then taken and revealed 19 Senators voting YES, 1 (Berndt) NOT VOTING, and 1 (Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 221 was taken up for consideration on motion of Senator Holloway:

**SB 221 - AN ACT TO AMEND SUBCHAPTER II, TITLE 13, DELAWARE CODE, RELATING TO PREMARITAL PHYSICAL EXAMINATIONS.**

The privilege of the floor was extended to Mahadeo P. Verma, Ph. D., M.P.H. (Division of Public Health and Delaware Public Health Association).

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

SS 1 for SB 518 was stricken at the request of the sponsor, Senator Holloway.

HB 725 was taken up for consideration on motion of Senator McBride:

**HB 725 - AN ACT TO AMEND TITLE 14, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A DELAWARE HIGHER EDUCATION SUPPLEMENTAL LOAN AUTHORITY; PROVIDING FOR THE MEMBERSHIP, POWERS, DUTIES AND ORGANIZATION OF THE AUTHORITY; PROVIDING THAT THE AUTHORITY MAY ISSUE BONDS FOR ITS CORPORATE PURPOSES RELATING TO LOANS FOR STUDENTS OR PARENTS OF STUDENTS TO ASSIST IN FINANCING THE COST OF HIGHER EDUCATION; PROVIDING FOR THE TERMS AND MANNER OF ISSUANCE OF THE BONDS; DEFINING CERTAIN TERMS; AND GENERALLY RELATING TO THE AUTHORITY, ITS BORROWING POWERS, AND THE FINANCING OF STUDENT LOANS BY THE AUTHORITY.**

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

The roll call vote on HB 725 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

SB 632 was taken up for consideration on motion of Senator Vaughn:

**SB 632 - AN ACT TO AMEND SUBCHAPTER VI, CHAPTER 7, TITLE 7, DELAWARE CODE, RELATING TO THE HUNTING OF GAME.**

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

The privilege of the floor was extended to Bill Wagner.

The roll call vote on SB 632 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Hughes and Martin) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 610 was taken up for consideration on motion of Senator Holloway:

SB 610 - AN ACT TO AMEND CHAPTER 25, TITLE 24, DELAWARE CODE, RELATING TO QUALIFICATIONS OF APPLICANTS FOR PHARMACISTS.

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

The privilege of the floor was extended to Marvin A. Wieson after which the Bill was placed on the bottom of the Agenda on motion of Senator Holloway. No objection.

HB 319 w HA 1 was taken up for consideration on motion of Senator Zimmerman:

HB 319 w HA 1 - AN ACT TO AMEND CHAPTER 47, TITLE 7 OF THE DELAWARE CODE RELATING TO PENALTIES FOR VIOLATIONS OF STATE PARK REGULATIONS.

The privilege of the floor was extended to Representative Buckworth after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Holloway and Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 760 was taken up for consideration on motion of Senator Zimmerman:

HB 760 - AN ACT TO AMEND CHAPTERS 23, 25, 27 AND 29, TITLE 30, DELAWARE CODE ELIMINATING THE QUARTERLY OR MONTHLY RETURN FILING REQUIREMENTS FOR GROSS RECEIPT TAXES IN THE CASE OF CERTAIN SMALL BUSINESSES.

The privilege of the floor was extended to George E. Hale (Assistant Director, Delaware Development Office) after which the roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Citro, Holloway and Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 551 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 551 w HA 1 - AN ACT TO AMEND CHAPTER 7, PART 1, TITLE 21 OF THE DELAWARE CODE RELATING TO APPEALS FROM CONVICTIONS IN INFERIOR COURTS TO THE SUPERIOR COURT.

During discussion of the Bill and the Senate Amendment offered to it, the privilege of the floor was extended to Richard J. McMahon (Attorney General's Office).

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

The roll call vote on HB 551 w HA 1, SA 1 was then taken and revealed 17 Senators voting YES and 4 (Bair, Holloway, Hughes, Littleton) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

HB 561 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 561 w HA 1 - AN ACT TO AMEND CHAPTER 23, TITLE 11 OF THE DELAWARE CODE RELATING TO SEARCHES AT NIGHTTIME.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Holloway, Hughes, Littleton) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 574 was taken up for consideration on motion of Senator Sharp:

HB 574 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO THE SENTENCE FOR ROBBERY FIRST DEGREE AND ATTEMPTED ROBBERY FIRST DEGREE.

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

YES: Senators Adams, Arnold, Berndt, Citro, Connor, Cook, Cordrey, Knox, Marshall, Martin, McBride, Neal, Sharp, Torbert, Vaughn, Zimmerman - 16.

NO: Senator McDowell - 1.

ABSENT: Senators Bair, Holloway, Hughes, Littleton - 4.

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

SB 633 was taken up for consideration on motion of Senator Cordrey:

SB 633 - AN ACT TO AMEND CHAPTER 196, VOLUME 22, LAWS OF DELAWARE, BEING THE CHARTER OF THE CITY OF LEWES.

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

SB 635 was taken up for consideration on motion of Senator Cordrey:

SB 635 - AN ACT TO AMEND TITLE 8, §39(b) OF THE DELAWARE CODE TO CLARIFY THE AMOUNT OF TAX DUE UPON THE RECEIPT FOR FILING OF AMENDMENTS TO CERTIFICATES OF INCORPORATION INCREASING THE AUTHORIZED CAPITAL STOCK OF A CORPORATION.

The privilege of the floor was extended to Glenn C. Kenton (Secretary of State) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 642 w HA 1 was taken up for consideration on motion of Senator Adams who then deferred to Senator Cordrey to floor-manage the Bill:

HB 642 w HA 1 - AN ACT TO GRANT TITLE TO THE RABBITS FERRY SCHOOL TO THE RABBITS FERRY COMMUNITY CENTER.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (McDowell) voting NO, and 1 (Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 747 was taken up for consideration on motion of Senator Holloway:  
HB 747 - AN ACT TO AMEND SECTION 122, TITLE 16 OF THE DELAWARE CODE RELATING TO DUTIES OF THE STATE BOARD OF HEALTH.

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

SB 393 was taken up for consideration on motion of Senator Bair:  
SB 393 - AN ACT TO ESTABLISH THE DELAWARE MANAGEMENT ADVISORY COMMITTEE WHICH HAS THE RESPONSIBILITY FOR DEVELOPING A COMPREHENSIVE MANAGEMENT PROGRAM FOR DELAWARE STATE GOVERNMENT.

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

The roll call vote on SB 393 w SA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Knox, Littleton, Martin, McDowell, Neal, Torbert, Vaughn - 14.

NO: Senaors Cordrey, Marshall, McBride - 3.

NOT VOTING: Senators Holloway, Sharp, Zimmerman - 3.

ABSENT: Senator Hughes - 1.

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

HB 735 was taken up for consideration on motion of Senator Zimmerman who then deferred to Senator Berndt to floor-manage the Bill:

HB 735 - AN ACT TO AMEND SUBCHAPTER II, SECTION 2117, CHAPTER 21, TITLE 23, OF THE DELAWARE CODE RELATING TO RELEASE OF BOAT REGISTRATION INFORMATION.

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

The following nominations for appointment by the Governor were reported from the Executive Committee: Jules Belford, Ph. D. - 6 Merits; John E. Burris - 4 Favorable, 2 Merits; Henry James Decker - 3 Favorable, 3 Merits; Peter E. Frankenberg - 1 Favorable, 5 Merits; J. Frank Gordy - 6 Merits; Edward D. Harvey - 6 Merits; Albert Holmes - 6 Merits; Kirby Kirksey - 3 Merits, 3 Unfavorable; Joshua W. Martin - 2 Favorable, 4 Merits; William C. Pfeifer - 6 Merits; C. Leslie Ridings, Jr. - 3 Favorable, 3 Merits; Theodore W. Ryan - 6 Merits; Marna C. Whittington - 3 Favorable, 3 Merits; Andrew A. Williamson - 6 Merits; Burton D. Willis - 2 Merits; 4 Unfavorable.

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

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
June 23, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Carolyn C. McNatt, 509 Federal Street, Milton, Delaware, to be appointed a member of the Sussex County Board of Elections to serve for a term of four years, to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
June 23, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: R. Ryron Palmer, Sr., 425 N. Hall Street, Seaford, Delaware, to be appointed a member of the State Personnel Commission for a term of three years, to replace Raymond V. West, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

\* \* \* \* \*

The following letter from the Governor was read:

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
June 23, 1982

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

The nomination of Mr. Joseph McFaul for State Personnel Commission, submitted to you on June 29, 1981, is hereby formally withdrawn.

Sincerely,  
Pierre S. duPont, Governor

\* \* \* \* \*

The Secretary announced that a message from the House informed the Senate that it had passed SB 288 w HA 2; HB 714; SS 1 for SB 203; SB 249; SB 322 w SA 1; SB 465; SB 483 w SA 1, HA 2; HB 773 w HA 1; HB 588 w HA 1, 2, 3; HB 59 w HA 1, 2; HB 661; HB 686; HB 724; HB 732; SB 272 w SA 1. SB 267 w SA 1, HA 1 was defeated in the House.

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The following legislation was introduced:

SB 641 - AN ACT TO AMEND TITLE 5, TITLE 6 AND TITLE 30 OF THE DELAWARE CODE TO PROVIDE EXEMPTION FROM TAXATION AND INTEREST RATE LIMITATIONS FOR INTERNATIONAL BANKING TRANSACTIONS AND INTERNATIONAL BANKING FACILITIES, AND TO PROVIDE EXEMPTION FROM RESERVE REQUIREMENTS FOR DEPOSITS RELATING TO INTERNATIONAL BANKING FACILITIES. Sponsors: Senators Cordrey and Knox. Assigned to Banking Committee.

SB 642 - AN ACT TO AMEND CHAPTER I, SUBCHAPTER II, TITLE 13, DELAWARE CODE, RELATING TO PREMARITAL PHYSICAL EXAMINATIONS. Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

SB 643 - AN ACT TO RE-INCORPORATE THE TOWN OF ELLENDALE. Sponsor: Senator Adams. Assigned to Community Affairs Committee.

SA 1 to SB 625. Sponsor: Senator Holloway. Placed with the Bill.

SA 2 to SB 627. Sponsor: Senator Adams. Placed with the Bill.

SA 2 to SB 610. Sponsor: Senator Bair. Placed with the Bill.

SA 2 to HS 1 for HB 557. Sponsors: Senators Hughes, Vaughn, Bair, Torbert, Littleton, Berndt. Placed with the Bill.

SA 1 to HB 694. Sponsor: Senator Martin. Placed with the Bill.

SA 2 to HB 694. Sponsor: Senator Martin. Placed with the Bill.

SR 98 was introduced and considered for adoption on motion of Senator Neal:

SR 98 - CONGRATULATING ELIZABETH GOYDA AND STEFANIA DALIANI UPON THEIR SELECTION AS CHARLES G. MORTIMER SCHOLARSHIP WINNERS. Sponsors: Senators Neal and Zimmerman.

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

SCR 151 was introduced and considered for adoption on motion of Senator Cook:

SCR 151 - CONGRATULATING TANYA LYNN KEMP OF FELTON FOR WINNING THE MISS DELAWARE NATIONAL PRE-TEEN TITLE. Sponsors: Senator Cook; Representative Darling.

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

SCR 152 was introduced and considered for adoption on motion of Senator Martin:

SCR 152 - EXTENDING HEARTY CONGRATULATIONS AND BEST WISHES TO ELBERT NOSTRAND CARVEL AND HIS WIFE, ANN, AS THEY PREPARE TO CELEBRATE THEIR GOLDEN WEDDING ANNIVERSARY. Sponsor: Senator Martin.

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

SB 288 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 2 on motion of Senator Adams.

The roll call vote on SB 288 w HA 2 was then taken and revealed 20 Senators voting YES and 1 (Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SB 483 w SA 1 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 2. The roll call vote on SB 483 w SA 1, HA 2 was therefore taken and revealed 20 Senators voting YES and 1 (Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for his consideration.

The following legislation was introduced:

HB 59 w HA 1, 2 - AN ACT TO AMEND CHAPTER 43, PART II, TITLE II OF THE DELAWARE CODE RELATING TO THE CONDUCT OF HEARINGS ON APPLICATIONS FOR PAROLE. Sponsors: Representatives Oberle, Powell, Harrington, Mack, Spence, Gilligan, Cathcart; Senators McBride, Sharp, Citro, Hughes. Assigned to Judiciary Committee.

HB 588 w HA 1, 2, 3 - AN ACT TO AMEND TITLE 15, DELAWARE CODE RELATING TO ELECTRONIC VOTING SYSTEMS. Sponsors: Representatives Burris, Sincok, George; Senators Zimmerman, Knox. Assigned to Insurance and Elections Committee.

HB 661 - AN ACT TO AMEND §1447, TITLE II, DELAWARE CODE, RELATING TO THE PENALTY FOR POSSESSION OF A DEADLY WEAPON DURING COMMISSION OF A FELONY. Sponsors: Representatives Cathcart, Mack, Buckworth, Spence, Barnes, Dixon, Bennett, Gilligan; Senators Citro, McBride, Connor. Assigned to Judiciary Committee.

HB 686 - AN ACT TO AMEND CHAPTER 83, TITLE 29, DELAWARE CODE, TO DESIGNATE THE SECRETARY OF FINANCE AS AN EX-OFFICIO MEMBER OF THE BOARD OF PENSION TRUSTEES IN PLACE OF THE BUDGET DIRECTOR. Sponsors: Representatives Powell, Burris, Hebner, Sincok, George, Minner; Senators Cook, Cordrey, Knox, Berndt, Connor. Assigned to Revenue and Taxation Committee.

HB 714 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE BY ADOPTING THE REVISED UNIFORM LIMITED PARTNERSHIP ACT, AS MODIFIED CONSISTENT WITH DELAWARE PRACTICE, RELATING TO THE CREATION, REGULATION AND DISSOLUTION OF DOMESTIC LIMITED PARTNERSHIPS, AS WELL AS THE REGULATION OF FOREIGN LIMITED PARTNERSHIPS. Sponsors: Representatives Riddagh, Mack, Minner, Spence; Senators Vaughn and Citro. Assigned to Judiciary Committee.

HB 724 - AN ACT TO AMEND CHAPTER 44, TITLE 21 OF THE DELAWARE CODE, RELATING TO THE TOWING OF ABANDONED VEHICLES FROM PRIVATE PROPERTY. Sponsors: Representative Jonkiert, Senator Marshall. Assigned to Public Safety Committee.

HB 732 - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE RELATING TO THE STATE EMPLOYEES PENSION PLAN AND MAKING TECHNICAL CHANGES AND CORRECTIONS THERETO. Sponsors: Representative Powell, Senator Adams. Assigned to Finance Committee.

HB 773 w HA 1 - AN ACT TO AMEND TITLE 14 DELAWARE CODE BY ESTABLISHING THE POST-SECONDARY EMPLOYMENT PROGRAM IN ORDER TO PROVIDE FINANCIAL ASSISTANCE TO COLLEGE STUDENTS THROUGH EMPLOYMENT OPPORTUNITIES. Sponsors: Representatives McKay, Free, Fallon, Jester, Campanelli, Petrilli, Corrozi. Assigned to Education Committee.

SB 308 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 1 on motion of Senator Sharp.

The roll call vote on SB 308 w HA 1 was therefore taken and revealed 20 Senators voting YES and 1 (Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SB 489 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 1 on motion of Senator Cook.

The roll call vote on SB 489 w HA 1 was therefore taken and revealed 20 Senators voting YES and 1 (Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

HB 543 w HA 1, SA 1 was lifted from the table for consideration on motion of Senator Torbert.

SA 2 to the Bill which had been placed with the Bill was stricken on motion of Senator Bair.

The roll call vote on HB 543 w HA 1, SA 1 was then taken and revealed 20 Senators voting YES and 1 (Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

At the request of Senator Vaughn, SB 638 was reassigned from the Health-Social Services/Aging Committee to the Public Safety Committee.

At the request of Senator McBride, HB 773 was reassigned from the Education Committee to the Finance Committee.

At the request of Senator Holloway, SS 1 for SB 518 which had been stricken was restored to the Calendar and laid on the table. No objection.

SB 365 was reported out of the Administrative Services/Energy Committee: 6 Merits.

SB 516 was stricken at the request of the sponsor, Senator Sharp.

At 7:30 p.m. on motion of Senator Sharp, the Senate recessed until 1:30 p.m., June 24, 1982.

The Senate reconvened at 2:39 p.m., June 24, 1982, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 754 w HA 1, 2; HB 792; HB 416 w HA 2; HB 729; HB 753; HB 758; HB 750.

The following Committee reports were announced:

From the Insurance and Elections Committee: HB 588 w HA 1, 2, 3 - 4 Merits; SB 274 - 4 Merits; SB 639 - 4 Merits; HS 1 for HB 473 - 4 Merits; HB 647 - 4 Merits.

From the Public Safety Committee: SB 638 - 4 Favorable, 1 Merits.

From the Judiciary Committee: SB 77 - 4 Merits; SB 567 - 4 Merits.

At 2:35 p.m., Lt. Governor Castle presiding.

The following legislation was introduced:

SA 3 to SB 627. Sponsor: Senator Neal. Placed with the Bill.

SA 3 to HB 694. Sponsor: Senator Martin. Placed with the Bill.

HB 416 w HA 2 - AN ACT TO AMEND CHAPTER 9 OF TITLE 9 AND CHAPTER 95 OF TITLE 16 OF THE DELAWARE CODE, RELATING TO ACCESS TO COMMERCIAL ESTABLISHMENTS BY HANDICAPPED PERSONS. Sponsors: Representatives T. E. Brady, Minner, Soles, Free. Assigned to Health-Social Services/Aging Committee.

HB 729 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO THE PROHIBITION OF DANGEROUS WEAPONS. Sponsor: Representative VanSciver. Assigned to Judiciary Committee.

HB 750 - AN ACT TO AMEND CHAPTER 55, TITLE 25 OF THE DELAWARE CODE RELATING TO TERMINATION OF RENTAL AGREEMENTS. Sponsors: Representative Soles, Senator Neal. Assigned to Administrative Services/Energy Committee.

HB 753 - AN ACT TO AMEND CHAPTER 5, SUBCHAPTER III, SUBPART I, TITLE 11 OF THE DELAWARE CODE TO MAKE IT A CRIME TO FRAUDULENTLY RECEIVE PUBLIC LANDS. Sponsor: Representative Minner. Assigned to Judiciary Committee.

HB 754 w HA 1, 2 - AN ACT TO AMEND TITLE 19, DELAWARE CODE, RELATING TO UNEMPLOYMENT COMPENSATION. Sponsor: Representative Oberle. Assigned to Finance Committee.

HB 758 - AN ACT TO AMEND CHAPTER 5, TITLE 7 OF THE DELAWARE CODE RELATING TO FISHING LICENSES. Sponsors: Representatives Anderson, Cain, Ennis, Spence, Cathcart, Mack, Minner, Jester, Oberle. Assigned to Natural Resources and Environmental Control Committee.

HB 792 - AN ACT TO AMEND CHAPTER 41, TITLE 18 OF THE DELAWARE CODE BY DEFINING "UNOCCUPIED" FOR PURPOSES OF FIRE PROTECTION INSURANCE. Sponsor: Representative West. Assigned to Insurance and Elections Committee.

SR 99 was introduced and considered for adoption on motion of Senator Cordrey:

SR 99 - SUPPORTING THE CONSTRUCTION OF CHANNEL 34 IN DOVER AND REQUESTING THE DELAWARE CONGRESSIONAL DELEGATION TO JOIN IN THIS ACTION. Sponsors: Senators Cordrey and Zimmerman.

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

SR 100 was introduced and considered for adoption on motion of Senator Holloway:

SR 100 - CONGRATULATING WILLIAM JULIUS (JUDY) JOHNSON, OF MARSHALLTON, AS HE IS HONORED BY THE NEGRO BASEBALL HALL OF HISTORY AT ASHLAND, KENTUCKY. Sponsor: Senator Holloway.

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

SCR 153 was introduced and considered for adoption on motion of Senator Martin:

SCR 153 - REQUESTING GOVERNOR PIERRE S. DUPONT 4TH TO APPOINT A TASK FORCE TO STUDY THE ADVISABILITY AND FEASIBILITY OF STATE PURCHASE OF A 1,000-ACRE TRACT IN WHITE CLAY CREEK VALLEY FROM THE DUPONT COMPANY FOR PUBLIC USE. Sponsors: Senators Martin, Sharp, Neal, Vaughn, Arnold; Representatives Anderson, Campanelli, Soles, Oberle, Spence, Powell, Cain, Jester.

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

YES: Senators Adams, Arnold, Bair, Citro, Cook, Cordrey, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn - 16

NOT VOTING: Senators Berndt, Holloway, Hughes, Zimmerman - 4.

ABSENT: Senator Connor - 1.

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

The following Committee reports were announced:

From the Natural Resources and Environmental Control Committee: HB 694 - 1 Favorable, 2 Merits, 2 Unfavorable.

From the Education Committee: HS 1 for HB 557 w HA 3, 5, 6, 8, 10, 11, 13, 14, 15, 16, 17, 18, 19, 22 - 3 Merits, 3 Unfavorable.

From the Public Safety Committee: HB 724 - 5 Merits; HB 790 - 5 Merits.

From the Finance Committee: SB 311 - 5 Merits.

At 2:50 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 47th Legislative Day.

47TH LEGISLATIVE DAY  
June 24, 1982

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

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

SB 642 was reported from the Health-Social Services/Aging Committee: 4 Merits.

On motion of Senator Adams, the Governor's nomination for appointment of J. Frank Gordy, Sr., was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Zimmerman) ABSENT; therefore, the appointment was declared confirmed.

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

Senator Zimmerman marked PRESENT.

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

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

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Holloway, Hughes, Knox, Littleton, Neal - 10.

NO: Senators Adams, Cook, Cordrey, Marshall, McBride, McDowell, Torbert, Vaughn, Zimmerman - 9.

NOT VOTING: Senator Martin - 1.

ABSENT: Senator Sharp - 1.

Therefore, the appointment was declared defeated.

On motion of Senator Adams, the Governor's nomination for appointment of Edward D. Harvey was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Bair) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of C. Leslie Ridings, Jr., was taken up for consideration and the roll call vote taken which revealed 18 Senators voting YES, 1 (Hughes) NOT VOTING and 2 (Bair and Citro) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Jules Belford, Ph. D. was taken up for consideration and the roll call vote taken which revealed 19 Senators voting YES and 2 (Citro and Cook) ABSENT; therefore, the appointment was declared confirmed.

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

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

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

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Hughes, Knox, Littleton, Neal - 9.

NO: Senators Adams, Cook, Cordrey, Holloway, Marshall, McBride, McDowell, Sharp, Torbert, Zimmerman - 10.

NOT VOTING: Senators Martin and Vaughn - 2.

Therefore, the appointment was declared defeated.

On motion of Senator Adams, the Governor's nomination for appointment of Albert Holmes was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Zimmerman) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Peter E. Frankenburg was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Joshua W. Martin was taken up for consideration and the roll call vote taken which revealed 19 Senators voting YES, 1 (Sharp) voting NO and 1 (Neal) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Marna C. Whittington was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Berndt) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Henry James Decker was taken up for consideration and the roll call vote taken which revealed 19 Senators voting YES, 1 (Sharp) NOT VOTING, and 1 (Berndt) ABSENT; therefore, the appointment was declared confirmed.

Lt. Governor Castle introduced to the Senate, the Lt. Governor of the Girls State who was present in the chamber.

HB 677 was taken up for consideration on motion of Senator Marshall:

HB 677 - AN ACT TO AMEND CHAPTER 167, VOLUME 40, LAWS OF DELAWARE, RELATING TO THE CHARTER OF THE CITY OF HARRINGTON.

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

HB 764 w HA 1 was taken up for consideration on motion of Senator Marshall:

HB 764 w HA 1 - AN ACT TO RE-INCORPORATE THE TOWN OF FELTON.

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

HB 612 was taken up for consideration on motion of Senator Marshall:

HB 612 - AN ACT TO AMEND CHAPTER 42, VOLUME 53, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE CITY OF SEAFORD" TO PROVIDE FOR THE APPOINTMENT OF THE CITY MANAGER AND THE ASSISTANT CITY MANAGER FOR AN INDEFINITE TERM, TO PROVIDE FOR THEIR REMOVAL, TO PROVIDE FOR THE APPOINTMENT AND DISMISSAL OF EMPLOYEES BY THE CITY MANAGER, TO PROVIDE FOR THE APPOINTMENT OF THE CHIEF OF POLICE AND FOR THE OPERATION OF THE POLICE DEPARTMENT.

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

HB 615 was taken up for consideration on motion of Senator Marshall:

HB 615 - AN ACT TO AMEND CHAPTER 212, VOLUME 25, LAWS OF DELAWARE, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF BETHANY BEACH AND GIVING IT AUTHORITY TO ISSUE BONDS" AS AMENDED, BY INCREASING THE AMOUNT WHICH THE TOWN OF BETHANY BEACH MAY RAISE BY TAXATION OF ASSESSABLE REAL ESTATE.

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

At 3:35 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:50 p.m., Lt. Governor Castle presiding.

The following Committee reports were announced:

From the Judiciary Committee: HB 59 w HA 1, 2 - 3 Favorable, 2 Merits; HB 661 - 5 Merits; HB 714 - 5 Merits.

From the Administrative Services/Energy Committee: HB 656 - 6 Merits; SB 622 - 5 Merits.

The following legislation was introduced:

SA 2 to SB 625. Sponsor: Senator Holloway. Placed with the Bill.

SA 3 to SB 625. Sponsor: Senator Holloway. Placed with the Bill.

SA 4 to SB 625. Sponsor: Senator Holloway. Placed with the Bill.

SB 5 to SB 625. Sponsor: Senator Zimmerman. Placed with the Bill.

SB 6 to SB 625. Sponsor: Senator Zimmerman. Placed with the Bill.

SB 491 was taken up for consideration on motion of Senator Bair:

SB 491 - AN ACT TO AMEND CHAPTER 94, TITLE 29 OF THE DELAWARE CODE ESTABLISHING AN ENERGY PLANNING TASK FORCE.

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

The roll call vote on SB 491 w SA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Hughes, Knox, Littleton, Martin, McDowell, Neal, Torbert, Vaughn - 14.

NO: Senators Cook, Cordrey, Marshall, McBride, Sharp, Zimmerman - 6.

NOT VOTING: Senator Holloway - 1.

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

SB 558 was taken up for consideration on motion of Senator Berndt:

SB 558 AN ACT TO PERMIT AN EMPLOYEE OF THE DEPARTMENT OF ELECTIONS OF NEW CASTLE COUNTY TO RETAIN EXCESS WAGES (\$514.00).

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

SB 627 was taken up for consideration on motion of Senator Zimmerman:



SB 627 - AN ACT AMENDING CHAPTER 1, TITLE 22 OF THE DELAWARE CODE RELATING TO MUNICIPALITIES BY REQUIRING THE FILING OF COPIES OF ALL ORDINANCES ENACTED BY MUNICIPAL CORPORATIONS WITH THE LAW LIBRARIES IN THE COUNTY IN WHICH THE MUNICIPALITY IS SITUATE; AND AMENDING CHAPTER 6, TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT BY REQUIRING NOTIFICATION OF THE GENERAL ASSEMBLY OF RULES AND REGULATIONS PROMULGATED BY STATE AGENCIES.

A communication concerning the Bill was read at the request of Senator Zimmerman.

SA 1 to the Bill which had been placed with the Bill was stricken at the request of the sponsor, Senator Adams.

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Adams and the roll call vote taken which revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Amendment was declared adopted.

SA 3 to the Bill was introduced by Senator Neal and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The privilege of the floor was extended the Duane Olsen, Controller General after which the roll call vote on SB 627 w SA 2, 3 was taken and revealed:

YES: Senators Arnold, Berndt, Knox, Sharp, Zimmerman - 5.

NO: Senators Adams, Bair, Citro, Connor, Cook, Cordrey, Holloway, Littleton, Marshall, Martin, McBride, McDowell, Neal, Torbert, Vaughn - 15.

NOT VOTING: Senator Hughes - 1.

Therefore, the Bill was declared defeated.

HB 707 was taken up for consideration on motion of Senator Sharp:

HB 707 - AN ACT TO AMEND TITLE 10 AND TITLE 25 OF THE DELAWARE CODE RELATING TO THE LIMITATION OF REAL ACTIONS.

The privilege of the floor was extended to George A. Gardner, III (Delaware State Bar Association) and at the request of Senator Sharp a communication was read from the Attorney General and O. Francis Biondi concerning the Bill.

At 5:40 p.m., the Senate recessed for change of tape and reconvened at 5:46 p.m..

At 6:14 p.m., Senator Cordrey presiding.

Senators Zimmerman and Hughes requested that their names be removed as sponsors of the Bill. The Bill was then laid on the table on motion of Senator Sharp.

The following Committee reports were announced:

From the Labor Committee: SB 637 - 4 Merits.

From the Community Affairs Committee: SB 643 - 3 Merits.

From the Revenue and Taxation Committee: SS 1 for SB 551 - 2 Merits, 2 Unfavorable.

The following legislation was introduced:

SA 7 and SA 8 to SB 625. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 1 to SB 601. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 3 to HS 1 for HB 557. Sponsors: Senators Hughes, Vaughn, Bair, Torbert, Littleton, Berndt. Placed with the Bill.

SB 644 - AN ACT TO AMEND CHAPTER 216, VOLUME 27 LAWS OF DELAWARE AS IT MAY HAVE BEEN AMENDED FROM TIME TO TIME RELATING TO "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF NEW CASTLE". Sponsors: Senator Connor and Representative Mack jointly. Assigned to Community Affairs Committee.

SA 1 to HB 707. Sponsor: Senator Vaughn. Placed with the Bill.

HB 581 w HA 1, 2 - AN ACT TO AMEND PART V, TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION: ESTABLISHING ANNUAL TEACHER-OF-THE-YEAR AWARDS. Sponsors: Representatives Free, Brady, VanSciver, Buckworth, Mack, Soles, Fallon, Spence, Gilligan, Jester, Barnes; Senators Neal, Bair, Connor, Arnold, Martin. Assigned to Education Committee.

HB 700 - AN ACT TO AMEND CHAPTER 85, TITLE 29 OF THE DELAWARE CODE TO PROVIDE FOR REIMBURSEMENT OF OUT-OF-POCKET EXPENSES FOR MEMBERS ATTENDING MEETINGS OF THE GOVERNOR'S COUNCIL ON LABOR. Sponsors: Representatives Edwards, Buckworth, Dixon, Jester, Jonkier; Senators Hughes, Knox, Vaughn. Assigned to Finance Committee.

HB 767 - AN ACT TO AMEND SECTION 7310 OF TITLE 16, DELAWARE CODE, RELATING TO THE AUTHORITY OF THE STATE FIRE PREVENTION COMMISSION. Sponsors: Representatives Roy, Dixon, VanSciver. Assigned to Administrative Services/Energy Committee.

The following letters from the Governor were read:

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
June 24, 1982

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

To amend the nomination of Joe Glazier, submitted on June 29, 1981 to read as follows: Mr. Joel Glazier, 21 West 40th Street, Wilmington, Delaware, to be a Justice of the Peace for a term of four years from date of confirmation to succeed Rebecca P. Button, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
June 23, 1982

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

To amend the nomination of Margret L. Barrett, submitted on May 27, 1982 to read as follows: Margaret L. Barrett, 711 Miller Drive, Dover, Delaware, to be appointed as a Justice of the Peace of the State of Delaware for a term of four years to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
June 24, 1982

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

The nomination of Duncan R. Mackie for Justice of the Peace, submitted to you on May 27, 1982, is hereby formally withdrawn.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
June 24, 1982

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

In conformity with the Constituion and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Harry M. Fisher, III, P.O. Box 392, Felton, Delaware, to be a member of the State Coastal Zone Industrial Control Board to serve for a term of five years, to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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At 6:33 p.m. on motion of Senator Sharp, the Senate recessed until 1:30 p.m., Monday, June 28, 1982. The Senate reconvened at 2:06 p.m., June 28, 1982, Senator Cordrey presiding.

The following Committee reports were announced:

From the Judiciary Committee: SB 482 - 5 Merits; SB 522 - 5 Merits; SB 620 - 5 Merits.

The following legislation was introduced:

SB 645 - AN ACT TO AMEND CHAPTER 51, SUBCHAPTER III, TITLE 15 DELAWARE CODE RELATING TO ELECTION OFFENSES CARRYING CIVIL LIABILITY. Sponsors: Senators Arnold, Neal, Citro. Assigned to Insurance and Elections Committee.

SB 646 - AN ACT TO AMEND PART IV, TITLE 10, OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURE; AND PROVIDING FOR A DISPUTE MEDIATION ACT. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

HB 782 - AN ACT TO AMEND CHAPTER 65, PART III, TITLE 25 OF THE DELAWARE CODE RELATING TO THE LANDLORD-TENANT CODE; AND PROVIDING FOR THE RESERVATION OF RENTAL UNITS FOR USE BY SENIOR CITIZENS. Sponsor: Representative Ennis. Assigned to Community Affairs Committee.

At 2:09 p.m., Lt. Governor Castle presiding.

HB 802 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF FREDERICA TO PROVIDE THE MEANS FOR FILLING VACANCIES ON THE TOWN COUNCIL. Sponsor: Representative Minner. Assigned to Community Affairs Committee.

SCR 154 was introduced and considered for adoption on motion of Senator Hughes:

SCR 154 - MOURNING THE DEATH OF RALPH S. KEENAN, SR., OF WILMINGTON, A FORMER MEMBER OF BOTH HOUSES OF THE GENERAL ASSEMBLY. Sponsors: Senator Hughes and all Senators and Representatives.

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

HB 707 was lifted from the table for consideration on motion of Senator Sharp.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Vaughn and the roll call vote taken which revealed 19 Senators voting YES, 1 (Hughes) NOT VOTING, and 1 (Littleton) ABSENT; therefore, the Amendment was declared adopted.

Senator Hughes then moved that HB 707 w SA 1 be laid on the table. The roll call vote on the tabling motion was taken and revealed:

YES: Senators Arnold, Bair, Berndt, Citra, Connor, Holloway, Hughes, Knox, Marshall, Neal, Vaughn, Zimmerman - 12.

NO: Senators Adams, Cook, Cordrey, Littleton, Martin, McBride, McDowell, Sharp, Torbert - 9.

Therefore, the motion prevailed and the Bill was laid on the table.

At 2:28 p.m. on motion of Senator Sharp the Senate adjourned to immediately convene for the 48th Legislative Day.

#### 48TH LEGISLATIVE DAY

June 28, 1982

The Senate convened at 2:28 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

The following letter was read from the Governor:

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER

June 25, 1982

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

On June 15, 1982, I received Senate Bill. No. 177 which is entitled: "AN ACT AMENDING CHAPTER 19, TITLE 10, OF THE DELAWARE CODE, RELATING TO ADMISSION OF ATTORNEYS."

This bill purports to remove the limitation on the number of times a candidate for admission to the Bar is permitted to take the annual bar examination. Presently, candidates have three opportunities to pass the examination, with a fourth occasion permitted in certain defined circumstances.

I have decided to withhold my signature from this bill because I am concerned that it may lead to a dilution in the level of competence of persons licensed to practice law in Delaware. By removing the numerical limitation on opportunities to take the bar examination, Senate Bill. No. 177 may well sacrifice the public's interest in lawyer competence on the altar of fairness to disappointed candidates, for at some point continued retaking of an examination diminishes confidence in the test as a reliable indication of professional competence.

Admittedly, no method of examination is perfect, but I believe the examination system sanctioned by the Supreme Court is rationally related to the Court's legitimate interest in establishing minimal standards for those who act as officers of the Court while serving as important adjuncts to the administration of justice. Furthermore, I think it is a system which strikes a proper balance between the need for fairness to individual candidates and the important public interest in reducing the number of unqualified persons holding themselves out as qualified legal practitioners. Senate Bill. No. 177 would disturb that balance, purchasing an uncertain improvement in the system's fairness at the cost to society of potentially greater exposure to incompetent legal assistance.

In addition, it is a well recognized proposition that the Delaware Supreme Court has the inherent power to regulate admission to the practice of law, to oversee the conduct of attorneys as officers of the Court, and to control and supervise the practice of law generally, whether in or out of court. Indeed, as early as 1676 the judiciary in Delaware regulated admission to the practice of law. And from the very first the Supreme Court has exercised plenary authority in matters relating to the maintenance of the legal profession and its standards, for such authority is a logical corollary to the courts' ancient prerogative to admit qualified persons to practice before them as attorneys. Thus, because Senate Bill No. 177 conflicts with and purports to supersede the Supreme Court's declared requirements in this regard, it constitutes an attempted exercise of powers traditionally reserved to the judicial branch of government.

In sum, because Senate Bill No. 177 threatens to dilute the level of competence and high standards of excellence required to practice law in this State and invades the province of the Judicial Branch of government I am returning the bill unsigned.

Respectfully submitted,  
Pierre S. duPont, IV, Governor

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The Secretary announced that a message from the House informed the Senate that it had defeated SB 222 w SA 1, HA 1, 2. The House passed HB 581 w HA 1, 2; SB 589 w SA 1; HB 700; HB 767; HB 782; HB 802. The House adopted HCR 192; HCR 193; HCR 194; HCR 195; HCR 196; HCR 197; HCR 198; HCR 199; HCR 200; HCR 201; SCR 144 w SA 1; SCR 145; SCR 146; SCR 147; SCR 148; SCR 149; SCR 150; SCR 151; SCR 152.

Legislative Advisory #41 was read which informed the Senate that the Governor took the following action on legislation: On June 24, 1982 the Governor signed HB 487 w HA 1 (Volume 63, Chapter 278, Laws of Delaware), HB 640 w SA 1, 2 (Volume 63, Chapter 279, Laws of Delaware), HB 641 (Volume 63, Chapter 280, Laws of Delaware), SB 355 (Volume 63, Chapter 281, Laws of Delaware), SB 356 (Volume 63, Chapter 282, Laws of Delaware), SB 401 w SA 1, 2 (Volume 63, Chapter 283, Laws of Delaware), SB 402 (Volume 63, Chapter 284, Laws of Delaware), SB 403 w SA 1 (Volume 63, Chapter 285, Laws of Delaware). On June 25, 1982 the Governor vetoed HB 237 and SB 177.

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On motion of Senator Holloway, and without objection, SB 627 w SA 2, 3 which had been defeated, was restored to the Calendar.

SS 1 for SB 606 was introduced and laid on the table on motion of Senator Cook:

SS 1 for SB 606 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1983; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. Sponsors: Senators Cook, Berndt, Holloway, Hughes, McBride, Vaughn; Representatives Sincok, Bennett, Corrozi, Derrickson, Gilligan, Petrilli.

SB 647 was introduced and laid on the table on motion of Senator Cook:

SB 647 - AN ACT TO MAKE A SUPPLEMENTARY APPROPRIATION FOR CERTAIN GRANTS-IN-AID. Sponsors: Senators Cook, Berndt, Holloway, Hughes, McBride, Vaughn; Representatives Sincok, Bennett, Corrozi, Derrickson, Gilligan, Petrilli.

SB 644 was reported out of the Community Affairs Committee: 4 Merits.

SS 1 for SB 332 was reported out of the Labor and Industrial Relations Committee: 2 Favorable, 3 Merits.

HB 416 w HA 2 was reported out of the Health-Social Services/Aging Committee: 4 Merits.

HB 613 w HA 1 was taken up for consideration on motion of Senator McBride:

HB 613 w HA 1 - AN ACT TO AMEND CHAPTER 18, TITLE 14 OF THE DELAWARE CODE RELATING TO THE SUNSET PROVISIONS OF THE EDUCATIONAL FINANCE OVERVIEW COMMITTEE.

Senator McDowell marked PRESENT.

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

The roll call vote on HB 613 w HA 1, SA 1 was then taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

HS 1 for HB 557 w HA 3, 5, 6, 8, 10, 11, 13, 14, 15, 16, 17, 18, 19, 22 was taken up for consideration on motion of Senator McBride.

During discussion of the Bill and the Senate Amendments offered to it, the privilege of the floor was extended to Dennis C. Carey (State of Delaware), Sheldon N. Sandler and Bettye Arnold (Delaware Citizens for Right to Work, Inc.).

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

YES: Senators Adams, Bair, Berndt, Citro, Connor, Cook, Hughes, Knox, Littleton, Neal, Torbert, Vaughn - 12.

NO: Senators Arnold, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Zimmerman - 9.

Therefore, the Amendment was declared adopted.

SA 2 to the Bill which had been placed with the Bill was stricken at the request of the sponsor, Senator Hughes.

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

YES: Senators Arnold, Bair, Berndt, Citro, Hughes, Knox, Littleton, Neal, Torbert, Vaughn - 10.

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

Therefore, the Amendment was declared defeated.

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

YES: Senators Bair, Knox, Vaughn - 3.

NO: Senators Adams, Citro, Connor, Cook, Cordrey, Holloway, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Zimmerman - 15.

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

Therefore, the Amendment was declared defeated.

SA 5 to the Bill was introduced by Senator Bair and immediately stricken at her request.

SA 6 to the Bill was introduced by Senator Bair and laid on the table on her motion.

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

YES: Senators Bair, Knox, Neal, Vaughn - 4.

NO: Senators Adams, Arnold, Connor, Cook, Cordrey, Holloway, Littleton, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Zimmerman - 14.

NOT VOTING: Senators Berndt and Hughes - 2.

ABSENT: Senator Citro - 1.

Therefore, the Amendment was declared defeated.

SA 8 and SA 9 to the Bill were introduced by Senator Bair and laid on the table at her request.

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

YES: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Cordrey, Hughes, Knox, Littleton, Neal, Vaughn - 12.

NO: Senators Holloway, Marshall, Martin, McBride, McDowell, Sharp, Torbert - 7.

ABSENT: Senators Citro and Zimmerman - 2.

Therefore, the Amendment was declared adopted.

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

YES: Senators Bair, Cook, Knox, Neal, Vaughn - 5.

NO: Senators Adams, Berndt, Connor, Cordrey, Holloway, Hughes, Littleton, Martin, McBride, McDowell, Sharp, Torbert, Zimmerman - 13.

ABSENT: Senators Arnold, Citro, Marshall - 3.

Therefore, the Amendment was declared defeated.

HS 1 for HB 557 w HA 3, 5, 6, 8, 10, 11, 13, 14, 15, 16, 17, 19, 22, SA 1, 10 was then laid on the table on motion of Senator McBride.

At 4:50 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 6:02 p.m., Lt. Governor Castle presiding.

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

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER

June 28, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Robert L. Pigford, 300 Wilson Road, Newark, Delaware, to be appointed a member of the Board of Trustees, University of Delaware to serve for a term of six years, to replace Shien-Biau Woo.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
June 28, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Dr. David S. Howard, Sr., Central & Woodlawn Avenues, Ocean View, Delaware, to be reappointed a member of the Delaware Institute of Medical Education and Research to serve for a term of three years, effective July 2, 1982.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
June 28, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Jeffrey S. Goddess, 1417 Hamilton Street, Wilmington, Delaware, to be appointed a member of the Delaware Solid Waste Authority to serve for a term of three years, to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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The following legislation was introduced:

SB 648 - AN ACT TO AMEND CHAPTER 19, PART II, TITLE 30 OF THE DELAWARE CODE RELATING TO THE CORPORATION INCOME TAX; AND PROVIDING FOR A "DE-COUPLING" FROM THE FEDERAL ACCELERATED COST RECOVERY SYSTEM. Sponsors: Senators McDowell, Connor, Sharp, Marshall, Torbert, Vaughn, Holloway, Zimmerman, McBride, Martin, Neal. The Bill was laid on the table on motion of Senator McDowell.

SB 649 - AN ACT TO INSURE THAT A FINANCIAL PLAN FOR POST-RETIREMENT INCREASES FOR RETIRED STATE EMPLOYEES WILL BE INCLUDED IN THE FISCAL 1984 BUDGET. Sponsors: Senators Cook, Adams, Berndt, Connor, Cordrey, Holloway, Hughes, Knox, McDowell, Vaughn, Zimmerman; Representatives Cain, Buckworth, Campanelli, Dixon, Fallon, Gilligan, George, Harrington, Jester, Jonkiert, Oberle, Powell. Laid on the table on motion of Senator Cook.

SB 650 - AN ACT TO PROVIDE FOR A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF ECONOMIC SERVICES FOR THE PURPOSE OF AN EMERGENCY CONCERNING MEDICAID FUNDS FOR STATE AND NON-STATE INSTITUTIONS. Sponsors: Senator Cook; Representative Sincok. Laid on the table on motion of Senator Cook.

SS 2 for SB 551 - AN ACT TO AMEND TITLE 30, DELAWARE CODE, RELATING TO THE COLLECTION OF REALTY TRANSFER TAX. Sponsor: Senator Marshall. Adopted in lieu of the Original and laid on the table on motion of Senator Marshall.

SS 1 for SB 603 - AN ACT TO AMEND CHAPTER 15, TITLE 13 OF THE DELAWARE CODE RELATING TO DIVORCE AND ANNULMENT. Sponsor: Senator Sharp. Laid on the table on motion of Senator Sharp.

The following Committee reports were announced:

From the Finance Committee: SB 479 - 5 Merits; SB 586 - 5 Merits; SB 587 - 5 Merits; SB 615 - 5 Merits.

From the Executive Committee: Margaret L. Barrett - 4 Merits; Richard L. Brandenburg - 6 Merits; Helen W. Brandt - 4 Merits; Harry M. Fisher, III, - 6 Merits; Joel Glazier - 4 Merits; Virginia W. Johnson - 4 Merits; Carolyn C. McNatt - 1 Favorable, 5 Merits; Thomas J. Orr - 4 Merits; R. Byron Palmer, Sr. - 6 Merits; William F. Plack, Jr. - 4 Merits; Louise L. Reiver - 1 Favorable, 5 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 594; HB 628 w HA 1; HB 650; HB 739; HB 703 w HA 1, 2; SB 509 w SA 1; SB 510; SB 511 w SA 1; HB 413 w HA 1, 2, 3, 4; HB 788; HB 701; HB 777 w HA 1; SB 512; SB 571 w HA 1.

The following legislation was introduced:

HB 413 w HA 1, 2, 3, 4 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE BY ADDING A CHAPTER 76 THERETO RELATING TO REGISTRATION OF LIVESTOCK DEALERS. Sponsors: Representative Barnes and Senator Adams. Assigned to Agriculture Committee.

HB 788 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO A LANDLORD'S RESPONSIBILITY FOR PROVIDING ESSENTIAL SERVICES. Sponsors: Representatives Mack, Spence, Cathcart, Minner, Jonkiert; Senators Berndt, Vaughn. Assigned to Administrative Services/Energy Committee.

HB 701 - AN ACT TO AMEND CHAPTER 23, TITLE 19 OF THE DELAWARE CODE RELATING TO HEARINGS OF THE INDUSTRIAL ACCIDENT BOARD; NOTICE OF AWARDS. Sponsors: Representatives Edwards, Buckworth, Dixon, Harrington Jester, Jonkiert; Senators Hughes, Knox, Vaughn. Assigned to Labor and Industrial Relations Committee.

HB 703 w HA 1, 2 - AN ACT TO AMEND CHAPTER 58A, TITLE 29 OF THE DELAWARE CODE TO PERMIT STATE AGENCIES TO ENTER INTO CERTAIN PROFESSIONAL SERVICE CONTRACTS WITHOUT COMPETITIVE BIDDING. Sponsors: Representatives Edwards, Buckworth, Dixon, Harrington, Jester, Jonkiert; Senators Hughes, Knox, Vaughn. Assigned to Finance Committee.

HB 777 w HA 1 - AN ACT TO AMEND CHAPTER 27 OF TITLE 21 OF THE DELAWARE CODE RELATING TO MANDATORY REVOCATION OF LICENSE. Sponsor: Representative Mack. Assigned to Public Safety Committee.

HS 1 for HB 557 w HA 3, 5, 6, 8, 10, 11, 13, 14, 15, 16, 17, 18, 19, 22, SA 1, 10 was lifted from the table for consideration on motion of Senator McBride.

SA 12 to the Bill was introduced by Senator Marshall and considered for adoption on his motion. The privilege of the floor was extended to Sheldon Sandler after which the roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Zimmerman - 11.

NO: Senators Arnold, Bair, Berndt, Connor, Knox, Littleton, Neal, Vaughn - 8.

NOT VOTING: Senator Hughes - 1.

ABSENT: Senator Citro - 1.

Therefore, the Amendment was declared adopted.

SA 13 to the Bill was introduced by Senator Marshall and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Arnold, Holloway, Marshall, Martin, McDowell, Sharp, Zimmerman - 7.

NO: Senators Adams, Bair, Berndt, Citro, Connor, Cook, Cordrey, Hughes, Knox, Littleton, McBride, Neal, Torbert, Vaughn - 14.

Therefore, the Amendment was declared defeated.

SA 14 to the Bill was introduced by Senator Arnold and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cordrey, Holloway, Knox, Littleton, Marshall, McDowell, Neal, Torbert, Vaughn, Zimmerman - 16.

NO: Senators Cook, Martin, McBride, Sharp - 4.

NOT VOTING: Senator Hughes - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on HS 1 for HB 557 w HA 3, 5, 6, 8, 10, 11, 13, 14, 15, 16, 17, 18, 19, 22, SA 1, 10, 12, 14 was then taken and revealed:

YES: Senators Arnold, Berndt, Citro, Connor, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Zimmerman - 11.

NO: Senators Adams, Bair, Cook, Cordrey, Hughes, Knox, Littleton, Neal, Torbert, Vaughn - 10.

Therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendments.

HB 694 was taken up for consideration on motion of Senator Zimmerman:

HB 694 - AN ACT TO AMEND CHAPTER 60, TITLE 7 OF THE DELAWARE CODE, BEING VOLUME 61, CHAPTER 503, LAWS OF DELAWARE, RELATING TO THE RECLAMATION AND RECYCLING OF BEVERAGE CONTAINERS.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Gary Dalton (Senate Attorney) and Representative Burris.

SA 1 and SA 2 to the Bill which had been placed with the Bill, were stricken at the request of the sponsor, Senator Martin.

SA 3 to the Bill was introduced by Senator Martin and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Bair, Knox, Martin - 3.

NO: Senators Adams, Arnold, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Littleton, Marshall, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 18.

Therefore, the Amendment was declared defeated.

Final consideration was then deferred on motion of Senator Zimmerman.

SB 189 was taken up for consideration on motion of Senator Neal:

SB 189 - AN ACT TO AMEND CHAPTERS 88 AND 69 OF TITLE 29 OF THE DELAWARE CODE PROVIDING FOR OPPORTUNITIES FOR CERTAIN SMALL BUSINESS CONCERNS TO DO BUSINESS WITH THE STATE.

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

At 7:50 p.m., Senator Cordrey presiding.

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

The roll call vote on SB 189 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 653 was taken up for consideration on motion of Senator Zimmerman:

HB 653 - AN ACT TO AMEND CHAPTER 80, TITLE 29 OF THE DELAWARE CODE RELATING TO PARK MANAGERS AND OTHER PERSONNEL.

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

SB 610 w SA 1 was taken up for consideration on motion of Senator Holloway.

SA 2 to the Bill was introduced by Senator Bair and considered for adoption on her motion. The roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (McDowell) voting NO; therefore, the Amendment was declared adopted.

The roll call vote on SB 610 w SA 1, 2 was then taken and revealed:

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

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

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

SB 243 w SA 1 was deferred on motion of Senator Holloway.

The roll call vote on SB 357 w SA 1 was lifted on motion of Senator Holloway; however, the roll call was again tabled before being announced on further motion of the Senator.

SB 634 was taken up for consideration on motion of Senator Torbert:

SB 634 - AN ACT TO AMEND CHAPTER 55, TITLE 15, DELAWARE CODE, RELATING TO ABSENTEE VOTING IN SPECIAL ELECTIONS.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES, 1 (Neal) voting NO, and 2 (Holloway and Martin) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 742 was taken up for consideration on motion of Senator Cordrey; floor-managed by Senator Littleton:

HB 742 - AN ACT TO AMEND CHAPTER 277, VOLUME 49, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF LAUREL", TO PERMIT THE ISSUING OF REVENUE BONDS.

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

HB 749 w HA 1 was taken up for consideration on motion of Senator Torbert; floor-managed by Senator Sharp:

HB 749 w HA 1 - AN ACT TO AMEND CHAPTER 27, SUBCHAPTER 1, TITLE 21 OF THE DELAWARE CODE RELATING TO SCHOOL BUS DRIVER'S LICENSES.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES, 1 (Connor) NOT VOTING, and 2 (Arnold and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 784 was taken up for consideration on motion of Torbert:

HB 784 - AN ACT TO AMEND CHAPTER 41 AND CHAPTER 70, TITLE 21, DELAWARE CODE, RELATING TO FINES FOR CERTAIN PARKING VIOLATIONS.

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

At 8:23 p.m., Senator Adams presiding.

HB 382 was taken up for consideration on motion of Senator Torbert:

HB 382 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REISSUANCE OF LICENSE PLATES.

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

HB 383 w HA 1 was taken up for consideration on motion of Senator Torbert:

HB 383 w HA 1 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO VEHICLES BEING TOWED BY TOW TRUCKS.

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

At 8:28 p.m., Lt. Governor Castle presiding.

HB 379 w HA 1, 2 was taken up for consideration on motion of Torbert:

HB 379 w HA 1, 2 - AN ACT TO AMEND CHAPTER 45, TITLE 21 OF THE DELAWARE CODE, RELATING TO SIZE AND WEIGHTS OF VEHICLES BEING TOWED BY TOW TRUCKS.



The roll call vote on the Bill was taken and revealed 18 Senators voting YES, 1 (Sharp) voting NO, and 2 (Holloway and McDowell) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 384 was taken up for consideration on motion of Senator Torbert:

HB 384 - AN ACT TO AMEND CHAPTER 43, TITLE 21 OF THE DELAWARE CODE RELATING TO REAR-WHEEL FLAPS.

The roll call vote on the Bill was taken; however, the roll call was laid on the table before being announced on motion of Senator Torbert.

HB 275 w HA 1 was taken up for consideration on motion of Senator Martin:

HB 275 w HA 1 - AN ACT TO AMEND TITLE 21, CHAPTER 21 OF THE DELAWARE CODE RELATING TO THE ISSUANCE OF SPECIAL VANITY PLATES FOR MOTORCYCLES.

SA 1 to the Bill which had been placed with the Bill was stricken at the request of the sponsor, Senator Martin.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Hughes) NOT VOTING; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 694 was taken up for consideration on motion of Senator Zimmerman.

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

YES: Senators Adams, Citro, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Sharp, Torbert, Zimmerman - 11.

NO: Senators Bair, Berndt, Cook, Martin, McBride, McDowell, Neal, Vaughn - 8.

NOT VOTING: Senators Arnold and Connor - 2.

Therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Gary Dalton and Henry Ridgely (Senator Attorneys) and Don Coker (Legislative Council).

The roll call vote on HB 694 w SA 4 was then taken. Senator Zimmerman moved that the roll call be laid on the table before it was announced. The roll call vote on the motion to table the roll call was taken and revealed:

YES: Senators Adams, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Littleton, Marshall, McDowell, Sharp, Torbert, Zimmerman - 13.

NO: Senators Arnold, Knox, Martin, McBride, Neal, Vaughn - 6.

NOT VOTING: Senators Bair and Berndt - 2.

Therefore, the motion prevailed and the roll call on HB 694 w SA 4 was laid on the table.

At 9:25 p.m. on motion of Senator Sharp, the Senate recessed until 1:30 p.m., June 29, 1982.

The Senate reconvened at 1:30 p.m., June 29, 1982, Lt. Governor Castle presiding.

The following legislation was introduced:

SS 1 for SB 644 - AN ACT TO AMEND CHAPTER 216, VOLUME 27 LAWS OF DELAWARE AS IT MAY HAVE BEEN AMENDED FROM TIME TO TIME RELATING TO "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF NEW CASTLE." Sponsors: Senator Connor; Representative Mack. Assigned to Community Affairs Committee.

SB 651 - AN ACT TO AUTHORIZE THE TRANSFER OF CERTAIN PARKLAND ADMINISTERED BY THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, SITUATED WITHIN THE CITY LIMITS OF NEWARK TO THE CITY OF NEWARK. Sponsors: Senators Martin and Neal; Representative Anderson. Assigned to Natural Resources and Environmental Control Committee.

SA 1 to SB 343. Sponsor: Senator Hughes. Placed with the Bill.

SA 3 to HB 329. Sponsor: Senator Arnold. Placed with the Bill.

SA 1 to HB 598. Sponsor: Senator McDowell. Placed with the Bill.

SA 1 to SB 534. Sponsor: Senator Arnold. Placed with the Bill.

SA 2 to SB 573. Sponsor: Senator McDowell. Placed with the Bill.

SA 3 to SB 573. Sponsor: Senator Citro. Placed with the Bill.

SA 9, SA 10, SA 11 to SB 625. Sponsor: Senator McDowell. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had passed HB 789 w HA 1; SB 539 w SA 1, 3; SB 594; HB 663 w HA 1, 2; HB 669 w HA 1, 2; HB 674 w HA 1; HB 675 w HA 1; HB 688 w HA 1.

The following legislation was introduced:

HB 739 - AN ACT TO AMEND TITLE 29, CHAPTER 69, DELAWARE CODE RELATING TO PUBLIC WORKS CONTRACTS. Sponsors: Representatives Bennett, Roy. Assigned to Administrative Services/Energy Committee.

HB 594 - AN ACT TO AMEND CHAPTER 4, TITLE 11 OF THE DELAWARE CODE RELATING TO CARRYING A CONCEALED DEADLY WEAPON. Sponsors: Representatives VanSciver, Riddagh, Corrozi, Oberle; Senator Citro. Assigned to Judiciary Committee.

HB 628 w HA 1 - AN ACT TO AMEND CHAPTER 25, TITLE 24, DELAWARE CODE, RELATING TO RENEWAL OF LICENSES TO PHARMACISTS AND TO ASSISTANT PHARMACISTS. Sponsor: Representative Jonkiert. Assigned to Administrative Services/Energy Committee.

HB 650 - AN ACT TO AMEND CHAPTER 5, TITLE 11, DELAWARE CODE, RELATING TO DANGEROUS WEAPONS. Sponsor: Representative VanSciver. Assigned to Judiciary Committee.

HB 663 w HA 1, 2 - AN ACT TO AMEND CHAPTER 1, TITLE 21 OF THE DELAWARE CODE, RELATING TO THE DEFINITION OF A VEHICLE DEALER AND OTHER RELATED DEFINITIONS. Sponsor: Representative Cathcart. Assigned to Public Safety Committee.

HB 669 w HA 1, 2 - AN ACT TO AMEND TITLE 21, DELAWARE CODE, RELATING TO FARM EQUIPMENT BEING MOVED ON THE HIGHWAYS. Sponsor: Representative Cathcart. Assigned to Public Safety Committee.

HB 674 w HA 1 - AN ACT TO AMEND CHAPTER 3, TITLE 21 OF THE DELAWARE CODE, RELATING TO RETENTION OF DRIVERS' RECORDS AND VEHICLE RECORDS. Sponsor: Representative Cathcart. Assigned to Public Safety Committee.

HB 675 w HA 1 - AN ACT TO AMEND CHAPTERS 23 AND 25, TITLE 21, DELAWARE CODE, RELATING TO APPLICATION FOR CERTIFICATE OF TITLE FOR A VEHICLE. Sponsor: Representative Cathcart. Assigned to Public Safety Committee.

HB 688 w HA 1 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES FOR TOWED VEHICLES. Sponsor: Representative Cathcart. Assigned to Public Safety Committee.

HB 789 w HA 1 - AN ACT TO AUTHORIZE AND EMPOWER THE GOVERNOR AND THE SECRETARY OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO TRANSFER CERTAIN LANDS SITUATED IN DAGSBORO HUNDRED, SUSSEX COUNTY, STATE OF DELAWARE TO THE VETERANS AFFAIRS COMMISSION FOR THE PURPOSE OF ESTABLISHING A VETERANS CEMETERY. Sponsors: Representatives West, Burris, Petrilli, Cain, George, Harrington, Fallon, Oberle, Mack, Holloway, Jr., Cordrey, Dixon, Jonkiert, Campanelli, Barnes, Gilligan, Minner, Darling, Plant, Bennett, T. Brady, Riddagh, Ennis, Spence, Derrickson, Powell, Anderson; Senators Cordrey, Holloway, Sr., Adams, Bair, Littleton. Assigned to Community Affairs Committee.

HCR 192 was introduced and considered for adoption on motion of Senator Cordrey:

HCR 192 - MOURNING THE DEATH OF DONALD J. BLISS, OF CHATHAM, A FOUNDER OF THE LIONS CLUB'S EYE BANK PROGRAM IN DELAWARE. Sponsors: Representative Smith; Senator Bair.

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

SJR 36 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Cordrey:

SJR 36 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1982. Sponsors: Senators Cordrey, Berndt, Cook; Representatives George, McKay, Powell, Sinecock.

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

SJR 37 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Cordrey:

SJR 37 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1983. Sponsors: Senators Cordrey, Berndt, Cook; Representatives George, McKay, Powell, Sinecock.

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

SS 1 for SB 606 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Cook.

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

At 1:55 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 3:33 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Revenue and Taxation Committee: SB 537 - 1 Merits, 4 Unfavorable.

From the Administrative Services/Energy Committee: SB 640 - 7 Merits; HB 718 - 7 Merits.

From the Community Affairs Committee: HB 802 - 5 Merits.

The following legislation was introduced:

SS 1 for SB 626 - AN ACT TO AMEND DELAWARE CODE, TITLE 14, AS IT RELATES TO THE FUNDING OF RESIDENTIAL SERVICES FOR PERSONS WHO ARE AUTISTIC. Sponsors: Senators Neal and McBride. Assigned to Health-Social Services/Aging Committee.

SA 2 to HB 68. Sponsors: Senators Cordrey and Hughes. Placed with the Bill.

SA 4 to SB 573. Sponsor: Senator Berndt. Placed with the Bill.

SA 5 to SB 573. Sponsor: Senator Berndt. Placed with the Bill.

SB 571 which was returned from the House with HA 1 was laid on the table on motion of Senator Sharp.

SR 102 was introduced and considered for adoption on motion of Senator Arnold:

SR 102 - WELCOMING THE JEUGDFANFARE EN MAJORETTENKORPS FROM ST. LIEVENS-HOUTEM, BELGIUM AS THEY VISIT DELAWARE IN JULY. Sponsors: Senators Arnold, Sharp, Citro.

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

SCR 155 was introduced and considered for adoption on motion of Senator Adams:

SCR 155 - MARKING THE 100TH ANNIVERSARY OF THE MILFORD PUBLIC LIBRARY. Sponsors: Senators Adams, Cook; Representatives Burris, Minner.

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

SR 101 was introduced and considered for adoption on motion of Senator Hughes:

SR 101 - WISHING A SPEEDY RECOVERY TO FORMER SENATOR DEAN C. STEELE. Sponsors: Senator Hughes and all the Senators.

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

SCR 156 was introduced and considered for adoption on motion of Senator Neal:

SCR 156 - RELATING TO THE NEED TO ENCOURAGE ENERGY CONSERVATION THROUGH THE USE OF RENEWABLE ENERGY RESOURCE TECHNOLOGIES. Sponsors: Senators Neal, Bair, Martin, McDowell.

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

SCR 157 was introduced and considered for adoption on motion of Senator Holloway:

SCR 157 - URGING THE DIVISION OF SOCIAL SERVICES TO EXEMPT FROM FAMILY INCOME THE EARNINGS OF MINOR CHILDREN OF A.F.D.C. RECIPIENTS ENROLLED IN THE DELAWARE SUMMER YOUTH EMPLOYMENT PROGRAM. Sponsors: Senators Holloway, Berndt, Marshall, McDowell; Representatives Plant, Holloway, Jr.

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

At 3:50 p.m., Lt. Governor Castle presiding.

SS 1 for SB 644 was taken up for consideration on motion of Senator Connor:

SS 1 for SB 644 - AN ACT TO AMEND CHAPTER 216, VOLUME 27 LAWS OF DELAWARE AS IT MAY HAVE BEEN AMENDED FROM TIME TO TIME RELATING TO "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF NEW CASTLE".

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

SB 575 was taken up for consideration on motion of Senator Neal:

SB 575 - AN ACT TO AMEND CHAPTER 41, TITLE 21, DELAWARE CODE, RELATING TO LOCAL AUTHORITIES AND THE FORCE AND EFFECT OF LOCAL TRAFFIC ORDINANCES AND TO AMEND CHAPTER 27, TITLE 21, TO PROVIDE FOR A CLARIFICATION OF THE WORD "CONVICTION".

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

SB 638 was taken up for consideration on motion of Senator Vaughn:

SB 638 - AN ACT TO AMEND CHAPTER 29, TITLE 9, DELAWARE CODE, RELATING TO AMBULANCE AND PARAMEDIC SERVICES FOR LOWER NEW CASTLE COUNTY.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES, 2 (Arnold and Knox) voting NO, and 1 (Neal) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 573 was taken up for consideration on motion of Senator Sharp:

SB 573 - AN ACT TO AMEND CHAPTER 25, TITLE 18, DELAWARE CODE, TO REQUIRE HEALTH AND ACCIDENT INSURANCE COMPANIES TO FILE RATES PRIOR TO THE EFFECTIVE DATE, AND TO REQUIRE HEALTH AND ACCIDENT COMPANIES TO PAY THE COSTS OF EMPLOYING ANY NEEDED CONSULTANTS TO REVIEW THEIR FILINGS, AND REQUIRE COMPLETE ANNUAL STATEMENTS FROM HEALTH SERVICE CORPORATIONS.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Mr. McCann of the Insurance Commissioner's Office.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Sharp and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

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

YES: Senators Adams, Berndt, Marshall, Martin, McDowell, Neal, Torbert - 7.

NO: Senators Arnold, Bair, Connor, Cook, Cordrey, Knox, Littleton, McBride, Sharp, Vaughn - 10.

NOT VOTING: Senators Citro and Hughes - 2.

ABSENT: Senators Holloway and Zimmerman - 2.

Therefore, the Amendment was declared defeated.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Torbert, Vaughn - 17.

NO: Senator Sharp - 1.  
 ABSENT: Senators Cordrey, Holloway, Zimmerman - 3.  
 Therefore, the Amendment was declared adopted.  
SA 4 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Berndt and the roll call vote taken which revealed:  
 YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Torbert, Vaughn - 18.  
 NO: Senator Sharp - 1.  
 NOT VOTING: Senator Zimmerman - 1.  
 ABSENT: Senator Holloway - 1.  
 Therefore, the Amendment was declared adopted.  
SA 5 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Berndt and the roll call vote taken which revealed 20 Senators voting YES and 1 (Sharp) voting NO; therefore, the Amendment was declared adopted.  
SB 573 w SA 1, 3, 4, 5 was then laid on the table on motion of Senator Sharp.  
SS 1 for SB 603 was adopted in lieu of the Original and taken up for consideration on motion of Senator Sharp:  
SS 1 for SB 603 - AN ACT TO AMEND CHAPTER 15, TITLE 13 OF THE DELAWARE CODE RELATING TO DIVORCE AND ANNULMENT.  
 The privilege of the floor was extended to Michael Purczycki (Senate Attorney) after which the roll call vote on the Bill was taken and revealed:  
 YES: Senators Adams, Berndt, Citro, Connor, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 17.  
 NO: Senators Bair, Cook, Neal - 3.  
 NOT VOTING: Senator Arnold - 1.  
 Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.  
SB 475 was taken up for consideration on motion of Senator McDowell:  
SB 475 - AN ACT TO AMEND CHAPTER 29, TITLE 25 OF THE DELAWARE CODE TO PROVIDE FOR A PRIORITY FOR LIENS FOR RECOVERY OF COSTS INCURRED BY MUNICIPALITIES OR POLITICAL SUBDIVISIONS FOR RAZING OR DEMOLITION AND FOR IMPROVEMENTS TO THE EXTERIORS OF STRUCTURES BY PUBLIC EXPENDITURE.  
 The roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.  
SB 301 was taken up for consideration on motion of Senator McDowell:  
SB 301 - AN ACT MAKING A SUPPLEMENTARY APPROPRIATION TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF MENTAL HEALTH, BUREAU OF ALCOHOL AND DRUG ABUSE TO PROVIDE THROUGH CONTRACTUAL SERVICES, EDUCATION, RESEARCH AND COUNSELING SERVICES TO TREAT COMPULSIVE GAMBLING AS A SOCIAL PROBLEM; AND FURTHER AUTHORIZING THE BUDGET DIRECTOR AND CONTROLLER GENERAL TO TRANSFER SAID FUNDS.  
SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Hughes and the roll call vote taken which revealed:  
 YES: Senators Adams, Arnold, Bair, Berndt, Cook, Hughes, Littleton, Martin, Sharp, Torbert, Vaughn, Zimmerman - 12.  
 NO: Senators Cordrey, Knox, McBride, McDowell, Neal - 5.  
 NOT VOTING: Senator Holloway - 1.  
 ABSENT: Senators Citro, Connor, Marshall - 3.  
 Therefore, the Amendment was declared adopted.  
SB 301 w SA 1 was then laid on the table on motion of Senator McDowell.  
 Consideration of SB 4 which was next on the Agenda was deferred on motion of Senator McDowell.  
SB 365 was taken up for consideration on motion of Senator Neal:  
SB 365 - AN ACT TO AMEND SECTION 2906, OF TITLE 25, DELAWARE CODE, RELATING TO PRIORITY OF LIENS FOR GOVERNMENT SERVICES.  
 The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.  
SB 490 was taken up for consideration on motion of Senator Bair:  
SB 490 - AN ACT TO AMEND CHAPTER 27, TITLE 21, DELAWARE CODE, RELATNG TO TEMPORARY INSTRUCTION PERMITS.  
 The roll call vote on the Bill was taken and revealed:  
 YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Holloway, Hughes, Knox, Littleton, Martin, Torbert, Vaughn - 15.  
 NO: Sentors Cordrey, Marshall, McBride, McDowell, Sharp, Zimmerman - 6.  
 ABSENT: Senator Neal - 1.  
 Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.  
SB 534 was taken up for consideration on motion of Senator Arnold:  
SB 534 - AN ACT TO AMEND §8405, TITLE 11, DELAWARE CODE RELATNG TO MANDATORY TRAINING FOR POLICE OFFICERS.

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to Colonel James L. Ford, Jr., Council on Police Training.

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

YES: Senators Adams, Arnold, Bair, Connor, Cordrey, Holloway, Hughes, Knox, Littleton, Martin, Neal, Sharp, Torbert - 13.

NO: Senators Cook, Marshall, McBride, McDowell, Vaughn, Zimmerman - 6.

NOT VOTING: Senator Citro - 1.

ABSENT: Senator Berndt - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 534 w SA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Connor, Holloway, Hughes, Knox, Littleton, McBride, Neal, Sharp, Torbert - 13.

NO: Senators Cook, Cordrey, Marshall, Martin, McDowell, Vaughn, Zimmerman - 7.

NOT VOTING: Senator Citro - 1.

Therefore, the Bill was declared defeated since a 2/3 vote was required for passage.

SB 550 was taken up for consideration on motion of Senator Bair:

SB 550 - AN ACT TO AMEND CHAPTER 23, TITLE 21 OF THE DELAWARE CODE RELATING TO INCREASING THE FEE FOR A DUPLICATE CERTIFICATE OF TITLE FOR A VEHICLE.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Cordrey, McBride and Zimmerman) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 406 was taken up for consideration on motion of Senator Citro:

SB 406 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO THE FEE FOR THE ISSUANCE OF A DUPLICATE DRIVER'S LICENSE.

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

SB 343 was taken up for consideration on motion of Senator Hughes:

SB 343 - AN ACT TO AMEND CHAPTER 43, SUBCHAPTER IV, TITLE 21, DELAWARE CODE RELATING TO CONSTRUCTION OF VEHICLES TO PREVENT ESCAPE OF CONTENTS.

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

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

YES: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, Neal, Sharp, Torbert, Vaughn - 17.

NO: Senators Citro, Cordrey, McDowell, Zimmerman - 4.

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

HB 656 was taken up for consideration on motion of Senator McDowell:

HB 656 - AN ACT TO GRANT TITLE TO A PORTION OF THE FORMER RICHARDSON AND ROBBINS PROPERTY OWNED BY THE STATE TO THE CITY OF DOVER.

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

YES: Senators Arnold, Bair, Berndt, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 17.

NO: Senator Adams - 1.

ABSENT: Senators Citro, Connor, Hughes - 3.

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

At 6:18 p.m. on motion of Senator Sharp, the Senate recessed for a short period and reconvened at 6:35 p.m., Senator Cordrey presiding.

At 6:35 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 49th Legislative Day.

#### 49TH LEGISLATIVE DAY June 29, 1982

The Senate convened at 6:35 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

The Secretary announced that a message from the House informed the Senate that it had passed SB 473; SB 505 w SA 1; SB 578; SB 580; SB 267 w SA 1, HA 1; SB 392 w SA 3, 4; SB 478 w SA 1, 2; SB 555; SB 592; SB 632 w SA 1; SS 1 for SB 606; and adopted SJR 36 and SJR 37.

The following Committee reports were announced:

From the Labor and Industrial Relations Committee: HB 701 - 5 Merits; HB 626 4 Merits.  
From the Revenue and Taxation Committee: HB 433 - 4 Merits.  
From the Administrative Services/Energy Committee: HB 739 - 6 Merits; HB 750 - 1 Favorable, 3 Merits.  
From the Judiciary Committee: HB 753 - 5 Merits.  
From the Public Safety Committee: HB 437 w HA 1, 2 - 4 Merits; HB 777 w HA 1 - 4 Merits.  
From the Community Affairs Committee: HB 616 - 4 Merits; HB 741 w HA 1 - 5 Merits; HB 782 - 1 Favorable, 3 Merits.

Senators Bair and Zimmerman marked PRESENT.

The following legislation was introduced:

SA 12 and SA 13 to SB 625. Sponsor: Senator Adams. Placed with the Bill.

At 6:40 p.m., Lt. Governor Castle presiding.

SA 14 to SB 625. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 15 to SB 625. Sponsor: Senator Knox. Placed with the Bill.

SA 2 to SS 2 for SB 551. Sponsor: Senator Marshall. Placed with the Bill.

SA 1 to SS 2 for SB 551. Sponsor: Senator Neal. Placed with the Bill.

SA 1 to HB 517. Sponsor: Senator Cook; Representative Petrilli. Placed with the Bill.

SA 1 to HB 571. Sponsor: Senator Berndt. Placed with the Bill.

On motion of Senator Adams, the Governor's nomination for appointment of R. Byron Palmer, Jr. was taken up for consideration and the roll call vote taken which revealed 19 Senators voting YES and 2 (Citro and Martin) ABSENT; therefore, the appointment was declared confirmed.

Senators Berndt, Hughes, McBride, Neal marked PRESENT.

On motion of Senator Adams, the Governor's nomination for appointment of Carolyn C. McNatt was taken up for consideration and the roll call vote taken which revealed 18 Senators voting YES and 3 (Citro, Holloway and Martin) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Harry M. Fisher, III, was taken up for consideration and the roll call vote taken which revealed 19 Senators voting YES and 2 (Citro and Martin) ABSENT; therefore, the appointment was declared confirmed.

Senator Citro marked PRESENT.

On motion of Senator Adams, the Governor's nomination for appointment of Joel Glazier was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Martin) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Margaret L. Barrett was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Martin) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Virginia W. Johnson was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Martin) ABSENT; therefore, the appointment was declared confirmed.

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

On motion of Senator Adams, the Governor's nomination for appointment of Helen M. Brandt was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Martin) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Thomas J. Orr was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Martin) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of William F. Plack, Jr., was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Martin) ABSENT; therefore, the appointment was declared confirmed.

SB 622 was taken up for consideration on motion of Senator Torbert:

SB 622 - AN ACT TO AMEND CHAPTER 9 AND CHAPTER 7 OF TITLE 4 OF THE DELAWARE CODE, RELATING TO ALCOHOLIC OFFENSES INVOLVING MINORS AND TO THE EMPLOYMENT OF MINORS IN LICENSED LIQUOR ESTABLISHMENTS.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Torbert and the roll call vote taken which revealed 13 Senators voting YES and 3 (Knox, Littleton, Martin) ABSENT; therefore, the Amendment was declared adopted.

At 7:07 p.m., Senator Cordrey presiding.

The privilege of the floor was extended to John H. McDonald (DABCC) after which the roll call vote on SB 622 w SA 1 was taken and revealed 20 Senators voting YES and 1 (Martin) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 624 was taken up for consideration on motion of Senator Holloway:

SB 624 - AN ACT TO PERMIT PACKAGE STORES LOCATED WITHIN SHOPPING CENTERS TO RELOCATE THEIR PREMISES ANYWHERE WITHIN THE SHOPPING CENTER, WHETHER MORE OR LESS THAN 500 FEET.

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

SB 260 was taken up for consideration on motion of Senator Holloway:

SB 260 - AN ACT TO AMEND CHAPTER 33, TITLE 24 OF THE DELAWARE CODE, RELATING TO VETERINARY MEDICINE BY INCREASING COMPENSATION FOR THE BOARD OF EXAMINERS; PROVIDING FOR EXAMINATIONS; AND PROVIDING FOR RENEWAL FEES AND PROCEDURES.

At 7:18 p.m. Lt. Governor Castle presiding.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (McDowell) voting NO, and 1 (Berndt) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SS 1 for SB 518 was taken up for consideration on motion of Senator Holloway:

SS 1 for SB 518 - AN ACT TO AMEND CHAPTER 5, TITLE 4 OF THE DELAWARE CODE TO PROVIDE FOR A BEER LICENSE AND A BEER AND WINE LICENSE AND TO ESTABLISH FEES FOR SAID LICENSES.

The privilege of the floor was extended to John McDonald.

The roll call vote on the Bill was taken; however, before being announced, the roll call was laid on the table on motion of Senator Holloway.

SB 311 was taken up for consideration on motion of Senator Neal:

SB 311 - AN ACT TO AMEND CHAPTER 17, TITLE 13, DELAWARE CODE, RELATING TO THE DOMICILE OF MARRIED WOMEN.

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

On motion of Senator Holloway, the roll call vote on SS 1 for SB 518 was lifted; however, the roll call was again tabled before being announced on further motion of the Senator.

SB 643 was taken up for consideration on motion of Senator Adams:

SB 643 - AN ACT TO RE-INCORPORATE THE TOWN OF ELLENDALE.

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

Senator Adams moved that SB 625 be released from the Labor and Industrial Relations Committee and the rules be suspended for consideration of the Bill. The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cordrey, Hughes, Knox, Littleton, Neal, Vaughn - 11.

NO: Senators Cook, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Zimmerman - 8.

ABSENT: Senators Connor and Holloway - 2.

Therefore, the motion prevailed and the Bill was before the Senate:

SB 625 - AN ACT TO AMEND TITLES 19, 9, 11, 18, 24, 29, 30 AND 31 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION, PROVIDING FOR THE "WORKERS' COMPENSATION ACT OF 1982".

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to George N. Hudson (Insurance Company of North America), Fredric M. Rohm (New Castle County Chamber of Commerce), Michael Purzycki (Senate Attorney), Dennis Carey (State of Delaware Labor Department), John Schmittinger, Clifford Hearn, Jr. (American Insurance Association), Sherman Stevenson (Delaware Farm Bureau).

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

YES: Senators Holloway, Marshall, McBride, McDowell, Sharp, Torbert - 6.

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

ABSENT: Senators Citro, Martin, Zimmerman - 3.

Therefore, the Amendment was declared defeated.

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Holloway and the roll call vote taken; however, the roll call was laid on the table before being announced on motion of Senator Holloway.

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

YES: Senators Holloway, Marshall, Martin, McBride, Sharp, Torbert, Zimmerman - 7.

NO: Senators Adams, Arnold, Bair, Connor, Cordrey, Hughes, Knox, Neal, Vaughn - 9.

ABSENT: Senators Berndt, Citro, Cook, Littleton, McDowell - 5.

Therefore, the Amendment was declared defeated.

SA 4 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Holloway and the roll call vote taken; however, the roll call was laid on the table before being announced on motion of Senator Holloway.

SA 5 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Zimmerman and the roll call vote taken which revealed:

YES: Senators Connor, Cook, Holloway, Littleton, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Zimmerman - 11.

NO: Senators Adams, Arnold, Bair, Berndt, Cordrey, Hughes, Knox, Neal, Vaughn - 9.

ABSENT: Senator Citro - 1.

Therefore, the Amendment was declared adopted.

SA 6 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Zimmerman and the roll call vote taken; however, the roll call was laid on the table before being announced on motion of Senator Zimmerman.

Senator Zimmerman then moved that the roll call vote on SA 6 be lifted. The roll call vote on the motion to lift the roll call was taken and revealed:

YES: Senators Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 11.

NO: Senators Adams, Arnold, Berndt, Citro, Connor, Hughes, Knox, Littleton, Neal - 9.

ABSENT: Senator Bair - 1.

Therefore, the motion prevailed and the roll call vote on SA 6 to SB 625 was lifted and announced:

YES: Senators Citro, Cook, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 11.

NO: Senators Adams, Arnold, Berndt, Connor, Cordrey, Hughes, Knox, Littleton, Neal - 9.

ABSENT: Senator Bair - 1.

Therefore, the Amendment was declared adopted.

SA 7 to the Bill which had been placed with the Bill was stricken on motion of the sponsor, Senator Zimmerman.

SA 14 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Zimmerman and the roll call vote taken; however, the roll call was laid on the table before being announced on motion of Senator Zimmerman.

SA 8 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Zimmerman and the roll call vote taken which revealed:

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

NO: Senators Adams, Arnold, Bair, Connor, Knox - 5.

ABSENT: Senators Berndt, Citro, Neal - 3.

Therefore, the Amendment was declared adopted.

On motion of Senator Zimmerman, the roll call vote on SA 14 to the Bill was lifted and announced:

YES: Senators Citro, Cook, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 11.

NO: Senators Adams, Arnold, Bair, Connor, Cordrey, Hughes, Knox, Littleton - 8.

ABSENT: Senators Berndt, Neal - 2.

Therefore, the Amendment was declared adopted.

SA 9 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator McDowell and the roll call vote taken; however, the roll call was laid on the table before being announced on motion of Senator McDowell.

SA 10 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator McDowell and the roll call vote taken; however, the roll call was laid on the table before being announced on motion of Senator McDowell.

SA 11 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator McDowell and the roll call vote taken which revealed:

YES: Senators Cook, Cordrey, Littleton, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 11.

NO: Senators Adams, Arnold, Bair, Berndt, Hughes, Knox, Neal - 7.

ABSENT: Senators Citro, Connor, Holloway - 3.

Therefore, the Amendment was declared adopted.

SA 12 to the Bill which had been placed with the Bill was stricken at the request of the sponsor, Senator Adams.

SA 13 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Adams and the roll call vote taken which revealed 18 Senators voting YES and 3 (Marshall, Martin, Sharp) voting NO; therefore, the Amendment was declared adopted.

SA 15 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Knox and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Hughes, Knox, Littleton, Neal, Torbert, Vaughn - 14.

NO: Senators Holloway, Marshall, Martin, McBride, Sharp, Zimmerman - 6.

ABSENT: Senator McDowell - 1.

Therefore, the Amendment was declared adopted.

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

YES: Senators Cook, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Zimmerman - 9.



NO: Senators Adams, Arnold, Bair, Berndt, Cordrey, Knox, Littleton, Neal, Vaughn - 9.

ABSENT: Senators Citro, Connor, Hughes - 3.

Therefore, the Amendment was declared defeated.

SA 17 to the Bill (sponsored by Senator Marshall) was introduced and immediately stricken at the request of the sponsor.

SA 18 to the Bill was introduced by Senator Adams and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Berndt, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, Neal, Sharp, Torbert, Vaughn, Zimmerman - 15.

NO: Senator Arnold - 1.

NOT VOTING: Senators Bair, McDowell - 2.

ABSENT: Senators Citro, Connor, Hughes - 3.

Therefore, the Amendment was declared adopted.

SA 19 to the Bill (sponsored by Senator Littleton) was introduced and immediately stricken at the request of the sponsor.

SA 20 to the Bill was introduced by Senator Littleton and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Connor, Hughes, Littleton, Marshall - 4.

NO: Senators Adams, Arnold, Bair, Cordrey, Holloway, Knox, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn - 13.

NOT VOTING: Senator Zimmerman - 1.

ABSENT: Senators Berndt, Citro, Cook - 3.

Therefore, the Amendment was declared defeated.

SA 21 to the Bill was introduced by Senator Holloway and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 19 Senators voting YES, 1 (Knox) NOT VOTING and 1 (Citro) ABSENT; therefore, the Amendment was declared adopted.

Senator Zimmerman moved that the roll call vote on SA 20 to the Bill be rescinded. The roll call vote on the rescinding motion was taken and revealed:

YES: Senators Citro, Connor, Cook, Hughes, Littleton, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Zimmerman - 12.

NO: Senators Adams, Arnold, Bair, Berndt, Cordrey, Holloway, Knox, Neal, Vaughn - 9.

Therefore, the motion prevailed and the roll call vote on SA 20 to SB 625 was rescinded.

On motion of Senator Littleton, SA 20 was now reconsidered for adoption and the roll call vote taken which revealed:

YES: Senators Citro, Connor, Cook, Hughes, Littleton, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Zimmerman - 12.

NO: Senators Adams, Bair, Berndt, Cordrey, Holloway, Knox, Neal, Vaughn - 8.

ABSENT: Senator Arnold - 1.

Therefore, the Amendment was declared adopted.

12:01 a.m., June 30, 1982.

The roll call vote on SB 625 w SA 5, 6, 8, 11, 13, 14, 15, 18, 20, 21 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cordrey, Hughes, Knox, Littleton, Neal - 11.

NO: Senators Cook, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 10.

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

HB 793 w HA 1 was introduced and assigned to Finance Committee:

HB 793 w HA 1 - AN ACT TO IMPROVE SERVICES TO CHILDREN AND YOUTH BY INCREASING THE NUMBER OF SOCIAL WORKERS IN THE DIVISION OF CHILD PROTECTIVE SERVICES; BY AUTHORIZING THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO INITIALLY ESTABLISH AN INTERAGENCY DIAGNOSTIC UNIT FOR YOUTH; AND BY ESTABLISHING A COMMISSION ON YOUTH SERVICES UPON WHICH THE LIEUTENANT GOVERNOR SHALL SERVE AS CHAIRMAN AND UPON WHICH SHALL SERVE THE BUDGET DIRECTOR, THE COMMISSIONER OF CORRECTIONS, THE SECRETARY OF HEALTH AND SOCIAL SERVICES; THE SUPERINTENDENT OF PUBLIC INSTRUCTION; A FAMILY COURT JUDGE SELECTED BY THE GOVERNOR, THE CHAIRPERSONS OF THE SENATE AND HOUSE COMMITTEES ON HEALTH AND SOCIAL SERVICES AND SEVEN REPRESENTATIVES OF PRIVATE SECTOR ORGANIZATIONS SELECTED AND APPOINTED BY THE GOVERNOR. Sponsors: Representative Maroney, Senator Holloway; Representatives Riddagh, Free, Barnes, Brady, Buckworth, Burris, Corrozi, Dixon, Edwards, Ennis, Fallon, Jonkiert, Spence, Oberle, Petrilli, Plant, Powell, Hebner; Senators Knox and Neal.

At 12:16 a.m., June 30, 1982, the Senate recessed until 12:30 p.m., June 30, 1982, on motion of Senator Sharp.

The Senate reconvened at 1:15 p.m., June 30, 1982, Senator Cordrey presiding.

The following Committee reports were announced:

From the Executive Committee: HB 32 - 2 Favorable, 2 Merits; HB 662 - 5 Merits.

From the Health-Social Services/Aging Committee: HB 691 - 4 Merits.

At 1:16 p.m., Lt. Governor Castle presiding.

The following legislation was introduced:

SA 1 to SB 639. Sponsor: Senator Littleton. Placed with the Bill.

SA 2 to SB 301. Sponsor: Senator Neal. Placed with the Bill.

SA 2 to HB 517. Sponsors: Senator Cook, Representative Petrilli. Placed with the Bill.

SA 3 to SS 2 for SB 551. Sponsor: Senator McDowell. Placed with the Bill.

SA 1 to SS 1 for SB 626. Sponsor: Senator Neal. Placed with the Bill.

SB 652 - AN ACT TO AMEND CHAPTER 3, TITLE 4, DELAWARE CODE, RELATING TO APPOINTMENT OF OFFICERS AND EMPLOYEES OF THE DELAWARE ALCOHOLIC BEVERAGES CONTROL COMMISSION. Sponsor: Senator Holloway. Assigned to Administrative Services/Energy Committee.

SB 653 - AN ACT TO AMEND CHAPTER 5, TITLE 31, DELAWARE CODE BY EXEMPTING AS A FAMILY RESOURCE THE WAGES OF A MINOR CHILD PARTICIPATING IN A STATE-SPONSORED SUMMER YOUTH EMPLOYMENT PROGRAM. Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

SB 654 - AN ACT TO AMEND AN ACT ENTITLED, "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1983; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS", BEING SENATE SUBSTITUTE NO. 1 FOR SENATE BILL NO. 666 OF THE 131ST GENERAL ASSEMBLY OF THE STATE OF DELAWARE. Sponsors: Senators McDowell, Bair, Cook, Connor, Holloway, Marshall, Martin, Neal, Zimmerman; Representatives Anderson, Cain, Campanelli, Cathcart, George, Gilligan, Jester, Jonkiert, Plant, Soles, Spence. Assigned to Finance Committee.

SB 655 - AN ACT TO AMEND CHAPTER 3 OF TITLE 15 OF THE DELAWARE CODE RELATING TO THE PREPARATION OF LISTS OF REGISTERED VOTERS. Sponsors: Senator Sharp, Representative Oberle. Assigned to Insurance and Elections Committee.

HB 381 - AN ACT TO AMEND CHAPTER 23 AND CHAPTER 25, TITLE 21 OF THE DELAWARE CODE RELATING TO NOTARY REQUIREMENTS ON CERTIFICATES OF TITLES. Sponsor: Representative Spence. Assigned to Public Safety Committee.

HB 655 - AN ACT TO AMEND CHAPTER 61, TITLE 7 OF THE DELAWARE CODE RELATING TO PUBLIC HEARINGS UNDER THE UNDERWATER LANDS ACT. Sponsors: Representatives Barnes, Buckworth, Darling, Soles; Senators Martin, Zimmerman, Cook, Vaughn, Arnold, Berndt, Knox. Assigned to Natural Resources and Environmental Control Committee.

HB 693 w HA 1 - AN ACT TO AMEND CHAPTERS 21, 23 AND 29 OF TITLE 30 OF THE DELAWARE CODE TO PROVIDE FOR LICENSING AND GROSS RECEIPTS TAXATION OF NURSERIES AS FARMS, RETAILERS, OR WHOLESALERS, AS APPLICABLE, AND TO MAKE RELATED CHANGES. Sponsors: Representatives Barnes, Buckworth, Burris, Riddagh, Harrington, Ennis, Minner, Darling; Senators Adams, Littleton. Assigned to Finance Committee.

HS 1 for HB 711 - AN ACT TO AMEND SECTION 422(b), SUBCHAPTER II, CHAPTER 4, TITLE 29, DELAWARE CODE, RELATING TO THE CARE OF STATE PROPERTY. Sponsors: Representatives Roy, Spence, Mack, George; Senators Zimmerman, Vaughn, McBride, Hughes, Berndt. Laid on the table at the request of Senator Zimmerman.

At 1:22 p.m., Senator Cordrey presiding.

HB 791 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE PROVIDING FOR REAPPORTIONMENT OF THE SUSSEX COUNTY COUNCILMANIC DISTRICTS. Sponsors: Representatives Burris, Barnes, Derrickson, Fallon. Assigned to Executive Committee.

HB 794 - AN ACT TO AMEND CHAPTER 9, TITLE 16, AND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO THE INVESTIGATION OF CHILD ABUSE AND NEGLECT. Sponsors: Representative Maroney, Senator Holloway; Representatives Riddagh, Free, Barnes, Brady, Buckworth, Burris, Corrozi, Dixon, Edwards, Ennis, Fallon, Jonkiert, Spence, Oberle, Petrilli, Plant, Powell, Hebner; Senators Knox, Neal. Assigned to Health-Social Services/Aging Committee.

HB 797 - AN ACT TO AMEND TITLE 25, DELAWARE CODE, SECTION 6023(b), SUBCHAPTER II, CHAPTER 60, TITLE 7, DELAWARE CODE SECTION 6032, SUBCHAPTER II, CHAPTER 60, TITLE 7, DELAWARE CODE, AND SECTION 6002, CHAPTER 60, TITLE 7, DELAWARE CODE, RELATING TO DISCLOSURE THAT REAL PROPERTY IS SUITABLE FOR ON-SITE SEWAGE DISPOSAL, THE LICENSING OF PERSONS ENGAGED IN THE DESIGN, CONSTRUCTION, AND REPAIR OF ON-SITE SEWAGE DISPOSAL SYSTEMS AND THE LICENSING OF PERSONS ENGAGED IN TESTING AND ANALYZING REAL PROPERTY TO DETERMINE IF THE PROPERTY IS SUITABLE FOR ON-SITE SEWAGE DISPOSAL. Sponsors: Representatives Smith, Barnes, Darling; Senator Berndt. Assigned to Natural Resources and Environmental Control Committee.

SR 103 was introduced and considered for adoption on motion of Senator Sharp:

SR 103 - REQUESTING THE DEPARTMENT OF PUBLIC INSTRUCTION TO DEVELOP A CENTRALIZED ADMINISTRATION FOR ALL SPECIAL EDUCATION, LEVEL V, PROGRAMS. Sponsors: Senators Sharp, McDowell, Berndt.

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

SCR 158 was introduced and considered for adoption on motion of Senator Holloway:

SCR 158 - CREATING A COMMITTEE TO EXAMINE THE LAW OF ADVERSE POSSESSION IN DELAWARE. Sponsors: Senators Holloway, Hughes, Vaughn.

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

SCR 193 was introduced and laid on the table on motion of Senator Littleton.

SCR 193 - CONGRATULATING BARTON DUANE HUXTABLE, OF PENN ACRES, UPON HIS OUTSTANDING SCHOLASTIC RECORD AT THE UNIVERSITY OF DELAWARE. Sponsors: Representatives Mack, Hebner, Senator Connor.

SCR 194 was introduced and considered for adoption on motion of Senator Knox:

SCR 194 - REQUESTING GOVERNOR PIERRE S. DUPONT 4TH TO DESIGNATE THE WEEK OF NOVEMBER 7 THROUGH NOVEMBER 14, 1982, AS DELAWARE HOSPICE WEEK. Sponsor: Representative Maroney.

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

SCR 193 was lifted from the table for consideration on motion of Senator Connor and the roll call vote taken which revealed 19 Senators voting YES and 2 (Citro and Sharp) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SB 619 w SA 1 which had previously passed the Senate was taken up for reconsideration on motion of Senator Zimmerman as now amended by HA 1, 2.

The roll call vote on SB 619 w SA 1, HA 1, 2 was then taken and revealed 19 Senators voting YES and 2 (Citro and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for his consideration.

On motion of Senator Marshall, SB 419 which had previously passed the Senate was taken up for reconsideration as now amended by HA 2. The roll call vote on SB 419 w HA 2 was then taken and revealed 18 Senators voting YES, 2 (Holloway and Knox) voting NO, and 1 (Citro) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SB 571 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 1. The roll call vote on SB 571 w HA 1 was then taken and revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SB 267 w SA 1 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 1. The roll call vote on SB 267 w SA 1, HA 1 was then taken and revealed 18 Senators voting YES, 1 (Cordrey) voting NO, and 2 (Citro and Martin) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SCR 159 was introduced and immediately stricken on motion of the sponsor, Senator Hughes:

SCR 159 - CREATING A COMMITTEE TO EXAMINE THE LAW OF ADVERSE POSSESSION IN DELAWARE. Sponsors: Senators Hughes and Holloway.

SCR 195 was introduced and considered for adoption on motion of Senator Connor:

SCR 195 - COMMENDING STATE POLICE LIEUTENANT WILLIAM FORD FOR HIS MAJOR PART IN PREVENTING A SERIOUS TRAGEDY DURING THE HOSTAGE HOLDING AT A DOVER LAW OFFICE ON JUNE 16, 1982. Sponsors: Representatives Spence, Oberle, Harrington; Senator Connor.

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

On motion of Senator Zimmerman, the roll call vote on HB 435 w HA 1 was lifted and announced: 19 Senators voting YES, 1 (McDowell) voting NO, and 1 (Sharp) NOT VOTING; therefore, the Bill was declared passed by the Senate and returned to the House.

SCR 201 was introduced and considered for adoption on motion of Senator Connor:

SCR 201 - COMMENDING STATE POLICE LIEUTENANT WILLIAM FORD AND DOVER POLICE CAPTAINS JAMES HUTCHINSON AND MICHAEL D. STACECKI FOR THEIR MAJOR PART IN PREVENTING A SERIOUS TRAGEDY DURING THE HOSTAGE HOLDING AT A DOVER LAW OFFICE ON JUNE 16, 1982. Sponsors: Representatives Spence, Oberle, Harrington, Derrickson, McKay, Cain, Roy, Petrilli, West, Plant, Fallon, Barnes, Anderson, Powell, Burris, Sincok, Riddagh, Campanelli, Smith, Maroney, Hebner, Brady, Gilligan, Jonkiert, Jester, Bennett, Ennis, Dixon, Soles, VanSciver, Darling, Minner, Edwards, Cordrey, Buckworth, Cathcart, Mack, Corrozi; Senators Connor, Arnold, Hughes, Torbert, Knox, McBride.

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

SCR 196 was introduced and considered for adoption on motion of Senator Knox:

SCR 196 - CONGRATULATING THE DELAWARE COMPETITORS WHO BROKE FOUR NATIONAL RECORDS AND WON 23 MEDALS AT THE BLIND ATHLETES NATIONAL CHAMPIONSHIPS AT THE UNIVERSITY OF TEXAS. Sponsors: Representative Spence and all Representatives and Senators.

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

Lt. Governor Castle presiding.

HCR 197 was introduced and considered for adoption on motion of Senator Littleton:

HCR 197 - REQUESTING THE GOVERNOR PIERRE S. DUPONT 4TH TO PROCLAIM SEPTEMBER, 1982, GOSPEL MUSIC MONTH. Sponsors: Representatives Barnes, Spence; Senators Littleton, Adams.

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

HCR 198 was introduced and considered for adoption on motion of Senator Knox:

HCR 198 - COMMENDING RITA LONG, OF WILMINGTON, FOR HER LONG SERVICE WITH THE UNEMPLOYMENT BENEFIT SECTION OF THE DEPARTMENT OF LABOR. Sponsors: Representatives Jonkiert and Roy; Senator Marshall.

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

HCR 199 was introduced and laid on the table on motion of Senator Knox:

HCR 199 - WELCOMING THE JEUGDFANFARE, A BELGIAN BAND WITH MAJORETTES, WHICH WILL PERFORM IN DELAWARE JULY 15TH TO JULY 30TH, 1982. Sponsors: Representatives Roy, Corrozi, Gilligan; Senators Arnold and Citro.

HCR 200 was introduced and considered for adoption on motion of Senator McBride:

HCR 200 - COMMENDING THE AMERICAN LEGION AUXILIARY OF THE DEPARTMENT OF DELAWARE AND THE MORE THAN 70 YOUNG WOMEN WHO PARTICIPATED IN THE FORTIETH ANNUAL SESSION OF THE GIRLS' STATE FOR 1982. Sponsors: Representatives Minner, Jester, Fallon; Senator McBride.

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

On motion of Senator Adams, the Governor's nomination for appointment of Richard L. Brandenburg was taken up for consideration and the roll call vote taken which revealed 17 Senators voting YES and 4 (Arnold, Citro, Marshall, Sharp) ABSENT; therefore, the appointment was declared confirmed.

SB 649 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Cook:

SB 649 - AN ACT TO INSURE THAT A FINANCIAL PLAN FOR POST-RETIREMENT INCREASES FOR RETIRED STATE EMPLOYEES WILL BE INCLUDED IN THE FISCAL 1984 BUDGET.

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

SB 479 was taken up for consideration on motion of Senator Cook:

SB 479 - AN ACT TO AMEND CHAPTER 56, TITLE 29, DELAWARE CODE, TO PROVIDE POST-RETIREMENT INCREASES TO RETIRED MEMBERS AND SURVIVORS OF THE STATE JUDICIARY RETIREMENT PLAN.

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

HB 637 was lifted for consideration on motion of Senator Cordrey; floor-managed by Senator Cook:

HB 637 - AN ACT TO AMEND SECTION 1194, CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO FAILURE TO FILE RETURNS.

The roll call vote on the Bill was taken and revealed 17 Senators voting YES and 4 (Bair, Citro, Martin and Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

Pursuant to HCR 196, Senator McBride introduced the members of the Championship Team and the privilege of the Floor was extended to Tony Ruzinski.

At 2:27 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 50th Legislative day.

50TH LEGISLATIVE DAY  
June 30, 1982

The Senate convened at 2:27 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

SS 2 for SB 551 was introduced, adopted in lieu of SS 1 for SB 551 and laid on the table on motion of Senator Marshall:

SS 2 for SB 551 - AN ACT TO AMEND TITLE 30, DELAWARE CODE, RELATING TO THE COLLECTION OF REALTY TRANSFER TAX. Sponsor: Senator Marshall.

SB 567 was taken up for consideration on motion of Senator Berndt:  
SB 567 - AN ACT TO AMEND CHAPTER 45, TITLE 12 OF THE DELAWARE CODE RELATING TO THE DELAWARE UNIFORM GIFTS TO MINORS ACT.

The privilege of the floor was extended to Richard G. Bacon (Delaware Bar Association) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SS 1 for SB 332 was taken up for consideration on motion of Senator Neal:

SS 1 for SB 332 - AN ACT TO AMEND CHAPTER 13, TITLE 14 OF THE DELAWARE CODE RELATING TO MAINTENANCE MECHANICS.

Senator Connor requested that his name be removed from the Bill as co-sponsor.

Senator Citro marked PRESENT.

The privilege of the floor was extended to J. P. Varsalona of the Governor's Office after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Vaughn - 15.

NO: Senators Connor, Cordrey, Littleton, Torbert, Zimmerman - 5.

ABSENT: Senator Hughes - 1.

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

SB 522 was taken up for consideration on motion of Senator Connor:

SB 522 - AN ACT TO AMEND CHAPTER 9, PART I, TITLE 10 OF THE DELAWARE CODE RELATING TO ADULT CRIMINAL PROCEEDINGS; AND PROVIDING FOR A PERIOD OF TREATMENT AND OBSERVATION IN CERTAIN CASES.

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

SB 482 was taken up for consideration on motion of Senator Arnold:

SB 482 - AN ACT TO AMEND CHAPTER 68, TITLE 16, TO PROVIDE EXEMPTION FROM CIVIL LIABILITY FOR PERSONS WHO IN GOOD FAITH INTERVENE TO PROTECT OTHER PERSONS FROM CERTAIN CRIMINAL ACTS.

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

SB 639 was taken up for consideration on motion of Senator Littleton:

SB 639 - AN ACT TO AMEND CHAPTER 25, TITLE 18 DELAWARE CODE RELATING TO INSURANCE RATES AND PROVIDING FOR A REDUCTION IN WORKMEN'S COMPENSATION INSURANCE RATES.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Littleton; however, before final action was taken, the Bill and the Amendment were laid on the table on further motion of the Senator.

SB 609 was taken up for consideration on motion of Senator Zimmerman:

SB 609 - AN ACT TO AMEND CHAPTER 66, TITLE 18, RELATING TO LINE-OF-DUTY DEATH BENEFITS.

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

The roll call vote on SB 609 w SA 1 was then taken and revealed 17 Senators voting YES and 4 (Arnold, Citro, Holloway, Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 586 was taken up for consideration on motion of Senator Zimmerman:

SB 586 - AN ACT TO AMEND 6701 (1), (2), CHAPTER 67, TITLE 18, DELAWARE CODE RELATING TO THE DEFINITION OF "COVERED FIREMEN" AND "LINE OF DUTY" FOR LINE OF DUTY DISABILITY BENEFITS TO VOLUNTEER FIREMEN.

Senators Connor, Adams, Littleton and Marshall were added as co-sponsors of the Bill.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Citro, Holloway, Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 790 was taken up for consideration on motion of Senator Torbert:

HB 790 - AN ACT TO AMEND TITLE 16, CHAPTER 66 OF THE DELAWARE CODE, RELATING TO THE APPOINTMENT AND AUTHORITY OF THE STATE FIRE PREVENTION COMMISSION.

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

SB 615 was taken up for consideration on motion of Senator Berndt:

SB 615 - AN ACT TO AMEND CHAPTER 80, VOLUME 63, LAWS OF DELAWARE, BEING AN ACT ENTITLED, "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1982; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS."

The privilege of the floor was extended to Duane Olsen, Controller General, after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, Neal - 14.

NO: Senators Cook, Cordrey, Sharp, Torbert, Vaughn - 5.

ABSENT: Senators McDowell and Zimmerman - 2.

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

At 4:00 p.m., Senator Cordrey presiding.

SB 620 was taken up for consideration on motion of Senator Citro:

**SB 620 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENDITURE OF SPECIAL LAW ENFORCEMENT ASSISTANCE FUNDS FOR USE IN INVESTIGATING DRUG, CONTERFEIT DRUG, PROSTITUTION, PORNOGRAPHY AND ORGANIZED CRIME CASES AS PROVIDED IN TITLE II, DELAWARE CODE CHAPTER 41, SUBPART B.**

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

HB 718 was taken up for consideration on motion of Senator McDowell:

**HB 718 - AN ACT TO APPROVE THE TRANSFER AND CONVEYANCE OF CERTAIN LAND BETWEEN THE STATE OF DELAWARE AND DELMARVA POWER AND LIGHT COMPANY.**

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

HB 739 was taken up for consideration on motion of Senator McDowell:

**HB 739 - AN ACT TO AMEND TITLE 29, CHAPTER 69, DELAWARE CODE RELATING TO PUBLIC WORKS CONTRACTS.**

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Holloway, Hughes and Zimmerman) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 750 was taken up for consideration on motion of Senator McDowell:

**HB 750 - AN ACT TO AMEND CHAPTER 55, TITLE 25 OF THE DELAWARE CODE RELATING TO TERMINATION OF RENTAL AGREEMENTS.**

SA 1 to the Bill was introduced by Senator Neal and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Bair and Holloway) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on HB 750 w SA 1 was then taken and revealed 19 Senators voting YES, 1 (Hughes) NOT VOTING, and 1 (Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

SB 477 w SA 1 was lifted from the table for consideration on motion of Senator McDowell.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES, 2 (Hughes and Neal) voting NO, and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 546 was taken up for consideration on motion of Senator Marshall:

**SB 546 - AN ACT TO AMEND TITLE 28, DELAWARE CODE, TO PROVIDE FOR THE REGULATION AND CONTROL OF LOTTERIES CONDUCTED BY VOLUNTEER FIRE COMPANIES, VETERAN ORGANIZATIONS, RELIGIOUS OR CHARITABLE ORGANIZATIONS, OR BY FRATERNAL SOCIETIES AND AUTHORIZING THE DELAWARE GAMING CONTROL BOARD TO IMPLEMENT SUCH LOTTERIES.**

Senators Neal, Connor and McDowell were added as co-sponsors of the Bill and the roll call vote taken which revealed:

YES: Senators Bair, Berndt, Citro, Connor, Holloway, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert - 12

NO: Senators Adams, Cook, Cordrey, Hughes, Knox, Vaughn - 6.

NOT VOTING: Senator Arnold - 1.

ABSENT: Senators Littleton and Zimmerman - 2.

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

SB 640 was taken up for consideration on motion of Senator Martin:

**SB 640 - AN ACT TO AMEND CHAPTER 23, TITLE 24, AND CHAPTER 23, TITLE 30, DELAWARE CODE, PERTAINING TO PAWNBroKERS AND JUNK DEALERS, BY IMPOSING SPECIAL LICENSING, AUDITING, REPORTING AND OTHER REQUIREMENTS UPON DEALERS IN PRECIOUS METALS.**

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

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn - 17.

NO: Senator Adams - 1.

ABSENT: Senators Knox, Littleton, Zimmerman - 3.

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

Senator Martin requested that SB 651 be taken up for consideration; however, the Bill had not yet been reported out of Committee.

SB 642 was taken up for consideration on motion of Senator Holloway:

**SB 642 - AN ACT TO AMEND CHAPTER I, SUBCHAPTER II, TITLE 13, DELAWARE CODE, RELATING TO PREMARITAL PHYSICAL EXAMINATIONS.**

The roll call vote on the Bill was taken and revealed:  
YES: Senators Adams, Bair, Berndt, Citro, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Torbert - 13.

NO: Senators Connor, Cook, Hughes, Sharp, Vaughn - 5.

ABSENT: Senators Arnold, Littleton, Zimmerman - 3.

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

HB 629 was taken up for consideration on motion of Senator Marshall:

HB 629 - AN ACT TO AMEND CHAPTER 50, VOLUME 57, LAWS OF DELAWARE, RELATING TO THE CHARTER OF THE TOWN OF VIOLA.

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

HB 802 was taken up for consideration on motion of Senator Marshall:

HB 802 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF FREDERICA TO PROVIDE THE MEANS FOR FILLING VACANCIES ON THE TOWN COUNCIL.

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

SB 647 was lifted from the table for consideration on motion of Senator Cook:

SB 647 - AN ACT TO MAKE A SUPPLEMENTARY APPROPRIATION FOR CERTAIN GRANTS-IN-AID.

At 5:03 p.m., Lt. Governor Castle presiding.

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

Consideration of HB 576 was deferred on motion of Senator Sharp.

HB 490 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 490 w HA 1 - AN ACT TO AMEND CHAPTER 5, SUBCHAPTER III, SUBPART I, OF TITLE II OF THE DELAWARE CODE, TO MAKE IT A CRIME TO FRAUDULENTLY CONVEY OR RECEIVE PUBLIC LANDS.

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

HS 1 for HB 491 was taken up for consideration on motion of Senator Sharp:

HS 1 for HB 491 - AN ACT TO AMEND CHAPTER 45 OF TITLE 7 OF THE DELAWARE CODE TO ALLOW FOR TITLE OR INTEREST IN PUBLIC LANDS TO BE OBTAINED ONLY BY DEED OR WRITTEN INSTRUMENT.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cordrey, Knox, Littleton, Marshall, Martin, McBride, Neal, Sharp, Torbert, Vaughn, Zimmerman - 17.

NO: Senators Cook and McDowell - 2.

ABSENT: Senators Holloway and Hughes - 2.

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

SR 106 was introduced and considered for adoption on motion of Senator Knox:

SR 106 - EXPRESSING BEST WISHES TO SENATOR CHARLES EVANS "PETE" HUGHES UPON HIS RETIREMENT FROM THE SENATE. Sponsors: Senators Knox, Arnold, Cordrey, Sharp, McDowell and all the Senators.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES, 1 (Hughes) NOT VOTING and 3 (McDowell, Sharp and Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

SR 107 was introduced and considered for adoption on motion of Senator Connor:

SR 107 - SAYING "AUR REVOIER" BUT NOT "GOODBYE" TO OUR RETIRING FRIEND AND COLLEAGUE, SENATOR CHARLES EVANS (PETE) HUGHES, OF SILVERSIDE HEIGHTS. Sponsors: Senators Connor, Littleton and all the Senators.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES, 1 (Hughes) NOT VOTING and 3 (McDowell, Sharp and Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

HB 730 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 730 w HA 1 - AN ACT TO AMEND TITLE II, DELAWARE CODE, BY CREATING A NEW OFFENSE RELATING TO COMPUTER CRIMES.

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

HB 440 w HA 1, 2 was laid on the table on motion of Senator Holloway.

HB 271 w HA 3, 4 was taken up for consideration on motion of Senator Zimmerman:

HB 271 w HA 3, 4 - AN ACT TO AMEND CHAPTER 7, TITLE 7 OF THE DELAWARE CODE RELATING TO PENALTIES FOR VIOLATION OF CERTAIN FISH AND GAME STATUTES; PROHIBITION OF HUNTING ON SUNDAYS; SPOTLIGHTING DEER AND; PROHIBITION OF SELLING AND TRANSPORTING SKUNKS AND RACCOONS.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Bair, Martin and Neal) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 653 was lifted from the table for consideration on motion of Senator Zimmerman:  
HB 653 - AN ACT TO AMEND CHAPTER 80, TITLE 29 OF THE DELAWARE CODE RELATING TO PARK MANAGERS AND OTHER PERSONNEL.

The privilege of the floor was extended to Virginia T. Baker (Division of Parks and Recreation) after which the roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Hughes, Littleton, Neal) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 546 w HA 1, 2, 4 was taken up for consideration on motion of Senator Sharp:  
HB 546 w HA 1, 2, 4 - AN ACT TO AMEND CHAPTER 21 OF TITLE 21, DELAWARE CODE RELATING TO REQUIREMENTS OF INSURANCE FOR ALL MOTOR VEHICLES REGISTERED IN THIS STATE.

The roll call vote on the Bill was then taken and revealed 16 Senators voting YES and 5 (Holloway, Hughes, Littleton, Marshall, Martin) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 661 was taken up for consideration on motion of Senator Sharp:  
HB 661 - AN ACT TO AMEND §1447, TITLE 11, DELAWARE CODE, RELATING TO THE PENALTY FOR POSSESSION OF A DEADLY WEAPON DURING COMMISSION OF A FELONY.

The roll call vote on the Bill was then taken and revealed:  
YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Knox, Marshall, Martin, McBride, McDowell, Neal, Torbert, Vaughn, Zimmerman - 17  
NOT VOTING: Senator Sharp - 1.

ABSENT: Senators Holloway, Hughes, Littleton - 3.  
Therefore, the Bill was declared passed by the Senate and returned to the House.  
HB 647 was laid on the table, lifted from the table and then temporarily deferred on motion of Senator Sharp.

HS 1 for HB 473 was taken up for consideration on motion of Senator Sharp:  
HS 1 for HB 473 - AN ACT TO AMEND SECTIONS 2911 AND 2913 OF TITLE 18 OF THE DELAWARE CODE RELATING TO LIFE INSURANCE POLICY LOANS.

At the request of Senator Sharp, Senator Cook floor-managed the Bill.  
The privilege of the floor was extended to Bernard Dempsey after which final consideration of the Bill was deferred on motion of Senator Cook.  
At 6:35 p.m. on motion of Senator Sharp, the Senate recessed for dinner and reconvened at 9:10 p.m., Lt. Governor Castle presiding.

The following Committee reports were announced:  
From the Administrative Services/Energy Committee: HB 366 w HA 1, 2 - 6 Merits; HB 451 w HA 1 - 3 Merits, 1 Unfavorable; HB 628 w HA 1 - 5 Merits.  
From the Finance Committee: HB 390 w HA 1 - 5 Merits; HB 591 w HA 1 - 3 Merits; HB 700 - 5 Merits; HB 703 w HA 1, 2 - 5 Merits; HB 732 - 5 Merits.  
From the Agriculture Committee: HB 413 w HA 1, 2, 3, 4 - 6 Merits.  
From the Public Safety Committee: HB 669 w HA 1, 2 - 4 Merits.  
From the Revenue and Taxation Committee: HB 686 - 5 Merits.  
From the Community Affairs Committee: HB 789 w HA 1 - 4 Merits.  
From the Executive Committee: HCR 35 - 4 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 780 w HA 2; HB 655; HB 693 w HA 1; HS 1 for HB 711; HB 797; SB 615; SB 600 w SA 1; HB 793 w HA 1; HB 794; SS 1 for SB 557; SB 604; SB 560 w SA 1; SB 619 w SA 1, HA 1, 2; HB 381; SB 607; SB 633; HB 791; SB 419 w HA 2; SB 558; SB 605; SB 624. The House defeated SB 562 w SA 1, 2, HA 1.

The following legislation was introduced:  
HB 780 w HA 2 - AN ACT TO AMEND CHAPTER 27 AND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO OPERATION OF MOTOR VEHICLES, SUSPENSION AND REVOCATION OF LICENSE FOR REFUSAL TO SUBMIT TO CHEMICAL TEST, AND TO DRIVING UNDER THE INFLUENCE OF ALCOHOL OR OTHER DRUGS AND FURTHER PROVIDING A SUPPLEMENTARY APPROPRIATION THEREFOR. Sponsors: Representative Spence and Senator Torbert; Representatives Oberle, Cathcart, Free, Buckworth, Mack, Ennis, Roy, Sinecock, Riddagh, Corrozi, Fallon, VanSeiver, Petrilli, Jonkiert, Dixon, Anderson, Hebner, Edwards, Cain, George, Burris, Gilligan, Barnes, Maroney, Harrington, Brady, Jester, Derrickson, Powell, McKay, Smith; Senators Bair, Holloway, Sharp, Neal, Vaughn, Cook, Connor, Berndt, Arnold, Adams, Littleton. Laid on the table on motion of Senator Torbert.

SA 1 to HB 616. Sponsor: Senator Torbert. Placed with the Bill.  
SA 1 to HB 792. Sponsor: Senator Sharp. Placed with the Bill.  
SA 1 to HB 390 w HA 1. Sponsor: Senator Cook. Placed with the Bill.  
SA 4 to SS 2 for SB 551. Sponsor: Senator Arnold. Placed with the Bill.  
SA 1 to HB 437. Sponsor: Senator Sharp. Placed with the Bill.  
SA 3 to SB 301. Sponsor: Senator McDowell. Placed with the Bill.  
SR 104 was introduced and considered for adoption on motion of Senator Cordrey:  
SR 104 - IN REFERENCE TO STAFF. Sponsors: Senators Cordrey and Sharp.  
The roll call vote on the Resolution was taken and revealed 16 Senators voting YES and 5 (Bair, Citro, Cook, Marshall and McBride) ABSENT; therefore, the Resolution was declared adopted.



SR 105 was introduced and laid on the table on motion of Senator Martin:

SR 105 - CONGRATULATING CHARLES AND ALICE STAATS ON THEIR 48TH WEDDING ANNIVERSARY TODAY, JUNE 30, 1982. Sponsors: Senators Martin, Holloway and all the Senators.

SR 108 was introduced and considered for adoption on motion of Senator Holloway:

SR 108 - URGING THE SENATE COMMITTEE ON HEALTH AND SOCIAL SERVICES TO EVALUATE CERTAIN ASPECTS OF MANAGEMENT AND PERSONNEL POLICIES AND THE CARE AND TREATMENT OF PATIENTS AT THE STOCKLEY CENTER. Sponsor: Senator Holloway.

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

SR 105 was lifted from the table for consideration on motion of Senator Martin and the roll call vote taken which revealed 18 Senators voting YES and 3 (Berndt, Cook and Marshall) ABSENT; therefore, the Resolution was declared adopted.

HS 1 for HB 473 was lifted from the table for consideration on motion of Senator Sharp.

The privilege of the floor was extended to Bernard Dempsey after which the roll call vote on the Bill was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Knox, Marshall, Martin, Vaughn, Zimmerman - 13.

NO: Senators Connor, Littleton, McBride, McDowell, Sharp, Torbert - 6.

ABSENT: Senators Hughes and Neal - 2.

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

HB 443 was taken up for consideration on motion of Senator Sharp:

HB 443 - AN ACT TO AMEND CHAPTER 42, TITLE 18, DELAWARE CODE, RELATING TO THE SCOPE OF THE DELAWARE INSURANCE GUARANTEE ASSOCIATION ACT.

The privilege of the floor was extended to William Redfern (Attorney) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 468 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 468 w HA 1 - AN ACT TO AMEND TITLE 11, DELAWARE CODE, RELATING TO TRANSFERS OF CRIMINAL CASES FROM JUSTICE OF THE PEACE COURTS, MAYOR'S COURTS OR ALDERMAN'S COURTS TO THE COURT OF COMMON PLEAS.

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

HB 502 w HA 1, 2, 4, 5 was taken up for consideration on motion of Senator McBride:

HB 502 w HA 1, 2, 4, 5 - AN ACT TO AMEND TITLE 9, TITLE 14, AND TITLE 21 OF THE DELAWARE CODE RELATING TO SCHOOL CROSSING GUARDS; AND PROVIDING FOR REPORTING OF CERTAIN OFFENSES AND INFRACTIONS.

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

At 10:00 p.m. on motion of Senator Sharp, the Senate recessed and reconvened at 11:19 p.m., Lt. Governor Castle presiding.

HB 588 w HA 1, 2, 3 was taken up for consideration on motion of Senator Sharp:

HB 588 w HA 1, 2, 3 - AN ACT TO AMEND TITLE 15, DELAWARE CODE RELATING TO ELECTRONIC VOTING SYSTEMS.

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

YES: Senators Adams, Bair, Citro, Connor, Cook, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 17.

NO: Senators Arnold and Cordrey - 2.

ABSENT: Senators Berndt and Neal - 2.

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

HB 714 was taken up for consideration on motion of Senator Sharp:

HB 714 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE BY ADOPTING THE REVISED UNIFORM LIMITED PARTNERSHIP ACT, AS MODIFIED CONSISTENT WITH DELAWARE PRACTICE, RELATING TO THE CREATION, REGULATION AND DISSOLUTION OF DOMESTIC LIMITED PARTNERSHIPS, AS WELL AS THE REGULATION OF FOREIGN LIMITED PARTNERSHIPS.

The privilege of the floor was extended to Paul Lukoff and Michael Purzycki (Attorneys) after which the roll call vote on the Bill was then taken and revealed:

YES: Senators Adams, Bair, Berndt, Citro, Connor, Cook, Holloway, Hughes, Knox, Littleton, Martin, Torbert, Vaughn, Zimmerman - 14.

NO: Senators Cordrey, Marshall, McBride - 3.

NOT VOTING: Senators McDowell, Neal, Sharp - 3.

ABSENT: Senator Arnold - 1.

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

At 11:58 p.m., June 30, 1982, the 131st General Assembly adjourned on motion of Senator Sharp.

SPECIAL SESSION

July 1, 1982

Pursuant to the Declaration printed below, the Senate convened at 12:01 a.m., July 1, 1982, Lt. Governor Castle presiding:

STATE OF DELAWARE  
HOUSE OF REPRESENTATIVES  
LEGISLAIVE HALL  
DOVER, DELAWARE

TO: MEMBERS OF THE SENATE AND HOUSE OF REPRESENTATIVES  
OF THE 131ST GENERAL ASSEMBLY

FROM: PRESIDENT OF THE SENATE, MICHAEL CASTLE  
SPEAKER OF THE HOUSE, CHARLES HEBNER

SUBJECT: DECLARATION OF SPECIAL SESSION

DATE: WEDNESDAY, JUNE 30TH, 1982, 12 MIDNIGHT

PURSUANT TO THE AUTHORITY VESTED IN THE PRESIDING OFFICERS OF BOTH HOUSES UNDER ARTICLE II, SECTION 4, OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, WE HEREBY DECLARE THAT THE 131ST GENERAL ASSEMBLY IS NOW IN SPECIAL SESSION.

Michael Castle, PRESIDENT OF THE SENATE  
Charles Hebner, SPEAKER OF THE HOUSE

\* \* \* \* \*

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

HB 759 was taken up for consideration on motion of Senator Sharp:

HB 759 - AN ACT TO AMEND CHAPTER 4, TITLE 11 OF THE DELAWARE CODE RELATING TO CONFINEMENT AT THE DELAWARE STATE HOSPITAL.

During discussion of the Bill and the Senate Amendment offered to it, the privilege of the floor was extended to Robert C. Feeney (Delaware State Hospital) and Henry Ridgely (Senate Attorney).

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

The roll call vote on HB 759 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Sharp) NOT VOTING; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

The following communications from the Governor:

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
June 30, 1982

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

The nomination of James M. Rudd for Board of Parole, submitted to you on June 15, 1982, is hereby formally withdrawn.

Sincerely,  
Pierre S. duPont, Governor

\* \* \* \* \*

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
June 30, 1982

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Margaret G. Scrivens, 212 West 20th Street, Wilmington, Delaware, to be reappointed a member of the Board of Parole to serve for a term of four years.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

\* \* \* \* \*

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

HB 591 w HA 1 was taken up for consideration on motion of Senator Cook:

HB 591 w HA 1 - AN ACT TO AMEND CHAPTER 31, AND CHAPTER 17, TITLE 14 OF THE DELAWARE CODE RELATING TO EXCEPTIONAL CHILDREN.

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

HB 732 was taken up for consideration on motion of Senator Cook:

HB 732 - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE RELATING TO THE STATE EMPLOYEES PENSION PLAN AND MAKING TECHNICAL CHANGES AND CORRECTIONS THERETO.

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

SS 2 for SB 551 was lifted from the table for consideration on motion of Senator Marshall:

SS 2 for SB 551 - AN ACT TO AMEND TITLE 30, DELAWARE CODE, RELATING TO THE COLLECTION OF REALTY TRANSFER TAX.

SA 1 to the Bill was laid on the table on motion of Senator Neal.

SA 2 to the Bill was laid on the table on motion of Senator Marshall.

SA 3 to the Bill was considered for adoption on motion of Senator McDowell.

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

YES: Senators Connor, Hughes, Littleton - 3.

NO: Senators Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Torbert, Vaughn - 16.

ABSENT: Senators Sharp and Zimmerman - 2.

Therefore, the Amendment was declared defeated.

SA 4 to the Bill was considered for adoption on motion of Senator Arnold. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Knox, Littleton, Marshall, McBride, McDowell, Torbert, Zimmerman - 15.

NO: Senators Martin and Vaughn - 2.

ABSENT: Senators Holloway, Hughes, Neal, Sharp - 4.

Therefore, the Amendment was declared adopted.

Senator McBride marked PRESENT.

SA 2 to the Bill was stricken at the request of the sponsor, Senator Marshall.

The privilege of the floor was extended to Michael Harkins (New Castle County Government) after which the roll call vote on SS 2 for SB 551 w SA 4 was taken; however, the roll call was laid on the table before being announced on motion of Senator Marshall.

The roll call vote on SS 2 for SB 551 w SA 4 was then lifted on further motion of Senator Marshall and announced:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Cook, Holloway, Hughes, Knox, Littleton, Marshall, Martin, Sharp, Torbert, Vaughn, Zimmerman - 16.

NO: Senators Adams, Cordrey, McBride, McDowell - 4.

ABSENT: Senator Neal - 1.

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

HB 780 w HA 2 was taken up for consideration on motion of Senator Torbert:

HB 780 w HA 2 - AN ACT TO AMEND CHAPTER 27 AND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO OPERATION OF MOTOR VEHICLES, SUSPENSION AND REVOCATION OF LICENSE AND REFUSAL TO SUBMIT TO CHEMICAL TEST, AND TO DRIVING UNDER THE INFLUENCE OF ALCOHOL OR OTHER DRUGS AND FURTHER PROVIDING A SUPPLEMENTARY APPROPRIATION THEREFOR.

The privilege of the floor was extended to Francis Ianni (Office of Highway Safety) and Duane Olsen (Controller General) after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Berndt and Martin) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

On motion of Senator McDowell, the necessary rules were suspended for the consideration of the Sunset legislation (SB 657 through SB 667):

SB 657 - AN ACT TO AMEND TITLE 24 AND TITLE 29 OF THE DELAWARE CODE RELATING TO PODIATRY; AND PROVIDING FOR A BOARD OF PODIATRY. Sponsors: Senator McDowell, Representative Brady, joint sponsors; Senators Bair, Connor, Marshall, Torbert; Representatives Barnes, Jonkiert, Smith, Soles.

The roll call vote on the Bill was then taken and revealed 17 Senators voting YES and 4 (Holloway, Martin, Sharp, Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 658 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, RELATING TO ABOLISHMENT OF THE COUNCIL ON STATE BUILDINGS, THE COUNCIL ON CONSTRUCTION POLICY AND THE COUNCIL ON POULTRY PROMOTION. Sponsor: Senator McDowell.

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

SB 659 - AN ACT RELATING TO THE TERMINATION OF THE OFFICE OF STATE BANK COMMISSIONER. Sponsors: Senator McDowell and Representative Brady; Senators Torbert, Connor, Bair, Marshall; Representatives Barnes, Smith, Jonkiert, Soles.

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

SB 660 - AN ACT TO AMEND TITLE 24 AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE BOARD OF VETERINARY MEDICINE. Sponsors: Senator McDowell and Representative Brady, joint sponsors; Senators Bair, Connor, Marshall, Torbert; Representatives Barnes, Jonkiert, Smith, Soles.

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

SB 661 - AN ACT TO AMEND TITLE 24 AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE BOARD OF LANDSCAPE ARCHITECTURE. Sponsors: Senator McDowell and Representative Brady, joint sponsors; Senators Bair, Connor, Marshall, Torbert; Representatives Barnes, Jonkiert, Smith, Soles.

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

SB 662 - AN ACT TO AMEND CHAPTERS 64 AND 86 OF TITLE 29, DELAWARE CODE, RELATING TO THE DIVISION OF CONSUMER AFFAIRS AND THE COUNCIL ON CONSUMER AFFAIRS. Sponsors: Senator McDowell and Representative Brady; Senators Torbert, Connor, Bair, Marshall; Representatives Barnes, Smith, Jonkiert, Soles.

The roll call vote on the Bill was then taken and revealed 18 Senators voting YES and 3 (Holloway, Littleton, Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 663 - AN ACT TO AMEND TITLE 24 AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE BOARD OF ARCHITECTS. Sponsors: Senator McDowell and Representative Brady, joint sponsors; Senators Bair, Connor, Marshall, Torbert; Representatives Barnes, Jonkiert, Smith, Soles.

SA 1 to the Bill was introduced by Senator McDowell and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 18 Senators voting YES and 3 (Holloway, Littleton, Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 663 w SA 1 was then taken and revealed 18 Senators voting YES and 3 (Holloway, Littleton, Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 664 - AN ACT TO AMEND CHAPTER 50, TITLE 24, DELAWARE CODE, RELATING TO THE BOARD OF SERVICES. Sponsors: Senator McDowell and Representative Brady; Senators Torbert, Connor, Bair, Marshall; Representatives Barnes, Smith, Jonkiert, Soles.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Hughes, Knox, Marshall, Martin, McBride, McDowell, Sharp, Vaughn - 16.

NOT VOTING: Senator Torbert - 1.

ABSENT: Senators Holloway, Littleton, Neal, Zimmerman - 4.

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

SB 665 - AN ACT TO AMEND CHAPTER 51, TITLE 24, DELAWARE CODE, RELATING TO THE BOARD OF PERSONAL SERVICES. Sponsors: Senator McDowell and Representative Brady; Senators Torbert, Connor, Bair, Marshall; Representatives Barnes, Smith, Jonkiert, Soles.

SA 1 to the Bill was introduced by Senator McDowell and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 18 Senators voting YES and 3 (Littleton, Neal, Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

SA 2 to the Bill was introduced by Senator Cordrey who requested Senator McDowell to floor-manage the Amendment. The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Holloway and Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

SA 3 to the Bill was introduced by Senator McDowell and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 18 Senators voting YES and 3 (Bair, Citro, Holloway) ABSENT; therefore, the Amendment was declared adopted.

SA 4 to the Bill was stricken at the request of the sponsor, Senator McDowell.

The roll call vote on SB 665 w SA 1, 2, 3 was then taken and revealed 18 Senators voting YES and 3 (Arnold, Bair, Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 666 - AN ACT TO AMEND TITLE 24, TITLE 29 AND TITLE 31 OF THE DELAWARE CODE RELATING TO THE BOARD OF SOCIAL WORK EXAMINERS. Sponsors: Senator McDowell and Representative Brady, joint sponsors; Senators Bair, Connor, Marshall, Torbert; Representatives Barnes, Jonkiert, Smith, Soles.

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

SB 667 - AN ACT TO AMEND CHAPTER 29, TITLE 24, DELAWARE CODE, RELATING TO THE DELAWARE REAL ESTATE COMMISSION. Sponsors: Senator McDowell and Representative Brady; Senators Torbert, Connor, Bair, Marshall; Representatives Barnes, Smith, Jonkiert, Soles.

SA 1 to the Bill was introduced by Senator McDowell and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 15 Senators voting YES and 6 (Arnold, Holloway, Hughes, Marshall, Martin, Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 667 w SA 1 was then taken and revealed 16 Senators voting YES and 5 (Arnold, Holloway, Hughes, Martin, Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SJR 39 - DIRECTING THE DELAWARE DEVELOPMENT OFFICE TO UNDERTAKE AN ECONOMIC FEASIBILITY STUDY OF THE STANDARDISED DEVELOPMENT FUND TO ASCERTAIN WHETHER THE FUND HAS PRODUCED THE RESULTS FOR WHICH IT WAS ESTABLISHED. Sponsors: Senator McDowell and Representative Brady; Senators Torbert, Connor, Bair, Marshall; Representatives Barnes, Smith, Jonkiert, Soles.

The Resolution was considered for adoption under suspension of the necessary rules on motion of Senator McDowell and the roll call vote taken which revealed 18 Senators voting YES and 3 (Cordrey, Holloway, Hughes) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

Completes the "Sunset Legislation".

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On motion of Senator Adams, the Governor's nomination for appointment of Margaret G. Scrivens was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 20 Senators voting YES and 1 (Hughes) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Willard Booth was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 20 Senators voting YES and 1 (Hughes) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Almetia J. Murray was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 20 Senators voting YES and 1 (Hughes) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Dr. David S. Howard, Sr. was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 20 Senators voting YES and 1 (Hughes) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Jeffrey S. Goddess was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 20 Senators voting YES and 1 (Hughes) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Nathan Hayward, III, was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 20 Senators voting YES and 1 (McDowell) ABSENT; therefore, the appointment was declared confirmed.

At 2:26 a.m., July 1, the Senate recessed for a short period on motion of Senator Sharp and reconvened at 3:06 a.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Insurance and Elections Committee: SB 645 - 3 Merits; HB 792 - 3 Merits.

From the Judiciary Committee: HB 594 - 4 Merits; HB 650 - 4 Merits; HB 652 - 4 Merits; HB 729 - 4 Merits; HB 787 - 4 Merits; HJR 21 w HAI - 4 Merits.

From the Administrative Services/Energy Committee: HB 582 w HA 1 - 5 Merits; HB 571 - 4 Merits.

From the Finance Committee: HB 754 w HA 1, 2 - 4 Merits; HB 693 w HA 1 - 4 Merits.  
At 3:08 a.m., Lt. Governor Castle presiding.  
The following communication from the President Pro Tempore was read:

SENATE  
STATE OF DELAWARE  
DOVER, DELAWARE

June 30, 1982

TO: All Members of the Senate of the 131st General Assembly  
FROM: Richard S. Cordrey, President Pro Tempore  
RE: Senate Concurrent Resolution No. 139

As per the authority invested in me accorded by Senate Concurrent Resolution No. 139, I hereby appoint: Senator James Vaughn and Senator Robert Connor to serve as members of the State Corrections Officers Pension Review Committee.

\* \* \* \* \*

SB 656 was introduced and assigned to Revenue and Taxation Committee:  
SB 656 - AN ACT TO REVISE THE DELAWARE STATE INCOME TAX LAW TO ALLOW A TAX CREDIT TO INVESTORS IN CONDOMINIUMS WHO LEASE UNITS TO ELDERLY TENANTS. Sponsor: Senator McDowell.

The Secretary announced that a message from the House informed the Senate that it had passed SB 97 w SA 1, 2, 3, 4; SB 575; SB 598; SB 602; SB 574 w SA 1; SB 618 w SA 1, HA 1; HS 1 for HB 186 w HA 1; HB 771 w HA 1, 2; HB 445; SB 647; HB 648; HB 702 w HA 1 HB 704; SB 554; SB 635; SB 579 w SA 1; SB 469 w SA 1 and adopted HCR 208; HCR 202; HCR 203; HCR 204; HCR 205; HCR 206; HCR 207; SCR 153; SCR 154; SCR 155; SCR 156; SCR 157.

On motion of Senator Zimmerman, the roll call vote on HB 694 w SA 1 was lifted and announced:

YES: Senators Adams, Citro, Connor, Cordrey, Holloway, Hughes, Littleton, Marshall, Sharp, Torbert, Zimmerman - 11.

NO: Senators Arnold, Bair, Berndt, Cook, Knox, Martin, McBride, McDowell, Neal, Vaughn - 10.

Therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

SJR 40 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Adams:

SJR 40 - ESTABLISHING AN ALUMINUM CONTAINER MONITORING COMMITTEE TO EVALUATE THE IMPACT OF ALUMINUM CAN EXEMPTION TO THE BOTTLE LAW ON THE ECONOMIC AND ENVIRONMENTAL CLIMATE IN DELAWARE. Sponsors: Senators Adams, Bair, Cordrey, Littleton.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Sharp, Torbert, Zimmerman - 16.

NO: Senators Martin, McBride, Neal - 3.

NOT VOTING: Senators McDowell and Vaughn - 2.

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

On motion of Senator Cordrey, SB 618 w SA 1 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 1.

The roll call vote on SB 618 w SA 1, HA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

On motion of Senator Cook, the necessary rules were suspended to lift SB 650 from the table for consideration:

SB 650 - AN ACT TO PROVIDE FOR A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF ECONOMIC SERVICES FOR THE PURPOSE OF AN EMERGENCY CONCERNING MEDICAID FUNDS FOR STATE AND NON-STATE INSTITUTIONS.

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

On motion of Senator Cook, the necessary rules were suspended to lift HB 517 w HA 1 from the table for consideration:

HB 517 w HA 1 - AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO CREDITING OF INTEREST TO LOCAL SCHOOL DISTRICTS FUNDS.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cook and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cook and the roll call vote taken which revealed 18 Senators voting YES, 1 (Connor) NOT VOTING, and 2 (Littleton and Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on HB 517 w HA 1, SA 1, 2 was then taken and revealed 20 Senators voting YES and 1 (Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendments.

HB 790 was lifted from the table for consideration on motion of Senator Torbert:

**HB 790 - AN ACT TO AMEND TITLE 16, CHAPTER 66 OF THE DELAWARE CODE, RELATING TO THE APPOINTMENT AND AUTHORITY OF THE STATE FIRE PREVENTION COMMISSION.**

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

HB 753 was taken up for consideration on motion of Senator Sharp:

**HB 753 - AN ACT TO AMEND CHAPTER 5, SUBCHAPTER III, SUBPART I, TITLE 11 OF THE DELAWARE CODE TO MAKE IT A CRIME TO FRAUDULENTLY RECEIVE PUBLIC LANDS.**

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

HB 437 w HA 1, 2 was taken up for consideration on motion of Senator Torbert:

**HB 437 w HA 1, 2 - AN ACT TO AMEND PART III, SUBCHAPTER IX, CHAPTER 41, TITLE 21, DELAWARE CODE, RELATING TO MANDATORY REVOCATION OF DRIVER'S LICENSE FOR POSSESSION OF CONTROLLED SUBSTANCE WHILE OPERATING A VEHICLE.**

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

The roll call vote on the Bill was taken and revealed 17 Senators voting YES and 4 (Cook, Holloway, Knox, Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 777 w HA 1 was taken up for consideration on motion of Senator Torbert:

**HB 777 w HA 1 - AN ACT TO AMEND CHAPTER 27 OF TITLE 21 OF THE DELAWARE CODE RELATING TO MANDATORY REVOCATION OF LICENSE.**

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

HB 433 was taken up for consideration on motion of Senator Cordrey:

**HB 433 - AN ACT TO AMEND CHAPTER 22, TITLE 25 OF THE DELAWARE CODE RELATING TO UNIT PROPERTIES; AND PROVIDING FOR AN AMOUNT OF INTEREST TO BE CHARGED ON CERTAIN ASSESSMENTS.**

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Cook, Neal, Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 662 was taken up for consideration on motion of Senator Adams:

**HB 662 - AN ACT TO AMEND CHAPTER 5, TITLE 31, DELAWARE CODE RELATING TO NON-TRANSFERABILITY OF ASSISTANCE GRANTED UNDER THIS CHAPTER.**

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

HB 32 was taken up for consideration on motion of Senator Adams:

**HB 32 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE LENGTH OF LEGISLATIVE SESSIONS.**

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Hughes, Knox, Littleton, Neal - 10

NO: Senators Cook, Cordrey, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 10.

ABSENT: Senator Holloway - 1.

Therefore, the Bill was declared defeated.

HB 366 w HA 1, 2 was taken up for consideration on motion of Senator McDowell:

**HB 366 w HA 1, 2 - AN ACT TO AMEND TITLES 24 AND 28 OF THE DELAWARE CODE IMPLEMENTING RECOMMENDATIONS OF THE SUNSET COMMITTEE RELATING TO CERTAIN STATE BOARDS AND COMMISSIONS.**

The roll call vote on the Bill was taken and revealed 18 Senators voting YES, 1 (Hughes) NOT VOTING and 2 (Citro and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 598 was taken up for consideration on motion of Senator McDowell:

**HB 598 - AN ACT TO AMEND CHAPTER 51, TITLE 25 OF THE DELAWARE CODE RELATING TO TERMINATION OF A RENTAL AGREEMENT.**

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

The roll call vote on HB 598 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Citro and Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

HB 424 was taken up for consideration on motion of Senator Sharp:

**HB 424 - AN ACT TO AMEND CHAPTER 42, TITLE 11 OF THE DELAWARE CODE RELATING TO THE SENTENCE FOR RAPE IN THE FIRST DEGREE.**

At 4:19 am., Senator Cordrey presiding.  
SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator McBride and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Cordrey, Knox, Littleton, Marshall, Martin, McBride, Sharp, Vaughn - 14.

NO: Senators Neal and Torbert - 2.

NOT VOTING: Senators Holloway and McDowell - 2.

ABSENT: Senators Citro, Hughes, Zimmerman - 3.

Therefore, the Amendment was declared adopted.

The roll call vote on HB 424 w SA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Hughes, Littleton, Martin, McBride, Sharp, Vaughn - 14.

NO: Senators Marshall, Neal, Torbert, Zimmerman - 4.

NOT VOTING: Senators Holloway, Knox, McDowell - 3.

Therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

HB 724 was taken up for consideration on motion of Senator Torbert:

HB 724 - AN ACT TO AMEND CHAPTER 44, TITLE 21 OF THE DELAWARE CODE, RELATING TO THE TOWING OF ABANDONED VEHICLES FROM PRIVATE PROPERTY.

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

YES: Senators Adams, Arnold, Citro, Connor, Cook, Holloway, Knox, Littleton, Marshall, Martin, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 16.

NO: Senators Cordrey, McBride - 2.

ABSENT: Senators Bair, Berndt, Hughes - 3.

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

HB 585 was taken up for consideration on motion of Senator Sharp:

HB 585 - AN ACT TO AMEND SECTION 5201(b), TITLE 29, DELAWARE CODE, TO CLARIFY ELIGIBILITY FOR HEALTH CARE INSURANCE COVERAGE.

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

HS 1 for HB 508 was taken up for consideration on motion of Senator Sharp:

HS 1 for HB 508 - AN ACT TO AMEND SUBCHAPTER 1, CHAPTER 1, TITLE 13, DELAWARE CODE RELATING TO SOLEMNIZATION OF MARRIAGES.

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

HB 686 was taken up for consideration on motion of Senator Cordrey:

HB 686 - AN ACT TO AMEND CHAPTER 83, TITLE 29, DELAWARE CODE, TO DESIGNATE THE SECRETARY OF FINANCE AS AN EX-OFFICIO MEMBER OF THE BOARD OF PENSION TRUSTEES IN PLACE OF THE BUDGET DIRECTOR.

At the request of Senator Cordrey, Senator Sharp floor-managed the Bill.

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

HB 616 was taken up for consideration on motion of Senator Marshall:

HB 616 - AN ACT TO AMEND CHAPTER 55, TITLE 25 OF THE DELAWARE CODE RELATING TO NOTICE OF RENT INCREASES.

SA 1 to the Bill which had been placed with the Bill, was stricken at the request of the sponsor, Senator Torbert.

The roll call vote on the Bill was taken and revealed 13 Senators voting YES and 8 (Arnold, Bair, Berndt, Cook, Holloway, Hughes, Neal, Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 626 was taken up for consideration on motion of Senator Marshall:

HB 626 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, TO ELIMINATE THE FINING OF PUBLIC EMPLOYEES AS A DISCIPLINARY MEASURE AND THE REQUIREMENT THAT PUBLIC EMPLOYEES WORK WITHOUT THEIR USUAL REMUNERATION.

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

YES: Senators Arnold, Berndt, Citro, Connor, Cordrey, Knox, Littleton, Marshall, McBride, McDowell, Neal, Sharp, Torbert, Vaughn - 14.

NO: Senators Adams, Cook, Zimmerman - 3.

ABSENT: Senators Bair, Holloway, Hughes, Martin - 4.

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

HB 451 w HA 1 was taken up for consideration on motion of Senator McDowell:

HB 451 w HA 1 - AN ACT TO AMEND CHAPTER 1, TITLE 4 OF THE DELAWARE CODE REDEFINING THE WORD "RESTAURANT".

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Vaughn - 18.



NO: Senator Zimmerman - 1.

NOT VOTING: Senator Torbert - 1.

ABSENT: Senator Hughes - 1.

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

HB 390 w HA 1 was taken up for consideration on motion of Senator Cook:

HB 390 w HA 1 - AN ACT TO AMEND CHAPTER 63 OF TITLE 29, DELAWARE CODE, RELATING TO UNEMPLOYMENT INSURANCE FOR STATE EMPLOYEES AND OTHER EMPLOYMENT COSTS.

SA 1 to the Bill was introduced by Senator Cook and considered for adoption on her motion. The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Holloway and Hughes) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on HB 390 w HA 1, SA 1 was then taken and revealed:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn - 17.

NO: Senators Adams and Zimmerman - 2.

ABSENT: Senators Holloway and Hughes - 2.

Therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

HB 789 w HA 1 was taken up for consideration on motion of Senator Marshall:

HB 789 w HA 1 - AN ACT TO AUTHORIZE AND EMPOWER THE GOVERNOR AND THE SECRETARY OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO TRANSFER CERTAIN LANDS SITUATED IN DAGSBORO HUNDRED, SUSSEX COUNTY, STATE OF DELAWARE TO THE VETERANS AFFAIRS COMMISSION FOR THE PURPOSE OF ESTABLISHING A VETERANS CEMETERY.

The privilege of the floor was extended to Henry Ridgely (Senate Attorney) after which the Bill was laid on the table on motion of Senator Marshall.

HB 741 w HA 1 was taken up for consideration on motion of Senator Marshall:

HB 741 w HA 1 - AN ACT TO AMEND CHAPTER 100, TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC LIBRARY RECORDS.

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

HB 782 was taken up for consideration on motion of Senator Marshall:

HB 782 - AN ACT TO AMEND CHAPTER 65, PART III, TITLE 25 OF THE DELAWARE CODE RELATING TO THE LANDLORD-TENANT CODE; AND PROVIDING FOR THE RESERVATION OF RENTAL UNITS FOR USE BY SENIOR CITIZENS.

The roll call vote on the Bill was taken and revealed 17 Senators voting YES and 4 (Arnold, Hughes, Neal, Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 741 w HA 1 was lifted from the table for consideration on motion of Senator Marshall and the roll call vote taken which revealed 19 Senators voting YES and 2 (Hughes and Neal) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 701 was taken up for consideration on motion of Senator Marshall:

HB 701 - AN ACT TO AMEND CHAPTER 23, TITLE 19 OF THE DELAWARE CODE RELATING TO HEARINGS OF THE INDUSTRIAL ACCIDENT BOARD; NOTICE OF AWARDS.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Hughes, Marshall, Neal) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HCR 35 was taken up for consideration on motion of Senator Adams:

HCR 35 - NOTIFYING THE COUNCIL OF STATE GOVERNMENTS THAT THE DELAWARE GENERAL ASSEMBLY WISHES TO CHANGE ITS AFFILIATION FROM THE EASTERN TO THE SOUTHERN REGIONAL OFFICE.

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

YES: Senators Citro, Marshall, Sharp - 3.

NO: Senators Adams, Bair, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Martin, McBride, McDowell, Neal, Torbert, Vaughn, Zimmerman - 16.

NOT VOTING: Senator Arnold - 1.

ABSENT: Senator Hughes - 1.

Therefore, the Resolution was declared defeated.

HB 413 w HA 1, 2, 3, 4 was taken up for consideration on motion of Senator Adams:

HB 413 w HA 1, 2, 3, 4 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE BY ADDING A CHAPTER 76 THERETO RELATING TO REGISTRATION OF LIVESTOCK DEALERS.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Hughes, Marshall, Neal) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 669 w HA 1, 2 was taken up for consideration on motion of Senator Torbert:

HB 669 w HA 1, 2 - AN ACT TO AMEND TITLE 21, DELAWARE CODE, RELATING TO FARM EQUIPMENT BEING MOVED ON THE HIGHWAYS.

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

HB 789 w HA 1 was taken up for consideration on motion of Senator Marshall:

HB 789 w HA 1 - AN ACT TO AUTHORIZE AND EMPOWER THE GOVERNOR AND THE SECRETARY OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO TRANSFER CERTAIN LANDS SITUATED IN DAGSBORO HUNDRED, SUSSEX COUNTY, STATE OF DELAWARE TO THE VETERANS AFFAIRS COMMISSION FOR THE PURPOSE OF ESTABLISHING A VETERANS CEMETERY.

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

YES: Senators Adams, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Littleton, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 13.

NO: Senators Arnold, Knox, Neal - 3.

NOT VOTING: Senator Bair - 1.

ABSENT: Senator Hughes - 1.

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

HB 754 w HA 1, 2 was taken up for consideration on motion of Senator Cook:

HB 754 w HA 1, 2 - AN ACT TO AMEND TITLE 19, DELAWARE CODE, RELATING TO UNEMPLOYMENT COMPENSATION.

The privilege of the floor was extended to Secretary of Labor, Dennis Carey, after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

On motion of Senator Zimmerman, the necessary rules were suspended to lift HS 1 for HB 711 from the table for consideration:

HS 1 for HB 711 - AN ACT TO AMEND SECTION 422(b), SUBCHAPTER II, CHAPTER 4, TITLE 29, DELAWARE CODE, RELATING TO THE CARE OF STATE PROPERTY.

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

HB 693 w HA 1 was taken up for consideration on motion of Senator Cook:

HB 693 w HA 1 - AN ACT TO AMEND CHAPTERS 21, 23 AND 29 OF TITLE 30 OF THE DELAWARE CODE TO PROVIDE FOR LICENSING AND GROSS RECEIPTS TAXATION OF NURSERIES AS FARMS, RETAILERS, OR WHOLESALERS, AS APPLICABLE, AND TO MAKE RELATED CHANGES.

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

SB 537 was taken up for consideration on motion of Senator Adams:

SB 537 - AN ACT TO AMEND CHAPTER 29 OF TITLE 6 OF THE DELAWARE CODE, RELATING TO RETAIL SALES OF MOTOR FUEL.

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

YES: Senators Adams, Bair, Berndt, Citro, Knox, Littleton, Martin, Zimmerman - 8.

NO: Senators Connor, Cook, Cordrey, Marshall, McBride, McDowell, Neal, Sharp, Vaughn - 9.

NOT VOTING: Senators Arnold, Holloway, Torbert - 3.

ABSENT: Senator Hughes - 1.

Therefore, the Bill was declared defeated.

HB 582 w HA 1 was taken up for consideration on motion of Senator McDowell:

HB 582 w HA 1 - AN ACT TO AMEND CHAPTER 31, TITLE 6, OF THE DELAWARE CODE RELATING TO UNINCORPORATED ASSOCIATIONS.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Bair, Hughes, Marshall) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

Senator Holloway moved that the necessary rules be suspended for consideration of HB 515; however, the Senator then removed his motion.

HB 691 was taken up for consideration on motion of Senator Holloway:

HB 691 - AN ACT TO AMEND CHAPTER 35, TITLE 24 OF THE DELAWARE CODE RELATING TO MANDATORY CONTINUING EDUCATION FOR PSYCHOLOGISTS AS A PREREQUISITE FOR LICENSE RENEWAL.

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

HB 329 w HA 1 was lifted from the table for consideration on motion of Senator Sharp:

HB 329 w HA 1 - AN ACT TO AMEND CHAPTER 7, TITLE 19 OF THE DELAWARE CODE RELATING TO EMPLOYMENT PRACTICES AND POLYGRAPH EXAMINATIONS.

SA 2 to the Bill which had been placed with the Bill was considered for adoption on motion of Senator Citro and the roll call vote taken which revealed:

YES: Senators Adams, Bair, Berndt, Citro, Connor, Cook, Cordrey, Knox, Littleton, Marshall, Martin, McBride, McDowell, Vaughn - 14.

NO: Senators Arnold, Neal, Zimmerman - 3.

NOT VOTING: Senators Holloway, Sharp, Torbert - 3.

ABSENT: Senator Hughes - 1.

Therefore, the Amendment was declared adopted.

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

YES: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, Neal, Vaughn - 14.

NO: Senators Citro, McBride, McDowell, Sharp, Torbert, Zimmerman - 6.

ABSENT: Senator Hughes - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on HB 329 w HA 1, SA 2, 3 was then taken and revealed:

YES: Senators Arnold, Berndt, Neal, Vaughn - 4.

NO: Senators Adams, Bair, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Zimmerman - 16.

ABSENT: Senator Hughes 1.

Therefore, the Bill was declared defeated.

HB 571 was taken up for consideration on motion of Senator McDowell:

HB 571 - AN ACT TO AMEND SECTION 2220, CHAPTER 22, TITLE 25, DELAWARE CODE, BY REQUIRING CONDOMINIUM CONVERSIONS TO CONFORM TO SUBDIVISION AND ZONING REGULATIONS.

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

HB 445 was taken up for consideration on motion of Senator Holloway:

HB 445 - AN ACT TO AMEND DELAWARE CODE, CHAPTER 13, TITLE 14 AS IT RELATES TO THE SALARY'S SCHEDULE OF EDUCATION SERVICES TO PERSONS WHO ARE DEAF-BLIND.

The privilege of the floor was extended to Sheila Gorrafa (Delaware Program for the Deaf-Blind) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

Senator Holloway moved that the necessary rules be suspended to consider SJR 38; however, the Senator then withdrew his motion.

On motion of Senator McDowell, the necessary rules were suspended to lift SB 668 from the table for consideration:

SB 668 - AN ACT TO AMEND AN ACT ENTITLED, "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1983; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS", BEING SENATE SUBSTITUTE NO. 1 FOR SENATE BILL NO. 606 OF THE 131ST GENERAL ASSEMBLY OF THE STATE OF DELAWARE. Sponsors: Senators McDowell, Bair, Holloway, Cook, Arnold, Berndt, Citro, Connor, Hughes, Knox, Littleton, Marshall, McBride, Neal, Torbert, Vaughn, Zimmerman; Representative Burris.

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

On motion of Senator Holloway, the necessary rules were suspended for the introduction and consideration of SJR 38

SJR 38 - REQUESTING THE COLLEGE OF URBAN AFFAIRS OF THE UNIVERSITY OF DELAWARE, THROUGH ITS URBAN AGENT DIVISION AND THE UNITED WAY OF DELAWARE, TO UNDERTAKE A JOINT STUDY OF GRANTS-IN-AID SOCIAL SERVICE AGENCIES IN NEW CASTLE COUNTY AND TO PRESENT ITS RECOMMENDATIONS TO THE MEMBERS OF THE 132ND GENERAL ASSEMBLY. Sponsors: Senators Holloway, Berndt, Cook, Hughes, McBride, Vaughn; Representatives Bennett, Corrozi, Derrickson, Gilligan, Jonkiert, Petrilli, Sincock, Smith, Soles.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES, 1 (Sharp) voting NO and 2 (Hughes and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SB 485 w SA 1 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 2, 3 on motion of Senator Sharp.

The roll call vote on SB 485 w SA 1, HA 2, 3 was then taken and revealed 18 Senators voting YES and 3 (Holloway, Hughes, Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SR 109 was lifted from the table for consideration on motion of Senator McDowell:

SR 109 - CONTINUING THE AD HOC SENATE COMMITTEE ON DELIVERY OF SERVICES TO CHILDREN AND YOUTH AND AUTHORIZING THE COMMITTEE TO ESTABLISH AND APPOINT AN ADVISORY COMMITTEE. Sponsors: Senators McDowell, Bair, Connor, Marshall, Vaughn.

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

HB 571 was lifted from the table for consideration on motion of Senator McDowell.

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

The roll call vote on HB 571 w SA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Martin, McBride, Neal, Sharp, Torbert, Vaughn, Zimmerman - 18.

NO: Senators Marshall and McDowell - 2.

ABSENT: Senator Hughes - 1.

Therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

HB 515 w HA 1 was taken up for consideration on motion of Senator Holloway:

HB 515 w HA 1 - AN ACT TO AMEND CHAPTER 3, TITLE 31 OF THE DELAWARE CODE BY ADDING A NEW SUBCHAPTER RELATING TO INFANTICIDE.

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

YES: Senators Connor, Littleton, Marshall - 3.

NO: Senators Adams, Bair, Cook, Cordrey, Holloway, Knox, Martin, McBride, Neal, Torbert, Vaughn, Zimmerman - 12.

NOT VOTING: Senators Berndt and Sharp - 2.

ABSENT: Senators Arnold, Citro, Hughes, McDowell - 4.

Therefore, the Bill was declared defeated.

On motion of Senator Littleton, the necessary rules were suspended for the introduction and consideration of HB 811:

HB 811 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO FRANCES W. FARLOW, AUTHORIZING TRANSFER OF MONIES INTO THE SPECIAL PENSION FUND AUTHORIZED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE, AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE. Sponsors: Representative Cordrey; Senators Adams and Littleton.

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

YES: Senators Adams, Arnold, Berndt, Citro, Connor, Cook, Holloway, Knox, Littleton, Marshall, Martin, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 17.

NO: Senators Cordrey and McBride - 2.

ABSENT: Senators Bair and Hughes - 2.

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

On motion of Senator Littleton, the necessary rules were suspended for the introduction and consideration of HB 812:

HB 812 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO MARY MEARS, WIDOW OF HENRY DALE MEARS, SR., A FORMER STATE EMPLOYEE, DIRECTING TRANSFER OF MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE, AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE. Sponsors: Representative Cordrey; Senators Adams and Littleton.

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

YES: Senators Adams, Arnold, Berndt, Citro, Connor, Cook, Holloway, Littleton, Marshall, Martin, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 16.

NO: Senators Cordrey, Knox, McBride - 3.

ABSENT: Senators Bair and Hughes - 2.

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

HCR 199 was lifted from the table for consideration on motion of Senator Arnold:

HCR 199 - WELCOMING THE JEUGDFANFARE, A BELGIAN BAND WITH MAJORETTES, WHICH WILL PERFORM IN DELAWARE JULY 15TH TO JULY 30TH, 1982.

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

At 6:30 a.m. on motion of Senator Sharp, the Senate recessed to await the Bond Bill from the House.

The Senate reconvened at 6:40 a.m., Senator Cordrey presiding.

On motion of Senator Holloway, the necessary rules were suspended for the introduction and consideration of HJR 29:

HJR 29 - EXPRESSING THE INTEREST OF THE STATE OF DELAWARE IN THE ESTABLISHMENT OF A VETERANS' CEMETERY IN THE STATE. Sponsors: Representatives Barnes, Cathcart, Edwards, Dixon, Jester, Cordrey, Spence, Plant, Mack, Riddagh, Derrickson, Burris; Senators Hughes and Holloway.

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

Senator Cook yielded to Senator Berndt on whose motion the necessary rules were suspended for consideration of HB 581 w HA 1, 2:

HB 581 w HA 1, 2 - AN ACT TO AMEND PART V, TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION; ESTABLISHING ANNUAL TEACHER-OF-THE-YEAR AWARDS. Sponsors: Representatives Free, Brady, VanSciver, Buckworth, Mack, Soles, Fallon, Spence, Gilligan, Jester, Barnes; Senators Neal, Bair, Connor, Arnold, Martin.

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

HCR 208 was introduced and considered for adoption on motion of Senator Cook:

HCR 208 - ESTABLISHING A JOINT AD HOC GRANT-IN-AID REFORM COMMITTEE. Sponsors: Representatives Smith, Soles, Bennett, Corrozi, Derrickson, Gilligan, Jonkiert, Petrilli, Sincok; Senators Berndt, Cook, Holloway, Hughes, McBride, Vaughn.

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

HB 809 w HA 1 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Cook:

HB 809 w HA 1 - A BOND ACT OF THE STATE OF DELAWARE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; HIGHWAY REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY PAYABLE FROM MOTOR FUEL TAX REVENUES AND ANNUAL MOTOR CARRIER REGISTRATION FEES, PLEDGING SUCH REVENUES AND FEES TO THE SUPPORT OF ALL BONDS ISSUED BY THE DELAWARE TRANSPORTATION AUTHORITY, AUTHORIZING THE TRANSFER FROM THE DELAWARE TRANSPORTATION AUTHORITY TO THE STATE GENERAL FUND A SUM EQUAL TO ANNUAL MOTOR CARRIER REGISTRATION FEES LEVIED AT THREE DOLLARS PER ANNUM, RAISING VARIOUS MOTOR CARRIER REGISTRATION FEES AND FINES FOR NONCOMPLIANCE; AUTHORIZING THE DELAWARE ECONOMIC DEVELOPMENT AUTHORITY TO ISSUE BONDS AND CREATING THE DELAWARE DEVELOPMENT CORPORATION IN SUPPORT OF SMALL BUSINESSES; MAKING CHANGES TO THE DELAWARE CODE TO PERMIT THE DELAWARE STATE HOUSING AUTHORITY TO CONTINUE ISSUING REVENUE BONDS PAYABLE FROM VARIOUS SOURCES; DEAUTHORIZING CERTAIN GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING SURPLUS BALANCES IN CERTAIN SPECIAL FUNDS OF THE STATE AND THE DELAWARE TRANSPORTATION AUTHORITY AND PLACING CERTAIN CONDITIONS ON THOSE APPROPRIATIONS; AND MAKING CERTAIN ADDITIONAL CHANGES TO THE DELAWARE CODE APPLICABLE TO THE ISSUANCE OF BONDS BY THE STATE AND CERTAIN OF ITS AUTHORITIES. Sponsors: Representatives Powell, Cathcart, George, Minner, Roy; Senators Cook, Berndt, Martin, Neal, Sharp.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 18.

NOT VOTING: Senator Neal - 1.

ABSENT: Senators Hughes and Littleton - 2.

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

At 6:50 a.m., July 1, 1982, the Senate recessed to the call of the President Pro Tempore on motion of Senator Sharp.

The following letters of veto from the Governor were received by the Secretary of the Senate during the recess:

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER

July 2, 1982

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

I am returning without my signature Senate Bill No. 489 as amended by House Amendment No. 1 which I received on June 24, 1982, and which is entitled: "AN ACT TO AMEND CHAPTER 71, TITLE 7 OF THE DELAWARE CODE TO PROVIDE FOR EXEMPTIONS UNDER CERTAIN CIRCUMSTANCES FROM THE NOISE CONTROL LAW."

Because substantially similar exemptions pertaining to farming vehicles and fire sirens are contained in Senate Bill No. 600 as amended by Senate Amendment No. 1, the new Noise Control and Abatement Act, this legislation is unnecessary. Accordingly, I am returning Senate Bill No. 489 as amended by House Amendment No. 1 without my signature.

Respectfully submitted,

Pierre S. duPont, IV, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER

July 2, 1982

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

I am returning without my signature Senate Substitute No. 1 for Senate Bill No. 203 which I received on June 23, 1982 and which is entitled: "AN ACT TO AMEND TITLE 7, DELAWARE CODE RELATING TO THE ESTABLISHMENT OF PUBLIC POLICY IN PROMOTING THE DISCOVERY, DEVELOPMENT, PRODUCTION AND REGULATION OF GEOTHERMAL RESOURCES IN THE STATE OF DELAWARE."

This bill would create an extensive licensing and regulatory system in the Department of Natural Resources and Environmental Control which would govern the commercial development of geothermal energy resources in Delaware.

Although a worthy objective of the bill is to clarify Delaware law regarding commercial rights in a potential natural resource, I am returning the bill unsigned because I believe it may well inadvertently impede commercial development of a potential energy resource which could benefit all Delawareans. The regulatory framework and licensing scheme required by this bill would likely create disincentives for small developers interested in exploring for alternative energy sources in Delaware. We need to reduce bureaucratic barriers to the entry of new commercial ventures in the Delaware economy, particularly with regard to the energy market.

Finally, I note that the bill would declare all geothermal resources under lands in Delaware to be owned in trust by the State; furthermore, it grants the State automatic royalty rights of three percent of the gross value of any geothermal resource production. This aspect of the bill seriously jeopardizes legitimate property rights of Delaware landowners, depriving them of existing ownership rights to resources underneath, as well as on, the surface of land. Moreover, I understand that this aspect of the bill would probably require certifications of title and title insurance policies issued in Delaware to except subsurface geothermal resources. Such an exception might well be unattractive to commercial lenders and might impede real estate transactions or force title insurance companies to accept the risk of removing such an exception, with attendant higher title insurance fees. I believe that Delaware landowners would be understandably upset over the contraction of their property rights and the potential title certification problems which would accompany enactment of this bill into law.

For these reason, I return Senate Substitute No. 1 for Senate Bill No. 203 unsigned.

Respectfully submitted,  
Pierre S. duPont, IV, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
July 23, 1982

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

Senate Bill No. 663 as amended by Senate Amendment No. 1, entitled "AN ACT TO AMEND TITLE 24 AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE BOARD OF ARCHITECTS," was received on July 13, 1982.

The bill recommends certain changes in the structure and authority of the Board of Architects.

I am returning the bill without my signature because it has a number of flaws, including contradictory references to the size of the Board; misnumbering of new statutory sections; and ambiguities in the definitions of essential terms or phrases used in the bill, to name only a few.

Since these problems are beyond the authority of the Code Revisors, they require the Sunset Committee's careful and expeditious attention. In this regard, I am advised that the present Board of Architects looks forward to cooperating and working with the Committee in revising the bill. Accordingly, I return unsigned Senate Bill No. 663 as amended by Senate Amendment No. 1.

Respectfully submitted,  
Pierre S. duPont, IV, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
July 23, 1982

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

I am returning without my signature Senate Bill No. 662 which I received on July 13, 1982, entitled: "AN ACT TO AMEND CHAPTERS 64 AND 86 OF TITLE 29, DELAWARE CODE, RELATING TO THE DIVISION OF CONSUMER AFFAIRS AND THE COUNCIL ON CONSUMER AFFAIRS."

This bill relates to the operations of the Division of Consumer Affairs, requiring the Division to conform to the Administrative Procedures Act and defining its objectives.

I am withholding my signature from Senate Bill No. 662 because it mistakenly defines agency objectives which exceed the authority and powers expressly conferred on the Division by Statute. The bill articulates objectives which are apt for an occupational and licensing board, but they are not coincident with the stated powers of the Division of Consumer Affairs.

For example, the bill would oblige the Division to maintain minimum standards of competency and to maintain certain standards in the delivery of services to the public, especially those who are direct recipients of services under the Division. However, the Division's enabling statute confers only general powers to obtain cease and desist orders regarding deceptive practices, but does not mention powers relating to standards of competency or practice. Nor does the statute confer powers with respect to setting or establishing criteria for the delivery of services. And the Division is not really associated with the delivery of services or the regulations thereof, except to the extent that cease and desist orders may affect such services. Thus, the bill's definition of objectives are not apt for an enforcement agency like the Division of Consumer Affairs.

Finally, I note that the Division already substantially complies with the Administrative Procedures Act by virtue of a recent opinion of the Delaware Superior Court and on advice of the Department of Justice.

For these reasons I return Senate Bill 662 unsigned.

Respectfully submitted,  
Pierre S. duPont, IV, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
July 23, 1982

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

I am returning without my signature Senate Bill No. 658 which I received on July 13, 1982, and which is entitled: "AN ACT TO AMEND TITLE 29, DELAWARE CODE, RELATING TO ABOLISHMENT OF THE COUNCIL ON STATE BUILDINGS, THE COUNCIL ON CONSTRUCTION POLICY AND THE COUNCIL ON POULTRY PROMOTION."

Because House Bill No. 421, passed earlier in the legislative session and signed into law on February 8, 1982, abolished the Councils on State Buildings and Construction Policy, Senate Bill No. 658 is unnecessary. Moreover, this bill would abolish the newly created Divisions of Purchasing and Support Operations in the reorganized Department of Administrative Services, which I do not believe the General Assembly intended or realized.

I have no objection to abolishment of the Council on Poultry Promotion and encourage the sponsors of this bill to develop legislation tailored carefully to that end. For the foregoing reasons, I return Senate Bill No. 658 unsigned.

Respectfully submitted,  
Pierre S. duPont, IV, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
July 23, 1982

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

On July 13, 1982, I received Senate Bill No. 657 which is entitled: "AN ACT TO AMEND TITLE 24 AND TITLE 29 OF THE DELAWARE CODE RELATING TO PODIATRY; AND PROVIDING FOR A BOARD OF PODIATRY."

The synopsis advertises this bill as a procedural reorganization of the Podiatry Practice Act and a restructuring of the Board of Podiatry Examiners. Actually the bill includes a substantive provision which redefines the scope of podiatry practice in Delaware, effectively reducing the permissible reach of applied podiatric treatment. Because this substantive redefinition exceeds the stated purposes of the bill I am concerned that it was not within the contemplation of the General Assembly when the legislation was acted upon. Furthermore, the bill will likely result in confusion and misunderstanding in the practice of podiatric medicine because of the ambiguity and doubt surrounding the redefinition of the practice of podiatric medicine.

I hope this problem can be resolved by the next General Assembly early in its First Session. Moreover, I am advised that the Board of Podiatry Examiners is prepared to cooperate with the legislature in reworking the bill.

Accordingly, I return herewith Senate Bill No. 657 without my signature.

Respectfully submitted,  
Pierre S. duPont, IV, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
July 23, 1982

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

On July 13, 1982, I received Senate Bill No. 649, which is entitled: "AN ACT TO INSURE THAT A FINANCIAL PLAN FOR POST-RETIREMENT INCREASES FOR RETIRED STATE EMPLOYEES WILL BE INCLUDED IN THE FISCAL 1984 BUDGET."

This bill would require me to include a plan for post-retirement pension increases for retired State employees in the Budget which I will submit according to law on or before February 1, 1983.

Although I am mindful of the circumstances of State retirees living in whole or in part on fixed incomes, I do not believe prudent financial management allows me to anticipate at this early date, as this legislation would have me do, that the State's limited financial resources and other needs would permit the proposed increase. Moreover, sound fiscal policy will not permit a pre-ordained preference for one expenditure program apart from the careful and rational process of total budget review. Every program for the expenditure of public funds must be considered in competition with all alternative programs before being included in the budget which I shall submit to the General Assembly. This legislation would force me to short-circuit the process which I believe is necessary to sound management of public funds.

I do intend, however, to give the issue of post retirement pension increases full and fair consideration in the FY1984 budget process in light of the resources projected at that time and in light of competing uses of public monies.

In summary, because this bill would force a short-circuit of the fair and careful process which is necessary to prudent budgetary policy, I am returning Senate Bill No. 649 without my signature.

Respectfully submitted,  
Pierre S. duPont, IV, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
July 23, 1982

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

I am returning unsigned Senate Bill No. 579 as amended by Senate Amendment No. 1, which I received on July 13, 1982, and which is entitled: "AN ACT TO AMEND CHAPTER 21 OF TITLE 21, DELAWARE CODE, RELATING TO MINIMUM INSURANCE COVERAGE REQUIREMENTS FOR ALL MOTOR VEHICLES REGISTERED IN THIS STATE."



This bill purports to increase Delaware's minimum automobile liability insurance limits as well as the personal injury protection benefits under its no fault law.

However, I am withholding my signature from Senate Bill No. 579 as amended by Senate Amendment No. 1 for two reasons. First, the bill mistakenly amends only the section of Delaware law concerning personal injury benefits and fails to amend the provisions controlling minimum liability limits. Contrary to its avowed purpose, therefore, the bill actually does not increase minimum liability limits and provides no added benefit for the victims of automobile accidents. Second, although the bill increases personal injury protection benefits, it fails to afford drivers and insurance companies a reasonable grace period in which to implement these new coverage requirements. This will likely cause serious confusion over the actual scope of drivers' coverage benefits during the time needed to implement the changes. Moreover, increased personal injury benefits would necessarily entail increased premium rates, even though many drivers do not want for themselves available high protection limits at the cost of higher premiums.

For these reason, I return Senate Bill No. 579 as amended by Senate Amendment No. 1 without my signature.

Respectfully submitted,  
Pierre S. duPont, IV, Governor

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STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER  
July 23, 1982

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

On July 13, 1982, I received Senate Bill No. 393 as amended by Senate Amendment No. 1, entitled: "AN ACT TO ESTABLISH THE DELAWARE MANAGEMENT ADVISORY COMMITTEE WHICH HAS THE RESPONSIBILITY FOR DEVELOPING A COMPREHENSIVE MANAGEMENT PROGRAM FOR DELAWARE STATE GOVERNMENT."

This bill creates a Management Advisory Committee which is broadly charged with the task of developing and monitoring a master management plan for state government. The responsibilities of the Committee are of truly heroic proportions, including review of all prior management studies, review of current operating procedures for all state government, development of a management plan covering all of Delaware, and development of a plan to oversee the management plan.

In addition to my belief that the mandate of this Advisory Committee is far too broadly stated for it ever to be effective, I am mindful of a criticism perhaps most often heard concerning the efficiency of state government - that we have too many advisory committees. I agree with that criticism to the extent that I believe Delaware is not well served by the formation of an advisory committee whose responsibilities are so broad on the one hand and vague on the other that it is doomed to failure.

At the same time I should point out that many of the initiatives referred to in the preamble of this legislation have already been undertaken by state government. Thus, efficiency and productivity in Delaware's government have been enhanced by recent reforms in the State merit system, development and improvement of employee training workshops, programs offering financial rewards for employees who make cost-saving suggestions, increased instances of private sector contracting, and many other proposals. All of these initiatives have been undertaken with some dispatch, rather than being the product of an advisory committee that was required to go through a rather long formative process simply to determine that which it could do or not do as a practical matter.

Accordingly, I return Senate Bill No. 393 as amended by Senate Amendment No. 1 without my signature.

Respectfully submitted,  
Pierre S. duPont, IV, Governor

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Legislative Advisories #42 through #48 received from the Office of Council to the Governor were read which indicated that the Governor took the following action on legislation:

LEGISLATIVE ADVISORY #42:

The Governor signed the following legislation on June 29, 1982: HB 100 w HA 1, SA 1, 2, 3, 4, 5, 6 (Volume 63, Chapter 286, Laws of Delaware); HS 1 for HB 415 w HA 1 (Volume 63, Chapter 287, Laws of Delaware); HB 530 w HA 1 (Volume 63, Chapter 288, Laws of Delaware); HB 570 (Volume 63, Chapter 289, Laws of Delaware); HB 602 w HA 3 (Volume 63, Chapter 290, Laws of Delaware); HB 631 (Volume 63, Chapter 291, Laws of Delaware); HB 632 (Volume 63, Chapter 292, Laws of Delaware); HB 633 w HA 1 (Volume 63, Chapter 293, Laws of Delaware); HB 634 (Volume 63, Chapter 294, Laws of Delaware); HB 635 (Volume 63, Chapter 295, Laws of Delaware); HB 636 w HA 1 (Volume 63, Chapter 296, Laws of Delaware); HB 638 (Volume 63, Chapter 297, Laws of Delaware); HB 639 w HA 1 (Volume 63, Chapter 298, Laws of Delaware); SB 352 w SA 1 (Volume 63, Chapter 299, Laws of Delaware); SB 442 (Volume 63, Chapter 300, Laws of Delaware); SB 452 (Volume 63, Chapter 301, Laws of Delaware); SB 497 (Volume 63, Chapter 302, Laws of Delaware). The Governor signed SJR 33 on June 29; however, no Chapter number was assigned.

LEGISLATIVE ADVISORY #43:

The Governor signed the following legislation on June 30, 1982: HB 309 w HA 1 (Volume 63, Chapter 303, Laws of Delaware); HB 319 w HA 1 (Volume 63, Chapter 304, Laws of Delaware); HB 419 w SA 3 (Volume 63, Chapter 305, Laws of Delaware); HB 450 w HA 1 (Volume 63, Chapter 306, Laws of Delaware); HB 543 w HA 1, SA 1 (Volume 63, Chapter 307, Laws of Delaware); HB 561 w HA 1 (Volume 63, Chapter 308, Laws of Delaware); HB 577 (Volume 63, Chapter 309, Laws of Delaware); HB 600 (Volume 63, Chapter 310, Laws of Delaware); HB 630 (Volume 63, Chapter 311, Laws of Delaware); HB 642 w HA 1 (Volume 63, Chapter 312, Laws of Delaware); HB 735 (Volume 63, Chapter 313, Laws of Delaware); HB 760 (Volume 63, Chapter 314, Laws of Delaware); SB 139 w SA 1, 3, HA 1 (Volume 63, Chapter 315, Laws of Delaware); SB 249 (Volume 63, Chapter 316, Laws of Delaware); SB 322 w SA 1 (Volume 63, Chapter 317, Laws of Delaware); SB 483 w SA 1, HA 2 (Volume 63, Chapter 318, Laws of Delaware); SB 570 w SA 1 (Volume 63, Chapter 319, Laws of Delaware); SB 576 w SA 1 (Volume 63, Chapter 320, Laws of Delaware); SB 577 (Volume 63, Chapter 321, Laws of Delaware); SS 1 for SB 606 (Volume 63, Chapter 322, Laws of Delaware); SB 615 (Volume 63, Chapter 323, Laws of Delaware); SB 647 (Volume 63, Chapter 324, Laws of Delaware). The following is a Constitutional Amendment and does not require the Governor's signature, however, a Chapter number has been assigned: SB 272 w SA 1 (Volume 63, Chapter 325, Laws of Delaware). The following are Resolutions and the Governor signed them on June 30, 1982, however Chapter numbers were not assigned: SJR 36, SJR 37.

LEGISLATIVE ADVISORY #44:

On July 2, 1982, the Governor signed: HB 298 w HA 1 (Volume 63, Chapter 326, Laws of Delaware); HB 299 (Volume 63, Chapter 327, Laws of Delaware); HB 567 w HA 1, 2 (Volume 63, Chapter 328, Laws of Delaware); HB 574 (Volume 63, Chapter 329, Laws of Delaware); SB 288 w HA 2 (Volume 63, Chapter 330, Laws of Delaware); SB 465 (Volume 63, Chapter 331, Laws of Delaware).

On July 6, 1982, the Governor signed HB 747 (Volume 63, Chapter 332, Laws of Delaware).

On July 7, the Governor signed HS 1 for HB 557 w HA 3, 5, 6, 8, 10, 11, 13, 14, 15, 16, 17, 18, 19, 22, SA 1, 10, 12, 14 (Volume 63, Chapter 333, Laws of Delaware); SB 589 w SA 1 (Volume 63, Chapter 334, Laws of Delaware).

The Governor vetoed the following legislation on July 2, 1982: SS 1 for SB 203, SB 489 w HA 1.

LEGISLATIVE ADVISORY #45:

The Governor signed the following legislation on July 8, 1982: HB 275 w HA 1 (Volume 63, Chapter 335, Laws of Delaware); HB 320 w HA 1, SA 1 (Volume 63, Chapter 336, Laws of Delaware); HB 379 w HA 1, 2 (Volume 63, Chapter 337, Laws of Delaware); HB 382 (Volume 63, Chapter 338, Laws of Delaware); HB 383 w HA 1 (Volume 63, Chapter 339, Laws of Delaware); HB 435 w HA 1 (Volume 63, Chapter 340, Laws of Delaware); HB 511 (Volume 63, Chapter 341, Laws of Delaware); HB 551 w HA 1, SA 1 (Volume 63, Chapter 342, Laws of Delaware); HB 612 (Volume 63, Chapter 343, Laws of Delaware); HB 615 (Volume 63, Chapter 344, Laws of Delaware); HB 637 (Volume 63, Chapter 345, Laws of Delaware); HB 656 (Volume 63, Chapter 346, Laws of Delaware); HB 677 (Volume 63, Chapter 347, Laws of Delaware); HB 718 (Volume 63, Chapter 348, Laws of Delaware); HB 764 w HA 1 (Volume 63, Chapter 349, Laws of Delaware); HB 784 (Volume 63, Chapter 350, Laws of Delaware); SS 1 for SB 119 (Volume 63, Chapter 351, Laws of Delaware); SB 392 w SA 3, 4 (Volume 63, Chapter 352, Laws of Delaware); SB 419 w HA 2 (Volume 63, Chapter 353, Laws of Delaware); SB 473 (Volume 63, Chapter 354, Laws of Delaware); SB 505 w SA 1 (Volume 63, Chapter 355, Laws of Delaware); SB 509 w SA 1 (Volume 63, Chapter 356, Laws of Delaware); SB 510 (Volume 63, Chapter 357, Laws of Delaware); SB 511 w SA 1 (Volume 63, Chapter 358, Laws of Delaware); SB 512 (Volume 63, Chapter 359, Laws of Delaware); SB 539 w SA 1, 3 (Volume 63, Chapter 360, Laws of Delaware); SB 554 (Volume 63, Chapter 361, Laws of Delaware); SB 555 (Volume 63, Chapter 362, Laws of Delaware); SS 1 for SB 557 (Volume 63, Chapter 363, Laws of Delaware); SB 558 (Volume 63, Chapter 364, Laws of Delaware); SB 571 w HA 1 (Volume 63, Chapter 365, Laws of Delaware); SB 578 (Volume 63, Chapter 366, Laws of Delaware); SB 580 (Volume 63, Chapter 367, Laws of Delaware); SB 594 (Volume 63, Chapter 368, Laws of Delaware); SB 600 w SA 1 (Volume 63, Chapter 369, Laws of Delaware); SB 604 (Volume 63, Chapter 370, Laws of Delaware); SB 607 (Volume 63, Chapter 371, Laws of Delaware); SB 619 w SA 1, HA 1, 2 (Volume 63, Chapter 372, Laws of Delaware); SB 624 (Volume 63, Chapter 373, Laws of Delaware); SB 632 w SA 1 (Volume 63, Chapter 374, Laws of Delaware); SB 633 (Volume 63, Chapter 375, Laws of Delaware); SB 635 (Volume 63, Chapter 376, Laws of Delaware). The following is a Constitutional Amendment and does not require the Governor's signature: SB 605 (Volume 63, Chapter 377, Laws of Delaware).

LEGISLATIVE ADVISORY #46:

On July 8, the Governor signed: HB 725 w SA 1 (Volume 63, Chapter 378, Laws of Delaware); SB 267 w SA 1, HA 1 (Volume 63, Chapter 379, Laws of Delaware).

On July 9, the Governor signed: HB 742 (Volume 63, Chapter 380, Laws of Delaware); HB 790 (Volume 63, Chapter 381, Laws of Delaware); SB 308 w HA 1 (Volume 63, Chapter 382, Laws of Delaware); SB 478 w SA 1, 2 (Volume 63, Chapter 383, Laws of Delaware); SB 592 (Volume 63, Chapter 384, Laws of Delaware).

On July 12, the Governor signed: HB 694 w SA 4 (Volume 63, Chapter 385, Laws of Delaware); SB 560 w SA 1 (Volume 63, Chapter 386, Laws of Delaware).

On July 13, the Governor signed: HB 809 w HA 1 (Volume 63, Chapter 387, Laws of Delaware); SB 668 (Volume 63, Chapter 388, Laws of Delaware). The Governor signed the following Resolutions on July 13, however, Chapter numbers were not assigned: HJR 29 and SJR 40.

On July 12, the Governor vetoed HB 749 w HA 1.

On July 12, the Governor vetoed HB 739.

On July 14, the Governor vetoed HB 789 w HA 1.

LEGISLATIVE ADVISORY #47:

The Governor signed the following legislation on July 21: HB 271 w HA 3, 4 (Volume 63, Chapter 389, Laws of Delaware); HB 366 w HA 1, 2 (Volume 63, Chapter 390, Laws of Delaware); HB 390 w HA 1, SA 1 (Volume 63, Chapter 391, Laws of Delaware); HB 413 w HA 1, 2, 3, 4 (Volume 63, Chapter 392, Laws of Delaware); HB 424 w SA 1 (Volume 63, Chapter 393, Laws of Delaware); HB 433 (Volume 63, Chapter 394, Laws of Delaware); HB 443 (Volume 63, Chapter 395, Laws of Delaware); HB 445 (Volume 63, Chapter 396, Laws of Delaware); HB 451 w HA 1 (Volume 63, Chapter 397, Laws of Delaware); HB 468 w HA 1 (Volume 63, Chapter 398, Laws of Delaware); HS 1 for HB 473 (Volume 63, Chapter 399, Laws of Delaware); HB 490 w HA 1 (Volume 63, Chapter 400, Laws of Delaware); HS 1 for HB 491 (Volume 63, Chapter 401, Laws of Delaware); HB 502 w HA 1, 2, 4, 5 (Volume 63, Chapter 402, Laws of Delaware); HS 1 to HB 508 (Volume 63, Chapter 403, Laws of Delaware); HB 517 w HA 1, SA 1, 2 (Volume 63, Chapter 404, Laws of Delaware); HB 546 w HA 1, 2, 4 (Volume 63, Chapter 405, Laws of Delaware); HB 581 w HA 1, 2 (Volume 63, Chapter 406, Laws of Delaware); HB 582 w HA 1 (Volume 63, Chapter 407, Laws of Delaware); HB 585 (Volume 63, Chapter 408, Laws of Delaware); HB 588 w HA 1, 2, 3 (Volume 63, Chapter 409, Laws of Delaware); HB 591 w HA 1 (Volume 63, Chapter 410, Laws of Delaware); HB 629 (Volume 63, Chapter 411, Laws of Delaware); HB 661 (Volume 63, Chapter 412, Laws of Delaware); HB 662 (Volume 63, Chapter 413, Laws of Delaware); HB 669 w HA 1, 2 (Volume 63, Chapter 414, Laws of Delaware); HB 686 (Volume 63, Chapter 415, Laws of Delaware); HB 691 (Volume 63, Chapter 416, Laws of Delaware); HB 693 w HA 1 (Volume 63, Chapter 417, Laws of Delaware); HB 701 (Volume 63, Chapter 418, Laws of Delaware); HS 1 for HB 711 (Volume 63, Chapter 419, Laws of Delaware); HB 714 (Volume 63, Chapter 420, Laws of Delaware); HB 724 (Volume 63, Chapter 421, Laws of Delaware); HB 730 w HA 1 (Volume 63, Chapter 422, Laws of Delaware); HB 732 (Volume 63, Chapter 423, Laws of Delaware); HB 741 w HA 1 (Volume 63, Chapter 424, Laws of Delaware); HB 750 w SA 1 (Volume 63, Chapter 425, Laws of Delaware); HB 753 (Volume 63, Chapter 426, Laws of Delaware); HB 754 w HA 1, 2 (Volume 63, Chapter 427, Laws of Delaware); HB 759 w SA 1 (Volume 63, Chapter 428, Laws of Delaware); HB 777 w HA 1 (Volume 63, Chapter 429, Laws of Delaware); HB 780 w HA 2 (Volume 63, Chapter 430, Laws of Delaware); NOTE: SIGNED WITH A LINE ITEM REDUCTION; HB 782 (Volume 63, Chapter 431, Laws of Delaware); HB 802 (Volume 63, Chapter 432, Laws of Delaware); HB 811 (Volume 63, Chapter 433, Laws of Delaware); HB 812 (Volume 63, Chapter 434, Laws of Delaware); SB 650 (Volume 63, Chapter 435, Laws of Delaware).

The Governor vetoed the following legislation on July 21, 1982: HB 437 w HA 1, 2; HB 616; HB 626.

LEGISLATIVE ADVISORY # 48:

The Governor signed the following legislation on July 23, 1982: HB 653 (Volume 63, Chapter 436, Laws of Delaware); SB 97 w SA 1, 2, 3, 4 (Volume 63, Chapter 437, Laws of Delaware); SB 303 w SA 1, HA 1 (Volume 63, Chapter 438, Laws of Delaware); SB 311 (Volume 63, Chapter 439, Laws of Delaware); SB 406 (Volume 63, Chapter 440, Laws of Delaware); SB 450 w SA 1 (Volume 63, Chapter 441, Laws of Delaware); SB 469 w SA 1 (Volume 63, Chapter 442, Laws of Delaware); SB 479 (Volume 63, Chapter 443, Laws of Delaware); SB 482 (Volume 63, Chapter 444, Laws of Delaware); SB 485 w SA 1, HA 2, 3 (Volume 63, Chapter 445, Laws of Delaware); SS 2 for SB 551 w SA 4 (Volume 63, Chapter 446, Laws of Delaware); SB 567 (Volume 63, Chapter 447, Laws of Delaware); SB 574 w SA 1 (Volume 63, Chapter 448, Laws of Delaware); SB 575 (Volume 63, Chapter 449, Laws of Delaware); SB 586 (Volume 63, Chapter 450, Laws of Delaware); SB 598 (Volume 63, Chapter 451, Laws of Delaware); SB 602 (Volume 63, Chapter 452, Laws of Delaware); SB 609 w SA 1 (Volume 63, Chapter 453, Laws of Delaware); SB 618 w SA 1, HA 1 (Volume 63, Chapter 454, Laws of Delaware); SB 634 (Volume 63, Chapter 455, Laws of Delaware); SB 638 (Volume 63, Chapter 456, Laws of Delaware); SB 642 (Volume 63, Chapter 457, Laws of Delaware); SS 1 for SB 644 (Volume 63, Chapter 458, Laws of Delaware); SB 659 (Volume 63, Chapter 459, Laws of Delaware); SB 660 (Volume 63, Chapter 460, Laws of Delaware); SB 661 (Volume 63, Chapter 461, Laws of Delaware); SB 666 (Volume 63, Chapter 462, Laws of Delaware); SB 667 w SA 1 (Volume 63, Chapter 463, Laws of Delaware). The Governor signed the following Resolution on July 23, 1982, however a Chapter number was not assigned: SJR 39.

The Governor vetoed the following legislation on July 23, 1982: SB 393 w SA 1; SB 579 w SA 1; SB 649; SB 657; SB 658; SB 662; SB 663 w SA 1; HB 571 w SA 1.

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# **LEGISLATIVE DAYS**





LEGISLATIVE DAYS - 131ST GENERAL ASSEMBLY  
SENATE  
First Session - 1981

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Joint Session	January 21	11
Fourth	January 21	13
Fifth	January 22	15
Sixth	January 27	18
Seventh	January 28	20
Eighth	January 29	21
Joint Session	January 29	22
Ninth	February 3	30
Tenth	March 24	34
Eleventh	March 25	39
Twelfth	March 26	40
Thirteenth	March 31	43
Fourteenth	April 1	46
Fifteenth	April 2	48
Sixteenth	April 7	49
Seventeenth	April 8	53
Eighteenth	April 9	55
Nineteenth	April 28	59
Twentieth	April 29	62
Twenty-first	April 30	64
Twenty-second	May 5	68
Twenty-third	May 6	70
Twenty-fourth	May 7	73
Twenty-fifth	May 12	75
Twenty-sixth	May 13	76
Twenty-seventh	May 14	80
Twenty-eighth	May 19	82
Twenty-ninth	May 20	86
Thirtieth	May 21	88
Thirty-first	May 26	90
Thirty-second	May 27	92
Thirty-third	May 28	94
Thirty-fourth	June 2	96
Thirty-fifth	June 3	98
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Forty-third	June 22	126
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Second Session - 1982

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Thirty-fifth	June 1	296
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Thirty-seventh	June 3	301
Thirty-eighth	June 8	304
Thirty-ninth	June 9	309
Fortieth	June 10	312
Forty-first	June 15	316
Forty-second	June 16	324
Forty-third	June 17	328
Forty-fourth	June 21	332
Forty-fifth	June 22	335
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Forty-eighth	June 28	350
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**RULES  
OF  
THE  
SENATE**



RULES OF THE SENATE  
SENATE RESOLUTION NO. 4 as AMENDED by SENATE RESOLUTION 57

IN REFERENCE TO TEMPORARY RULES OF THE DELAWARE STATE SENATE.

BE IT RESOLVED by the Senate of the 131st General Assembly that the following Rules of the Senate be and they hereby are adopted as Temporary Rules for the governing of the present session, until further action of the Senate:

Rule 1. ORDER OF BUSINESS

1. Calling of the Senate to Order.
2. Prayer by Chaplain.
3. Salute to Flag
4. Roll Call.
5. Reading of Journal.
6. Presentation of petitions, memorials or communications.
7. Reports from Standing and Special Committees.
8. Reporting by the Secretary of prior filed bills and resolutions.
9. Introductions of all other bills and resolutions by members.
10. Agenda for the day.
11. Miscellaneous business.

Rule 2. CONVENING OF SENATE

Unless otherwise ordered by a majority of its members, the Senate will convene every day, except Monday, Friday, Saturday and Sunday, at 1:30 p.m. All proceedings of the Senate shall be public. Executive sessions by the Senate are expressly prohibited.

Rule 3. ATTENDANCE OF MEMBERS

- (a) Every member shall be in his place at the time to which the Senate stands adjourned.
- (b) No Senator shall absent himself from the service of the Senate without leave.

Rule 4. ROLL CALL; READING OF JOURNAL

Each legislative day and before the Senate proceeds to the consideration of any business, the Secretary shall call the names of the members in alphabetical order, and shall then read the Journal of the preceding legislative day, which shall be approved or corrected by order of the Senate.

Rule 5. CONTENTS OF JOURNAL

The proceedings of the Senate shall be briefly and accurately stated on the Journal; messages to the Governor in full; the titles of all bills and resolutions; every motion with the name of the member making the same, except motions for adjournment; the names of the members voting on all roll calls.

Rule 6. PRESENTATION OF PETITIONS, MEMORIALS OR COMMUNICATIONS TO THE SENATE

(a) After the Journal is read, the Presiding Officer shall lay before the Senate communications or messages from the Governor, reports and communications from Departments or State Boards, and other communications addressed to the Senate, and such bills, joint resolutions and other messages from the House of Representatives as may be upon his table, undisposed of.

(b) When petitions, memorials and other papers addressed to the Senate are presented by the President, or a member, the contents thereof shall be briefly stated.

(c) The Presiding Officer may at any time lay, and it shall be in order at any time for a Senator to move to lay, before the Senate, any bill or other matter sent to the Senate by the Governor or the House of Representatives and any question pending at the time shall be suspended for this purpose. Any motion so made shall be determined without debate.

(d) Messages from the Governor or from the House of Representatives may be received at any stage or proceedings, except while the Journal is being read, or while a question of order or a motion to adjourn is pending.

(e) When a message is brought to the Senate by the Governor or his messenger, or by a member of the House of Representatives, or any officer thereof, the members of the Senate shall rise upon their feet, if so directed by the Presiding Officer.

**Rule 7. DELIVERY OF MESSAGES FROM THE SENATE; DUTIES OF SECRETARY**

Messages shall be delivered to the House of Representatives by the Secretary, or by a Senator or other officer of the Senate directed by the Presiding Officer. The Secretary shall certify previous to delivery the determination of the Senate upon all bills, joint resolutions, and other resolutions which may be communicated to the House, or in which its concurrence may be requested; and the Secretary shall also certify and deliver to the Governor all resolutions and other communications which may be directed to him by the Senate.

**RULE 8. PREPARATION OF BILLS AND RESOLUTIONS**

(a) No bill or joint resolution shall be received by the Senate unless it be prefaced by a brief statement of the purpose of the bill or resolution, which shall be known as the title, and shall also contain the text of the bill or resolution in full. The original of all bills and resolutions shall be printed or stenciled on permanent rag content bond paper, be properly backed, contain no erasures or interlineations and shall be produced in such a manner as shall be approved by the State Archivist and Director of the Legislative Council. At the end of each bill, Joint Resolution or amendment the author or drafter shall include a brief synopsis of the intent of the bill, Joint Resolution or amendment, the name and/or Department who was responsible for writing same. In the lower left hand corner of page one shall be the initials of the unit preparing the bill or resolution, the initials of the author and the typist, and, if prepared by automatic equipment, the identification number. Each bill or resolution shall have an appropriate enacting or resolving clause. The first name listed after the word "sponsor" on the first page of a bill or resolution shall be the "prime" sponsor. Once a bill or resolution has been pre-filed or introduced, the addition or deletion of a sponsor shall not cause the bill to be reprinted. The change in sponsorship shall be noted in the calendar, on the jacket of the original bill and on the first page of the original bill.

(b) Every bill and resolution to which the concurrence of both Houses of the General Assembly may be necessary, shall be introduced with one original and one backed copy. The original shall at all times remain in the custody of the Chairman of the Committee to which it was referred, or of the Secretary of the Senate; and one backed copy shall be delivered to the Legislative Council. In addition, every Senator shall be provided with an unbacked copy of the text of the bill or resolution.

(c) The master used to produce the bill or resolution together with 160 true copies of the bill or resolution, shall be made available to the Legislative Council immediately after the introduction of a bill.

(d) All bills for the amendment of any statutes contained in the Delaware Code of 1974 shall be made with reference to the statutes or parts of statutes contained in said Code, and shall conform to the arrangement of said Code.

**RULE 9. PROCEDURE APPLICABLE TO BILLS AND JOINT RESOLUTIONS**

(a) Every bill and joint resolution when introduced shall be read one time by title only, after which it shall be assigned to the proper committee.

(b) No bill or joint resolution shall be put upon its passage on the same day it is reported out of committee, nor in the absence of the prime sponsor who introduced it, unless by his written consent. After any bill has reached its order of preference on the agenda, it may be deferred once to the end of the agenda. After it has once been deferred, it must be considered when its order of preference is next reached or removed to the ready list. In the event of such removal, no bill shall again be placed on the agenda for the same or the next legislative day.

(c) When put upon its passage, each bill or joint resolution shall be given its final reading by title only unless any member requests a reading in full.

(d) An agenda of bills to be put upon their passage on the succeeding day shall be kept by the Secretary of the Senate and published each day and a copy thereof distributed to each member, and any bill placed upon the agenda by any member of the Senate prior to adjournment of the preceding day shall, without otherwise limiting the right of any member to put a bill upon its passage, stand in the same order of preference for consideration by the Senate unless otherwise ordered by it.

(e) Every bill or resolution shall be introduced by a member or group of members or by order of the Senate or by report of a committee. Introduction may be by either of two methods:

A. Filing of Bills and Resolutions with the Secretary of the Senate.

(1) A bill or resolution may be introduced by being filed with the Secretary of the Senate at any time while the General Assembly is meeting.

(2) A bill or resolution that is filed with the Secretary of the Senate while the Senate stands in recess, in adjournment, or is not otherwise meeting, shall be given a number, entered upon a docket kept for the purpose.

(3) At the beginning of the succeeding day's session of the Senate following the filing of a bill with the Secretary, the Reading Clerk shall read the bill or resolution number and title of all bills filed with the Secretary and entered upon the docket prior to the convening of the Senate for the day's session and not previously read.

(4) Such reading of the bill or resolution by the Reading Clerk shall constitute the first reading of such bill or resolution.

(5) Upon such first reading, copies of the bill or resolution shall be distributed as is provided in Rule 8.

B. Other Methods of Introduction

(1) A bill or resolution may also be introduced from the floor while the Senate is in session.

RULE 10. MOTIONS

(a) All motions shall be reduced to writing, if desired by the Presiding Officer or by any Senator, and shall be read before the same shall be debated.

(b) Any motion or resolution may be withdrawn or modified by the mover at any time before a decision, amendment or ordering of the yeas and nays.

(c) A motion shall be in order at any time to amend or substitute a title to any bill or resolution only in order to correct typographical errors.

(d) When a question is pending, no motion shall be received but:

To adjourn;

To adjourn to a certain day, or that when the Senate adjourns it shall

be to a certain day;

To take a recess;

To proceed to the consideration of executive business;

To lay on the table;

To postpone indefinitely;

To postpone to a certain day;

To commit;

To amend.

Which several motions shall have precedence as they stand arranged; and the motion to adjourn, to take recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

RULE 11. VOTING

Every bill, amendment, joint resolution, concurrent resolution, or simple resolution shall be decided by a roll call vote and shall require not less than a majority vote of all members elected to the Senate for adoption. The names of the Senators shall be called alphabetically and each Senator shall without debate answer "Yes" or "No" or "Not Voting"; and no Senator shall be permitted to vote after the roll call shall have been announced by the Secretary, but may change his vote prior to said announcement.

RULE 12. RECONSIDERATION

When a question has been decided by the Senate, any Senator may on the same day or on either of the next two days of actual session thereafter, move a reconsideration. Every motion to reconsider shall be decided by a majority of all members elected to the Senate, and may be laid on the table without affecting the question in reference to which the same is made, which shall be a final disposition of the motion.

RULE 13. PROCEDURE WHEN BILL OR OTHER MATTER SOUGHT TO BE RECONSIDERED HAS BEEN SENT TO THE HOUSE OF REPRESENTATIVES OR TO THE GOVERNOR

When a bill, resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the Senate and been communicated to the House of Representatives, or to the Governor, the motion to reconsider shall be accompanied by a motion to request the House or Governor to return the same; which last motion shall be acted upon immediately, and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.



#### **RULE 14. QUESTION OF ORDER**

A question of order may be raised at any stage of the proceedings, and, unless submitted to the Senate, shall be decided by the Presiding Officer without debate, subject to an appeal to the Senate. When an appeal is taken, any subsequent question of order which may arise before the decision of such appeal shall be decided by the Presiding Officer without debate; and any appeal may be laid on the table without prejudice to the pending proposition, and thereupon shall be held as affirming the decision of the Presiding Officer. The Presiding Officer may submit any question of order for the decision of the Senate.

#### **RULE 15. SPECIAL ORDER OF BUSINESS**

Any subject may, by a vote of the majority of the members elected to the Senate, be made a special order; and when the time so fixed for its consideration arrives, the Presiding Officer shall lay it before the Senate.

#### **RULE 16. PETITION OUT OF COMMITTEE**

Upon written request signed by the majority of the members elected to the Senate and directed to the Presiding Officer, any bill, joint resolution or other business, which shall have been referred to a committee, shall be reported to the Senate.

#### **RULE 17. CONDUCT**

(a) When a Senator desires to speak, he shall rise and address the Presiding Officer, and shall not proceed until he is recognized, and the Presiding Officer shall recognize the Senator who shall first address him.

(b) No Senator shall interrupt another in debate without his consent, and to obtain such consent he shall first address the Presiding Officer; and no Senator shall speak more than twice upon any one question in debate on the same day without leave of the Senate which shall be determined without debate.

(c) No Senator in debate shall, directly, or indirectly by any form of words, impute to any Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

(d) If any Senator, in speaking or otherwise, transgresses the rules of the Senate, the Presiding Officer shall, or any Senator may, call him to order; and when a Senator shall be called to order, he shall sit down and not proceed without leave of the Senate, which, if granted, shall be upon motion that he be allowed to proceed in order, which motion shall be determined without debate.

(e) If any person who is not a member of the Senate shall be granted the privilege of the floor for the purpose of addressing the Senate, such person and the Senate members shall then accord each other the same courtesies and respect that is required among members of the Senate.

#### **RULE 18. APPOINTMENT OF COMMITTEES**

The President Pro Tempore shall appoint all committees, unless the Senate shall otherwise direct.

#### **RULE 19. STANDING COMMITTEE**

The following standing committees shall be appointed, to whom business appropriate to them shall be referred:

- Committee on Administrative Services/Energy
- Committee on Agriculture
- Committee on Banking
- Committee on Community Affairs
- Committee on Education
- Committee on Executive
- Committee on Finance
- Committee on Health and Social Services/Aging
- Committee on Highways and Transportation
- Committee on Judiciary
- Committee on Labor and Industrial Relations
- Committee on Natural Resources and Environmental Control
- Committee on Public Safety
- Committee on Revenue and Taxation
- Committee on Adult and Juvenile Corrections.
- Committee on Insurance and Elections
- Committee on Small Business

#### **RULE 20. DELIBERATIVE PROCESS AND PROCEDURES OF STANDING COMMITTEES**

(a) Each bill, resolution or other legislative matter assigned to a standing committee shall pass through a prescribed deliberative process before being brought to the floor of either House, unless it is sooner petitioned out of committee. Such deliberative process shall include pre-announced meetings whereby the committee receives testimony from the general public, including those affected by the proposed legislation; considers an analysis of the proposed legislation; and by notice to the sponsor, makes time available for each formal sponsor to explain the legislation and answer possible committee questions.

(b) The day before a meeting each standing committee shall release a Committee Agenda which shall include, among other things, all matters to be considered by the committee at its next meeting and any other announcements from the committee including the times, places and dates of future meetings.

(c) Minutes shall be taken at each formal standing committee meeting, and the results of any committee votes shall be recorded. Committee members who dissent from any committee decision shall be permitted, in the minutes, to state such dissent and the reasons therefor.

(d) A quorum does not have to be present to constitute a committee meeting. Committee members unable to attend pre-announced meetings may subsequently affix their signatures to legislation considered at such meetings.

(e) Nothing in this rule shall preclude the option of a committee chairman to cancel a regular or special meeting or call additional meetings when necessary.

#### **RULE 21. MOTIONS TO PRINT**

Every motion or resolution to print documents, reports, bills or any other matter shall, unless the Senate otherwise orders, be referred to the Committee on Senate Administration. When a motion is made to commit with instructions, it shall be in order to add thereto a motion to print.

#### **RULE 22. CONTESTS**

Any contest for a seat in this body shall be referred to the Committee on Executive without debate.

#### **RULE 23. COMMITTEE ON EXECUTIVE; SUPERVISION OF ATTACHES**

The officers, attaches and employees of the Senate shall be under the supervision of the Committee on Executive in the performance of the duties of their respective offices.

#### **RULE 24. PRIVILEGE OF THE FLOOR**

(a) No person who is not a member of the Senate shall be granted the privilege of the floor, or be seated or stand in front of the rear line of the last row of members' seats from the rostrum, while the Senate is in session except:

- The Governor of the State
- The Secretary of the State
- Ex-Governors of the State
- Ex-Lieutenant Governors of the State
- Ex-Members of the General Assembly
- Members of the Congress of the United States
- Ex-Members of the Congress of the United States
- Members of the House of Representatives of the State
- Attorneys, Officers and Employees of the Senate
- Attorneys, Officers and Employees of the House of Representatives of the State
- Official representatives of the Press, or the Research Director of the Legislative Council.

(b) Notwithstanding anything contained in subsection (a) of this Rule, any other person or persons may be granted the privilege of the floor, or of being seated or to stand in front of the rear line of the last row of member seats aforesaid, by and with the consent of this body.

#### **RULE 25. CHANGE OR SUSPENSION OF RULES**

Any rules of the Senate may be changed or suspended by approval of a majority of all members elected to the Senate.

#### **RULE 26. RULES OF ORDER**

All questions of parliamentary procedure not covered or provided for by the Rules of the Senate or the Constitution of the State of Delaware shall be decided in accordance with Roberts Rules of Order, Revised.

#### **RULE 27. NEWS MEDIA**

Members of the oral and written press shall be permitted to use personal recording devices in the Senate Chambers during live session of that body.



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