



STATE of DELAWARE



*JOURNAL
of the
STATE SENATE*

*SESSION
of the
134TH GENERAL ASSEMBLY*

*CONVENED
TUESDAY, JANUARY 13, 1987
DOVER, DELAWARE*

1987-1988

MEMBERSHIP of the DELAWARE STATE SENATE
134th GENERAL ASSEMBLY

Lt. Governor S. B. Moo, President of the Senate
Senator Richard S. Cordrey, President pro Tempore

<u>District</u>	<u>Senator</u>
1st	Harris B. McDowell, III - 2311 Baynard Boulevard, Wilmington 19802
2nd	Herman M. Holloway, Sr. - 2008 Washington Street, Wilmington 19802
3rd	Robert I. Marshall (Marchlewicz) - 601 S. duPont Street, Wilmington 19805
4th	Robert J. Berndt - 312 Beverly Place (Gordon Heights), Wilmington 19809
5th	Myrna L. Bair - 4 Little Leaf Court (Foult Woods), Wilmington 19810
6th	Andrew G. Knox - 107 Quintynnes Drive (Centreville), Wilmington 19807
7th	Robert T. Still - 326 Mitchell Drive (Mitchell Estates), Wilmington, 19808
8th	Margo Ewing Bane - 9 Laurel Court, Wilmington 19808
9th	Thomas B. Sharp - 2226 E. Huntington Drive (Pinecrest), Wilmington 19808
10th	James P. Neal - 50 Bridle Brook Lane, Newark 19711
11th	Roger A. Martin - 13 Pinedale Road (Windy Hills), Newark 19711
12th	Robert T. Connor - 18 Crippen Drive (Penn Acres), New Castle 19720
13th	David B. McBride - 21 Andover Court, New Castle 19720
14th	James T. Vaughn - 201 Washington Avenue, Clayton 19938
15th	Nancy W. Cook - Post Office Box 127, Kenton 19955
16th	William C. Torbert - 8-A Bradys Lane, Dover 19901
17th	Jacob W. Zimmerman - Post Office Box 775, Dover 19903
18th	Ruth Ann Minner - R. D. 3, Box 694, Milford 19963
19th	Thurman Adams, Jr - Post Office Box 367, Bridgeville 19933
20th	Richard S. Cordrey - Box 486, River Drive, Millsboro 19966
21st	William S. Slatcher - 414 Sussex Avenue, Seaford 19973

SENATE STAFF

SENATE STAFF

Betty Jean Caniford, Secretary of the Senate
Bernard J. Brady, Assistant Secretary of the Senate

Teri A. (Croal) Abrahams, Bill Clerk	Louis M. Leonl, Page
Polly J. Adams, Secretary - Maj. Attorneys	Robert J. Leonl, Page
Louise C. Allen, Page	Wendi Kay Longo, Stamping Room Clerk
Michael J. Anderson, Bill Prep Clerk	Anna Mae Massey, Head Stamping Room Clerk
Margaret M. Anstine, Secretary	Amy E. McBride, Page
Doris C. Argo, Secretary	William J. McCool, Jr., Page
Joy Celeste Bower, Bill Clerk	Cynthia Ann Murzynski, Stamping Room Clerk
Mary M. Carey, Page	Louis A. Nardinocchi, Stamping Room Clerk
Juanita G. Carter, Bill Prep Clerk	Marina V. Ney, Calendar Clerk
Richard B. Carter, Adm. Asst. - Majority	Richard L. Norwood, Head Sgt.-at-Arms
Robert Henry Carter, Sgt.-at-Arms	Sandra R. Nyce, Secretary - Majority Leader
Michelle P. Cebriick, Page	Lois L. Orth, Bill Prep Clerk
Willie E. Clark, Sgt.-at-Arms	Joseph A. Palermo, Page
Claire M. DeMattels, Calendar Clerk	Gary W. Pippin, Sgt.-at-Arms
Michele K. DeMattels, Secretary	Norma L. Rash, Assistant to Majority
Betty M. Dickinson, Bill Prep Clerk	Jack K. Russell, Assistant to Majority
Jean Ann Diener, Secretary	Jane L. Rylee, Head Bill Prep Clerk
Arnold L. Dryden, Stamping Room Clerk	Donna K. Sandstrom, Secretary
Dawn C. (Beers) Farmer, Bill Prep Clerk	Barbara Jean Sapp, Secretary
Barbara J. Fournier, Secty. - Maj. Ldr.	Roberta Satterfield, Secretary
Beulah Gray, Sgt.-at-Arms	Clarence A. Schwatka, Jr., Sgt.-at-Arms
Nancy R. Green, Secty. - Wilmington Office	Anna M. Sekerke, Secty./Recpt. - Minority
Mary Louise Guyer, Secretary	George T. Sharp, Page
Eric C. Harrah, Page	Ann G. Shorts, Majority Clerk
Lorielle J. Harrison, Secretary	Charlie M. Skinner, Secretary
Mary Ann Hearne, Page	Cecelia T. Stegura, Secretary
Harold M. Hilyard, Stamping Room Clerk	Karen W. Steward, Stamping Room Clerk
Lanora G. Holden, Stamping Room Clerk	Michelle J. Stokes, Secretary
Sylvia A. Holloway, P.A. Operator	Caren M. Sudler, Stamping Room Clerk
Herman M. Holloway, III, Stamping Rm. Clerk	Stephen P. Tanzer, Adm. Asst. - Majority
Kevin G. Holmes, Sgt.-at-Arms	Helen C. Truitt, Secty. to Pres. pro Tem
Betty Ann Hutchins, Bill Prep Clerk	Charles W. Tulloch, II, Stamping Rm. Clerk
Brenda J. Jackson, Page	Joseph A. Ullrich, Journal Clerk
Melanie Jeffcott, Secretary	Christina H. Vernon, Page
Rose Ann Jones, Head Page	Teresa Marie Wagner, Legal Secty. - Minority
Howard H. Killen, Sgt.-at-Arms	Bonita B. Welch, P.A. Operator
Francis J. Kosakowski, Bill Prep Clerk	David E. Wilkins, Adm. Asst. - Minority
Alfred Kowalewski, Stamping Room Clerk	Darlene I. William, Page - Minority Caucus
Irene Larkin, Secretary	William Howard Willis, Administrative Asst.
Deborah A. Lee, Reading Clerk	Raymond T. Wilson, III, Secretary
John J. Lemley, Stamping Room Clerk	Crystal L. Wyatt, Secty. - Maj. Attorneys

ATTORNEYS

Gary F. Dalton, Esq. (Majority)
Richard T. Dillard, Esq. (Minority)
Francis J. Murphy, Esq. (Majority)
William J. Walls, Esq. (Majority)

EXTRAORDINARY SESSION
134TH GENERAL ASSEMBLY
December 2, 1986

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
PROCLAMATION

I, MICHAEL N. CASTLE, by the authority vested in me as Governor of the State of Delaware, pursuant to Article III, Section 16 of the Constitution of 1897, do hereby convene the 134th General Assembly of the State of Delaware into Extraordinary Session. During this Extraordinary Session the respective Houses of the 134th General Assembly shall meet at such times as are convenient to the members elected to each House thereof, to wit: Tuesday, December 2, 1986, at 2:00 p.m. for the Senate and Thursday, December 4, 1986, at 2:00 p.m. for the House of Representatives. This Extraordinary Session is hereby convened for the purpose of considering and acting upon legislation to ensure the continued existence of the State Board of Examiners in Optometry and the continued viability of state law regulating the practice of optometry in Delaware. In addition, the Senate shall meet for the transaction of certain executive business, to wit: the nomination of Randy J. Holland, Esquire, to be appointed an Associate Justice of the Supreme Court of the State of Delaware.

IN WITNESS WHEREOF, I, MICHAEL N. CASTLE, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of said State to be affixed hereunto at Wilmington, this 26th day of November, in the year of our Lord one thousand nine hundred eighty-six, and of the Independence of the United States of America the two hundred eleventh.

(Signed) Michael N. Castle, Governor

Attest:

(Signed) Michael E. Harkins, Secretary of State

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Pursuant to the above Proclamation, the Senate convened at 2:30 p.m., December 2, 1986, Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

On motion of Senator Cordrey, Betty Jean Caniford was appointed temporary Secretary of the Senate, Lorilee Harrison was appointed temporary Reading Clerk and Bernard J. Brady was appointed temporary Bill Clerk of the Senate.

A roll call of the hold-over Senators was taken and revealed the following attendance:

PRESENT: Senators Berndt, Holloway, Knox, Marshall, Martin, Minner, Neal, Slatcher, Torbert, Zimmerman - 10.

The Chair appointed Senators Marshall and Slatcher as a Committee to receive and examine the Certificates of Election of the newly elected Senators.

At 2:34 p.m. the Chair called a standing recess for the purpose of the examination of the Certificates of Election and the Senate reconvened at 2:36 p.m.

Senator Marshall reported that the Certificates of Election were examined and found to be in order.

Senator Cordrey moved that the reading of one Certificate of Election be considered the reading of all the Certificates. No objection.

Pursuant to the above motion, the Certificate of Election of Senator Adams was read:

The State of Delaware
Sussex County

Be it remembered, that at the general election held on the Tuesday next after the first Monday in November, 1986, for Sussex County according to the Constitution and Laws of the State of Delaware, Thurman Adams, Jr. was duly elected Senator to General Assembly from Senatorial District No. 19, which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the county according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, WE Wm. B. Chandler III and Vincent J. Poppiti, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said county, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said county on this 6th day of November, 1986.

(Signed)

William B. Chandler, III, Res. Assoc. Judge
Vincent J. Poppiti, Associate Judge

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Lt. Governor Woo announced the Senators-elect to be as follows: from New Castle County: Myrna L. Bair, Margo Ewing Bane, Robert T. Connor, David B. McBride, Harris B. McDowell, III, Thomas B. Sharp, Robert T. Still; from Kent County: Nancy W. Cook, James T. Vaughn; From Sussex County: Thurman Adams, Jr., Richard S. Cordrey.

The Oath of Office was administered to the following Senators by Lt. Governor Woo: Senators Adams, Bair, Bane, Connor, Cordrey, Still.

The Oath of Office was administered to the following Senators by the Honorable Vincent Poppit of the Delaware Supreme Court: Senators McBride, McDowell, Sharp.

The Oath of Office was administered to Senator Cook by the Honorable Maurice A. Hartnett, III, Vice-Chancellor of the Court of Chancery.

Example of Oath of Office of Delaware State Senator:

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

And, I do further solemnly swear (or affirm) that I have not directly or indirectly paid, offered or promised to pay, contributed, or offered or promised to contribute, any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office."

* * * * *

SR 1 was introduced and considered for adoption on motion of Senator Cordrey:

SR 1 - IN REFERENCE TO THE ROLL OF MEMBERS OF THE SENATE. Sponsors: Senators Cordrey, Sharp:

BE IT RESOLVED by the Senate of the 134th General Assembly of the State of Delaware that the following constitute the permanent roll of the Senate of the 134th General Assembly. Thurman Adams, Jr.; Myrna L. Bair; Margo Ewing Bane; Robert J. Berndt; Robert T. Connor; Nancy W. Cook; Richard S. Cordrey; Herman M. Holloway, Sr.; Andrew G. Knox; Robert Marshall; Roger A. Martin; David B. McBride; Harris B. McDowell, III; Ruth Ann Minner; James P. Neal; Thomas B. Sharp; William A. Slatcher; Robert T. Still; William C. Torbert; James T. Vaughn; Jake Zimmerman.

* * * * *

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

The roll call on Attendance for the Extraordinary Session was then taken and revealed 20 Senators PRESENT and 1 (Martin) ABSENT.

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

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

Pursuant to the above Resolution, the Oath of Office of President pro Tempore was administered by Lt. Governor Woo:

OATH FOR PRESIDENT PRO TEMPORE

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

Richard S. Cordrey, President pro Tempore

Sworn and subscribed to this 2nd day of December, A.D., 1986.

S. B. Woo, Lieutenant Governor and President of the Senate

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Senator Holloway as Senior member of the Majority Party announced that Senator Sharp would be the Majority Leader and Senator McDowell would be the Majority Whip for the 134th General Assembly.

Senator Berndt as Senior member of the Minority Party announced that Senator Bair would be the Minority Leader and Senator Connor would be the Minority Whip for the 134th General Assembly.

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

SR 3 - IN REFERENCE TO ELECTION OF OFFICERS. Sponsors: Senators Cordrey, 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.

SR 4 was introduced and considered for adoption on motion of Senator Cordrey:

SR 4 - IN REFERENCE TO RULES OF THE DELAWARE STATE SENATE. Sponsors: Senators Cordrey, Sharp, McDowell.

SA 1 to the Resolution (sponsor: Senator Minner) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (Martin) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SR 4 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Martin) ABSENT; therefore, the Resolution was declared adopted.

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

SJR 1 - IN REFERENCE TO ELECTION OF OFFICERS. Sponsors: Senators Cordrey and Sharp. Senator Martin marked PRESENT.

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.

A messenger from the Governor was announced and admitted.

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

SR 5 - APPOINTING A COMMITTEE TO NOTIFY THE GOVERNOR THAT THE SENATE IS ORGANIZED. Sponsors: Senators Cordrey and Sharp.

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

Pursuant to SR 5, the Chair appointed Senators Adams and Knox as a Committee to notify the Governor that the Senate is organized.

SR 6 was introduced and considered for adoption on motion of Senator Cordrey:

SR 6 - APPOINTING A COMMITTEE TO NOTIFY THE HOUSE OF REPRESENTATIVES THAT THE SENATE IS ORGANIZED. Sponsors: Senators Cordrey and Sharp.

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

Pursuant to SR 6, the Chair appointed Senators Holloway and Berndt as a Committee to inform the House that the Senate is organized.

Senator Cordrey informed the Senate that the Executive Committee of the Senate for the 134th General Assembly would be Senator Adams, Chairman; Senators Cordrey, Sharp, Martin, Knox, Connor.

At 3:43 p.m., on motion of Senator Cordrey, the Senate recessed for a short reception and reconvened at 4:41 p.m., Senator Cordrey presiding.

At 4:42 p.m., Lt. Governor Woo presiding.

The following letter from the Governor was read:

STATE OF DELAWARE
Office of the Governor
December 2, 1986

To the Senate of the 134th 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: Randy J. Holland, 505 Seabury Avenue, Milford, DE 19963, to be appointed Associate 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,
Michael N. Castle, Governor

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Senator Adams moved that the necessary rules be suspended for consideration of the nomination for appointment of Randy J. Holland and there was no objection.

The roll call vote on the appointment of Randy J. Holland was then taken and revealed 20 Senators voting YES and 1 (Berndt) NOT VOTING; therefore, the appointment was declared confirmed.

Senator Adams recognized and introduced the Honorable Randy J. Holland to the Senate.

The following legislation was introduced:

SB 1 - AN ACT AMENDING TITLE 7 DELAWARE CODE CREATING THE DELAWARE MUNICIPALITIES NATURAL DISASTERS REVOLVING FUND AND PROVIDING FOR A SUPPLEMENTAL APPROPRIATION FOR ITS FUNDING. Sponsor: Senator Cordrey. Assigned to Natural Resources and Environmental Control Committee.

SB 2 - AN ACT TO AMEND CHAPTER 43, SUBCHAPTER VI, §4361, TITLE 11 OF THE DELAWARE CODE RELATING TO THE BOARD OF PARDONS; AND PROVIDING FOR NOTICE TO CERTAIN PERSONS PRIOR TO PARDONS HEARINGS. Sponsor: Senator Cordrey. Assigned to Judiciary Committee.

SB 3 - AN ACT TO AMEND CHAPTER 43, PART II, TITLE 11 OF THE DELAWARE CODE RELATING TO THE BOARD OF PAROLE; AND PROVIDING FOR A NOTICE TO VICTIMS AND WITNESSES PRIOR TO CERTAIN PAROLE HEARINGS. Sponsor: Senator Cordrey. Assigned to Judiciary Committee.

SB 4 - AN ACT TO AMEND CHAPTER 23, TITLE 19 OF THE DELAWARE CODE RELATING TO WORKMEN'S COMPENSATION COVERAGE FOR VOLUNTEER AMBULANCE COMPANIES. Sponsor: Senator Cordrey. Assigned to Labor and Industrial Relations Committee.

SB 5 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE VIII, SECTION 6, OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE BUDGET RESERVE ACCOUNT. Sponsor: Senator Cordrey. Assigned to Executive Committee.

SB 6 - AN ACT TO AMEND CHAPTER 60, TITLE 7, DELAWARE CODE, RELATING TO THE POWERS AND DUTIES OF THE DIVISION OF ENVIRONMENTAL CONTROL. Sponsor: Senator Cordrey. Assigned to Natural Resources and Environmental Control Committee.

SB 7 - AN ACT AMENDING TITLE 29, DELAWARE CODE, CONCERNING LEGISLATIVE CONFLICTS OF INTEREST AND ESTABLISHING HOUSE AND SENATE ETHICS COMMITTEES. Sponsors: Senators Minner, Vaughn, Neal, Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Zimmerman, Bair, Bane, Berndt, Connor, Knox, Slatcher, Still. Assigned to Ethics Committee.

SB 8 - AN ACT TO AMEND CHAPTER 21, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF EXAMINERS IN OPTOMETRY. Sponsor: Senators McDowell, Bane, Marshall, Neal, Torbert.

Senator McDowell moved that the necessary rules be suspended for consideration of SB 8. There was no objection.

SB 8 - AN ACT TO AMEND CHAPTER 21, TITLE 24 OF THE DELAWARE CODE, RELATING TO THE BOARD OF EXAMINERS IN OPTOMETRY.

SA 1 to the Bill (sponsor: Senator McDowell) was introduced and considered for adoption on motion of the sponsor. 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 8 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 9 - AN ACT PROPOSING AN AMENDMENT TO SECTION 4, ARTICLE II, OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE TIME AND FREQUENCY OF SESSIONS OF THE GENERAL ASSEMBLY. Sponsor: Senator Martin. Assigned to Executive Committee.

SR 7 - AMENDING THE RULES OF THE DELAWARE STATE SENATE OF THE 134TH GENERAL ASSEMBLY RELATING TO RULES OF LEGISLATIVE CONDUCT. Sponsors: Senators Minner, Vaughn, Neal, McDowell, Holloway, Marshall, Sharp, Martin, McBride, Cook, Torbert, Zimmerman, Adams, Cordrey. Assigned to Ethics Committee.

SENATE CONSENT CALENDAR #1 was introduced and considered for adoption on motion of Senator Minner.

The Calendar consisted of the following:

SR 8 - COMMENDING JOHN R. FISHER, DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE COURTS, FOR HIS YEARS OF DEDICATED SERVICE TO DELAWARE'S COURT SYSTEM AND EXPRESSING WARM WISHES FOR A HAPPY RETIREMENT. Sponsor: Senator Holloway.

SR 9 - MOURNING THE DEATH OF CHARLES LAYTON SIMMS AND MEMORIALIZING HIS LIFE. Sponsor: Senator Holloway.

SR 10 - COMMENDING THE HOWARD HIGH SCHOOL CLASS OF 1955 AND OTHER DISTINGUISHED DELAWARE CITIZENS OF AFRICAN DESCENT FOR ORGANIZING THE LUCILLE SWING FOUNDATION INC., A NON-PROFIT ORGANIZATION DEDICATED TO THE PROMOTION OF AWARENESS AND UNDERSTANDING OF THE NATURE OF AND PROBLEMS CREATED BY KIDNEY DISEASE IN BLACK DELAWAREANS. Sponsor: Senator Holloway.

SR 11 - COMMENDING AND CONGRATULATING THE CAESAR RODNEY HIGH SCHOOL MARCHING BAND FOR ITS OUTSTANDING PERFORMANCE AT THE TOURNAMENT OF BANDS CHAPTER 9 CHAMPIONSHIP ON NOVEMBER 1, 1986. Sponsor: Senator Torbert.

SR 12 - MOURNING THE DEATH OF CHARLES T. STAATS, LATE BILL CLERK OF THE SENATE. Sponsors: Senator Cordrey and all Senators.

SCR 1 - COMMENDING CHARLES G. "CHUCK" DAVIS FOR 31 YEARS OF EDUCATIONAL SERVICE AS HE RETIRES FROM THE POSITION OF SUPERVISOR OF CURRICULUM AND INSTRUCTION IN THE WOODBRIDGE JUNIOR/SENIOR HIGH SCHOOL. Sponsors: Senator Adams, Representative Barnes.

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The roll call vote on SENATE CONSENT CALENDAR #1 was then taken and revealed 21 Senators voting YES; therefore, the Resolutions were declared adopted and the Concurrent Resolution was sent to the House for consideration.

Senator Cordrey announced Chairmen for the various Committees as follows: ADMINISTRATIVE SERVICES/ENERGY: Ruth Ann Minner; ADULT and JUVENILE CORRECTIONS: James T. Vaughn; AGRICULTURE: Thurman Adams; BANKING: Richard S. Cordrey; COMMUNITY AFFAIRS: Ruth Ann Minner; CHILDREN, YOUTH and FAMILIES: Harris B. McDowell, III; EDUCATION: David B. McBride; ETHICS: Richard S. Cordrey; EXECUTIVE: Thurman Adams; FINANCE (JFC): Nancy W. Cook; HEALTH and SOCIAL SERVICES/AGING: Herman M. Holloway, Sr.; HIGHWAYS and TRANSPORTATION: Roger A. Martin; INSURANCE and ELECTIONS: Thomas B. Sharp; JUDICIARY: Thomas B. Sharp; LABOR and INDUSTRIAL RELATIONS: Robert Marshall; NATURAL RESOURCES and ENVIRONMENTAL CONTROL: Jacob W. Zimmerman; PUBLIC SAFETY: William C. Torbert; REVENUE and TAXATION: Robert Marshall; SMALL BUSINESS: Jacob W. Zimmerman; SUNSET: Harris B. McDowell, III.

Senator Adams reported to the Senate that the Governor was advised that the Senate was organized.

Senator Martin congratulated Senator Zimmerman on his 20 years as a State Legislator.

At 5:20 p.m. on motion of Senator Sharp, the Extraordinary Session recessed to the call of the President pro Tempore.

The Senate reconvened at 2:15 p.m., January 13, 1987, Lt. Governor Woo presiding and on motion of Senator Sharp, the Extraordinary Session immediately adjourned.

134TH GENERAL ASSEMBLY
1ST LEGISLATIVE DAY
DOVER, DELAWARE
January 13, 1987

Pursuant to Section 4, Article 2, of the Constitution of the State of Delaware, the Senate met at Legislative Hall in Dover, Delaware, at 2:15 p.m., Lt. Governor Woo presiding.

The following Prayer was offered by Betty Jean Caniford, Secretary of the Senate:

Heavenly Father, we thank Thee for the many bounties you have bestowed upon us, your servants. We ask Thee to bless us and guide us that we may conduct the business before us in mutual respect and friendship on behalf of all of the citizens of Delaware. We ask this in Thy name. Amen.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, 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 8 w SA 1 and adopted SCR 1, HJR 1 and SJR 1.

LEGISLATIVE ADVISORY #1 received from the Office of Counsel to the Governor was read. On December 15, 1986, the Governor signed SB 8 w SA 1 (Volume 66, Chapter 1, Laws of Delaware), SJR 1.

The following legislation was introduced:

SB 10 - AN ACT TO AMEND TITLE 29, CHAPTER 8 OF THE DELAWARE CODE RELATING TO COMPOSITION AND REAPPORTIONMENT OF THE GENERAL ASSEMBLY. Sponsors: Senators Knox, Bair, Bane, Connor, McBride, Neal; Representatives Corrozi, Soles, Oberle. Assigned to Executive Committee.

SB 11 - AN ACT TO REQUIRE THE GOVERNMENT OF NEW CASTLE COUNTY TO PREPARE AND ADOPT A NEW COMPREHENSIVE DEVELOPMENT PLAN AND PLACE A MORATORIUM ON ZONING CHANGES UNTIL SAID ADOPTION. Sponsor: Senator Sharp. Laid on the table on motion of Senator Sharp. No objection.

SB 12 - AN ACT TO AMEND CHAPTER 54, TITLE 7, DELAWARE CODE RELATING TO ARCHAEOLOGICAL EXCAVATIONS. Sponsor: Senator Cordrey. Assigned to Natural Resources and Environmental Control Committee.

SB 13 - AN ACT TO AMEND CHAPTER 65, TITLE 9, DELAWARE CODE RELATING TO THE DEFINITION OF VOTERS IN SANITARY AND WATER DISTRICTS. Sponsor: Senator Cordrey. Assigned to Community Affairs Committee.

SB 16 - AN ACT TO AMEND CHAPTER 17, TITLE 18, DELAWARE CODE, RELATING TO LIMITED REPRESENTATIVES. Sponsors: Senator Adams, Representative Barnes. Assigned to Insurance and Elections Committee.

Senators Zimmerman, Adams, McBride, Marshall marked PRESENT.

SB 17 - AN ACT TO AMEND CHAPTER 348, VOLUME 65, LAWS OF DELAWARE, "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1987; SPECIFYING CERTAIN PROCEDURES, CONDITIONS, AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN STATUTORY PROVISIONS," RELATING TO PERSONAL NEEDS ALLOWANCES OF PATIENTS. Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

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

SCR 2 - PROVIDING THAT A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE BE CONVENED TO HEAR THE STATE OF THE STATE ADDRESS BY GOVERNOR MICHAEL N. CASTLE, GOVERNOR OF THE STATE OF DELAWARE. Sponsors: Senators Cordrey, Sharp.

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

SB 18 - AN ACT TO AMEND CHAPTER 17, TITLE 7, DELAWARE CODE, BY PROVIDING FOR THE POSTING OF DOG WARNING SIGNS. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

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

SCR 3 - EXPRESSING CONDOLENCES TO THE FAMILY OF THE LATE HENRY T. PRICE, SR., FORMER STATE SENATOR AND COMMUNITY LEADER. Sponsors: Senator Vaughn, Representative B. Ennis. Laid on the table.

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

HJR 1 - IN REFERENCE TO ELECTION OF OFFICERS. Sponsors: Representatives Oberle and Spence.

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.

A Delegation from the House was announced by the Sergeant-at-Arms and admitted. The Delegation informed the Senate that the House was organized.

At 2:31 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:15 p.m., Lt. Governor Woo presiding.

The following legislation was introduced:

SB 20 - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE, RELATING TO EMPLOYEE CONTRIBUTIONS TO THE STATE EMPLOYEES PENSION PLAN. Sponsor: Senator Zimmerman. Assigned to Finance Committee.

SB 19 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES INVOLVING MOTOR VEHICLES. Sponsor: Senator Bair. Assigned to Judiciary Committee.

SB 14 - AN ACT IMPOSING A MORATORIUM ON ZONING CHANGES WITHIN THE "METROFORM" AREA OF NEW CASTLE COUNTY. Sponsor: Senator Sharp. Laid on the table on motion of the sponsor.

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

Senator Martin marked PRESENT.

SCR 3 was lifted from the table for consideration on motion of Senator Vaughn. Senators Cook and Adams were added as co-sponsors of the Resolution. The roll call vote taken which revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SR 13 was introduced and considered for adoption on motion of Senator Zimmerman:

SR 13 - ESTABLISHING A RULE FOR THE VERIFIED REIMBURSEMENT OF MILEAGE. Sponsor: Senator Zimmerman.

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

At 4:26 p.m. on motion of Senator Sharp, the Senate recessed until 1:45 p.m., January 14, 1987.

The Senate reconvened at 1:46 p.m., January 14, 1987, Lt. Governor Woo presiding, and on motion of Senator Sharp adjourned to immediately convene for the 2nd Legislative Day.

2ND LEGISLATIVE DAY

January 14, 1987

The Senate convened at 1:45 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Minner.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 21.

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

On motion of Senator Sharp, the Senate recessed for the Joint Session with the House.

JOINT SESSION SENATE CHAMBER January 14, 1987

At 1:57 p.m., the Sergeant-at-Arms announced the members of the House of Representatives. They were admitted and seated.

The President of the Senate invited the Speaker of the House and the President pro Tempore of the Senate to be his guests on the rostrum.

The Sergeant-at-Arms announced the Honorable Andrew Christie, Chief Justice of the State Supreme Court, and other members of the Judiciary. They were admitted and seated.

The Sergeant-at-Arms announced the members of the Governor's Cabinet and other State and County elected officials. They were admitted and seated.

At 2:02 p.m. Senator Sharp moved that the Senate and House convene in Joint Session. There was no objection. So ordered.

Senator Sharp moved that the President of the Senate preside over the Joint Session. There was no objection. So ordered.

Senator Sharp moved that the Secretary of the Senate and Chief Clerk of the House act as secretaries to the Joint Session. There was no objection. So ordered.

On motion of Senator Sharp, the President appointed the following as a committee to escort the Governor to the Joint Session: Senator Holloway (Spokesman), Senator Berndt, Representative Jonkier, Representative Smith.

The Chair declared a short recess to await the arrival of the Governor and the Escort Committee.

At 2:05 p.m., the Sergeant-at-Arms announced the arrival of the Honorable Michael N. Castle, Governor of the State of Delaware.

The Governor was admitted and presented by Senator Holloway, Spokesman of the Escort Committee.

The President of the Senate welcomed the Governor and invited him to the podium.

The Governor addressed the Joint Session as follows:

Lieutenant Governor Woo, Mr. President Pro Tem, Mr. Speaker, members of the Senate and House, elected officials, members of the judiciary and the Cabinet, my father and sister who were kind enough to come down from Wilmington, fellow Delawareans.

It has been the duty of every governor of Delaware since 1776 to report to the General Assembly on the state of the state.

In fulfilling that duty today, I am happy to report that, if the state of the state is measured by the quality of life we enjoy and our ability to improve it still further, then Delaware -- the First State in 1787 -- remains the First State in 1987.

... And we continue to have an impact that belies our size.

A few weeks ago in California, an incredible journey ended when a fragile airplane circled Edwards Air Force Base and landed on a runway that was once the exclusive domain of returning space shuttles.

The pilots of the plane, Dick Rutan and Jeana Yeager, had done the impossible -- they had flown around the world non-stop without refueling.

And once again, Delaware had played its role in American history: technology provided by one of Delaware's leading corporations had helped make this feat possible.

But Voyager's journey took more than technology. It took discipline and courage to make the flight.

It required extraordinary vision to even consider it.

Discipline courage and vision.

Those are qualities that have never been lacking in Delaware. They have brought progress to our state, opportunities for our people, and support for those who needed help.

This year, as we celebrate the Bicentennial of Delaware's ratification of the United States Constitution, it is not enough to simply look back, to celebrate the history and traditions of the state. We must also look forward to the kind of state Delaware will be as America's third century begins.

A decade of progress in Delaware has brought us within reach of the goal that all of us share -- to make Delaware the best.

Ten years ago the task was certainly different: to reverse rising unemployment; to recover jobs lost as businesses left Delaware; to repair a damaged credit rating; and to control government's appetite for money.

Today the most recent figures -- from November -- show our unemployment rate to be the second lowest in the nation; more Delawareans are working than ever before; our credit rating is solid and government spending is under control.

But the challenges before us are no less difficult.

Instead of combating runaway government spending, we must find ways to make sure that a costly array of social programs improves lives rather than simply supporting lives without opportunity or purpose.

Energy once spent trying to revive a nearly lifeless economy can now be turned to a comprehensive and thoughtful plan to protect our environment as growth continues.

Having reached agreement on how to limit government, we now can turn our attention to improving its management and efficiency.

Having made certain fundamental decisions about public education, we can now concentrate our resources on long-term improvements in our schools.

Indeed, we have reached a point in the life of this state where we have the opportunity to accomplish things no one dared dream a decade ago.

Succeeding we will touch people's lives in many ways, beginning even before they're born.

... We will affect their lives as they grow up and are educated.

... We will offer a helping hand for the transition to independence and the workplace.

... And we will determine the quality of life that will be enjoyed by our children and grandchildren.

Thomas Jefferson called Delaware the Diamond State because, although small in size, it had great value.

And, indeed, we enjoy advantages other states do not. But the true measure of this state is to be found in how we use those advantages.

It is to be found in the good people who make government work.
In Mary Evans, a nurse in the Division of Public Health who has shown dedication and professionalism in her career, and bravery when lives were at stake. Last December it was Mary whose quick actions saved two children locked in a burning car in Milford,

. in the employees of our Division of Corporations who worked until nearly midnight between Christmas and New Years to make sure that our corporate customers all over the world met their year-end deadlines,

. and in Chuck Welch, president of the State Board of Education, who retired after a distinguished career at the DuPont Company but continues to distinguish himself as an advocate and innovator, bringing higher standards to our education system

It is to be found in the way Republicans and Democrats, upstaters and downstaters, business leaders and elected officials work together.

It is to be found in the fiscal practices that have made Delaware a success, the laws that limit state spending and the commitment to living within our means that pervades this building -- and the four major tax cuts in seven years those practices have made possible.

The proof is all around us -- in the prosperity Delaware enjoys today, unequalled in our state's history, and the opportunity it presents for tomorrow. . . .

That is the key to Delaware's future:

-- an economy that produces jobs produces revenues for the state, and those revenues make it possible for us to make Delaware better.

A strong and growing economy provides the means to pay our teachers and state employees better, do more for our young children, preserve and protect open space and wetlands, to shelter the homeless, to feed the poor, the comfort the aged.

A strong and growing economy makes all that possible -- without imposing a tax burden so great that we destroy individual initiative and shut down the economic engine that has brought Delaware so far so fast.

In the last ten years we have seen how successfully we can harness the energy of that economic engine.

In Sussex County, in Kent County, in New Castle County, we have seen how good policy creates jobs, and how jobs in turn make it possible for the state to do so much.

Virtually every dollar of Delaware's tax revenue, whether personal income tax, corporate income tax, or gross receipts tax, is directly related to employment.

Between 1977 and 1986, employment in Delaware increased by 60,000 jobs.

In the 20 months since we set a three-year goal of 18,000 new jobs for Delaware -- a goal which represented the highest rate of growth anyone believed possible -- employment has gone up by over 31,000 positions.

So while we have cut our tax rates, total state revenues have increased because of increased employment -- and we have been able to spend more for better schools, better roads, and better services.

A better educated workforce, a better transportation system and better-run government, in turn, have brought further improvement to our economic climate, attracting even more jobs.

In short, intelligent tax and spending policies have brought unprecedented prosperity to Delaware -- and a future of unlimited possibilities.

But lately some people would rush to judgment, ignore the hardship of a scant ten years ago, forget the lessons of a decade of hard work, and see the state again spend beyond its means.

They would say there have been enough tax cuts. They would say there are problems to be solved, and there is money to throw at them.

They would say state spending should not be so rigid that areas desperately in need of attention are ignored, that tax policy should take second place to social policy, else government wallow in mediocrity.

But if it is wallowing in mediocrity we fear, then the danger comes not from policies of the decade ending, but from the short-sighted decisions and wishful thinking of the decade that preceded it.

I am honestly surprised that people have forgotten so quickly what was at the other end of the road, that they fail to understand that unrestrained spending supported by ill-considered tax policy can reverse the cycle and ruin Delaware's economy, just as it did between 1968 and 1977.

In that decade the consumer price index rose almost 175 percent. At the same time, however, this state increased its spending by almost 300 percent, nearly twice the rate of inflation. Our highest personal income tax rate more than doubled to 19.8 percent, even as we experienced one unbalanced budget after another.

I'm sure that every dollar was spent with the best intentions.

But if massive spending programs represented the solution to society's problems, then in 1977 Delaware should have been on the edge of perfection; instead we were teetering on the edge of disaster.

Those good intentions wiped out paychecks; weakened our highway system; set back our efforts to improve this state and the lives of our people; and brought Delaware to the brink of bankruptcy -- by draining our economy.

The authority to tax and spend was confused with the ability to solve problems. As a result, the quality of Delaware's schools declined, our infrastructure fell into decay, our social programs into disarray.

Ten years ago the taxpayers of Delaware were chained to the oars and driven to a financial pace they could not sustain.

Today the ship of state sails on the winds of prosperity and our movement is swift.

- o With the budget I will introduce in two weeks, spending on health and social services will have increased by almost 25 percent in three years. 2 1/2 times the cost-of-living increase projected for the same period.

- o With the budget I will introduce in two weeks, we will have increased spending for services to children by almost 48 percent.

- o We will have increased spending on public education by over 22 percent.

- o With the First State Improvement Fund, we made a major commitment to roads and infrastructure, in addition to the 15 percent increase in highway spending represented by this administration's three budgets.

The commitment to addressing Delaware's problems is no less than it was a decade ago. But today we are meeting that commitment by cutting taxes and balancing our budgets, not by raising taxes or overspending.

The difference in the two policies crystalizes in the words of two chairmen of the DuPont Company, viewing Delaware roughly ten years apart.

The first was made by Irving Shapiro, who in the late 1970's, shocked this state when he was quoted in the Wall Street Journal as saying he would tell fellow business executives to stay out of Delaware, because no state had a worse business climate.

Last year, speaking to the state Chamber of Commerce, Ed Jefferson made his entire speech a tribute to what we have accomplished as a state.

I do not view either man's remarks as simply the observations of an executive concerned with the bottom line.

If Irv Shapiro was shocked and hurt by what Delaware had become, he spoke for all of us. If Ed Jefferson was proud of how Delaware had change, he reflected the pride of every Delawarean.

* * * * *

Before I next appear in this chamber to report on the state of the state, we will have celebrated the 200th anniversary of our birthright as the First State in the nation.

December 7, 1987 will be a time for celebration . . . but in a larger sense it must be also a moment for reflection.

Without the Annapolis Convention, the long, hot summer in Philadelphia, and the three days of debate at Battell's Tavern -- just a few hundred yards from this podium -- the sacrifices at Bunker Hill, Valley Forge and Yorktown would truly have been in vain.

Just as 200 years ago our forefathers refused to accept things as they were, so today duty demands that we view things as they could be. For if history is any guide for the future, then its simplest message is its truest -- that past is merely prologue.

Long before it was fashionable to discuss "the quality of life", Delawareans enjoyed it. Land, water and climate combined to provide a comfortable life for our forefathers.

The political leaders of the first state were also leaders of the nation.

Delawareans who emigrated here from France, Sweden, England and other parts of Europe were innovators in commerce and industry.

Their goals were or goals -- simply to make Delaware a good place to live.

Indeed, Delaware is a good place to live because we have maintained a balance -- within government, within industry and within our communities.

That balance has brought prosperity, and prosperity has brought us to the point where we can share Robert Kennedy's vision of an America where we see things as they could be and ask, why not? . . . and then act on that vision.

- o We can assure that every Delawarean has a job . . . by providing training, encouragement and support for those who do not have the skills to work or those whose skills are no longer adequate. With our high tech task force, with efforts to expand Delaware's financial center into the international arena, by making it easier for low-income parents to find quality day care for their children . . . we will meet that goal.

- o We must protect our youngest citizens from hunger, abuse and neglect. Through Focus on the First Sixty Months, we are showing the value of prevention. By working with the community and strengthening the efforts of the children's department . . . we will provide that protection.

- o We must break the cycle of poverty and welfare, by convincing young people not to drop out of school, by combining incentives with basis support, by giving people the skills they need to become independent.

We have the means to break that cycle.

o There can be no compromise in the fight to assure clean air and clean water. Through the Environmental Legacy program, environmentalist and industrialist are working together to assure that the 21st century our natural resources will be protected and our environment healthy.

There will be no compromise.

I see Delaware as it could be and ask, "Why Not?"

For I, as governor, stand ready to see that teachers are well-paid -- as long as children are well-educated.

As governor, I stand ready to invest the hard-earned dollars of our taxpayers in those who need help -- but they must move from reliance on government to self-reliance.

As governor, I stand ready to champion future economic growth and expansion -- but not at the price of destroying our quality of life.

As governor, I stand ready to cut taxes whenever prudent and justified -- because those who have made our prosperity possible must share in its rewards.

But we must maintain the balance between the need for government to provide services and the need for individual Delawareans to enjoy the fruits of their own hard work.

We cannot pay teachers more or build better housing if one out of ten Delawareans is unemployed and unable to pay the taxes that make a better Delaware possible.

We cannot improve our roads and bridges if Wall Street considers us the worst credit risk in the nation.

We cannot raise the support level of the truly needy, pay our state employees more or improve services to our children if Delaware's corporations are not prosperous and providing the jobs and revenues that fuel government.

Delaware's role in America's history has always been greater than its size.

Without John Dickinson two hundred years ago, the Constitution would never have been written and adopted.

Without Wilmington's Quakers, the underground railroad would not have saved so many from slavery.

Without a small business in the countryside near Frederica, men would not have walked on the moon.

Without Hercules, the Voyager would never have soared around the world.

The challenge to all of us together as we enter our third century is to apply the discipline, courage and vision that will keep Delaware first -- just as it made us first.

* * * * *

In September 1787 in Philadelphia, when the work on the Constitution was finished, the delegates filed to the front of the chamber in Independence Hall to sign the document.

Benjamin Franklin, who was 81, who had played such an important role in the birth of the nation and now in the birth of the Constitution had to be helped to the table, and then back to his seat.

It was said later that, as he wrote his name on the parchment, as he signed the parchment, as he signed the Constitution that now resides in the National Archives in Washington -- Ben Franklin wept.

James Madison described what happened next in his notes on the convention. He wrote:

"While the last members were signing it, Doctor Franklin looking towards the President's chair, at the back of which a rising sun happened to be painted, observed to a few members near him that painters had found it difficult to distinguish in their art a rising from a setting sun.

"I have, said he, often and often in the course of the session . . . looked at that behind the President without being able to tell whether it was rising or setting.

"But at length I have the happiness to know that it is a rising and not a setting sun."

Today the sun Franklin saw rising over America is still rising. And it shines as bright on Delaware in 1987 as it did in 1787.

We were the First State then, and we are the First State today.

Thank you, very much.

* * * * *

The President of the Senate thanked the Governor and asked the Escort Committee to escort the Governor back to his Executive Office.

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

At 2:34 p.m. on motion of Senator Sharp, the Joint Session adjourned and the two Houses separated to reconvene in their respective chambers.

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On motion of Senator Sharp, the Senate recessed for a short period and reconvened at 4:14 p.m., Lt. Governor Moo presiding.

The following legislation was introduced:

SB 15 - AN ACT AMENDING CHAPTER 43, TITLE 11, DELAWARE CODE RELATING TO NOTIFICATIONS OF PAROLE HEARINGS. Sponsor: Senator Minner. Assigned to Judiciary Committee.

SB 21 - AN ACT TO AMEND CHAPTER 68, PART VI, TITLE 16 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM CIVIL LIABILITY; AND PROVIDING IMMUNITY FOR THE RENDERING OF EMERGENCY CARE UNDER CERTAIN CIRCUMSTANCES. Sponsor: Senator Cordrey. Assigned to Health-Social Services/Aging Committee.

SB 22 - AN ACT TO AMEND SUBCHAPTER IV, CHAPTER 1, TITLE 23, DELAWARE CODE, RELATING TO PILOTAGE RATES. Sponsor: Senators Cordrey, Minner, Berndt, Knox; Representatives Wingate, Bennett, Corrozi, Spence. Assigned to Natural Resources and Environmental Control Committee.

SB 23 - AN ACT TO AMEND CHAPTER 13, TITLE 14 RELATING TO SABBATICAL LEAVES FOR PROFESSIONAL SCHOOL EMPLOYEES. Sponsors: Senator McBride, Representative Fallon. Assigned to Education Committee.

SB 24 - AN ACT TO AMEND CHAPTER 17, TITLE 14 OF THE DELAWARE CODE RELATING TO SUBSTANCE ABUSE EDUCATION. Sponsors: Senators Bair, Holloway; Representatives Buckworth, Fallon, Jester; Senators Neal, Still; Representative Soles. Assigned to Education Committee.

Senators Martin and Zimmerman marked PRESENT.

SA 1 to SB 13. Sponsor: Senator Cordrey. Placed with the Bill.

SCR 2 was introduced and taken up for consideration under suspension of the necessary rules on motion of Senator Cordrey:

SCR 2 - IN REFERENCE TO ELECTION OF OFFICERS. Sponsors: Senators Cordrey and Sharp.

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

SR 14 was introduced and considered for adoption on motion of Senator Connor:

SR 14 - REQUESTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO DO SUCH RESEARCH AND MAKE SUCH STUDIES AS ARE NEEDED IN ORDER TO DETERMINE WHETHER OR NOT INDOOR RADON CONTAMINATION EXISTS IN DELAWARE; AND IF IT EXISTS, TO OFFER POSSIBLE SOLUTIONS. Sponsor: Senator Connor.

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.

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

SCR 4 - CONGRATULATING THE AMERICAN LUNG ASSOCIATION OF DELAWARE ON THEIR NEW OFFICE FACILITIES. Sponsors: Senators Bair, Bane, Berndt, McDowell, Holloway; Representatives Jester, Maroney, DiPinto.

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

HCR 3 was introduced and considered for adoption on motion of Senator Bane:

HCR 3 - CONGRATULATING THE HOCKESSIN FIRE COMPANY ON ITS 50TH ANNIVERSARY CELEBRATION, JANUARY 17, 1987. Sponsors: Representatives Roy, Corrozi, Petrilli; Senators Bane, Still.

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

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

SCR 5 - COMMEMORATING THE 100TH ANNIVERSARY OF THE ESTABLISHMENT OF A SYSTEM OF STATE AGRICULTURAL EXPERIMENT STATIONS BY CONGRESS ON MARCH 2, 1887, AND REAFFIRMING THE GENERAL ASSEMBLY'S SUPPORT OF THE STATE AGRICULTURAL EXPERIMENT STATION RESEARCH SYSTEM AS A CONTINUED INVESTMENT IN THE FUTURE OF DELAWARE AND THE NATION. Sponsors: Senators Adams, Cook, Cordrey, Vaughn, Connor, Slatcher; Representatives Caulk, Carey, Mack, Clark, West.

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

SB 25 was introduced and assigned to Public Safety Committee:

SB 25 - AN ACT TO AMEND CHAPTER 43, TITLE 21 OF THE DELAWARE CODE, RELATING TO BUMPER HEIGHTS. Sponsors: Senators Martin, Sharp.

SB 21 was stricken at the request of the sponsor, Senator Cordrey.

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

The following Committee reports were announced:

From the Community Affairs Committee: **SB 13** - 4 Merits.

From the Health and Social Services/Aging Committee: **SB 17** - 5 Merits.

At 4:42 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., January 20, 1987.

The Senate reconvened at 2:25 p.m., January 20, 1987, Senator Cordrey presiding.

The following legislation was introduced:

SB 26 - AN ACT AWARDING SPECIAL PENSION BENEFITS TO LORETTA LECATES, 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. Sponsors: Senators Slatcher, Adams; Representative Fallon. Assigned to Executive Committee.

SB 27 - 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." Sponsors: Senator Slatcher; Representative Fallon. Assigned to Community Affairs Committee.

Senator McDowell marked PRESENT.

SB 28 - AN ACT TO AMEND CHAPTER 68, PART VI, TITLE 16 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM CIVIL LIABILITY; AND PROVIDING IMMUNITY FOR THE RENDERING OF EMERGENCY CARE UNDER CERTAIN CIRCUMSTANCES. Sponsor: Senator Cordrey. Assigned to Health-Social Services/Aging Committee.

SB 29 - AN ACT TO AMEND PART II, CHAPTER 21, DELAWARE CODE RELATING TO SECTION 2118 REQUIREMENT OF INSURANCE FOR ALL MOTOR VEHICLES REGISTERED IN THE STATE. Sponsors: Senator Torbert; Representatives Spence, B. Ennis. Assigned to Public Safety Committee.

SB 30 - AN ACT TO AMEND CHAPTER 41, TITLE 21, OF THE DELAWARE CODE RELATING TO CHEMICAL EVIDENCE OBTAINED IN DRIVING UNDER THE INFLUENCE CASES. Sponsors: Senators Torbert, Neal; Representatives Davis, Spence, Plant. Assigned to Public Safety Committee.

SB 31 - AN ACT TO AMEND CHAPTER 27, TITLE 6 OF THE DELAWARE CODE, RELATING TO THE USE OF LANGUAGE IN CONSUMER CONTRACTS. Sponsors: Senator Bairs, McDowell; Representatives Soles, D. Ennis. Assigned to Community Affairs Committee.

SB 32 - AN ACT TO AMEND PART VI, TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY; AND PROVIDING FOR A TOXIC CATASTROPHE PREVENTION ACT. Sponsor: Senator Sharp. Assigned to Judiciary Committee.

SB 33 - AN ACT TO AMEND CHAPTER 65, TITLE 9, DELAWARE CODE RELATING TO VOTING IN SANITARY AND WATER DISTRICT ELECTIONS. Sponsors: Senator Cordrey; Representative Bunting. Laid on the table on motion of Senator Sharp.

SA 2 to SB 13. Sponsor: Senator Cordrey. Placed with the Bill.

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

3RD LEGISLATIVE DAY January 20, 1987

The Senate convened at 2:30 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, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 21.

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

At 2:33 p.m., Senator Sharp presiding.

On motion of Senator Cordrey and without objection, SB 33 was lifted from the table for consideration under suspension of the necessary rules:

SB 33 - AN ACT TO AMEND CHAPTER 65, TITLE 9, DELAWARE CODE RELATING TO VOTING IN SANITARY AND WATER DISTRICT ELECTIONS.

Senators Knox, Bair, Bane, Connor, Neal, Zimmerman, Martin marked PRESENT.

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 13 (SA 1, 2) was stricken at the request of the sponsor, Senator Cordrey.

SB 17 was taken up for consideration on motion of Senator Holloway:

SB 17 - AN ACT TO AMEND CHAPTER 348, VOLUME 65, LAWS OF DELAWARE, "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1987; SPECIFYING CERTAIN PROCEDURES, CONDITIONS, AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN STATUTORY PROVISIONS," RELATING TO PERSONAL NEEDS ALLOWANCES OF PATIENTS.

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

A messenger from the Office of the Governor was announced and admitted.

SB 17 was lifted from the table for consideration on motion of Senator Holloway and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

The following Committee reports were announced:

From the Judiciary Committee: SB 2 - 4 Merits; SB 3 - 4 Merits.

From the Insurance and Elections Committee: SB 16 - 1 Favorable, 2 Merits.

From the Natural Resources and Environmental Control Committee: SB 1 - 2 Favorable, 3 Merits, 1 Unfavorable; SB 6 - 2 Favorable, 4 Merits; SB 22 - 3 Favorable, 3 Merits; SB 12 - 2 Favorable, 2 Merits.

At 3:54 p.m on motion of Senator Cordrey, the Senate recessed for Party Caucus and reconvened at 4:26 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SB 34 - AN ACT AUTHORIZING THE SUSSEX COUNTY COUNCIL TO AMEND A PENSION BENEFIT TO A FORMER SPECIFIC EMPLOYEE. Sponsors: Senators Slatcher, Minner, Adams; Representatives West, Lee, Bunting, Fallon, Wingate, Carey, Barnes. Assigned to Community Affairs Committee.

SB 35 - AN ACT TO AMEND CHAPTER 13, TITLE 14 OF THE DELAWARE CODE RELATING TO SALARIES PAID TO BUS ATTENDANTS AND AIDES. Sponsors: Senator McBride, Representative Fallon. Assigned to Education Committee; reassigned to Finance Committee.

SB 36 - AN ACT TO AMEND CHAPTER 85, TITLE 29, DELAWARE CODE, RELATING TO THE REHABILITATION AID PROGRAM. Sponsors: Senators McDowell, Holloway, Marshall, Bair, Berndt, Knox; Representatives Boykin, Maroney. Assigned to Health-Social Services/Aging Committee.

SB 37 - AN ACT TO AMEND CHAPTER 9, TITLE 7, DELAWARE CODE, TO PERMIT RECREATIONAL DRIFT GILL NET FISHING FOR SHAD IN THE DELAWARE RIVER. Sponsors: Senator Vaughn, Representative Mack. Assigned to Natural Resources and Environmental Control Committee.

SJR 3 - DIRECTING THE COMMISSIONER OF CORRECTIONS, IN CONJUNCTION WITH THE ATTORNEY GENERAL, TO FORMULATE A DRESS AND GROOMING CODE FOR INMATES IN THE DELAWARE PRISON POPULATION AND TO REPORT TO THE GENERAL ASSEMBLY WITHIN 30 DAYS A SCHEDULE OF IMPLEMENTATION AND THE COSTS INCIDENTAL THERETO. Sponsors: Senators Cook, Vaughn, Sharp, Holloway, Slatcher, Bane, Cordrey, Adams; Representatives Davis, Houghton, Buckworth, Clark, Ennis, Jester. Assigned to Corrections Committee.

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

STATE OF DELAWARE
Office of the Governor
January 20, 1987

To the Senate of the 134th 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: Garrett B. Lyons, D.D.S., 1002 Westover Road, Wilmington, DE 19807, to be reappointed as a member of the Delaware River and Bay Authority to serve a five year term to expire July 1, 1989.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
January 20, 1987

To the Senate of the 134th 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: Dr. Richard B. Taylor, 45 Frederick Drive, Dover, DE 19901, to be appointed as a member of the Board of Trustees of the University of Delaware, to serve a six year term expiring December 15, 1992, to replace N. Maxson Terry, resigned.

The above name is not a gubernatorial appointment.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
January 20, 1987

To the Senate of the 134th 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: Ruth P. Malm, 1112 Highgate Road, Wilmington, DE 19808, to be reappointed as a Justice of the Peace, in and for New Castle County, State of Delaware, for a four year term from January 11, 1981, to expire January 11, 1985. Further, to be reappointed to an additional term of four years to expire January 11, 1989.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
January 20, 1987

To the Senate of the 134th 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: Marcealeate S. Ruffin, Post Office Box 296, Georgetown, DE 19947, to be appointed as a Justice of the Peace, in and for Sussex County, State of Delaware, for a term of four years to replace William A. Booth, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

* * * * *
STATE OF DELAWARE
Office of the Governor
January 20, 1987

To the Senate of the 134th 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: Anthony P. Mentis, 44 Candlewick Drive, Dover, DE 19901, to be appointed as a Justice of the Peace, in and for Kent County, State of Delaware, to serve a four year term, to replace Helen M. Brandt, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

* * * * *
STATE OF DELAWARE
Office of the Governor
January 20, 1987

To the Senate of the 134th 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: Mable Pitt (Formerly Mable English) 12 Aldershot Drive, Newark, DE 19713, to be reappointed as a Justice of the Peace, in and for New Castle county, State of Delaware, for a term of four years to expire June 22, 1987.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

* * * * *

STATE OF DELAWARE
Office of the Governor
January 20, 1987

To the Senate of the 134th 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 L. Barrett, 711 Miller Drive, Dover, DE 19901, to be reappointed as a Justice of the Peace, in and for Kent County, State of Delaware, for a term of four years.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

* * * * *
STATE OF DELAWARE
Office of the Governor
January 20, 1987

To the Senate of the 134th 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 D. Smith, Esq., 75 Old Forge Drive, Dover, DE 19901, to be appointed as a member of the Consumer Affairs Board to serve a four-year term to replace Myron T. Steele, Esq., term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

* * * * *
STATE OF DELAWARE
Office of the Governor
January 20, 1987

To the Senate of the 134th 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: Marc P. Niedzielski, 2625 Belaire Drive, Wilmington, DE 19808, to be reappointed as a Justice of the Peace, in and for New Castle County, State of Delaware, for a term of four years.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

* * * * *
The Secretary announced that a message from the House informed the Senate that it had adopted HCR 1, HCR 2.

SCR 6 was introduced and considered for adoption on motion of Senator Bair:
SCR 6 - COMMENDING GEORGE GLENN, SALESIANUM'S FOOTBALL COACH WHO WAS RECENTLY NAMED DELAWARE'S SCHOLASTIC FOOTBALL COACH OF THE YEAR FOR THE 1986 SEASON. Sponsors: Senator Bair, McDowell; Representatives Smith, George.

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

SCR 7 was introduced and considered for adoption on motion of Senator Bair:
SCR 7 - DESIGNATING FEBRUARY 15, 1987, AS SUSAN B. ANTHONY DAY. Sponsors: Senators Bair, Minner, McBride, Knox, Cook, Neal, McDowell, Bane, Still; Representatives Hebner, Smith, Soles, Maroney, Outten, Boykin, Jester, Fallon.

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

HCR 1 was introduced and considered for adoption on motion of Senator Adams:

HCR 1 - EXTENDING CONGRATULATIONS AND BEST WISHES TO MR. AND MRS. DONALD MELSON OF BRIDGEVILLE, DELAWARE ON THEIR FIFTIETH GOLDEN WEDDING ANNIVERSARY ON JANUARY 9, 1987. Sponsors: Representative Barnes, Senator Adams.

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

HCR 2 was introduced and considered for adoption on motion of Senator Vaughn:

HCR 2 - COMMENDING JOSEF "ANDY" BURGER OF TOWNSEND, DELAWARE FOR RECEIVING THE 1986 STATE SOIL AND WATER CONSERVATION AWARD. Sponsors: Representative B. Ennis, Senator Vaughn.

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

SCR 8 - COMMENDING MISS JANE WARREN OF FELTON, DELAWARE, THE RECIPIENT OF A ONE YEAR SCHOLARSHIP FROM THE FOUNDATION OF ROTARY INTERNATIONAL SPONSORED BY THE HARRINGTON ROTARY CLUB DISTRICT #763 AND EXTENDING HER BEST WISHES DURING HER STAY IN AUSTRALIA. Sponsors: Senator Cook, Representative Quillen.

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.

SJR 4 was introduced and assigned to Health-Social Services/Aging Committee.

SJR 4 - PROVIDING FOR THE ESTABLISHMENT OF A CITIZENS TASK FORCE TO STUDY ALL THE RAMIFICATIONS, BOTH LEGAL AND ETHICAL AND TO MAKE RECOMMENDATIONS TO THE GOVERNOR AND MEMBERS OF THE GENERAL ASSEMBLY WITH RESPECT TO SURROGATE PARENTING IN DELAWARE. Sponsors: Senator Holloway, Representative Oberle; Senators Sharp, Knox, Berndt, Zimmerman; Representatives DiPinto, Boykin, Davis.

SB 16 was taken up for consideration under suspension of the necessary rules on motion of Senator Adams:

SB 16 - AN ACT TO AMEND CHAPTER 17, TITLE 18, DELAWARE CODE, RELATING TO LIMITED REPRESENTATIVES.

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 4:50 p.m. on motion of Senator Sharp, the Senate recessed until 4:00 p.m., January 21, 1987.

The Senate reconvened at 4:19 p.m., January 21, 1987, Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Executive Committee: SB 5 - 4 Merits; SB 9 - 1 Favorable, 4 Merits.

From the Labor and Industrial Relations Committee: SB 4 - 1 Favorable, 5 Merits.

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

The following legislation was introduced:

SB 38 - AN ACT TO AMEND PART II, CHAPTER 21, TITLE 21, DELAWARE CODE RELATING TO SECTION 2118 REQUIREMENT OF INSURANCE FOR ALL MOTOR VEHICLES REGISTERED IN THE STATE. Sponsors: Senator Torbert; Representatives Spence, B. Ennis. Assigned to Public Safety Committee.

SB 39 - AN ACT TO AMEND CHAPTER 44, TITLE 9, DELAWARE CODE RELATING TO THE AUTHORITY OF KENT COUNTY TO ESTABLISH BUILDING PERMIT FEES AND ESTABLISH PENALTIES FOR OFFENSES OR VIOLATION OF ITS CONSTRUCTION CODE. Sponsors: Senators Minner, Cook, Torbert, Vaughn, Zimmerman; Representatives Clark, Bennett, B. Ennis, Outten, Quillen, Caulk, Buckworth, Barnes. Assigned to Community Affairs Committee.

SS 1 for SB 23 - AN ACT TO AMEND CHAPTER 13, TITLE 14 RELATING TO SABBATICAL LEAVES FOR PROFESSIONAL SCHOOL EMPLOYEES. Sponsors: Senator McBride, Representative Fallon. Adopted in lieu of the Original and assigned to Education Committee.

SB 23 was stricken at the request of the sponsor, Senator McBride.

SA 1 to SB 2. Sponsor: Senator Cordrey. Placed with the Bill.

At 4:22 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 4th Legislative Day.

4TH LEGISLATIVE DAY

January 21, 1987

The Senate convened at 4:22 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Blair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 21.

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

Senator Neal marked PRESENT.

The following communication was read:

SENATE
STATE OF DELAWARE
DOVER, DELAWARE

January 20, 1987

TO: All Members of the Senate of the 134th General Assembly
FROM: Senator Richard S. Cordrey, President Pro Tempore
SUBJECT: Delaware Commission on Interstate Cooperation

As per the powers invested in me, as President Pro Tempore of the Senate, I hereby appoint the following members of the Senate of the 134th General Assembly as members of the Delaware Commission on Interstate Cooperation: Senator Thurman Adams, Jr.; Senator Herman M. Holloway, Sr.; Senator Robert J. Berndt.

* * * * *

SB 6 was stricken at the request of the sponsor, Senator Cordrey.

SJR 3 was taken up for consideration under suspension of the necessary rules on motion of Senator Cook:

SJR 3 - DIRECTING THE COMMISSIONER OF CORRECTIONS, IN CONJUNCTION WITH THE ATTORNEY GENERAL, TO FORMULATE A DRESS AND GROOMING CODE FOR INMATES IN THE DELAWARE PRISON POPULATION AND TO REPORT TO THE GENERAL ASSEMBLY WITHIN 30 DAYS A SCHEDULE OF IMPLEMENTATION AND THE COSTS INCIDENTAL THERETO.

Senator Zimmerman marked PRESENT.

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

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

SB 1 - AN ACT AMENDING TITLE 7 DELAWARE CODE CREATING THE DELAWARE MUNICIPALITIES NATURAL DISASTERS REVOLVING FUND AND PROVIDING FOR A SUPPLEMENTAL APPROPRIATION FOR ITS FUNDING.

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 1 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Knox) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 2 was taken up for consideration on motion of Senator Cordrey:

SB 2 - AN ACT TO AMEND CHAPTER 43, SUBCHAPTER VI, §4361, TITLE 11 OF THE DELAWARE CODE RELATING TO THE BOARD OF PARDONS; AND PROVIDING FOR NOTICE TO CERTAIN PERSONS PRIOR TO PARDONS HEARINGS.

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 2 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 3 was taken up for consideration on motion of Senator Cordrey:

SB 3 - AN ACT TO AMEND CHAPTER 43, PART II, TITLE 11 OF THE DELAWARE CODE RELATING TO THE BOARD OF PAROLE; AND PROVIDING FOR A NOTICE TO VICTIMS AND WITNESSES PRIOR TO CERTAIN PAROLE HEARINGS.

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

SR 15 was introduced and considered for adoption on motion of Senator Sharp:

SR 15 - CONGRATULATING THOMAS DE MATTEIS, ST. MARK HIGH SCHOOL'S SOCCER COACH, WHO WAS RECENTLY NAMED DELAWARE'S SOCCER COACH OF THE YEAR FOR 1986. Sponsor: Senator Sharp.

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

SCR 9 was introduced and considered for adoption on motion of Senator Still:

SCR 9 - COMMENDING PAUL L. PARETS FOR BEING NAMED DELAWARE'S TEACHER OF THE YEAR. Sponsors: Senators Still, McDowell; Representatives George, Corrozi.

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

SB 40 was introduced and assigned to Health-Social Services/Aging Committee:

SB 40 - AN ACT TO AMEND SUBCHAPTER IV, CHAPTER 47, TITLE 16, DELAWARE CODE, RELATING TO PENALTIES FOR POSSESSION OF CONTROLLED SUBSTANCES. Sponsor: Senator Holloway.

At 5:10 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., January 22, 1987.

The Session called for on January 22, 1987 was cancelled due to a severe State-wide snow storm.

The Senate reconvened at 3:01 p.m., January 28, 1987, Senator Cordrey presiding.

The following Committee reports were announced:

From the Health-Social Services/Aging Committee: SJR 4 - 6 Merits; SB 21 - 6 Merits; SB 28 - 4 Merits; SB 36 - 4 Merits.

The following legislation was introduced:

SB 41 - AN ACT TO AMEND SUBCHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO EXCLUSION OF UNEARNED AND PENSION INCOME FROM DELAWARE PERSONAL INCOME TAX. Sponsors: Senators Zimmerman, Adams, Cook, Cordrey, Holloway, Martin, Marshall, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Berndt; Representatives Gilligan, Bennett, Brady, Bunting, Campanelli, Dixon, George, Houghton, Jester, Jonkiert, Outten, Plant, Sills, Soles, VanSant, West, Wingate, Amick, Carey, Caulk. Assigned to Revenue and Taxation Committee.

SB 42 - AN ACT TO AMEND CHAPTER 21, TITLE 19, OF THE DELAWARE CODE RELATING TO THE DUTIES OF THE STATE AUDITOR OF ACCOUNTS IN APPROVING DISBURSEMENTS MADE BY THE INDUSTRIAL ACCIDENT BOARD. Sponsors: Senator Marshall; Representatives Bennett, Davis, Soles. Assigned to Labor and Industrial Relations Committee.

SB 43 - AN ACT TO AMEND CHAPTER 31, TITLE 19, OF THE DELAWARE CODE RELATING TO THE DUTIES OF THE STATE AUDITOR AS THEY RELATE TO THE EMPLOYMENT SECURITY COMMISSION. Sponsors: Senator Marshall; Representatives Bennett, Davis, Soles. Assigned to Labor and Industrial Relations Committee.

SB 44 - AN ACT TO AMEND TITLE 29 AND TITLE 31 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES; AND PROVIDING FOR A PARAMEDIC SERVICES PROGRAM. Sponsors: Senators Torbert, Adams; Representatives B. Ennis, Outten, Quillen; Senators Cordrey, Cook, Holloway, McBride, Minner, Vaughn, Zimmerman, Bane, Connor, Neal, Slatcher; Representatives Brady, Barnes, Bunting, Caulk, Buckworth, Campanelli, Clark, Carey, Davis, D. Ennis, Gilligan, Jester, Mack, Houghton, Dixon, Jonkiert, Plant, Sills, Roy, Spence, VanSant, West, Wingate. Assigned to Health-Social Services/Aging Committee.

SB 45 - AN ACT TO AMEND CHAPTER 23, TITLE 19, DELAWARE CODE, RELATING TO INSTALLMENT PAYMENTS OF WORKMEN'S COMPENSATION. Sponsor: Senator McDowell. Assigned to Labor and Industrial Relations Committee.

SB 46 - AN ACT TO AMEND CHAPTER 45, TITLE 10, DELAWARE CODE, RELATING TO JURIES, TRIAL BY JURY, JURY SELECTION AND SERVICE. Sponsors: Senator Sharp; Representatives Hebner, Houghton, Buckworth, Davis, Plant. Assigned to Judiciary Committee.

SB 47 - AN ACT TO AMEND CHAPTER 10, PART I, TITLE 14 OF THE DELAWARE CODE RELATING TO ELECTIONS TO REORGANIZED SCHOOL DISTRICTS; AND PROVIDING FOR ABSENTEE VOTING. Sponsor: Senator McBride. Assigned to Education Committee.

SJR 5 - CONGRATULATING THE VOLUNTEER HOSE CO., INC. OF MIDDLETOWN, DELAWARE ON ITS 100TH ANNIVERSARY, 1887-1987. Sponsors: Senator Vaughn, Representative Jester; Senators Adams, Bane, Bair, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Slatcher, Sharp, Still, Torbert, Zimmerman; Representatives Amick, Barnes, Bennett, Boykin, Brady, Buckworth, Bunting, Campanelli, Carey, Caulk, Clark, Corrozi, Davis, DiPinto, Dixon, B. Ennis, D. Ennis, Fallon, George, Gilligan, Hebner, Houghton, Jonkiert, Lee, Mack, Maroney, Oberle, Outten, Petrilli, Plant, Quillen, Roy, Sills, Smith, Soles, Spence, Taylor, VanSant, West, Wingate. Laid on the table on motion of Senator Vaughn.

SR 16 was introduced and considered for adoption on motion of Senator Sharp acting on behalf of Senator Cordrey:

SR 16 - URGING SIMMONS CABLE TV OF LOWER DELAWARE TO RECONSIDER ITS DECISION TO TRANSFER THE CHRISTIAN BROADCASTING NETWORK FROM ITS BASIC SERVICE ON CHANNEL 11 TO ITS TIER SERVICE ON CHANNEL 20. Sponsor: Senator Cordrey.

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

SCR 10 was introduced and considered for adoption on motion of Senator Still:

SCR 10 - EXPRESSING CONDOLENCES TO THE FAMILY OF JOSEPH J. DIFEO, ELSMERE COUNCILMAN, WHO DIED THURSDAY, JANUARY 15, 1987. Sponsors: Senator Still, Representative Campanelli.

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

SCR 11 was introduced and considered for adoption on motion of Senator Berndt:

SCR 11 - IN RECOGNITION OF DELAWARE DAY IN POMPAHO BEACH, FLORIDA, ON THURSDAY, FEBRUARY 12, 1987, AND ENCOURAGING DELAWAREANS TO ATTEND AND PARTICIPATE IN THE FESTIVE ACTIVITIES PLANNED FOR THE DAY. Sponsors: Senators Berndt, Adams, Cordrey, Cook; Representatives Bennett, Corrozi.

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

At 3:15 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 5th Legislative Day.

5TH LEGISLATIVE DAY

January 28, 1987

The Senate convened at 3:15 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Holloway

Pledge of Allegiance to the Flag.

Senator Sharp presiding.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 21.

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

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 6; HCR 7; HCR 8; HCR 5; SCR 3; SCR 4; SCR 5; SCR 6; SCR 7; SCR 8.

On motion of Senator Bair, the privilege of the floor was extended to Stephanie M. Gerjovich-Wright (Red Clay Consolidated School District) and Henry Bouchelle (Colonial School District) - two teachers from Delaware being considered for the Teachers in Space Program.

At the request of Senator Neal, the following poem read by Ms. Wright:

IN MEMORIAM FOR 1139EST, JANUARY 28, 1986, TEN MILES HIGH

They flew above this frantic earth
E'n though a moment long,
We saw the smiles across the miles;
Heard NOT the siren's song.

Each time it goes we stare and gasp,
And feel the rocket roar,
As up it hurls, all sails unfurled,
A million miles to soar.

Our hearts were one from earliest sun.
We hugged. I held my breath
As towards the sun that shuttle spun;
Heard not the siren, Death.

We swelled with pride as on that ride
Our colleague did embark.
My silent thought went with that dot
Toward space, and cold, and dark.

It was for me a chance to see,
Though only in my mind,
That lady there in curly hair
With words for us behind.

But siren Death cared not this day,
She saw them, one and all.
Before our eyes, she made hard lies
Of numbers humans call.

But on we plan and dream and do,
Our destiny pursue.
We feel the quest; we urge the test
Toward frontiers ever new.

She sails yet upon the deep,
No more a frail creature.
From pilgrim land she took her stand,
And called herself a teacher.

John D. Miller, Christiana High School
* * * * *

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 9.

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

HCR 9 - COMMEMORATING NATIONAL TEACHER APPRECIATION DAY, JANUARY 28TH, 1987. Sponsors: Representative Fallon and all members of the House and all members of the Senate.

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 22 was taken up for consideration on motion of Senator Cordrey:

SB 22 - AN ACT TO AMEND SUBCHAPTER IV, CHAPTER 1, TITLE 23, DELAWARE CODE, RELATING TO PILOTAGE RATES.

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

At 3:40 p.m. on motion of Senator Cordrey the Senate recessed for Party Caucus and reconvened at 5:30 p.m., Lt. Governor Moo presiding.

The following legislation was introduced:

SA 1 to SB 3. Sponsor: Senator Connor. Placed with the Bill.

SB 48 - AN ACT TO AMEND TITLES 24 AND 29, DELAWARE CODE, RELATING TO THE BOARD OF REGISTRATION OF GEOLOGISTS. Sponsors: Senator McDowell, Representative Amick; Senators Bane, Marshall, Still, Torbert; Representatives D. Ennis, Houghton, Jonkiert, Roy. Assigned to Administrative Services/Energy Committee.

SB 49 - AN ACT TO AMEND CHAPTER 1, TITLE 24 OF THE DELAWARE CODE, RELATING TO THE BOARD OF ACCOUNTANCY. Sponsors: Senator McDowell, Representative Amick; Senators Bane, Marshall, Still, Torbert; Representatives D. Ennis, Houghton, Jonkiert, Roy. Assigned to Administrative Services/Energy Committee.

On motion of Senator Vaughn, SJR 5 was lifted from the table and considered for adoption under suspension of the necessary rules:

SJR 5 - CONGRATULATING THE VOLUNTEER HOSE CO, INC. OF MIDDLETOWN, DELAWARE ON ITS 100TH ANNIVERSARY, 1887-1987.

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

At the request of Senator Holloway, the members of the Senate rose and observed a moment of silence in memory of the members of the Challenger Space Shuttle who perished a year ago this day.

At 5:40 p.m. on motion of Senator Sharp, the Senate recessed until 1:45 p.m., January 29, 1987.

The Senate reconvened at 1:50 p.m., January 29, 1987, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 18, HB 9 and adopted HCR 10.

At 1:50 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 6th Legislative Day.

6TH LEGISLATIVE DAY January 29, 1987

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

A Prayer was offered by Senator Connor.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 21.

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

The following legislation was introduced:

SB 50 - AN ACT TO AMEND CHAPTER 10, PART I, TITLE 14 OF THE DELAWARE CODE RELATING TO THE LENGTH OF TERM FOR PERSONS ELECTED TO SERVE ON SCHOOL BOARDS OF REORGANIZED SCHOOL DISTRICTS. Sponsor: Senator McBride. Assigned to Education Committee.

At 1:53 p.m. on motion of Senator Sharp, the Senate recessed to join the House in the House Chamber for the Joint Session to hear the Governor's Budget address.

JOINT SESSION HOUSE CHAMBER January 29, 1987

Pursuant to HCR 10, the House and the Senate met for a Joint Session in the House Chamber.

Mr. Speaker moved that the House and the Senate convene in Joint Session. The motion prevailed.

Representative Oberle moved that the Chief Clerk of the House and Secretary of the Senate act as Secretaries of the Joint Session. The motion prevailed.

Representative Oberle moved that a committee of four be appointed to escort the Governor to the House Chamber.

The Speaker appointed Representative D. Ennis and Senators Marshall, Bane and Sills to escort the Governor to the Chamber.

The Sergeant-at-Arms admitted the Governor to the House Chamber. The Speaker invited the Governor to the rostrum and introduced him to the Joint Session.

The Governor addressed the members of the General Assembly as follows:

Lieutenant Governor Woo, Mr. Speaker, our new Speaker B. Bradford Barnes of Bridgeville, Mr. President Pro Tem, members of the 134th General Assembly, members of the cabinet, honored guests, and the people of Delaware:

Two weeks ago, I suggested that if the state of the state was measured by the quality of life we enjoy and our ability to enjoy it further, then truly the state of the state is excellent.

Today, I turn to a detailed explanation of how we can improve that quality of life.

The budget and bond bills I present to you today are built on the principles which I outlined two weeks ago -- restraint of overall spending combined with a commitment to meet future responsibilities.

This administration remains committed to a policy of fiscal restraint and controlled growth to ensure the balance between government needs and individual initiative.

The members of this General Assembly have demonstrated time and again they also stand foresquare behind this same policy.

But in this budget, we also address a second commitment -- to envision a better Delaware -- to ask "why not" -- and then deliver on that vision.

We will deliver quality services -- to the young, the elderly, the mentally ill, the AFDC mothers struggling to make ends meet and break the cycle of welfare dependence, to the high school graduate trying to finance college.

For, failing to meet their legitimate needs, we fail to keep pace with the future, and that failure can undo all of the good that our policies of restraint have achieved.

* * *

A budget message by its very nature tends to be reported in terms of growth percentages, one-time appropriations, tax cut proposals and surplus projections -- and in that focus the true meaning of those numbers is usually lost.

Each set of numbers represents people, programs, and policies. And in discussing the numbers today, I will tell you how they reflect the policies of this administration.

This budget for the first time fully implements a process that began by establishing policy objectives, developed by our cabinet councils and the governor's office, as the foundation for funding decisions.

It is a comprehensive commitment we can make to our citizens today -- with the knowledge that we will be able to honor it tomorrow.

* * *

The Delaware Economic and Financial Advisory Council's most recent estimate of revenues for fiscal year 1988 is 986.6 million dollars.

After we add the expected fiscal 1987 surplus, include an increase in Medicaid reimbursements, and meet our reserve requirements, 1 billion, 18.2 million dollars will be available.

Of that amount, I am recommending 970.7 million dollars for the fiscal 1988 budget, plus 11.8 million dollars for grants-in-aid.

I am also submitting today a 94.6 million dollar capital spending proposal, and by doing so providing the General Assembly with a comprehensive picture of total state spending.

There remains unallocated a total of 35.7 million dollars, representing those revenues the state anticipates collecting as a windfall due to the federal Tax Reform Act of 1986, as well as additional revenue growth resulting from the continued strength of our economy.

I recommend that those funds be allocated as follows:

- o For major capital expenditures -- 34.0 million dollars;

- o For state funding of the Prothonotary's Office -- \$1.6 million.

This will leave \$11.4 million for a tax adjustment effective January 1, 1988.

The basic budget will grow by 4.5 percent over this year's budget.

This was the original growth target set by the budget office and we were able to hit that target. It is a growth rate that provides for both inflationary increases and substantial new funding in key areas.

In addition to program growth funded with new revenues, we have also reallocated funds to new programs by eliminating ineffective or out-dated programs and through more efficient management.

In short, this budget meets the objective of overall spending restraint without handcuffing any department. Spending in key areas such as education, children's programs, health and social services, highways and infrastructure has grown substantially.

In addition, this budget process reflects my commitment to allowing my cabinet secretaries -- the chief advocates for their departments and those served by each department -- to set their own priorities.

Fundamental spending decisions have been left, by and large, in their hands.

To their credit, the agencies were very forthright in discussing what was needed -- and what was not needed.

They also told us where we could find duplication of services and services that would be better performed by someone else.

We have supported their actions, and have redirected millions of dollars into much-needed programs, without increasing overall spending.

* * *

I said in my State of the State Address that spending on Health and Social Services has increased by 25 percent in the three budgets I have prepared since taking office -- during a time when the cost of living has increased by only about 10 percent.

We have not only funded traditional programs, but have directed additional revenues to expanding programs.

This real growth in spending has been directed at the primary goal of the department -- to encourage self-sufficiency.

For decades, government policies have led to unnecessary institutionalization, able-bodied men and women on our welfare rolls, and nursing homes providing long-term care when prevention would have made that care unnecessary.

But now we are reversing the historic trend by caring for people in community settings, providing encouragement and incentives for people to work, and directing our resources toward maintaining healthy lives.

To continue in that direction is one of the chief goals of this budget.

o We will meet this goal by appropriating more than 800 thousand dollars to compensate for lost federal funding for teaching employment skills and placement of AFDC recipients into unsubsidized employment;

o By funding a new job-search program for food stamp clients;

o By expanding medical coverage for pregnant women and their children;

o By increasing reimbursement rates for day-care facilities so that welfare recipients, particularly those with children under two years of age, are able to work;

o And by increasing Aid to Families with Dependent Children for the fourth year in a row.

With each of these programs, we provide support for those who are working their way toward independence and self-sufficiency, but who still need help to reach their goals.

As chairman of the National Governors' Association task force on welfare reform, I have seen this approach repeated in virtually every state in the nation. I have seen few states more successful than Delaware in making it work.

Like Delaware, the other states have realized that we fall short in our responsibility to those who need help if that help does not encourage men and women to achieve self-reliance.

Government's responsibility goes further, of course. There are others who will always depend on us for assistance to some degree; we must make sure that they live a life of dignity.

For many, this can be accomplished by removing them from institutions. For others it can be accomplished by providing better health services.

This year we will continue to move mentally retarded from institutions to community placement.

Day programs for the mentally retarded will be expanded, outpatient mental health services will be provided in all three counties, and the Mobile Crisis Unit program will be enlarged.

We will replace lost federal funds for maternal and child health services, and for medical screening for the elderly. And we will double the state's effort to combat sexually transmitted diseases.

We continue to increase our ability to help severely disturbed young adults by fully funding a program to provide education and treatment for many of those young people between the ages of 18 and 21 who currently must be sent to out-of-state facilities.

And we will add twenty-two staff and nursing positions at Delaware State Hospital to provide more and better service.

* * *

Two months ago I was invited to attend a meeting of state legislators in Nashville, Tennessee, to discuss Delaware's Focus on the First Sixty Months.

There, I described our efforts to help people as an investment in "human capital."

By that I meant that every citizen has tremendous potential value, both to himself and to the community -- if it is tapped.

Nowhere is the potential more evident than in a child; or nowhere more fragile.

By solving the problems that affect young lives, we increase the chances that our children will grow up to be productive, happy adults.

There is good economic reason to do so: The better our work force, the stronger our economy will be.

There is good fiscal reason to do so: By investing our resources to protect children from abuse and hunger and to assure that they can take full advantage of the education we provide, we substantially reduce the long-term cost of welfare and institutionalization.

And there is the most important reason: It is the right thing to do. To do less is unconscionable.

The primary objective of our children's programs is to help every child realize his or her own potential as an adult, free from the effects of hunger, abuse, poor health or inadequate education.

To that end, the budget I am presenting to you today:

- o Begins to reduce the rate of out-of-home placements.
- o Expands outpatient child and adolescent mental health programs.
- o Increases foster care to 100 percent of the standard of need.
- o Increases payments for group care by over 18 percent.

In addition, we will continue the Focus on the First Sixty Months program, by expanding its prevention programs and providing psychological services for several hundred children in Head Start programs.

We are continuing to improve staff training; we continue to fund development of a risk assessment model; and we are increasing the department's ability to handle a growing caseload, thus reducing the potential for any child in need of help to be forgotten or ignored.

While we measure our ability to protect our children in terms of case tracking and staff retention, it is very important to remember why we are doing this.

In addition we will continue to focus on the First Sixty Months Program by expanding its prevention programs and providing psychological services for those children.

Graham Greene said it best when he wrote, "There is always one moment in childhood when the door opens and lets the future in."

It is our responsibility to make sure that the door indeed opens -- for every child.

* * *

But that responsibility is shared by other agencies in this state, most notably by our public school system.

There have been many groups that have studied education in Delaware, including the Governor's Task Force on Education. All of these groups have recognized the same thing -- that our public education system is the key factor in determining Delaware's ability to sustain economic growth.

And all have said that we must concentrate on preparing our young people to meet the demands of the workplace by providing the fundamental skills demanded in life.

And our teachers are the key to fulfilling these goals.

Over the past three years we have made significant progress in improving teacher salaries. We must continue that improvement.

Before budget mark-up, the General Assembly should adopt the new teacher pay scale index developed through a cooperative effort by the General Assembly, educators, and my administration.

This simple index is designed to reward both experience and professional training, and offers teachers the opportunity to dramatically improve their salaries as they complete advanced academic work and develop the skills that only years in the classroom can bring.

This is a major step toward making our teachers' salaries competitive with salaries in neighboring states and increasing the quality of teaching in our classrooms.

Upon adoption of that index, I would propose a two-step implementation to bring all teachers to that scale. That would require 11.8 million dollars this year and provide teachers with an average increase of \$1,440, or an average salary of 28,907 dollars before any local increases.

The average starting salary assuming a 30 percent local contribution, which is the present average, will increase to over \$19,500.

However, there are major needs to be addressed beyond salaries. We need our teachers available in school for a full workday and for additional days of training.

We need to address impediments to good management that have interfered with our school principals opportunities to run their schools.

We must promote incentives that contribute to the professional growth of our educators by charging the State Board of Education with the responsibility for continuing the work begun by the Christina School District on teacher incentives. Our commitment to increasing salaries and incentives has not changed.

But our demand for quality in the classroom has not changed either.

- o In the coming year we will expand the pilot teacher evaluation program.

- o We will include administrators in the evaluation process.

- o And, through the State Board of Education, we will develop a mechanism to report to the public on the achievements of our schools that they support to the tune of hundreds of millions of dollars a year.

We will also address the needs of at-risk students by continuing our initiative to prevent students from dropping out of school; by increasing our drug and alcohol abuse prevention programs; and by expanding the education aspects of the Focus on the First Sixty Months program.

To ensure that our students are aware of their educational options, I am proposing additional counselors in our schools, a recommendation of the Vo-tech Task Force.

And to ensure our children have adequate materials and good school buildings, I am recommending a one-time expenditure of \$ 1.0 million, in addition to an increase in the base budget, to replace outdated books and materials.

The most recent statistics available place us ninth in the nation in spending per pupil, yet this year we expect to rank between 15th and 19th in teacher salaries. That tells me we need to re-examine our system so that our resources are directly focused on the classroom.

With this budget, we begin that process.

We have identified \$3.2 million presently being spent in education that can be redirected to teacher salaries and up-to-date books and materials for students. But I believe much more can be done.

If in the past few years we have made progress toward better schools and better educated students, toward higher salaries for teachers and higher classroom standards, it is because we began by asking basic questions about how to make our education system more effective.

Today the challenge for the State Board of Education -- indeed for every one of us who is concerned about our schools -- is to apply that same, healthy skepticism to the finance of education, to question formulas rather than merely accepting them.

Only then can we be sure that education dollars are really spent on teaching our young people.

* * *

Delaware's actions have long reflected our respect for our environment. We were the first in the nation to enact a Coastal Zone law, and since then, we have been a leader in environmental issues.

In recent years we have taken steps to preserve our inland bays; we have strengthened our ability to enforce environmental standards and dumpsite cleanup efforts; and we have aggressively developed underground storage tank safeguards.

Today our record of developing innovative and cost effective strategies for safeguarding our environment prepares us for one of the most complex, yet most important environmental issues we have faced -- land-use planning.

A strong economy, combined with Delaware's natural appeal, has brought growth to our state, and we must be prepared to channel the energies of that growth in the right direction.

I have directed my cabinet secretaries to work together whenever appropriate to coordinate land-use decisions.

In addition, I am recommending funding to provide additional technical resources to review land-use planning in Delaware and the appropriate role of state government in this process.

But this small state's natural resources are finite, and recent events make it clear that development pressures is intense.

Once lost, these lands are lost forever.

Two years ago we took the first step toward preserving valuable property by establishing Delaware's Land and Water Conservation Fund. Today that fund stands, including private contributions, at over one \$1.1 million.

Today, I recommend that the General Assembly increase the fund by five million dollars, strengthening the state's ability to guarantee the integrity of our most valuable natural resources.

Assuring that rare and valuable natural lands are preserved for our children and grandchildren is only part of our responsibility to the environment, however.

In recent years we have increased the state's ability to respond to threats to the health and safety of our citizens, and in the Environmental Legacy program we have begun the long-range planning needed to assure a clean and healthy environment as we enter the year 2000.

In the budget I am presenting today, in addition to providing on-going funding for important environmental protection programs, we are increasing the state's ability to identify potential hazards in the air we breathe, we are committing ourselves to a full program of soil conservation, and we are upgrading equipment important to the Department of Natural Resources and Environmental Control.

And, to compensate for lost federal funds, I am recommending a revamped fee structure to assure that the Water Resources Division is adequately staffed.

* * *

Two centuries ago, when Dover was a hamlet with a population of less than 500 people and Delaware's capital was still in New Castle, the first two buildings planned for The Green were a court house -- and a jail.

They didn't call it corrections then, but corrections was an issue in the earliest days of this state, just as it is today.

In recent months, we have experienced problems in our prison system. Guards at Gander Hill have been accused of selling contraband to prisoners, and four prisoners escaped from Delaware Correctional Center at Smyrna.

Corruption among our prison guards is unacceptable, even if it is limited to a small number, as I believe it is. The failure of security at any prison is unacceptable.

I appointed a Corrections Security Task Force to investigate security procedures at Gander Hill, and in the wake of the Smyrna escape asked chairman Peter Stone and the other members of the task force to expand their work to include security system-wide.

We received their interim report last month, and I ordered Commissioner Sullivan to immediately implement task force recommendations. On January 15th, he reported that many of the measures recommended by the task force were in place.

At the same time, the commissioner has been implementing changes long-planned, but delayed while the joint investigation was underway.

Our review of corrections security is also drawing heavily on the report prepared by the State Police after their investigation of the escape.

To beef up security at DCC, I have already asked you to appropriate funds for new perimeter security measures to be installed as soon as possible.

Perimeter fencing at the new halfway house in Sussex County is also vital before we begin operation of that halfway house.

In combination with those measures, this budget contains the funds necessary to operate a secure prison system.

But I do not believe that the problem with our prisons is a lack of funding; rather, I believe it is a question of management practices relating to procedures and security.

And I want my intentions to be extremely clear:

While I understand that prisons are full of people who would like to escape -- I will not tolerate sloppy or inadequate security.

We will have an effective prison system, one that our citizens can trust to protect them from those deemed dangerous and violent.

* * *

Making certain we have a secure corrections system is only part of our responsibility in ensuring the safety of the citizens of Delaware.

Our State Police officers must have the ability to enforce our laws, our Justice Department must have the resources to prosecute criminals, and our judicial system must be able to handle cases in a timely and effective manner.

To enhance our law enforcement ability, I am recommending the following:

- o The creation of ten communication technician positions within the Department of Public Safety, freeing ten state troopers now performing emergency dispatch duties for other police activities;

- o Purchase of Breathalyzer and radar replacement equipment for enforcement of speed and DUI laws;

- o Replacement of lost federal funds for the Division of Motor Vehicles to continue its DUI tracking program;

- o And funding for new positions within the criminal justice system to assure that the system is not hampered by delays or overwhelmed with cases.

* * *

A year ago, I said that if our state personnel system was a boat, it would sink.

It was a system without rational policies, an inefficient and ineffective system that threatened our ability to provide the best services to our citizens.

Last year, with the support of our state employees, and to the credit of the General Assembly, we took a major step forward in overhauling our state pay plan.

We implemented a new salary schedule in line with other state and local governments and made sure no one was paid below the minimum; we developed a plan to place everyone in the proper job classifications.

This year we will continue to build on those efforts by reclassifying employees who are incorrectly classified.

I am recommending in this budget a total of \$13 million to increase state employees' salaries. This will include a salary increase of three percent for state employees to take effect July 1, 1987.

In addition, the approximately two thirds of our state employees who are below the midpoint of their salary range will on average receive an additional five percent increase on January 1st, 1988 to move them closer to that point.

The strides we made last year and our commitment to do even more will ensure that we are able to attract and retain good employees so that we can better fulfill our responsibility to our citizens.

* * *

Recent snowfalls have reminded us of the importance of our highway system.

Our commitment to assuring safe, convenient travel throughout the state is reflected in the fact that we are in the midst of an aggressive highway improvement program that will see over \$600 million spent on roads in five years.

This program enables us to continue improvements to the Concord Pike, projects on Naamans Road, Route 1 from Lewes to Rehoboth, Ogletown Intersection, Route 7 from DuPont Highway all the way to the Pennsylvania Line, Saulsbury-Denny's Road, and Route 141. In addition we are actively analyzing solutions to the east-west routes in Sussex County, and roads in the Metroform Area.

We are addressing Delaware's highway needs more efficiently and rapidly than ever before in the history of the state. But we can do even better.

I am proposing in this budget the first significant step toward construction of the project that will have a profound impact on Delaware's future . . . the north-south relief route.

Roughly \$480 million will be required to complete the entire project, over a period of a decade or more. I'm recommending that we take the first significant step toward completion of this new highway by appropriating \$20 million during fiscal 1988.

The many people who are concerned with this project have worked hard -- and, more important, worked together -- to obtain agreement on the location of this roadway, now we may begin the design and construction of those projects that will provide the welcome relief to our citizens.

Efforts to improve our main highways must not be at the expense of secondary and lesser traveled roads, however. Nor will they be.

To this end, I am also recommending special funding in the amount of \$14.5 million for improvements and resurfacing of secondary roads. Approximately \$8.5 million of this amount will come from the bond bill.

This balanced approach to funding our highway needs will provide for and support quality of life in conjunction with economic development -- a desirable and obtainable goal.

* * *

I have spoken at length, both in this address and in the State of the State Address two weeks ago, about the progress Delaware has made over the last decade.

That progress would not have been possible without the General Assembly's increasingly professional and sophisticated approach to fiscal matters, and in particular the work of the Joint Finance Committee and the chairpersons: Senator Nancy Cook and Representative Phil Corrozi.

But the benefits of that approach have been limited by the fact that we focus on the state's operating budget at the beginning of the session, and capital expenditures only at the end.

Two years ago we began to develop a comprehensive capital spending plan. We set standards for consideration of each project which included examination of their long-term costs, their cost-benefit ratio and their effects on the operating budget.

This year we take the final step toward a unified approach to state spending by presenting to you both the budget and the bond bill at the beginning of the session.

I am recommending that we spend \$94,561,713 in this year's capital budget.

This proposal will allow us to support further economic development efforts, maintain and improve school and government buildings, continue to improve roads throughout Delaware, and support improvements to the state's infrastructure.

Recognizing the role economic development has played in strengthening our economy, I am proposing that we fund three projects requested by the Delaware Development Office:

- o Funding to develop the public areas around the Christina Gateway project in Wilmington.

- o Assistance to Harrington in developing a proposed industrial area which will lead to the creation of about 200 jobs.

- o And support for continued development of jobs at the New Castle Corporate Commons. The Department of Administrative Services, which is responsible for addressing asbestos-related problems, has identified more than 300 state-owned buildings and about 150 public schools targeted for asbestos removal by 1990. We will spend \$3 million, a third of which will go to our schools, on this effort in the coming fiscal year.

To allow better coordination among divisions and units of the Department of Services to Children, Youth and Their Families, I am proposing that we move the department's administrative offices, the Division of Child Protective Services, the Licensing Unit, and the Division of Youth Rehabilitation to the Ferris campus.

To ensure that local governments are able to meet state and federal water quality standards, I am recommending \$2.5 million in matching money for sewer construction, an increase of 33 percent over last year.

And to protect the public from potentially unhealthy water conditions at Lums Pond State Park, I am recommending funding for development of a swimming pool at the park.

I have also recommended funding for new construction projects to alleviate overcrowding in several of our state buildings, including:

- o expansion of the Department of Agriculture's administrative building.
- o construction of a new building for the Fire Marshall's office.
- o and \$1.3 million for a new building for the Delaware Geological Survey at the University of Delaware.

In addition, I am recommending that we continue our work to improve the conditions in our Magistrate Courts.

Overall capital spending in public and higher education totals \$18.5 million, more than 37 percent higher than in fiscal 1987.

Capital spending related to health and social programs is \$8.2 million, a 14-percent increase, and spending for transportation projects is \$81 million, a 32-percent increase.

Total spending for minor capital improvements is nearly \$16.3 million, an increase of 29 percent from the current fiscal year.

These expenditures will allow repair of existing facilities and the long overdue preventive maintenance that will lessen the need for expensive replacement in the future.

In each of the last two years, DEFAC's estimate of revenues has grown substantially between January and June because of the continuing strength of our economy.

Record retail sales during the final quarter of 1986, extraordinary growth in revenues from corporate activity during the same period, the ongoing boom in our real estate industry and the continued drop in unemployment -- all point to repetition of the same phenomenon this spring.

As we get closer to final budget decisions, I suggest that any new funds be earmarked for major construction projects such as the north-south relief route; secondary roads and improvements to both state and public school buildings.

* * *

Beginning in 1979, we embarked on a series of four cuts in personal income tax rates, reducing the top rate from 19.8 percent to 8.8 percent.

These tax cuts have made Delaware competitive as we seek to attract new jobs and industry from other states. They have also restored a measure of fairness to our tax policy.

Last year, Congress enacted a major overhaul of the federal tax system. These changes eliminated many deductions and exemptions while simplifying the entire rate structure.

Since Delaware's tax structure "piggy backs" on the federal system, Congress' action will result in the payment of higher state taxes by individual Delaware taxpayers.

Substituting a refund check from the United States Treasury for a personal check written to the State of Delaware is neither good government nor good tax policy.

If we do not take action to correct this situation, it will largely negate the effect of last June's 9 percent reduction in personal income taxes for all Delawareans.

In December, DEFAC projections estimated that the State would receive additional revenue in FY 88 because of these federal changes of \$30.9 million.

But we can only estimate the impact because the new federal tax rates did not go into effect until this month.

Some argue that we should not return this money at all but spend it on expanding ongoing state services. Others argue that we must return it dollar for dollar.

As a practical matter it is almost impossible to return those revenues which the state will receive during this calendar year. To do so would require the General Assembly to enact a retroactive tax adjustment or establish of two tax tables for 1987, one for before and one for after July 1st.

Neither of these approaches is practical.

I would therefore propose a compromise based on the work of a group of distinguished Delawareans who have spent several months developing a plan which would allow us to fairly return these revenues to the taxpayers.

This group included three former secretaries of finance -- Pete Nellius, Marna Whittington and Bill Buxbaum -- the chairman of DEFAC, Howard Cosgrove, others in Delaware's banking and financial community, and members of my Administration.

They have presented the recommendations I submit today for your consideration:

First, that we reduce our current tax brackets from fourteen to nine. This will not only simplify our system but will prevent taxpayers from being driven into a higher tax bracket by inflation.

Second, that we exempt the first \$2,000 of taxable income for all Delawareans.

Third, that we increase the standard deduction from \$1,000 to \$1,300 for individuals and to \$1,600 for married couples.

Fourth, that we restore the additional exemption for the blind and elderly which was eliminated at the federal level.

Fifth, combined with the above, we will reduce our top marginal rate to 7.8 percent.

These changes in Delaware tax law would become effective January 1, 1988. With these measures, Delaware tax reform will continue the progress of the last few years.

It will remove almost 30,000 taxpayers from the rolls.

It will return the federal windfall to the taxpayers and, at the same time, keep us competitive as we seek new jobs and industry.

Reducing the number of low income taxpayers, lowering the tax obligations of those who can least afford it, simplifying the structure and reducing our marginal rates will all be accomplished.

During the spring as you review this proposal I invite the leadership of the General Assembly to examine this proposal and discuss the data which supports it with this ad hoc group and members of my Administration so that together we can develop a package as we have always done in the past that is acceptable to all Delawareans.

* * *

Today, as I present my budget and capital spending proposals to you, nearly half the states face difficult budgetary decisions.

Already, twenty three states have cut or have announced plans to cut their budgets.

Texas has cut its budget by more than 500 million dollars and still has a shortfall of 600 million dollars -- a combined deficit greater than Delaware's entire budget.

In Alaska, they're asking employees to take a ten percent pay cut and work a longer work week.

In North Dakota the legislature was called into special session in December for a second round of budget cuts; the state already has increased its sales tax and raised personal income taxes.

Other states as well are responding to budgetary shortfalls by raising taxes.

Fortunately for us in Delaware the question today is different.

The question before us is not, "do we reduce taxes or improve our services?" -- but rather, "how much do we give back and where can we improve."

The budget and bond bill I present can accomplish these objectives because we have been prudent; we have worked together to restrain state spending; we have developed sensible tax policies that reward individual initiative.

In the next few months, as we continue the budget process, we must continue to build on that same working relationship for the future. The soundness and strength of the state's financial position can only be maintained through cooperative effort.

Doing so, we will meet the legitimate needs of those who need our help -- we will keep pace with the future -- and we will continue a tax policy founded on fairness to all Delawareans.

Thank you, very much.

* * * * *

Representative D. Ennis, Senator Marshall, Senator Bane and Representative Sills escorted the Governor from the Chamber.

Representative Oberle moved that the Chief Clerk of the House and the Secretary of the Senate compare their respective Journals. The motion prevailed.

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

Representative Oberle moved that the Joint Session be adjourned and that the two Houses separate to reconvene in their respective Chambers. The motion prevailed.

* * * * *

The Senate reconvened at 4:17 p.m., January 29, 1987, Senator Cordrey presiding.

The following communication was read:

SENATE
STATE OF DELAWARE
DOVER, DELAWARE 19901

January 28, 1987

TO: To All Members of the 134th General Assembly
FROM: Senator Richard S. Cordrey, President Pro Tempore
SUBJECT: Appointment -- Urban Community Revitalization Study Task Force

As per the authority invested in me with the passage of House Bill No. 654 as amended by House Amendment No. 1, of the 133rd General Assembly, I hereby appoint: Senator Herman M. Holloway, Sr, to serve as a member on the Urban Community Revitalization Study Task Force.

* * * * *

The following legislation was introduced:

SB 51 - AN ACT TO AMEND SUBCHAPTER II, TITLE 30 OF THE DELAWARE CODE RELATING TO CHILD CARE CREDIT FOR PERSONAL INCOME TAX PURPOSES OF RESIDENT INDIVIDUALS. Sponsors: Senators Minner, Holloway; Representative West. Assigned to Revenue and Taxation Committee.

SB 52 - AN ACT TO AMEND CHAPTER 10, PART I, TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL BOARDS OF REORGANIZED SCHOOL DISTRICTS; AND PROVIDING FOR SPECIAL ELECTIONS UNDER CERTAIN CIRCUMSTANCES. Sponsors: Senator McBride, Representative Taylor. Assigned to Education Committee.

SB 53 - AN ACT TO AMEND CHAPTER 10, PART I, TITLE 14 OF THE DELAWARE CODE RELATING TO ELECTIONS IN REORGANIZED SCHOOL DISTRICTS; AND PROVIDING FOR THE ELECTION OF SCHOOL BOARD MEMBERS FROM SCHOOL BOARD ELECTION DISTRICTS. Sponsor: Senator McBride. Assigned to Education Committee.

SB 54 - AN ACT TO AMEND SUBCHAPTER VI, CHAPTER 7, TITLE 7, DELAWARE CODE, RELATING TO RACCOON TRAPPING. Sponsors: Senator Torbert; Representatives Caulk, Carey. Assigned to Natural Resources and Environmental Control Committee.

SB 55 - AN ACT TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO MODIFICATION OF INCOME FOR TAX PURPOSES. Sponsor: Senator Holloway. Assigned to Revenue and Taxation Committee.

SB 56 - AN ACT TO AMEND SECTIONS 937(b)(14), 937(g) AND 933(1), TITLE 10 OF THE DELAWARE CODE WITH REFERENCE TO THE MIXING OF CHILDREN CHARGED WITH OR ADJUDICATED DELINQUENT WITH DEPENDENT OR NEGLECTED CHILDREN. Sponsors: Senators McDowell, Bair, Vaughn, Bane, Knox; Representatives Maroney, Buckworth, Spence, Sills. Assigned to Children, Youth and Families Committee.

SA 1 to SB 46. Sponsor: Senator Sharp. Placed with the Bill.

The following legislation was introduced:

HB 9 - AN ACT TO AMEND CHAPTER 92, TITLE 10 OF THE DELAWARE CODE IN REGARD TO THE COURSE OF INSTRUCTION TO BE TAKEN BY JUSTICES OF THE PEACE. Sponsors: Representatives Houghton, Dixon. Assigned to Judiciary Committee.

HB 18 - AN ACT TO AMEND CHAPTER 17, TITLE 24 OF THE DELAWARE CODE RELATING TO THE TEMPORARY SUSPENSION OF CERTIFICATES TO PRACTICE MEDICINE. Sponsors: Representatives Maroney, VanSant; Senators Bane, Holloway. Assigned to Administrative Services/Energy Committee; reassigned to Health-Social Services/Aging Committee.

Senators Bair, Cook, Holloway, Knox, Martin, Torbert, Zimmerman marked PRESENT.

Senators McDowell and Adams marked PRESENT.

On motion of Senator Sharp and without objection, the necessary rules were suspended for consideration of SB 46:

SB 46 - AN ACT TO AMEND CHAPTER 45, TITLE 10, DELAWARE CODE, RELATING TO JURIES, TRIAL BY JURY, JURY SELECTION AND SERVICE.

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.

Senator Bane was added as co-sponsor of the Bill after which the roll call vote on SB 46 w SA 1 was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

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

SJR 4 - PROVIDING FOR THE ESTABLISHMENT OF A CITIZENS TASK FORCE TO STUDY ALL THE RAMIFICATIONS, BOTH LEGAL AND ETHICAL AND TO MAKE RECOMMENDATIONS TO THE GOVERNOR AND MEMBERS OF THE GENERAL ASSEMBLY WITH RESPECT TO SURROGATE PARENTING IN DELAWARE.

SA 1 to the Bill (sponsor: Senator Berndt) was introduced and considered for adoption. 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 SJR 4 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SB 36 was taken up for consideration on motion of Senator McDowell:

SB 36 - AN ACT TO AMEND CHAPTER 85, TITLE 29, DELAWARE CODE, RELATING TO THE REHABILITATION AID PROGRAM.

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 4:46 p.m. Senator Sharp presiding.

SB 3 was taken up for consideration on motion of Senator Cordrey:

SB 3 - AN ACT TO AMEND CHAPTER 43, PART II, TITLE 11 OF THE DELAWARE CODE RELATING TO THE BOARD OF PAROLE; AND PROVIDING FOR A NOTICE TO VICTIMS AND WITNESSES PRIOR TO CERTAIN PAROLE HEARINGS.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Connor and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on SB 3 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.

At 4:51 p.m. on motion of Senator Cordrey the Senate recessed for Party Caucus and reconvened at 7:05 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SB 57 - AN ACT TO AMEND CHAPTER 65, TITLE 18, DELAWARE CODE, RELATING TO COVERAGE OF CERTAIN RAIL OPERATIONS BY THE DELAWARE SELF-INSURANCE FUND. Sponsor: Senator McDowell. Laid on the table at the request of the sponsor.

SB 58 - AN ACT TO AMEND CHAPTER 11, TITLE 30 OF THE DELAWARE CODE, RELATING TO PERSONAL EXEMPTIONS ON STATE INCOME TAX. Sponsors: Senators Sharp, Cordrey, Holloway. Assigned to Revenue and Taxation Committee.

SB 59 - AN ACT TO AMEND CHAPTER 9, TITLE 19 OF THE DELAWARE CODE RELATING TO THE MINIMUM WAGE. Sponsors: Senator Marshall, Representative Campanelli. Assigned to Labor and Industrial Relations Committee.

SB 60 - AN ACT TO AMEND CHAPTER 66, TITLE 16, DELAWARE CODE, BY GIVING THE FIRE PREVENTION COMMISSION THE AUTHORITY TO APPOINT AND/OR EMPLOY ALL PERSONNEL IN THE FIRE MARSHAL'S OFFICE. Sponsors: Senator Vaughn, Representative B. Ennis; Senators Minner, Adams, Torbert, Sharp, Martin, Cook, Zimmerman; Representatives Jonkiert, Dixon, Clark, Campanelli, Spence, Brady, West, Caulk, Carey, Lee, Jester. Assigned to Health-Social Services/Aging Committee.

SB 61 - AN ACT TO AMEND CHAPTER 20, TITLE 30 OF THE DELAWARE CODE RELATING TO THE NEIGHBORHOOD ASSISTANCE ACT. Sponsors: Senator Marshall, Representative Sills. Assigned to Revenue and Taxation Committee.

SB 62 - AN ACT TO AMEND CHAPTER 183, VOLUME 22, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF GREENWOOD", AS AMENDED, BY INCREASING THE AMOUNT TO BE RAISED BY TAXATION. Sponsors: Senator Adams, Representative Barnes. Assigned to Community Affairs Committee.

SB 63 - AN ACT TO AMEND CHAPTER 19, PART 11 OF THE DELAWARE CODE RELATING TO CERTAIN POLICE MUTUAL AID AGREEMENTS. Sponsors: Senators Adams, Cordrey; Representative Oberle. Assigned to Public Safety Committee.

SB 64 - AN ACT TO AMEND CHAPTER 348, VOLUME 65, LAWS OF DELAWARE, ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1987; SPECIFYING CERTAIN PROCEDURES, CONDITIONS, AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS"; ALSO BEING SENATE BILL NO. 560, RELATING TO THE AUTHORIZATION AND TRANSFER OF FUNDS FROM (10-02-04) BUDGET OFFICE CONTINGENCIES; (CONTINGENCY - SALARIES) (SALARIES AND OEC) TO DELAWARE STATE COLLEGE, ACADEMIC AFFAIRS (90-03-02) FOR THE PURPOSE OF AUTHORIZING A POSITION ON THE FACULTY ENTITLED: "COORDINATOR OF PRISON LITERACY". Sponsors: Senators McDowell, Cook, Zimmerman; Representatives Maroney, Outten, Sills. Assigned to Finance Committee.

On motion of Senator Holloway and without objection, HB 18 was taken up for consideration under suspension of the necessary rules:

HB 18 - AN ACT TO AMEND CHAPTER 17, TITLE 24 OF THE DELAWARE CODE RELATING TO THE TEMPORARY SUSPENSION OF CERTIFICATES TO PRACTICE MEDICINE.

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

The Secretary announced that a message from the House informed the Senate that it had passed HB 23 w HA 1 and adopted SJR 3, SJR 5.

HB 23 w HA 1 was introduced and taken up for consideration (without objection) under suspension of the necessary rules on motion of Senator Marshall:

HB 23 w HA 1 - AN ACT TO AMEND CHAPTER 53, TITLE 30 OF THE DELAWARE CODE, RELATING TO THE TAX ON THE SALE OR USE OF TOBACCO PRODUCTS OTHER THAN CIGARETTES. Sponsors: Representative Petrilli, Senator Marshall.

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

YES: Senators Bair, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Still, Vaughn - 16.

NO: Senators Adams, Slatcher, Zimmerman - 3.

ABSENT: Senators Bane, Torbert - 2.

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

SENATE CONSENT CALENDAR #2 was introduced and considered for adoption on motion of Senator Minner.

The Calendar consisted of the following:

HCR 5 - CONGRATULATING DR. LOUIS LEVINSON FOR HIS MANY YEARS OF SERVICE TO THE STATE AND FOR BEING NAMED DELAWARE VETERINARIAN OF THE YEAR. Sponsors: Representatives Jester, Ennis; Senator Vaughn.

HCR 6 - THANKING THE VARIOUS FARM BUREAUS, COMPANIES AND INDIVIDUALS THAT TOOK PART IN THE EMERGENCY HAY ALLOCATION PROGRAM OF 1986. Sponsors: Representative Caulk, Senator Adams; Representatives Carey, Lee, Mack, Clark, Jester, West; Senators Connor, Slatcher, Cook, Cordrey, Vaughn.

HCR 7 - COMMEMORATING THE LIFE AND NOTABLE ACHIEVEMENTS OF CLAYTON HOFF, DELAWARE'S MR. OUTDOORS - WHO LEFT THIS WORLD DECEMBER 16, 1986. Sponsors: Representatives Smith, DiPinto; Senator McDowell.

HCR 8 - IN RECOGNITION OF THE 40TH ANNIVERSARY OF THE NEWMAN LEE-URBAN POST #8801 OF CLAYTON, DELAWARE AND WISHING THE POST BEST WISHES AND SUCCESS IN THE FUTURE. Sponsors: Representatives Clark, Bennett, Bunting, Wingate, Houghton, B. Ennis; Senators Vaughn, McBride, McDowell, Cook.

HCR 10 - PROVIDING THAT A JOINT SESSION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES BE CONVENED FOR THE PURPOSE OF HEARING THE ANNUAL BUDGET MESSAGE OF GOVERNOR MICHAEL N. CASTLE, GOVERNOR OF THE STATE OF DELAWARE. Sponsors: Representatives Oberle, Spence.

SCR 12 - REQUESTING THE DIRECTOR OF THE OFFICE OF STATE PERSONNEL TO STUDY THE FEASIBILITY OF DEVELOPING A "SICK LEAVE" BANK FOR DELAWARE STATE EMPLOYEES. Sponsors: Senator McBride, Representative D. Ennis.

SCR 13 - REQUESTING THE SECRETARY OF THE DEPARTMENT OF PUBLIC SAFETY TO CONDUCT A STUDY TO DETERMINE THE FEASIBILITY OF INITIATING AN "INTERLOCK IGNITION PROGRAM", A NEW IDEA CURRENTLY BEING STUDIED IN OTHER STATES TO REDUCE THE RATE OF REPEAT DRUNK DRIVERS. Sponsors: Senator Minner, Representative B. Ennis.

SCR 14 - COMMENDING DELAWARE ARCHITECTS AND ENGINEERS FOR THE LAYTON HOME, WILMINGTON MERCHANTS, AND OTHERS FOR THEIR VOLUNTEER EFFORTS ON BEHALF OF THE LAYTON HOME FOR AGED PERSONS. Sponsors: Senators Marshall, Holloway; Representative Sills.

SCR 15 - IN RECOGNITION OF DELAWARE DAY AT VERO BEACH, FLORIDA ON SUNDAY, FEBRUARY 15, 1987 AND ENCOURAGING DELAWAREANS TO ENJOY A DAY FULL OF FUN AND MERRIMENT AT THE DODGER PINES COUNTRY CLUB. Sponsors: Senators Berndt, Cordrey, Cook, Adams; Representatives Barnes, Corrozi, Bennett, Wingate, Oberle.

SCR 16 - COMMENDING THE MINQUADALE VOLUNTEER FIRE COMPANY FOR ANOTHER YEAR OF DEDICATED COMMUNITY SERVICE AND RECOGNIZING SUCH SERVICE AT ITS ANNUAL BANQUET CELEBRATION, JANUARY 17, 1987. Sponsors: Senators McBride, Connor; Representative Houghton, Dixon.

SCR 17 - COMMENDING THE HOLLOWAY TERRACE VOLUNTEER FIRE COMPANY FOR ANOTHER YEAR OF DEDICATED COMMUNITY SERVICE AND RECOGNIZING SUCH SERVICE AT ITS ANNUAL BANQUET CELEBRATION, FEBRUARY 14, 1987. Sponsors: Senator McBride, Connor; Representatives Houghton, Mack, Dixon.

SCR 18 - REQUESTING PERSONNEL IN THE DEPARTMENT OF PUBLIC SAFETY TO DISCONTINUE THE ENFORCEMENT OF PROVISIONS OF THE FEDERAL MOTOR CARRIER LAW AS THEY PERTAIN TO INTRA-STATE TRUCKING, UNTIL SUCH PROVISIONS ARE PROPERLY PROMULGATED AND ARE GENERALLY KNOWN IN THE DELAWARE TRUCKING COMMUNITY. Sponsors: Senators Minner, Cordrey, Adams; Representatives Barnes, West.

SCR 19 - COMMENDING ROXANNE R. HARRIS, THE LATE GERALD KANDLER, REVEREND BENJAMIN B. BROWN, STEPHEN G. HARRIS, JR., KATIE KOELLER AND JANE H. PROUD FOR BEING NAMED "COMMUNITY BUILDERS" BY THE DELAWARE REGION, NATIONAL CONFERENCE OF CHRISTIANS AND JEWS. Sponsors: Senators Bair, Bane, Holloway, Still, McDowell, Neal; Representatives Boykin, Jester, DiPinto, Soles.

SCR 20 - COMMENDING THE FIVE POINTS VOLUNTEER FIRE COMPANY FOR ANOTHER YEAR OF DEDICATED COMMUNITY SERVICE AND RECOGNIZING SUCH SERVICE AT ITS ANNUAL BANQUET CELEBRATION, FEBRUARY 7, 1987. Sponsors: Senators McBride, Still; Representatives VanSant, Campanelli, Dixon.

SCR 21 - EXTENDING MANY THANKS TO MR. AND MRS. LES THONSEN OF REEDLEY, CALIFORNIA FOR THE EXCELLENT HOSPITALITY SHOWN TO - COMMENDING DELAWAREANS FROM THE DELAWARE FARM BUREAU FEDERATION WHO RECENTLY COMPLETED A CALIFORNIA AGRICULTURAL TOUR THAT STARTED JANUARY 15, 1987 THROUGH JANUARY 22, 1987. Sponsors: Senator Vaughn, Representative Jester.

SCR 17 - COMMENDING MAYOR HORACE E. SHORT AND COUNCILMAN EARL R. FIELD OF THE TOWN OF WYOMING FOR THEIR MANY YEARS OF DEDICATED SERVICE TO THE TOWN AND ITS CITIZENS. Sponsor: Senator Torbert.

SCR 18 - COMMENDING DOROTHY TALBERT, COORDINATOR OF STAFF TRAINING AND DEVELOPMENT FOR THE DIVISION OF STATE SERVICE CENTERS, FOR 31 YEARS OF DEDICATED STATE SERVICE ON THE BEHALF OF LESS FORTUNATE CITIZENS. Sponsor: Senator Holloway.

SCR 20 - EXTENDING BEST WISHES TO MILTON E. WOLF, FOUNDER AND PRESIDENT OF DELAWARE'S KIDDEE WORLD TOY STORES CHAIN, AFTER 28 YEARS OF SUCCESSFUL BUSINESS AND DEDICATED COMMUNITY SERVICE IN DELAWARE. Sponsor: Senator Sharp.

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The roll call vote on SENATE CONSENT CALENDAR #2 was then taken and revealed 20 Senators voting YES and 1 (Bane) ABSENT; therefore, the Resolutions were declared adopted; the House Resolutions were returned to the House and the Senate Concurrent Resolutions were sent to the House for consideration.

At the request of Senator Sharp, a letter of farewell was read from Mark Brainard, Administrative Assistant to the Senate Majority Caucus, who is resigning to follow a law career.

SR 19 was introduced and considered for adoption on motion of Senator Sharp:

SR 19 - COMMENDING MARK BRAINARD FOR HIS EXEMPLARY AND DEDICATED SERVICE AS ADMINISTRATIVE ASSISTANT TO THE SENATE MAJORITY CAUCUS AND EXTENDING BEST WISHES AS HE EMBARKS ON A CAREER IN LAW. Sponsors: Senator Cordrey, Sharp, McDowell and all Senators.

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

SB 57 was lifted from the table for consideration without objection under suspension of the necessary rules on motion of Senator McDowell:

SB 57 - AN ACT TO AMEND CHAPTER 65, TITLE 18, DELAWARE CODE, RELATING TO COVERAGE OF CERTAIN RAIL OPERATIONS BY THE DELAWARE SELF-INSURANCE FUND.

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

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 12.

NO: Senators Bair, Knox, Neal, Slatcher, Still - 5.

NOT VOTING: Senators Berndt, Connor - 2.

ABSENT: Senators Bane, Minner - 2.

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

The Secretary announced that a message from the House informed the Senate that it had passed SB 16 and adopted HCR 11; HCR 14; HCR 13; HCR 12; SCR 9; SCR 10; SCR 11.

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

HCR 14 - EXTENDING SINCERE AND HEARTFELT CONGRATULATIONS AND BEST WISHES TO A FORMER COLLEAGUE AND HIS WIFE, MR. AND MRS. JOHN P. FERGUSON ON THEIR FIFTIETH "GOLDEN" WEDDING ANNIVERSARY ON JANUARY 29, 1987. Sponsors: Representatives Gilligan, Spence; Senators Sharp, Cook; Representatives Amick, Barnes, Bennett, Boykin, Brady, Buckworth, Bunting, Campanelli, Carey, Caulk, Clark, Corrozi, Davis, DiPinto, Dixon, B. Ennis, D. Ennis, Fallon, George, Hebner, Houghton, Jester, Jonkier, Lee, Mack, Maroney, Oberle, Outten, Petrilli, Plant, Quillen, Roy, Sills, Smith, Soles, Taylor, VanSant, West, Wingate; Senators Adams, Bane, Bair, Berndt, Connor, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Slatcher, Still, Torbert, Vaughn, Zimmerman.

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

SJR 6 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Knox and without objection:

SJR 6 - RESOLUTION COMMEMORATING THE 150TH ANNIVERSARY OF THE ORIGINAL GEOLOGICAL SURVEY OF DELAWARE. Sponsors: Senators Knox, Berndt, Bane, Bair, Cook, Cordrey, Neal, Martin, McDowell; Representatives Smith, Soles, Carey, Bennett, Corrozi, George, Hebner, Roy.

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

The following legislation was introduced:

SB 65 - AN ACT TO AMEND TITLE 18, DELAWARE CODE RELATING TO INSURANCE AND A SEALED CONTAINER DEFENSE IN PRODUCT LIABILITY. Sponsors: Senator Adams, Representative Barnes; Representatives Taylor, Spence, Davis, Quillen, Buckworth, Corrozi, Outten, Bennett, B. Ennis, Amick, Wingate, DiPinto, D. Ennis; Senators Neal, Bane, Bair, Connor, Cordrey, Minner, Torbert, Zimmerman, Berndt, Knox. Assigned to Insurance and Elections Committee.

SB 66 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, §2, OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE RESIDENCE OF THE JUSTICES OF THE SUPREME COURT, AND THE RESIDENCE AND NUMBER OF VICE CHANCELLORS AND ASSOCIATE JUDGES OF SUPERIOR COURT. Sponsors: Senators Adams, Cordrey, Cook, Slatcher; Representative Barnes. Assigned to Judiciary Committee.

SB 67 - AN ACT TO AMEND CHAPTER 80, TITLE 15, DELAWARE CODE, RELATING TO CAMPAIGN CONTRIBUTIONS AND EXPENDITURES. Sponsors: Senator Torbert, Representative Caulk, Senator Minner. Assigned to Insurance and Elections Committee.

SCR 22 - ESTABLISHING A NEW CASTLE COUNTY HIGHWAY TASK FORCE. Sponsors: Senators Still, Martin; Representatives Roy, Corrozi, Petrilli. Assigned to Highways and Transportation Committee. Senator Martin requested that his name be removed as a co-sponsor of the Resolution.

The Secretary announced that a message from the House informed the Senate that it had passed SB 46 w SA 1.

HCR 11 was introduced and considered for adoption on motion of Senator Cook:

HCR 11 - MOURNING THE PASSING OF AMOS MINNER OF HARRINGTON, DELAWARE. Sponsors: Representative Quillen, Senator Cook.

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

HCR 12 was introduced and considered for adoption on motion of Senator Slatcher:

HCR 12 - CONGRATULATING THE LAUREL HIGH SCHOOL FOOTBALL TEAM - DELAWARE'S DIVISION 11 STATE CHAMPIONS. Sponsors: Representative Lee, Senator Slatcher.

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

HCR 13 was introduced and considered for adoption on motion of Senator Slatcher:

HCR 13 - CONGRATULATING MYRON SCOTT LOORLEY UPON ATTAINING THE RANK OF EAGLE SCOUT. Sponsors: Representative Lee, Senator Slatcher.

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

At 8:09 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 8:16 p.m., Senator Cordrey presiding. On motion of Senator Sharp, the Senate immediately recessed to the call of the President pro Tempore.

The Senate reconvened at 2:50 p.m., March 24, 1987, Lt. Governor Woo presiding and, on motion of Senator Sharp, immediately adjourned to convene for the 7th Legislative Day.

7TH LEGISLATIVE DAY

March 24, 1987

The Senate convened at 2:50 p.m., Lt. Governor Woo 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, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 21.

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

LEGISLATIVE ADVISORY #2 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed the following legislation: On February 6, 1987, SJR 2; On February 17, the Governor signed HB 18 (Volume 66, Chapter 2, Laws of Delaware), HB 23 (Volume 66, Chapter 3, Laws of Delaware), SB 16 (Volume 66, Chapter 4, Laws of Delaware), SB 46 (Volume 66, Chapter 5, Laws of Delaware), HJR 1, SJR 3, SJR 5.

The following legislation was introduced:

SB 68 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MANDATORY SEAT BELT USAGE. Sponsors: Senators Neal, Holloway; Representatives Spence, Maroney. Assigned to Public Safety Committee.

Senators Zimmerman, Marshall, McDowell marked PRESENT.

SB 69 - AN ACT TO AMEND CHAPTER 43, TITLE 11 OF THE DELAWARE CODE RELATING TO AUTHORIZING THE DEPARTMENT OF CORRECTION TO ADMINISTRATIVELY HANDLE THE TECHNICAL AND MINOR VIOLATIONS OF CONDITIONS OF PARTIAL CONFINEMENT, PROBATION, OR SUSPENSION OF SENTENCE. Sponsors: Senators Vaughn, Holloway; Representatives Davis, B. Ennis. Assigned to Judiciary Committee.

Senator Holloway marked PRESENT.

SB 70 - AN ACT TO AMEND CHAPTER 9, TITLE 12 OF THE DELAWARE CODE RELATING TO THE ELECTIVE SHARE OF A SURVIVING SPOUSE. Sponsors: Senator Vaughn, Representative Hebner. Assigned to Judiciary Committee.

SB 71 - AN ACT TO AMEND CHAPTER 42, TITLE 11, OF THE DELAWARE CODE RELATING TO THE AUTHORIZED DISPOSITIONS OF CONVICTED OFFENDERS. Sponsors: Senators Vaughn, Holloway; Representatives Davis, B. Ennis.

SB 72 - AN ACT TO AMEND CHAPTER 82, TITLE 9, DELAWARE CODE, RELATING TO SALARIES FOR KENT COUNTY OFFICIALS. Sponsors: Senators Vaughn, Minner; Representative B. Ennis. Assigned to Community Affairs Committee.

SB 73 - AN ACT TO PERMIT CHRISTOPHER SMITH, A RESIDENT OF NEWARK, DELAWARE TO MARRY HALA TURJUMAN, A RESIDENT OF DELAWARE. Sponsors: Senators Sharp, Bane. Assigned to Judiciary Committee.

On motion of Senator Sharp and without objection, the necessary rules were suspended for consideration of SB 73:

SB 73 - AN ACT TO PERMIT CHRISTOPHER SMITH, A RESIDENT OF NEWARK, DELAWARE TO MARRY HALA TURJUMAN, A RESIDENT OF DELAWARE.

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

The following legislation was introduced:

SB 74 - AN ACT TO AMEND CHAPTER 7, TITLE 7 OF THE DELAWARE CODE RELATING TO THE TRAPPING AND HUNTING OF RED FOXES AND THE SALE OF RED FOX HIDES. Sponsors: Senator Vaughn, Representative Jester. Assigned to Natural Resources and Environmental Control Committee.

SB 75 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO HABITUAL OFFENDERS' DRIVING PRIVILEGES. Sponsor: Senator Torbert. Assigned to Public Safety Committee.

SB 76 - AN ACT TO AMEND CHAPTER 23, TITLE 12, DELAWARE CODE, RELATING TO DISTRIBUTION OF DECEDENT'S PROPERTY WITHOUT GRANT OF LETTERS WHERE ESTATE ASSETS DO NOT EXCEED \$12,500. Sponsor: Senator Vaughn. Assigned to Judiciary Committee.

SA 1 to SB 44. Sponsors: Senator Torbert, Representative B. Ennis. Placed with the Bill.

At 3:05 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:56 p.m., Lt. Governor Woo presiding.

The following legislation was introduced:

SB 77 - AN ACT TO AMEND CHAPTER 13, TITLE 18, DELAWARE CODE, TO PERMIT INSURERS TO INVEST IN BOND OBLIGATIONS OF THE AFRICAN DEVELOPMENT BANK. Sponsors: Senators Holloway, Marshall, McDowell, Berndt; Representatives Davis, Plant, Sills. Assigned to Insurance and Elections Committee.

SB 78 - AN ACT TO AMEND CHAPTER 35, TITLE 12, DELAWARE CODE, RELATING TO THE ADMINISTRATION OF ESTATES AND TRUSTS. Sponsors: Senator Vaughn, Representative Hebner. Assigned to Judiciary Committee.

SA 1 and SA 2 to SB 4. Sponsor: Senator Cordrey. Placed with the Bill.

SENATE CONSENT CALENDAR #3 was introduced and considered for adoption on motion of Senator Minner. The Calendar consisted of the following Senate Concurrent Resolutions:

SCR 23 - CONGRATULATING MIKE AND LINDA RATCHFORD UPON THE BIRTH OF THEIR DAUGHTER, ELIZABETH ANN RATCHFORD. Sponsors: Senator Bair, Representative Barnes; Senators Connor, Cordrey, McDowell; Representatives Oberle, Spence, George, Gilligan.

SCR 24 - CONGRATULATING RONALD MACARTHUR FOR WINNING THE FIFTH ANNUAL COMPETITION FOR THE JOHN HAY WHITNEY JOURNALISM AWARD. Sponsors: Senator Slatcher; Representative Fallon; Senator Adams; Representatives Lee, Barnes.

SCR 25 - COMMENDING THE DELAWARE COUNCIL OF FARM ORGANIZATIONS FOR SPONSORING THEIR SEVENTEENTH ANNUAL LAVISH DELAWARE AGRICULTURAL DINNER ON SATURDAY, MARCH 14, 1987 AT THE JOHN M. CLAYTON HALL, UNIVERSITY OF DELAWARE. Sponsors: Senator Adams; Representative Caulk; Senators Cook, Cordrey, Vaughn, Connor, Slatcher; Representatives Carey, Mack, Clark, West.

SCR 26 - DESIGNATING MARCH 29, 1987 AS A DAY OF REMEMBRANCE AND PRAYER IN HONOR OF AMERICAN PRISONERS OF WAR/MISSING IN ACTION AND THEIR FAMILIES. Sponsors: Senators Bane, McBride, Vaughn; Representatives Petrilli, Lee, Gilligan.

SCR 27 - MOURNING THE DEATH OF FORMER STATE REPRESENTATIVE JOE L. RAWLINS OF FREDERICA. Sponsors: Senator Torbert, Representative Caulk; Senators Cook, Minner, Torbert, Zimmerman, Vaughn; Representatives Bennett, B. Ennis, Clark, Outten.

SCR 28 - COMMENDING DAVE NELSON FOR BEING CHOSEN FOR INDUCTION INTO THE COLLEGE FOOTBALL HALL OF FAME. Sponsors: Senators Neal, Martin; Representatives Soles, Oberle, Amick; All Senators; All Representatives.

SCR 29 - CONGRATULATING URSULINE ACADEMY OF WILMINGTON FOR WINNING THE DELAWARE HIGH SCHOOL GIRLS BASKETBALL CHAMPIONSHIP. Sponsors: Senator Marshall, Representative DiPinto.

SCR 30 - EXTENDING CONGRATULATIONS TO THE WOODBRIDGE HIGH SCHOOL BOYS BASKETBALL TEAM ON THEIR CHAMPIONSHIP OF THE SOUTHERN DIVISION OF THE HENLOPEN CONFERENCE BOY'S BASKETBALL AND FURTHER COMPLIMENTING THEIR COACH FOR SUCH A FINE PERFORMANCE, LEN CHASANOV. Sponsors: Senator Adams, Representative Barnes.

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The roll call vote on SENATE CONSENT CALENDAR #3 was then taken and revealed 19 Senators voting YES and 2 (Bair, Connor) ABSENT; therefore, the Resolutions were declared adopted by the Senate and sent to the House for consideration.

Senator Adams extended congratulations to Wayne and Bonita Welch (Senate attache) on their 25th wedding anniversary.

At 5:07 p.m. on motion of Senator Sharp, the Senate recessed until 3:00 p.m., March 25, 1987.

The Senate reconvened at 3:14 p.m., March 25, 1987, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 14 w HA 1; HB 36 w HA 1; HB 40; HB 47.

HB 14 w HA 1 was introduced and assigned to Executive Committee:

HB 14 w HA 1 - AN ACT TO AMEND CHAPTERS 3 AND 5, TITLE 28 OF THE DELAWARE CODE RELATING TO THE DELAWARE THOROUGHBRED RACING COMMISSION AND THE DELAWARE HARNESS RACING COMMISSION. Sponsors: Representative Quillen, Senator Vaughn.

The following Committee reports were announced:

From the Public Safety Committee: SB 63 - 4 Merits; SB 25 - 4 Merits.

The following legislation was introduced:

HB 47 - AN ACT TO AMEND CHAPTER 7, TITLE 18 OF THE DELAWARE CODE TO REQUIRE INSURERS TO PAY PREMIUM TAXES SEMI-ANNUALLY INSTEAD OF ANNUALLY AND TO APPROPRIATE FUNDS TO EMPLOY PERSONNEL TO COLLECT THIS TAX. Sponsors: Representatives D. Ennis, Lee, Petrilli, VanSant. Assigned to Insurance and Elections Committee.

At 3:15 p.m., Lt. Governor Woo presiding.

HB 40 - AN ACT TO AMEND CHAPTER 5, TITLE 18 OF THE DELAWARE CODE TO PROVIDE IMMUNITY FOR PERSONS WHO REPORT FRAUDULENT INSURANCE PRACTICES. Sponsors: Representatives D. Ennis, Barnes, Spence Lee, Petrilli, Bennett, Dixon, VanSant. Assigned to Insurance and Elections Committee.

HB 36 w HA 1 - AN ACT TO AMEND CHAPTER 17, TITLE 18 OF THE DELAWARE CODE TO REQUIRE AGENTS AND BROKERS TO REPORT ANY VIOLATIONS OF DELAWARE INSURANCE LAWS BY INSURANCE COMPANIES. Sponsors: Representatives D. Ennis, Lee, Spence, Barnes, Petrilli, VanSant, Dixon. Assigned to Insurance and Elections Committee.

At 3:18 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 8th Legislative Day.

8TH LEGISLATIVE DAY

March 25, 1987

The Senate convened at 3:18 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Martin.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 21.

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

At the request of Senator Still, the Senate rose for a moment of silence, in commemoration of the death in an automobile accident of 3 students from St. Elizabeth's High School in Wilmington.

Senators Berndt and McDowell marked PRESENT.

SB 4 was taken up for consideration on motion of Senator Cordrey:

SB 4 - AN ACT TO AMEND CHAPTER 23, TITLE 19 OF THE DELAWARE CODE RELATING TO WORKMEN'S COMPENSATION COVERAGE FOR VOLUNTEER AMBULANCE COMPANIES.

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

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cordrey and the roll call vote taken which revealed 20 Senators voting YES and 1 (Bair) ABSENT; therefore, the Amendment was declared adopted.

Senator Marshall marked PRESENT.

The privilege of the floor was extended to Steve Kubico of the Controller General's Office after which the roll call vote on SB 4 w SA 1, 2 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 79 was introduced and taken up for consideration under suspension of the necessary rules on motion of Senator Cook (no objection):

SB 79 - AN ACT TO AMEND CHAPTER 348, VOLUME 65, LAWS OF DELAWARE, BEING SENATE BILL NO 560 OF THE 133RD GENERAL ASSEMBLY, AND BEING AN ACT ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1987; SPECIFYING CERTAIN PROCEDURES, CONDITIONS, AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS", BY MAKING CERTAIN ADDITIONS, DELETIONS, AND ADJUSTMENTS. Sponsors: Senators Cook, Vaughn, Holloway, Cordrey, Adams, Minner, Torbert, Zimmerman; Representatives Bennett, Soles, George, Brady, Bunting, Campanelli, Clark, Dixon, B. Ennis, Gilligan, Houghton, Jester, Jonkiert, Outten, Plant, Sillis, VanSant, West, Wingate.

Senator Cordrey moved that the Senate recess for Party Caucus. Senator Sharp objected and the roll call vote on the motion to recess was taken and revealed:

YES: Senators Bair, Bane, Berndt, Connor, Knox, Neal, Slatcher, Still - 8.

NO: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 13.

Therefore, the motion was declared defeated.

On motion of Senator Cook, the roll call vote on SB 79 was then taken; however, the roll call was laid on the table before being announced on further motion of the Senator.

At 3:58 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:09 p.m., Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Ethics Committee: SB 7 - 5 Merits; SR 7 - 5 Merits.

The following legislation was introduced:

SB 81 - AN ACT TO AMEND CHAPTER 19, PART II, TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN POLICE MUTUAL AID AGREEMENTS. Sponsors: Senators Adams, Cordrey; Representative Oberle. Assigned to Judiciary Committee.

SB 80 - AN ACT TO AMEND CHAPTER 348, VOLUME 65, LAWS OF DELAWARE, BEING SENATE BILL NO 560 OF THE 133RD GENERAL ASSEMBLY, AND BEING AN ACT ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1987; SPECIFYING CERTAIN PROCEDURES, CONDITIONS, AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS", BY MAKING CERTAIN ADDITIONS, DELETIONS, AND ADJUSTMENTS. Sponsors: Senators Cook, Cordrey, Vaughn, Bair; Representatives Corrozi, Jonkiert, Roy. Laid on the table on motion of Senator Cook (no objection).

SR 21 was introduced and considered for adoption on motion of Senator McBride:

SR 21 - CONGRATULATING BRIAN K. WILSON, SON OF MR. AND MRS. JOHN WILSON OF WILMINGTON MANOR, NEW CASTLE, FOR ATTAINING THE RANK OF EAGLE SCOUT. Sponsor: Senator McBride.

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

Senator Marshall moved that the roll call vote on SCR 29 (which had part of SENATE CONSENT CALENDAR #3) be rescinded and the Resolution stricken. Senator Marshall then withdrew his motion.

SCR 31 was introduced and considered for adoption on motion of Senator Marshall:

SCR 31 - CONGRATULATING URSULINE ACADEMY OF WILMINGTON FOR WINNING THE DELAWARE HIGH SCHOOL GIRLS BASKETBALL CHAMPIONSHIP. Sponsors: Senator Marshall, Representative DiPinto.

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

SB 80 was lifted from the table and taken up for consideration under suspension of the necessary rules on motion of Senator Cook (no objection):

SB 80 - AN ACT TO AMEND CHAPTER 348, VOLUME 65, LAWS OF DELAWARE, BEING SENATE BILL NO 560 OF THE 133RD GENERAL ASSEMBLY, AND BEING AN ACT ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1987; SPECIFYING CERTAIN PROCEDURES, CONDITIONS, AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS", BY MAKING CERTAIN ADDITIONS, DELETIONS, AND ADJUSTMENTS.

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 (no objection) the roll call vote on SB 79 was lifted and rescinded and the Bill taken up for reconsideration:

SB 79 - AN ACT TO AMEND CHAPTER 348, VOLUME 65, LAWS OF DELAWARE, BEING SENATE BILL NO 560 OF THE 133RD GENERAL ASSEMBLY, AND BEING AN ACT ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1987; SPECIFYING CERTAIN PROCEDURES, CONDITIONS, AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS", BY MAKING CERTAIN ADDITIONS, DELETIONS, AND ADJUSTMENTS.

SA 1 to the Bill (sponsor: Senator Cook) was introduced and considered for adoption.

The privilege of the floor was extended to Russell Larson (Controller General's Office) and Gary Dalton (Senate Attorney) after which the roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Bair and Bane) voting NO; therefore, the Amendment was declared adopted.

The roll call vote on SB 79 w SA 1 was then taken and revealed:

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

NO: Senators Bair, Neal - 2.

NOT VOTING: Senators Bane, Berndt, Connor, Knox, Still - 5.

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

At 5:16 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., March 26, 1987.

The Senate reconvened at 2:40 p.m., March 26, 1987, Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 15, HCR 16, HCR 17, SCR 14, SCR 15, SCR 16, SCR 17, SCR 18, SCR 19, SCR 20, SCR 21, SCR 23, SCR 24, SCR 25, SCR 26, SCR 27, SCR 28, SCR 30.

The following legislation was introduced:

SB 82 - AN ACT TO AMEND TITLE 21 AND TITLE 30 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES WHICH ARE EXEMPT FROM CERTAIN FEES; AND PROVIDING THAT RED CROSS VEHICLES SHALL BE EXEMPT FROM SUCH FEES. Sponsors: Senator McBride and Representative Houghton (By request). Assigned to Revenue and Taxation Committee.

SB 83 - AN ACT TO AMEND CHAPTER 29 OF TITLE 21 OF THE DELAWARE CODE RELATING TO VEHICLE STICKERS AS EVIDENCE OF VALID MOTOR VEHICLE INSURANCE. Sponsors: Senator Minner, Representative Petrilli; Senators Adams, Cordrey, Bair, Still, Bane, Berndt, Neal, Slatcher, Connor, Knox, Holloway, Zimmerman, McDowell, Vaughn; Representatives Barnes, Bennett, Lee, VanSant, Spence, Mack, Buckworth, B. Ennis, D. Ennis, Fallon, Wingate, Outten, Carey, Jester, West, Dixon, Jonkiert, Campanelli, Caulk, Amick, Soles. Assigned to Public Safety Committee.

SB 84 - AN ACT TO AMEND CHAPTER 9, TITLE 7, DELAWARE CODE, RELATING TO FINFISHING IN TIDAL WATERS. Sponsors: Senator Zimmerman, Representative Bennett. Assigned to Natural Resources and Environmental Control Committee.

SB 85 - AN ACT TO AMEND CHAPTER 5, PART I, TITLE 7, DELAWARE CODE, RELATING TO HUNTING AND TRAPPING LICENSE FEES FOR NON-RESIDENTS. Sponsors: Senators Zimmerman, Martin; Representatives Bennett, Outten, Clark. Assigned to Natural Resources and Environmental Control Committee.

SB 86 - AN ACT TO AMEND TITLES 15 AND 22 OF THE DELAWARE CODE RELATING TO ANNEXATIONS AND SPECIAL ELECTIONS CONCERNING ANNEXATIONS. Sponsors: Senator McDowell; Representatives George, Oberle, DiPinto, Jonkiert, Plant, Roy, Sills; Senators Bair, Holloway, Marshall. Assigned to Community Affairs Committee.

SJR 7 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Berndt (no objection):

SJR 7 - REQUESTING THAT THE PUBLIC SERVICE COMMISSION BE ENCOURAGED TO APPROVE INCENTIVE-ELECTRICAL RATES, SO LONG AS SUCH INCENTIVES ARE IN THE BEST INTEREST OF THE STATE OF DELAWARE AND IMPOSE NO ADDITIONAL COST BURDEN ON OTHER ELECTRICAL CUSTOMERS. Sponsors: Senators Berndt, Sharp, Bair; Representatives Oberle, Hebner, D. Ennis, Brady, Campanelli.

SA 1 to the Resolution was introduced and considered for adoption on motion of Senator Berndt. 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 SJR 7 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (McDowell and Zimmerman) NOT VOTING; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

The following Committee reports were announced:

From the Administrative Services/Energy Committee: SB 49 - 4 Merits; SB 48 - 4 Merits.

At 3:15 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 9th Legislative Day.

9TH LEGISLATIVE DAY

March 26, 1987

The Senate convened at 3:15 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 21.

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

Senator Bair recognized and introduced to the Senate Edith Vincent of the Department of Public Instruction.

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

SB 81 was taken up for consideration under suspension of the necessary rules on motion of Senator Adams (no objection):

SB 81 - AN ACT TO AMEND CHAPTER 19, PART II, TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN POLICE MUTUAL AID AGREEMENTS.

The privilege of the floor was extended to Gary Dalton (Senate Attorney) after which the Bill was laid on the table on motion of Senator Adams.

Senator Sharp recognized and introduced to the Senate business agents from the Building Trades Local.

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

SB 7 - AN ACT AMENDING TITLE 29, DELAWARE CODE, CONCERNING LEGISLATIVE CONFLICTS OF INTEREST AND ESTABLISHING HOUSE AND SENATE ETHICS COMMITTEES.

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 49 was taken up for consideration on motion of Senator McDowell:

SB 49 - AN ACT TO AMEND CHAPTER 1, TITLE 24 OF THE DELAWARE CODE, RELATING TO THE BOARD OF ACCOUNTANCY.

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

At 3:39 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:30 p.m., Lt. Governor Woo presiding.

The following legislation was introduced:

SB 87 - AN ACT TO AMEND SUBCHAPTER IV, CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO FEES FOR THE REGISTRATION OF VEHICLES. Sponsors: Senators Marshall, McBride, Martin, Zimmerman, Still, Slatcher, Holloway; Representatives Jonkiert, Spence. Assigned to Public Safety Committee.

SB 88 - AN ACT TO AMEND PART VII, TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY AND CHAPTER 6, TITLE 29 OF THE DELAWARE CODE AS IT RELATES TO PUBLIC WORKS CONTRACTS; AND PROVIDING FOR THE REGULATION OF ASBESTOS AND PERSONS WHO ABATE OR OTHERWISE WORK WITH ASBESTOS. Sponsors: Senators Marshall, McBride, Connor, Sharp; Representatives Oberle, Taylor, Campanelli, Mack. Assigned to Health-Social Services/Aging Committee; reassigned to Labor and Industrial Relations Committee.

SB 89 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO UNIFORM LEAVE RULES FOR CERTAIN EXEMPT STATE POSITIONS. Sponsors: Senators Cordrey, Berndt; Representatives Houghton, Jonkiert, VanSant. Assigned to Executive Committee.

SB 90 - AN ACT TO AMEND CHAPTER 55, SUBCHAPTER II, TITLE 29, DELAWARE CODE, RELATING TO SURVIVOR'S PENSION. Sponsor: Senator Cordrey. Assigned to Executive Committee.

SA 1 to SB 81. Sponsor: Senator Adams. Placed with the Bill.

SCR 37 was introduced and laid on the table on motion of Senator McDowell:

SCR 37 - PROCLAIMING APRIL AS EASTER SEAL MONTH IN THE STATE OF DELAWARE. Sponsors: Senators McDowell, Marshall, Cordrey; Representatives Taylor, Roy, Fallon, B. Ennis, Bennett.

The privilege of the floor was extended to Janet Davis, representing the Easter Seal Society of Delaware and Maryland.

SCR 37 was then lifted from the table on motion of Senator McDowell and the roll call vote taken which revealed 19 Senators voting YES and 2 (Bair and Neal) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SB 81 was lifted from the table for consideration on motion of Senator Adams (no objection).

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

The roll call vote on SB 81 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.

SENATE CONSENT CALENDAR #4 was introduced and considered for adoption on motion of Senator Minner. The Calendar consisted of the following:

SR 21 - CONGRATULATING BRIAN K. WILSON, SON OF MR. AND MRS. JOHN WILSON OF WILMINGTON MANOR, NEW CASTLE, FOR ATTAINING THE RANK OF EAGLE SCOUT. Sponsor: Senator McBride.

SCR 32 - MOURNING THE DEATH OF EUGENE LAMMOT OF WILMINGTON, FORMER PRESIDENT OF THE DELAWARE STATE SENATE. Sponsors: Senators Marshall, all Senators; Representatives George, Plant, Sills, Jonkiert, DiPinto.

SCR 33 - REQUESTING THE DEPARTMENT OF JUSTICE TO OPPOSE TO THE FULLEST EXTENT POSSIBLE ANY ATTEMPT TO RENDER DELAWARE STATUTE PERTAINING TO "AFFIRMATION" IN THE SALE OF ALCOHOLIC SPIRITS UNCONSTITUTIONAL. Sponsors: Senator McDowell, Representative Amick; Senators Bane, Still, Torbert; Representatives D. Ennis, Houghton.

SCR 34 - COMMENDING THE MEMBERS OF THE MINQUADALE FIRE COMPANY NO. 1, INC. FOR THE MANY YEARS IN WHICH THEY HAVE PROTECTED LIVES AND PROPERTY OF THE RESIDENTS OF MINQUADALE AND OTHER NEAR-BY COMMUNITIES. Sponsors: Senators McBride, Connor; Representatives Dixon, Houghton.

SCR 35 - COMMENDING OF THE HOLLOWAY TERRACE VOLUNTEER FIRE COMPANY FOR ITS MANY YEARS OF SERVICE TO THE COMMUNITY; AND FOR THE TIME AND EFFORT GENEROUSLY CONTRIBUTED BY THE MEN AND WOMEN OF THE COMPANY. Sponsor: Senator McBride.

SCR 36 - COMMENDING THE FIVE POINTS VOLUNTEER FIRE COMPANY NO. 1, INC. FOR ITS LONG HISTORY OF DEDICATED COMMUNITY SERVICE TO THE THOUSANDS OF FAMILIES LIVING IN AND AROUND THE ALBAN PARK, BELLMORE, CLELAND HEIGHTS, MIDDLEBORO CREST AND RICHARDSON PARK AREAS. Sponsors: Senators McBride, Still; Representatives Campanelli, Dixon, VanSant.

SCR 15 - CONGRATULATING MR. AND MRS. HYLAND CALLAWAY ON THEIR SIXTY-FIFTH WEDDING ANNIVERSARY. Sponsors: Representative Barnes, Senator Adams.

HCR 16 - EXTENDING OUR FORMAL RECOGNITION AND DEEP APPRECIATION TO WILLIAM H. HENDERSON, SUPERVISOR OF THE SUSSEX COUNTY CONSERVATION DISTRICT FOR FORTY-THREE YEARS. Sponsors: Representative Carey, Senator Adams; Representatives Caulk, Barnes, Fallon, Lee, Quillen, Bunting, Clark, West, Wingate, Jester; Senators Cook, Cordrey, Minner, Slatcher.

HCR 17 - WISHING A SPEEDY RECOVERY TO REPRESENTATIVE MARIAN P. ANDERSON FROM HER COLLEAGUES IN THE GENERAL ASSEMBLY. Sponsors: Representative Jester, all Representatives and all Senators.

SCR 38 - MOURNING THE DEATH OF BRITTEN E. HOLLINGER OF BOWERS BEACH. Sponsors: Senators Torbert, Minner, Zimmerman; Representative Caulk.

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The roll call vote on SENATE CONSENT CALENDAR #4 was then taken and revealed 21 Senators voting YES; therefore, the Resolutions were declared adopted. The Senate Concurrent Resolutions were sent to the House for consideration and the House Concurrent Resolutions were returned to the House.

At 4:48 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., March 31, 1987.

The Senate reconvened at 2:22 p.m., March 31, 1987, Senator Cordrey presiding and on motion of Senator Sharp immediately adjourned to convene for the 10th Legislative Day.

10TH LEGISLATIVE DAY

March 31, 1987

The Senate convened at 2:22 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Connor.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, 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 35 and adopted HCR 19, SCR 37 and SJR 7 w SA 1.

Senators Bair, McDowell, Torbert marked PRESENT.

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

SB 48 - AN ACT TO AMEND TITLES 24 AND 29, DELAWARE CODE, RELATING TO THE BOARD OF REGISTRATION OF GEOLOGISTS.

The privilege of the floor was extended to R. Wayne Ashbee (Director of Water Resources, Department of Natural Resources and Environmental Control) and Steve Tanzer (Sunset Committee Research Analyst).

At 2:40 p.m., Lt. Governor Woo presiding.

Senators Holloway, Martin, Minner, McBride marked PRESENT.

SB 48 was reassigned to the Sunset Committee on further motion of Senator McDowell.

At 3:05 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:30 p.m., Lt. Governor Woo presiding.

The following legislation was introduced:

SS 1 for SB 90 - AN ACT TO AMEND CHAPTER 55, SUBCHAPTER II, TITLE 29, DELAWARE CODE, RELATING TO SURVIVOR'S PENSION. Sponsor: Senator Cordrey. Adopted in lieu of the Original.

SB 91 - AN ACT TO AMEND TITLE 6, CHAPTER 50 OF THE DELAWARE CODE RELATING TO AUTOMOBILE WARRANTIES AND DISPUTE RESOLUTION PROCEDURES FOR DEFECTIVE AUTOMOBILES. Sponsors: Senators Bane, Neal, Sharp, Marshall; Representatives Oberle, Taylor, Gilligan, Soles. Assigned to Finance Committee.

SB 92 - AN ACT TO AMEND TITLE 19 §2307 OF THE DELAWARE CODE RELATING TO THRESHOLD AMOUNTS FOR WORKMEN'S COMPENSATION. Sponsor: Senator Neal. Assigned to Labor and Industrial Relations Committee.

SB 93 - AN ACT TO AMEND TITLE 8, DELAWARE CODE, RELATING TO THE GENERAL CORPORATION LAW OF THE STATE OF DELAWARE. Sponsors: Senator Sharp, Representative Hebner; Senators Zimmerman, Vaughn, Berndt, Bane; Representatives Spence, Houghton. Assigned to Judiciary Committee.

SB 94 - AN ACT TO AMEND CHAPTER 1, SUBCHAPTER III, TITLE 26, DELAWARE CODE, REQUIRING THE PUBLIC SERVICE COMMISSION TO ASSESS LEGAL FEES IN A RATE-MAKING PROCEDURE ON THE BASIS OF 50 PERCENT TO THE UTILITY AND 50 PERCENT TO THE CUSTOMERS. Sponsor: Senator Holloway. Assigned to Administrative Services/Energy Committee.

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

HB 35 - AN ACT TO AMEND CHAPTER 43, PART II, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE; AND PROVIDING FOR A HOUSE ARREST PROGRAM FOR NON-VIOLENT OFFENDERS. Sponsors: Representatives Jonkiert, Davis, Hebner; Senator Marshall; Representatives Barnes, Bennett, Boykin, Brady, Buckworth, Bunting, Campanelli, Carey, Caulk, Clark, Corrozi, B. Ennis, Fallon, Houghton, Jester, Maroney, Oberle, Outten, Petrilli, Quillen, Roy, Spence, Taylor, VanSant, West, Wingate; Senators Connor, Minner, Torbert. Assigned to Judiciary Committee.

From 4:35 p.m. to 4:39 p.m. a standing recess was called by the Chair due to problems with the tape.

SB 64 was taken up for consideration on motion of Senator McDowell under suspension of the necessary rules:

SB 64 - AN ACT TO AMEND CHAPTER 348, VOLUME 65, LAWS OF DELAWARE, ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1987; SPECIFYING CERTAIN PROCEDURES, CONDITIONS, AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS"; ALSO BEING SENATE BILL NO. 560, RELATING TO THE AUTHORIZATION AND TRANSFER OF FUNDS FROM (10-02-04) BUDGET OFFICE CONTINGENCIES; (CONTINGENCY - SALARIES) (SALARIES AND OEC) TO DELAWARE STATE COLLEGE, ACADEMIC AFFAIRS (90-03-02) FOR THE PURPOSE OF AUTHORIZING A POSITION ON THE FACULTY ENTITLED: "COORDINATOR OF PRISON LITERACY".

The Committee Report on the Bill was announced: 5 Merits.

SA 1 to the Bill (sponsor: Senator McDowell) was introduced and considered for adoption. 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 64 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.

At 5:15 p.m. on motion of Senator Sharp, the Senate recessed until 3:30 p.m., April 1, 1987.

The Senate reconvened at 4:50 p.m., April 1, 1987, Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Community Affairs Committee: SB 27 - 3 Merits; SB 39 - 3 Merits; SB 62 - 3 Merits; SB 72 - 3 Merits.

From the Natural Resources and Environmental Control Committee: SB 54 - 6 Merits; SB 85 - 1 Favorable, 5 Merits.

From the Executive Committee: SB 89 - 5 Merits; SS 1 for SB 90 - 5 Merits; Dr. Richard B. Taylor - 5 Merits.

From the Insurance and Elections Committee: SB 65 - 5 Merits; SB 77 - 5 Merits; HB 36 w HA 1 - 5 Merits; HB 40 - 5 Merits; HB 47 - 5 Merits.

From the Health-Social Services/Aging Committee: SB 44 - 5 Merits.

At 4:53 p.m. Senator Cordrey presiding.

At 4:55 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 11th Legislative Day.

11TH LEGISLATIVE DAY April 1, 1987

The Senate convened at 4:55 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, 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 HS 1 for HB 61; HB 45 w HA 1, 2, 3 and adopted SJR 4; SJR 6 and HJR 2.

Senator Bair marked PRESENT.

The following legislation was introduced:

HS 1 for HB 61 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CHILD SUPPORT ENFORCEMENT. Sponsors: Representatives Maroney, Jester; Senators Holloway, Connor. Assigned to Health-Social Services/Aging Committee.

HJR 2 - DIRECTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO NAME THE TRACT OF LAND ADJACENT TO BARKER'S LANDING OF THE ST. JONES RIVER THE PAUL E. SCOTTON TRACT, IN HONOR OF PAUL E. SCOTTON'S DEVOTED WORK FOR THE ST. JONES RIVER PROJECT. Sponsors: Representative Caulk, Senator Torbert. Assigned to Natural Resources and Environmental Control Committee.

HB 45 w HA 1, 2, 3 - AN ACT TO AMEND CHAPTER 348, VOLUME 65, LAWS OF DELAWARE, BEING SENATE BILL NO 560 OF THE 133RD GENERAL ASSEMBLY, AND BEING AN ACT ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1987; SPECIFYING CERTAIN PROCEDURES, CONDITIONS, AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS", BY MAKING CERTAIN ADDITIONS, DELETIONS, AND ADJUSTMENTS. Sponsors: Representative Corrozi, Senator Cook; Representatives Bennett, Davis, Quillen, Smith, Soles; Senators Berndt, Holloway, Slatcher, Vaughn. Assigned to Finance Committee.

SCR 44 was introduced and considered for adoption on motion of Senator Zimmerman:

SCR 44 - DIRECTING THE SECRETARY OF NATURAL RESOURCES NOT TO IMPLEMENT ANY NEW LICENSE AND/OR PERMIT FEES WITHOUT FIRST GAINING APPROVAL OF THREE-FIFTHS OF THE MEMBERS ELECTED TO EACH HOUSE OF THE GENERAL ASSEMBLY AS REQUIRED BY ARTICLE VIII, §11, OF THE DELAWARE CONSTITUTION. Sponsors: Senators Zimmerman, Adams, Cook, Cordrey, Martin, Minner, Torbert, Vaughn, Berndt, Slatcher; Representatives Carey, Caulk, Bennett, Bunting, Clark, B. Ennis, Quillen, West.

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

YES: Senators Adams, Bane, Berndt, Connor, Cook, Cordrey, Marshall, McBride, McDowell, Minner, Neal, Slatcher, Still, Torbert, Vaughn, Zimmerman - 16.

NOT VOTING: Senators Bair, Martin - 2.

ABSENT: Senators Holloway, Knox, Sharp - 3.

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

SR 22 was introduced and considered for adoption on motion of Senator Martin:

SR 22 - MOURNING THE DEATH OF DONNA J. E. CALDWELL. Sponsors: Senator Martin and all the Senators.

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

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

SB 62 was taken up for consideration on motion of Senator Adams:

SB 62 - AN ACT TO AMEND CHAPTER 183, VOLUME 22, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF GREENWOOD", AS AMENDED, BY INCREASING THE AMOUNT TO BE RAISED BY TAXATION. Sponsors: Senator Adams, Representative Barnes.

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

SENATE CONSENT CALENDAR #5 was introduced and considered for adoption on motion of Senator Minner. The Calendar was comprised of the following:

SCR 39 - COMMENDING THE STATE DEPARTMENT OF PUBLIC INSTRUCTION FOR ITS EFFORTS AGAINST DRUG, ALCOHOL AND TOBACCO USE. Sponsors: Senator McBride, Representative Fallon.

SCR 40 - COMMENDING MRS. EARL "HATTIE" THOMAS FOR 40 YEARS OF SERVICE TO THE DELAWARE STATE FAIR. Sponsors: Senator Adams, Representative Caulk, Senator Minner, Representative Bennett.

SCR 41 - CONGRATULATING THREE GENERATIONS OF THE CAULK FAMILY ON WINNING THE DELAWARE STAR FARMER AWARD OF THE FUTURE FARMERS OF AMERICA. Sponsors: Senator Adams, Representative Carey; Senators Cook, Cordrey, Connor, Slatcher, Vaughn; Representatives Barnes, Clark, D. Ennis, Bennett, Buckworth, Bunting, Fallon, Lee, Mack, Oberle, Outten, Quillen, Spence, Wingate, West.

SCR 42 - COMMENDING WILLIAM E. CAREW, JR. FOR BEING NAMED ENGINEER OF THE YEAR. Sponsors: Senators Neal, Knox; Representative Boykin; Senator McBride, Representatives Petrilli, Wingate.

HCR 19 - EXTENDING BEST WISHES TO CLAUDIA A. COLE, EXECUTIVE DIRECTOR OF THE DELAWARE STATE EDUCATION ASSOCIATION WHO IS LEAVING DELAWARE TO ASSUME NEW AND LARGER RESPONSIBILITIES AS EXECUTIVE DIRECTOR OF THE ARIZONA EDUCATION ASSOCIATION IN PHOENIX, ARIZONA. Sponsors: Representative Bennett, Senator Cook.

SCR 43 - ENCOURAGING THE CAMPBELL SOUP COMPANY TO CONTINUE OPERATION OF THE W. L. WHEATLEY FACILITY IN CLAYTON, DELAWARE. Sponsors: Senators Vaughn, Cook; Representatives Ennis, Clark.

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The roll call vote on SENATE CONSENT CALENDAR #5 was then taken and revealed 20 Senators voting YES and 1 (Knox) ABSENT; therefore, the Resolutions were declared adopted. The House Concurrent Resolution was returned to the House and the Senate Concurrent Resolutions were sent to the House for consideration.

The following legislation was introduced:

SB 95 - AN ACT TO AMEND PART VII, TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY AND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE AS IT RELATES TO PUBLIC WORKS CONTRACTS; AND PROVIDING FOR THE REGULATION OF ASBESTOS AND PERSONS WHO ABATE OR OTHERWISE WORK WITH ASBESTOS. Sponsors: Senators Marshall, McBride, Connor, Sharp; Representatives Oberle, Taylor, Campanelli, Mack. Assigned to Labor and Industrial Relations Committee.

SB 96 - AN ACT TO AMEND CHAPTER 36, PART I, TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATIONAL BENEFITS FOR CHILDREN OF DECEASED VETERANS AND OTHERS. Sponsors: Senator McBride, Vaughn; Representatives Brady, VanSant, Dixon, Jester, Jonkiert. Assigned to Education Committee.

SB 97 - AN ACT TO AMEND CHAPTER 47, PART V, TITLE 7 OF THE DELAWARE CODE RELATING TO STATE PARKS; AND PROVIDING FOR A PUBLIC PARK FEE WAIVER FOR VETERANS' PATRIOTIC OR MEMORIAL SERVICES. Sponsors: Senators McBride, Vaughn; Representatives Brady, VanSant, Dixon, Jester, Wingate, Jonkiert. Assigned to Natural Resources and Environmental Control Committee.

SCR 45 was introduced and considered for adoption on motion of Senator Torbert:

SCR 45 - URGING THE DELAWARE DEPARTMENT OF AGRICULTURE AND THE UNIVERSITY OF DELAWARE AGRICULTURE EXTENSION SERVICE TO CONDUCT A STUDY OF THE LONG-RANGE EFFECTS OF THE USE OF TREATED SEWAGE SLUDGE ON FARMLAND AND THE CROPS IT PRODUCES. Sponsors: Senator Torbert, Representative Caulk.

At 5:28 p.m. Lt. Governor Woo presiding.

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

YES: Senators Adams, Bane, Berndt, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Slatcher, Still, Torbert, Vaughn - 16.

NO: Senator Neal - 1.

NOT VOTING: Senators Bair, Connor, Zimmerman - 3.

ABSENT: Senator Knox - 1.

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

At 5:31 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., April 2, 1987.

The Senate reconvened at 2:28 p.m., April 2, 1987, Senator Cordrey presiding.

The following Committee reports were announced:

From the Health-Social Services/Aging Committee: HS 1 for HB 61 - 5 Merits.

From the Education Committee: SS 1 for SB 23 - 4 Merits.

The following legislation was introduced:

SB 98 - AN ACT TO AMEND TITLE 16 AND TITLE 29 OF THE DELAWARE CODE, RELATING TO CERTAIN STATUTES WHICH DIRECTLY AFFECT VETERANS AND VETERANS' ORGANIZATIONS. Sponsors: Senators McBride, Vaughn; Representatives Brady, VanSant, Dixon, Jester, Wingate, Jonkiert. Assigned to Community Affairs Committee.

SB 99 - AN ACT TO AMEND CHAPTER 21, TITLE 29 OF THE DELAWARE CODE RELATING TO THE SALARY OF THE GOVERNOR. Sponsor: Senator Berndt. Assigned to Executive Committee.

SB 100 - AN ACT TO AMEND CHAPTER 21, PART II, TITLE 25 OF THE DELAWARE CODE RELATING TO MORTGAGES ON REAL ESTATE BY PROVIDING FOR INTEREST PAYMENTS ON ESCROW FUNDS. Sponsors: Senator Zimmerman, Representative Davis. Assigned to Banking Committee.

SA 1 to SS 1 for SB 90. Sponsor: Senator Cordrey. Placed with the Bill.

At 2:30 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 12th Legislative Day.

12TH LEGISLATIVE DAY April 2, 1987

The Senate convened at 2:30 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Lt. Governor Woo presiding.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, 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 adopted HCR 21; HCR 22; HCR 23; HCR 24; HCR 25; HCR 26; HCR 27; HCR 28; SCR 31; SCR 32; SCR 34; SCR 35; SCR 36; SCR 38.

Senators Marshall and McBride marked PRESENT.

SB 77 was taken up for consideration on motion of Senator Holloway:

SB 77 - AN ACT TO AMEND CHAPTER 13, TITLE 18, DELAWARE CODE, TO PERMIT INSURERS TO INVEST IN BOND OBLIGATIONS OF THE AFRICAN DEVELOPMENT BANK.

The privilege of the floor was extended to David Aronofsky (African Development Bank) and Joe Conaway (Deputy Delaware State Insurance Commissioner) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Adams) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

Senator Martin marked PRESENT.

SB 89 was taken up for consideration on motion of Senator Cordrey:

SB 89 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO UNIFORM LEAVE RULES FOR CERTAIN EXEMPT STATE POSITIONS.

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

SS 1 for SB 90 was taken up for consideration on motion of Senator Cordrey:

SS 1 for SB 90 - AN ACT TO AMEND CHAPTER 55, SUBCHAPTER II, TITLE 29, DELAWARE CODE, RELATING TO SURVIVOR'S PENSION.

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 2 (Adams and Marshall) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SS 1 for SB 90 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Adams) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 39 was taken up for consideration on motion of Senator Minner:

SB 39 - AN ACT TO AMEND CHAPTER 44, TITLE 9, DELAWARE CODE RELATING TO THE AUTHORITY OF KENT COUNTY TO ESTABLISH BUILDING PERMIT FEES AND ESTABLISH PENALTIES FOR OFFENSES OR VIOLATIONS OF ITS CONSTRUCTION CODE.

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

SB 85 was taken up for consideration on motion of Senator Zimmerman:

SB 85 - AN ACT TO AMEND CHAPTER 5, PART I, TITLE 7, DELAWARE CODE, RELATING TO HUNTING AND TRAPPING LICENSE FEES FOR NON-RESIDENTS.

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

YES: Senators Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 15.

NOT VOTING: Senators Bair, Bane, Berndt, Connor, Knox - 5.

ABSENT: Senator Adams - 1.

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

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

SB 25 - AN ACT TO AMEND CHAPTER 43, TITLE 21 OF THE DELAWARE CODE, RELATING TO BUMPER HEIGHTS.

SA 1 to the Bill which had been placed with the Bill was stricken on motion of Senator Martin.

SA 2 to the Bill (sponsor: Senator Martin) was introduced and considered for adoption on motion of Senator Martin. The roll call vote on the Amendment was taken and revealed:

YES: Senators Bair, Bane, Berndt, Connor, Holloway, Knox, Marshall, Martin, McBride, McDowell, Sharp - 11.

NO: Senators Cook, Cordrey, Minner, Neal, Slatcher, Still, Torbert, Vaughn - 8.

ABSENT: Senators Adams, Zimmerman - 2.

Therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Frank Murphy (Senate Attorney) and Ray Buttacavoli (General Motors Corporation) after which the roll call vote on SB 25 w SA 2 was taken; however, the roll call was laid on the table before being announced on motion of Senator Martin.

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

SB 27 - 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".

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

HS 1 for HB 61 was taken up for consideration on motion of Senator Holloway:

HS 1 for HB 61 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CHILD SUPPORT ENFORCEMENT.

The privilege of the floor was extended to Joseph Miller (Deputy Director of the Division of Child Support Enforcement) and William Walls (Senate Attorney) after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (Sharp) NOT VOTING and 1 (Adams) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

SS 1 for SB 23 was taken up for consideration on motion of Senator McBride:
SS 1 for SB 23 - AN ACT TO AMEND CHAPTER 13, TITLE 14 RELATING TO SABBATICAL LEAVES FOR PROFESSIONAL SCHOOL EMPLOYEES.

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

The Committee report on SB 82 was announced: 1 Favorable, 4 Merits.

SB 82 was taken up for consideration on motion of Senator McBride under suspension of the necessary rules (no objection):

SB 82 - AN ACT TO AMEND TITLE 21 AND TITLE 30 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES WHICH ARE EXEMPT FROM CERTAIN FEES; AND PROVIDING THAT RED CROSS VEHICLES SHALL BE EXEMPT FROM SUCH FEES.

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

YES: Senators Bair, Bane, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, Minner, Sharp, Slatcher, Torbert, Vaughn - 15.

NO: Senator Neal - 1.

NOT VOTING: Senators Berndt, McDowell, Still, Zimmerman - 4.

ABSENT: Senator Adams - 1.

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

SR 25 was introduced and considered for adoption on motion of Senator Holloway:

SR 25 - URGING A SPEEDY RECOVERY TO ROBERT "BOB" CARTER, SENATE SERGEANT-AT-ARMS. Sponsors: Senator Holloway and all Senators.

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

The following Committee reports were announced:

From the Revenue and Taxation Committee: SB 41 - 5 Merits; SB 51 - 5 Merits; SB 55 - 5 Merits; SB 58 - 5 Merits; SB 61 - 1 Favorable, 3 Merits.

From the Labor and Industrial Relations Committee: SB 42 - 1 Favorable, 3 Merits; SB 43 - 5 Merits; SB 45 - 5 Merits; SB 59 - 1 Favorable, 3 Merits; SB 95 - 1 Favorable, 5 Merits.

From the Public Safety Committee: SB 87 - 1 Favorable, 4 Merits.

SENATE CONSENT CALENDAR #6 was introduced and considered for adoption on motion of Senator Minner. The Calendar consisted of the following:

HCR 21 - SUPPORTING SENATE BILL 561 OF THE 100TH CONGRESS OF THE UNITED STATES PROVIDING FOR A CHARITABLE CONTRIBUTION DEDUCTION TO FARMERS WHO DONATE AGRICULTURAL PRODUCTS TO ASSIST VICTIMS OF NATURAL DISASTERS. Sponsors: Representatives Caulk, Barnes, Carey, Mack, Clark, West; Senators Adams, Cook, Cordrey, Vaughn, Connor, Slatcher.

HCR 22 - COMMENDING MARVIN DOOLEY, A SENIOR AT WILLIAM PENN HIGH SCHOOL, FOR HIS OUTSTANDING ACCOMPLISHMENTS IN THREE VARSITY SPORTS DURING THE PAST TWO YEARS OF COMPETITION. Sponsors: Representatives Houghton, Dixon, Mack; Senator Connor.

HCR 23 - CONGRATULATING JOHN MASSEY, A SOPHOMORE AT WILLIAM PENN HIGH SCHOOL, FOR HIS OUTSTANDING ACCOMPLISHMENTS IN HIGH SCHOOL WRESTLING DURING THE 1987 SEASON. Sponsors: Representatives Houghton, Dixon, Mack; Senator Connor.

HCR 24 - JOINING IN THE PRAISE FOR JACK HOLLOWAY, WRESTLING COACH AT WILLIAM PENN HIGH SCHOOL, FOR BEING SELECTED FOR THE SECOND TIME IN FIVE YEARS AS THE DELAWARE INTERSCHOLASTIC WRESTLING COACH OF THE YEAR. Sponsors: Representatives Mack, Houghton, Brady, Dixon, Spence, Jester, Davis; Senators McBride, Connor, Vaughn.

HCR 25 - REFLECTING ON AND CELEBRATING THE ACHIEVEMENTS OF DOROTHY V. CAILLE FOR HER CONTRIBUTIONS TO STRONGER FAMILIES BASED ON JOYOUS SOBRIETY. Sponsors: Representatives Smith, Boykin, Hebner; Senators Bair, Berndt.

HCR 26 - CONGRATULATING THE GARDEN CLUB OF WILMINGTON AND PAMELA COPELAND, OF MOUNT CUBA, FOR THEIR OUTSTANDING ACHIEVEMENTS AT THE PHILADELPHIA FLOWER SHOW DURING THE WEEK OF MARCH 15, 1987. Sponsor: Representative Smith.

HCR 28 - WISHING THE HAPPIEST OF BIRTHDAYS TO FORMER REPRESENTATIVE FRANK W. SCHROEDER, OF DELAWARE CITY, WHO WILL BE 86 ON SATURDAY, APRIL 4, 1987. Sponsors: Representative Mack, Senator Vaughn.

SCR 46 - PROCLAIMING THE WEEK OF APRIL 5TH THROUGH APRIL 12TH AS THE "WEEK OF THE YOUNG CHILD" IN THE STATE OF DELAWARE. Sponsors: Senators McDowell, Cordrey, Bair, Bane, Holloway, McBride; Representatives Fallon, DiPinto, D. Ennis, Hebner, Maroney, Spence, Jester, Outten, Sills, Caulk.

SR 23 - COMMENDING JOY SALTER OF CAMDEN, DEL., FOR HER QUICK THINKING AND SKILL IN SAVING THE LIFE OF A DROWNING TWO-YEAR-OLD BOY. Sponsor: Senator Torbert.

SR 24 - EXPRESSING SINCEREST CONDOLENCES TO CHARLES E. HAYWARD, III, UPON LEARNING OF THE DEATH OF HIS FATHER, COLEMAN M. HAYWARD. Sponsors: Senators McDowell, Holloway, Bair, Marshall.

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The roll call vote on SENATE CONSENT CALENDAR #6 was then taken and revealed 20 Senators voting YES and 1 (Adams) ABSENT; therefore, the Resolutions were declared adopted. The House Concurrent Resolutions were returned to the House and the Senate Concurrent Resolution was sent to the House for consideration.

SB 91 which had been assigned to the Finance Committee was reassigned to the Judiciary Committee at the request of Senator Cook and without objection.

At 4:36 p.m. on motion of Senator Sharp, the Senate recessed until April 7, 1987 at 2:00 p.m.

The Senate reconvened at 2:40 p.m. April 7, 1987, Lt. Governor Woo presiding.

SB 56 was reported out of the Children, Youth and Families Committee: 3 Merits.

At 2:40 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 13th Legislative Day.

13TH LEGISLATIVE DAY

April 7, 1987

The Senate convened at 2:40 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 20.

ABSENT: Senator Cordrey - 1.

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 1; HB 2 w HA 1; HB 24 w HA 1, 2, 3; HB 30; HB 5 w HA 1, 2, 3; SB 73 and adopted HJR 5.

LEGISLATIVE ADVISORY #3 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed SJR 7 on March 31, 1987.

Senator Cook marked PRESENT.

The following legislation was introduced:

HB 1 - AN ACT TO AMEND CHAPTER 58, TITLE 29 OF THE DELAWARE CODE RELATING TO FINANCIAL DISCLOSURE REQUIREMENTS OF PUBLIC OFFICIALS. Sponsors: Representatives Oberle, Barnes, Spence, Amick, Bennett, Boykin, Brady, Buckworth, Bunting, Campanelli, Carey, Caulk, Clark, Corrozi, Davis, DiPinto, Dixon, B. Ennis, D. Ennis, Fallon, George, Gilligan, Hebner, Houghton, Jester, Jonkiert, Lee, Mack, Maroney, Outten, Petrilli, Plant, Quillen, Roy, Sills, Smith, Soles, Taylor, VanSant, West, Wingate. Assigned to Executive Committee.

HB 2 w HA 1 - AN ACT TO AMEND TITLE 29, DELAWARE CODE CONCERNING LEGISLATIVE CONFLICTS OF INTEREST AND ESTABLISH HOUSE AND SENATE ETHICS COMMITTEES. Sponsors: Representatives Oberle, Barnes, Spence, Amick, Bennett, Boykin, Brady, Buckworth, Bunting, Campanelli, Carey, Caulk, Clark, Corrozi, Davis, DiPinto, Dixon, B. Ennis, D. Ennis, Fallon, George, Gilligan, Hebner, Houghton, Jester, Jonkiert, Lee, Mack, Maroney, Outten, Petrilli, Plant, Quillen, Roy, Sills, Smith, Soles, Taylor, VanSant, West, Wingate. Assigned to Ethics Committee.

HB 5 w HA 1, 2, 3 - AN ACT TO AMEND TITLE 23 OF THE DELAWARE CODE BY CREATING A NEW CHAPTER 22 RELATING TO BOATING SAFETY. Sponsors: Representatives Buckworth, Oberle, Amick, Barnes, Boykin, Spence, Clark, Outten. Assigned to Administrative Services/Energy Committee; reassigned to Natural Resources and Environmental Control Committee.

HB 24 w HA 1, 2, 3 - AN ACT TO AMEND CHAPTER 44, TITLE 21, DELAWARE CODE RELATING TO ABANDONED VEHICLES. Sponsors: Representatives Davis, Buckworth; Senator Torbert. Assigned to Public Safety Committee.

HB 30 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE RIGHT TO KEEP AND BEAR ARMS FOR THE DEFENSE OF SELF, FAMILY, HOME AND STATE, AND FOR HUNTING AND RECREATIONAL USE. Sponsors: Representatives VanSant, Davis, Barnes, Bennett, Boykin, Brady, Buckworth, Carey, Caulk, Clark, Corrozi, B. Ennis, D. Ennis, Fallon, Gilligan, Hebner, Houghton, Jester, Jonkiert, Mack, Oberle, Outten, Petrilli, Plant, Roy, Spence, Taylor, West, Wingate; Senators Adams, Marshall, McBride, Minner, Sharp, Slatcher, Torbert, Vaughn. Assigned to Executive Committee; reassigned to Judiciary Committee.

HJR 5 - DIRECTING THE DEPARTMENT OF CORRECTIONS TO CEASE IMPLEMENTATION OF PLANS TO CONSTRUCT A WOMEN'S PRISON AT DELAWARE CORRECTIONAL CENTER AND HAVE THE NEW COMMISSIONER OF CORRECTION REVIEW SUCH PLANS, MAKE RECOMMENDATIONS, AND OBTAIN APPROVAL OF FUTURE PLANS TO RELOCATE THE WOMEN'S PRISON AND TO PREVENT THE SALE OF THE WOODS HAVEN KRUSE PROPERTY UNTIL A DECISION IS MADE TO RELOCATE THE WOMEN'S PRISON. Sponsors: Representatives Davis, Smith, Buckworth, Hebner, Soles, Spence; Senators Cook, Holloway, Vaughn, Bane, Bair. Assigned to Corrections Committee.

SB 101 - AN ACT TO AMEND CHAPTER 63, TITLE 7 OF THE DELAWARE CODE RELATING TO HAZARDOUS WASTE. Sponsors: Senator McBride, Representative Houghton. Assigned to Natural Resources and Environmental Control Committee.

SB 102 - AN ACT TO AMEND CHAPTER 57, TITLE 15 OF THE DELAWARE CODE RELATING TO COSTS. Sponsors: Senators Bane, Sharp; Representatives Hebner, Houghton. Assigned to Insurance and Elections Committee.

At the request of Senator Knox, the privilege of the floor was extended to Nicholas Marziani (University of Delaware Center for the Study of Marine Policy).

Senator McDowell marked PRESENT.

SB 56 was taken up for consideration on motion of Senator McDowell:

SB 56 - AN ACT TO AMEND SECTIONS 937(b)(14), 937(g) AND 933(1), TITLE 10 OF THE DELAWARE CODE WITH REFERENCE TO THE MIXING OF CHILDREN CHARGED WITH OR ADJUDICATED DELINQUENT WITH DEPENDENT OR NEGLECTED CHILDREN.

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

SB 51 was taken up for consideration on motion of Senator Minner:

SB 51 - AN ACT TO AMEND SUBCHAPTER II, TITLE 30 OF THE DELAWARE CODE RELATING TO CHILD CARE CREDIT FOR PERSONAL INCOME TAX PURPOSES OF RESIDENT INDIVIDUALS.

Senators Marshall, McDowell, Torbert, Sharp, Zimmerman McBride, Slatcher, Neal were added as co-sponsors of the Bill after which the roll call vote on the Bill was taken and revealed:

YES: Senators Bane, Berndt, Cook, Holloway, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 16.

NOT VOTING: Senators Bair, Connor, Knox - 3.

ABSENT: Senators Adams, Cordrey - 2.

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

SB 42 was taken up for consideration on motion of Senator Marshall:

SB 42 - AN ACT TO AMEND CHAPTER 21, TITLE 19, OF THE DELAWARE CODE RELATING TO THE DUTIES OF THE STATE AUDITOR OF ACCOUNTS IN APPROVING DISBURSEMENTS MADE BY THE INDUSTRIAL ACCIDENT BOARD.

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

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

SB 43 - AN ACT TO AMEND CHAPTER 31, TITLE 19, OF THE DELAWARE CODE RELATING TO THE DUTIES OF THE STATE AUDITOR AS THEY RELATE TO THE EMPLOYMENT SECURITY COMMISSION.

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

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

SB 59 - AN ACT TO AMEND CHAPTER 9, TITLE 19 OF THE DELAWARE CODE RELATING TO THE MINIMUM WAGE.

The privilege of the floor was extended to Frank Murphy (Senate Attorney).

Senators Neal, Sharp, Holloway, McDowell were added as co-sponsors of the Bill after which the roll call vote was taken and revealed:

YES: Senators Cook, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Vaughn, Zimmerman - 10.

NO: Senators Bair, Knox, Neal, Still - 4.

NOT VOTING: Senators Bane, Berndt, Connor, Slatcher, Torbert - 5.

ABSENT: Senators Adams, Cordrey - 2.

Therefore, the Bill was declared defeated.

At 3:50 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:58 p.m., Lt. Governor Woo presiding.

SB 60 was reported out of the Health-Social Services/Aging Committee: 5 Merits.

SB 61 was taken up for consideration on motion of Senator Marshall:

SB 61 - AN ACT TO AMEND CHAPTER 20, TITLE 30 OF THE DELAWARE CODE RELATING TO THE NEIGHBORHOOD ASSISTANCE ACT.

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

YES: Senators Berndt, Cook, Marshall, Martin, McBride, McDowell, Minner, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 12.

NO: Senator Neal - 1.

NOT VOTING: Senators Bair, Bane, Connor, Knox, Still - 5.

ABSENT: Senators Adams, Cordrey, Holloway - 3.

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

On motion of Senator Torbert (and without objection) the roll call vote on SB 59 was rescinded.

On motion of Senator Marshall (and without objection) SB 59 was taken up for reconsideration under suspension of the necessary rules.

SA 1 to the Bill (sponsor: Senator Marshall) was introduced and considered for adoption on motion of Senator Marshall. The roll call vote on the Amendment was taken and revealed:

YES: Senators Bair, Bane, Berndt, Connor, Cook, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 17.

NOT VOTING: Senator Knox - 1.

ABSENT: Senators Adams, Cordrey, Holloway - 3.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 59 w SA 1 was then taken and revealed:

YES: Senators Bair, Bane, Berndt, Connor, Cook, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 17.

NO: Senator Knox - 1.

ABSENT: Senators Adams, Cordrey, Holloway - 3.

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

SA 1 to SB 41 (sponsor: Senator Cook) was introduced and placed with the Bill.

At 5:25 p.m. on motion of Senator Sharp, the Senate recessed until 3:00 p.m., April 8, 1987.

The Senate reconvened at 3:35 p.m., April 8, 1987, Lt. Governor Woo presiding.

HJR 5 was reported out of the Corrections Committee: 4 Favorable, 2 Merits.

Senator Adams marked PRESENT.

The following legislation was introduced:

SS 1 for SB 96 - AN ACT TO AMEND CHAPTER 36, PART I, TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATIONAL BENEFITS FOR CHILDREN OF DECEASED VETERANS AND OTHERS. Sponsors: Senators McBride, Vaughn; Representatives Brady, VanSant, Dixon, Jester, Jonkiert. Laid on the table on motion of Senator McBride.

SB 103 - AN ACT TO AMEND CHAPTER 100, TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT. Sponsors: Senators Minner, Bair, Bane, McDowell; Representatives Brady, Gilligan, Caulk, D. Ennis, Lee, DiPinto, Roy, Taylor. Assigned to Administrative Services/Energy Committee.

SB 104 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO THE OFFENSE OF WALKING ON HIGHWAYS UNDER INFLUENCE OF ALCOHOL OR DRUGS. Sponsors: Senators Still, Sharp; Representative Hebner. Assigned to Judiciary Committee.

The Secretary announced that a message from the House informed the Senate that it had passed HB 12; SB 22; SB 17 and adopted HJR 3.

The following legislation was introduced:

HB 12 - AN ACT TO AMEND CHAPTER 29, TITLE 6, DELAWARE CODE RELATING TO THE RETAIL SALES OF GASOLINE. Sponsors: Representatives Roy, Gilligan. Assigned to Finance Committee.

HJR 3 - MEMORIALIZING DELAWARE'S U. S. CONGRESSIONAL DELEGATION TO SPONSOR LEGISLATION TO STRIKE MEMORIAL DAY FROM PUBLIC LAW 90-363 AND DESIGNATE MEMORIAL DAY AS MAY 30TH. Sponsors: Representatives Quillen, Brady; Senators Vaughn, Slatcher. Assigned to Executive Committee.

SA 1 and SA 2 to SB 56. Sponsor: Senator McDowell. Placed with the Bill.

SA 1 to SB 95. Sponsor: Senator Marshall. Placed with the Bill.

SA 2 to SB 59. Sponsors: Senators Berndt, Bair, Connor. Placed with the Bill.

At 3:44 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 14th Legislative Day.

14TH LEGISLATIVE DAY

April 8, 1987

The Senate convened at 3:44 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Martin.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, 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 adopted HCR 29.

HCR 29 was introduced and considered for adoption on motion of Senator Still:

HCR 29 - EXTENDING CONGRATULATIONS TO THE 1987 CONSTITUTIONAL SCHOLARS OF THE DELAWARE HERITAGE COMMISSION. Sponsors: Representatives Corrozi, Fallon, Buckworth, Oberle, Barnes, Spence, George, Gilligan; Senators Still, Torbert, Slatcher.

Pursuant to the above Resolution, at the request of Senator Still the privilege of the floor was extended to Howard Row (Delaware Heritage Commission) who in turn introduced to the Senate Mary Bell Santos and her mother, Mary Bell Santos; Scott, Susan and Damien Evans of Caesar Rodney High School; Richard Cooch, Esq.

Senators Slatcher, McBride, Berndt, Cook marked PRESENT.

The roll call vote on HCR 29 was then taken and revealed 20 Senators voting YES and 1 (Cordrey) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SCR 52 was introduced:

SCR 52 - EXTENDING CONGRATULATIONS TO MRS. MADGE OLIVE BRITTINGHAM, 114 JERSEY ROAD, MILLSBORO, DELAWARE WHO IS CELEBRATING HER 84TH BIRTHDAY TODAY. Sponsors: Senator Minner, Representative West.

Pursuant to the above Resolution Senator Minner introduced the following to the Senate: Mrs. Madge Olive Brittingham, Mr. and Mrs. Murray, Cheryl Afieul, Maxine Brittingham, Mr. and Mrs. Douglas.

The Roll call vote on SCR 52 was then taken and revealed 20 Senators voting YES and 1 (Cordrey) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 48 was introduced:

SCR 48 - COMMENDING ELISABETH STROUD POOLE FOR BEING SELECTED BY THE UNITED WAY OF DELAWARE AS ITS RECIPIENT OF THE CENTENNIAL ALEXIS DE TOCQUEVILLE AWARD FOR OUTSTANDING VOLUNTEERISM. Sponsors: Senators Bair, Holloway, Bane, McDowell; Representatives DiPinto, Soles, Maroney.

Pursuant to the above Resolution, Senator Bair introduced to the Senate Lisa Poole.

The roll call vote on SCR 48 was then taken and revealed 20 Senators voting YES and 1 (Cordrey) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SB 56 was lifted from the table for consideration on motion of Senator McDowell.

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

SA 2 to the Bill which had been placed with the Bill was taken up for consideration of Senator McDowell and the roll call vote taken which revealed 20 Senators voting YES and 1 (Cordrey) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 56 w SA 1, 2 was then taken and revealed 20 Senators voting YES and 1 (Cordrey) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 95 was taken up for consideration on motion of Senator Marshall:

SB 95 - AN ACT TO AMEND PART VII, TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY AND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE AS IT RELATES TO PUBLIC WORKS CONTRACTS; AND PROVIDING FOR THE REGULATION OF ASBESTOS AND PERSONS WHO ABATE OR OTHERWISE WORK WITH ASBESTOS.

SA 1 to the Bill was considered for adoption on motion of Senator Marshall and the roll call vote taken which revealed 20 Senators voting YES and 1 (Cordrey) ABSENT; therefore, the Amendment was declared adopted.

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

SB 88 was stricken at the request of the sponsor, Senator Marshall.

The privilege of the floor was extended to George E. Hale (Department of Administrative Services).

From 5:04 p.m. to 5:06 p.m., the Chair called for a standing recess for purpose of changing the tape.

At 5:06 p.m., Lt. Governor Woo presiding.

SB 95 w SA 1, 2 was still before the Senate and the roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (McDowell) NOT VOTING and 1 (Cordrey) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SCR 47 was introduced and assigned to the Judiciary Committee:

SCR 47 - COMMENDING THE NEWARK HIGH SCHOOL BASKETBALL TEAM "THE YELLOWJACKETS" ON WINNING THE 1987 STATE HIGH SCHOOL BASKETBALL CHAMPIONSHIP ON SATURDAY, MARCH 14, 1987 AT THE UNIVERSITY OF DELAWARE FIELDHOUSE. Sponsors: Senators Neal, Sharp, Martin; Representatives Taylor, Petrilli, Soles, Oberle, Amick, Davis, Gilligan.

SCR 49 was introduced and considered for adoption on motion of Senator Bane:

SCR 49 - CONGRATULATING LYNNE S. FRINK ON HER RECEIPT OF THE 1987 CHEVRON CONSERVATION AWARD. Sponsors: Senators Bane, McDowell; Representatives George, Gilligan.

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

SCR 50 was introduced and laid on the table on motion of Senator Sharp:

SCR 50 - DIRECTING THE COMMISSIONER OF CORRECTIONS TO RESCIND A PLAN TO USE UNTRAINED CLERICAL PERSONNEL AS PERIMETER PATROLS AT DELAWARE CORRECTIONAL CENTER IN THE EVENT OF A JOB ACTION OR EMERGENCY. Sponsors: Senators Sharp, Vaughn, McDowell; Representatives B. Ennis, Clark.

SCR 51 was introduced and considered for adoption on motion of Senator Vaughn:

SCR 51 - EXTENDING CONGRATULATIONS TO THE TOWN OF CLAYTON, DELAWARE ON ITS 100TH ANNIVERSARY ON APRIL 15, 1987. Sponsors: Senator Vaughn, Representative B. Ennis.

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

SCR 47 was taken up for consideration under suspension of the necessary rules (since it had been assigned to Committee) on motion of Senator Neal.

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

At 5:25 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., April 9, 1987.

The Senate reconvened at 2:58 p.m., April 9, 1987 Senator Cordrey presiding.

The following legislation was introduced:

SA 1 to SB 60. Sponsor: Senator Vaughn. Placed with the Bill.

SB 106 - AN ACT TO EXTEND THE TOWN LIMITS OF THE TOWN OF TOWNSEND. Sponsors: Senator Vaughn, Representative B. Ennis. Assigned to Community Affairs Committee.

Senator Cordrey marked PRESENT.

At 3:00 p.m., on motion of Senator Sharp, the Senate adjourned to immediately convene for the 15th Legislative Day.

15TH LEGISLATIVE DAY
April 9, 1987

The Senate convened at 3:00 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, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, 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 adopted HCR 32; HCR 33; HCR 34; HCR 30; SCR 39; SCR 40; SCR 41; SCR 42; SCR 43; SCR 46; SCR 47; SCR 48; SCR 49; SCR 51; SCR 52.

Senator Bair marked PRESENT.

HJR 5 was taken up for consideration on motion of Senator Vaughn:

HJR 5 - DIRECTING THE DEPARTMENT OF CORRECTIONS TO CEASE IMPLEMENTATION OF PLANS TO CONSTRUCT A WOMEN'S PRISON AT DELAWARE CORRECTIONAL CENTER AND HAVE THE NEW COMMISSIONER OF CORRECTION REVIEW SUCH PLANS, MAKE RECOMMENDATIONS, AND OBTAIN APPROVAL OF FUTURE PLANS TO RELOCATE THE WOMEN'S PRISON AND TO PREVENT THE SALE OF THE WOODS HAVEN KRUSE PROPERTY UNTIL A DECISION IS MADE TO RELOCATE THE WOMEN'S PRISON.

Senators Connor, McBride marked PRESENT.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES; 1 (McDowell) NOT VOTING and 1 (Torbert) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SCR 50 was lifted from the table for consideration on motion of Senator Sharp:

SCR 50 - DIRECTING THE COMMISSIONER OF CORRECTIONS TO RESCIND A PLAN TO USE UNTRAINED CLERICAL PERSONNEL AS PERIMETER PATROLS AT DELAWARE CORRECTIONAL CENTER IN THE EVENT OF A JOB ACTION OR EMERGENCY.

Senator Connor requested that the Senate recess for a short period so that both Caucuses could meet with David Cross (Department of Corrections).

At 3:20 p.m. on motion of Senator Cordrey, the Senate recessed for Party Caucus and reconvened at 3:58 p.m., Senator Cordrey presiding.

SCR 50 was still before the Senate and the privilege of; the floor was extended to David Cross (Department of Corrections).

Senator Torbert marked PRESENT.

The roll call vote on SCR 50 was then taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SB 65 was taken up for consideration on motion of Senator Adams:

SB 65 - AN ACT TO AMEND TITLE 18, DELAWARE CODE RELATING TO INSURANCE AND A SEALED CONTAINER DEFENSE IN PRODUCT LIABILITY.

At 4:24 p.m., Senator Sharp presiding.

The privilege of the floor was extended to Frank Murphy (Senate Attorney).

At 4:26 p.m., Senator Cordrey presiding.

The roll call vote on SB 65 was then taken and revealed:

YES: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Martin, Minner, Neal, Slatcher, Still, Torbert, Vaughn, Zimmerman - 17.

NO: Senators Marshall, McBride, McDowell, Sharp - 4.

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

SB 60 was taken up for consideration on motion of Senator Vaughn:

SB 60 - AN ACT TO AMEND CHAPTER 66, TITLE 16, DELAWARE CODE, BY GIVING THE FIRE PREVENTION COMMISSION THE AUTHORITY TO APPOINT AND/OR EMPLOY ALL PERSONNEL IN THE FIRE MARSHAL'S OFFICE.

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 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on SB 60 w SA 1 was then taken and revealed:

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McDowell, Minner, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 13.

NO: Senators Bair, Connor, Knox, Neal, Still - 5.

NOT VOTING: Senators Bane, Berndt, McBride - 3.

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

SENATE CONSENT CALENDAR #7 was introduced and considered for adoption on motion of Senator Minner.

The Calendar consisted of the following:

HCR 30 - EXPRESSING A SPEEDY RECOVERY TO GERALD R. PEPPER, AGE 49, A FORMER STATE POLICEMAN, WHO IS AWAITING A HEART TRANSPLANT AT THE UNIVERSITY PRESBYTERIAN HOSPITAL IN PITTSBURGH, PENNSYLVANIA. Sponsors: Representative Clark, Senator Cook, all Representatives, all Senators.

HCR 32 - SUPPORTING THE WORLD HEALTH ORGANIZATION GOALS AS NATIONS OBSERVE THE WEEK OF APRIL 5, 1987, AS WORLD HEALTH WEEK. Sponsors: Representative Maroney, Senator Holloway; Representatives DiPinto, Jester, Sills.

HCR 33 - MOURNING THE DEATH OF WILLIAM J. CONNER, FORMER NEW CASTLE COUNTY EXECUTIVE AND PROFESSOR AT DELAWARE LAW SCHOOL, WIDENER UNIVERSITY. Sponsors: Representatives Oberle, Barnes, Spence, George, Gilligan; Senators Sharp, Cordrey, Bair, Connor; all Representatives, all Senators.

HCR 34 - REQUESTING STATE-SUPPORTED LIBRARIES IN DELAWARE TO PARTICIPATE IN THE YEAR OF THE READER. Sponsors: Representative DiPinto, Senator Bair; Representatives Fallon, Barnes, Boykin, Quillen, B. Ennis, Sills; Senators McDowell, Minner, Torbert, Neal.

SCR 53 - RECOGNIZING THE NEWARK SYMPHONY SOCIETY, THE DELAWARE HERITAGE COMMISSION AND THE CITY OF NEWARK FOR SPONSORING A CONSTITUTION BALL ON APRIL 11, 1987 IN COMMEMORATION OF DELAWARE'S PREMIERE RATIFICATION OF THE CONSTITUTION OF THE UNITED STATES. Sponsors: Senators Neal, Bane, Martin; Representatives Soles, Amick.

SCR 54 - CONGRATULATING THE DOVER HIGH SCHOOL SENATOR MARCHING BAND FOR WINNING THE ALL-AMERICAN BAND FESTIVAL COMPETITION AT ORLANDO, FLA., APRIL 4-5. Sponsors: Senator Zimmerman; Representatives Outten, Bennett.

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The roll call vote on SENATE CONSENT CALENDAR #7 was then taken and revealed 21 Senators voting YES; therefore, the Resolutions were declared adopted. The House Concurrent Resolutions were returned to the House and the Senate Concurrent Resolutions were sent to the House for consideration.

SR 26 was introduced and considered for adoption on motion of Senator Adams:

SR 26 - MOURNING THE DEATH OF FRANK R. GRIER OF MILFORD, A FORMER SENATE MAJORITY LEADER. Sponsors: Senator Adams and all Senators.

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

SR 27 was introduced and considered for adoption on motion of Senator Holloway:

SR 27 - DIRECTING THE SENATE COMMITTEE ON AGING TO CONDUCT AN ANALYSIS OF THE CLAIMS MADE BY HIGH PRESSURE ADVERTISING CAMPAIGNS CONCERNING THE BENEFITS OF HEALTH AND LIFE INSURANCE BEING OFFERED TO DELAWARE'S ELDERLY CITIZENS; AND TO MAKE RECOMMENDATIONS FOR LEGISLATIVE ACTION TO PROTECT DELAWARE'S ELDERLY CITIZENS FROM POLICIES OF LITTLE OR NO VALUE TO THEM. Sponsor: Senator Holloway.

The following Senators were added as co-sponsors at their request: Knox, Still, Marshall, Martin, McBride, Neal, Berndt, Bane, Zimmerman, Slatcher.

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

The following legislation was introduced:

SS 1 for SB 67 - AN ACT TO AMEND CHAPTER 80, TITLE 15, DELAWARE CODE, RELATING TO CAMPAIGN CONTRIBUTIONS AND EXPENDITURES. Sponsors: Senator Torbert, Representative Caulk; Senators Minner, Zimmerman; Representatives Corrozi, Maroney. Adopted in lieu of the Original

SB 105 - AN ACT TO AMEND CHAPTER 27, TITLE 11 OF THE DELAWARE CODE RELATING TO JUSTICE OF THE PEACE COURT JURISDICTION. Sponsors: Senators Still, Sharp; Representative Hebner. Assigned to Judiciary Committee.

SB 107 - AN ACT TO AMEND SUBCHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO EXCLUSION OF PENSION INCOME FROM DELAWARE PERSONAL INCOME TAX. Sponsors: Senators Zimmerman, Adams, Cook, Cordrey, Holloway, Martin, Marshall, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Berndt; Representatives Gilligan, Bennett, Brady, Bunting, Campanelli, Dixon, George, Houghton, Jester, Jonkier, Outten, Plant, Sills, Soles, VanSant, West, Wingate, Amick, Carey, Caulk. Laid on the table on motion of Senator Zimmerman.

The following communication was read:

SENATE
STATE OF DELAWARE
LEGISLATIVE HALL
DOVER, DELAWARE 19901

April 9, 1987

TO: All Members of the Delaware State Senate of the 134th General Assembly
FROM: Senator Richard S. Cordrey, President Pro Tempore
SUBJECT: Committee Chairman Assignments
Effective Tuesday, April 14, 1987, Senator Roger A. Martin will serve as Acting Chairman of the following committees:
Administrative Services/Energy
Community Affairs
until further notice.

* * * * *

At 5:00 p.m. on motion of Senator Sharp, the Senate recessed until April 14, 1987 at 2:00 p.m.

The Senate reconvened at 2:50 p.m., April 14, 1987 Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 63 w HA 1; HB 17 w HA 1; HB 79 w HA 1; HB 44 w HA 1, 2; HB 77 w HA 1; HB 73 w HA 1 and adopted HCR 35, HJR 6.

The following legislation was introduced:

SB 108 - AN ACT TO AMEND CHAPTER 8, TITLE 5, DELAWARE CODE TO PROVIDE FOR THE ACQUISITION OF EXISTING DELAWARE BANKS AND BANK HOLDING COMPANIES BY OUT-OF-STATE BANK HOLDING COMPANIES. Sponsors: Senators Cordrey, Adams, Zimmerman, Cook, Martin, Marshall, Torbert, Minner, Vaughn, Knox, Bair, Slatcher, Still, Berndt, Bane, Connor; Representatives Oberle, Barnes, Spence, D. Ennis, Lee, DiPinto, Corrozi, Petrilli, Bennett, Houghton, Jester, Outten, VanSant, Dixon, Bunting, Wingate, Soles, Brady, George, Gilligan. Assigned to Banking Committee.

SA 3 to SB 25. Sponsor: Senator Martin. Placed with the Bill.

SA 1 to SS 1 for SB 67. Sponsor: Senator Torbert. Placed with the Bill.

SB 109 - AN ACT TO AMEND CHAPTER 1, TITLE 5, DELAWARE CODE TO PROVIDE FOR THE PRIOR APPROVAL BY THE DELAWARE BANK COMMISSIONER OF THE CHANGE IN CONTROL OF DELAWARE CHARTERED BANKS AND TRUST COMPANIES. Sponsors: Senators Cordrey, Adams, Zimmerman, Slatcher, Still, Berndt, Knox; Representatives D. Ennis, Petrilli, Lee, VanSant, Dixon. Assigned to Banking Committee.

At 2:53 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 16th Legislative Day.

16TH LEGISLATIVE DAY
April 14, 1987

The Senate convened at 2:53 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 20.

ABSENT: Senator Minner - 1.

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

Senator Still introduced to the Senate his mother (Mary Margaret Still), his wife and son.

Senator Cordrey introduced to the Senate and requested the privilege of the floor for Miss Delaware (Lori Scott).

Senator Cordrey then introduced the following members of the Miss Delaware Committee: Pat Turpin, George, Lee, John Moreland.

Senator Cordrey introduced and requested the privilege of the floor for William Dannenbauer and a contingent of students who presented each Senator with an Easter lily. Senators Marshall and Zimmerman marked PRESENT.

Senator Connor introduced to the Senate Charles Smith, Principal of William Penn High School.

SB 107 was lifted from the table and taken up for consideration under suspension of the necessary rules on motion of Senator Zimmerman (no objection):

SB 107 - AN ACT TO AMEND SUBCHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO EXCLUSION OF PENSION INCOME FROM DELAWARE PERSONAL INCOME TAX.

Senator Cordrey requested that his name be removed as a co-sponsor of the Bill after which the roll call vote was taken and revealed:

YES: Senators Adams, Cook, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 11.

NO: Senators Cordrey, Slatcher - 2.

NOT VOTING: Senators Bair, Bane, Berndt, Connor, Knox, Neal, Still - 7.

ABSENT: Senator Minner - 1.

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

At 3:50 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:45 p.m., Lt. Governor Woo presiding.

SB 58 was taken up for consideration on motion of Senator Sharp:

SB 58 - AN ACT TO AMEND CHAPTER 11, TITLE 30 OF THE DELAWARE CODE, RELATING TO PERSONAL EXEMPTIONS ON STATE INCOME TAX.

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

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 13.

NOT VOTING: Senators Bair, Bane, Berndt, Connor, Knox, Neal, Still - 7.

ABSENT: Senator Minner - 1.

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

SB 54 was taken up for consideration on motion of Senator Torbert:

SB 54 - AN ACT TO AMEND SUBCHAPTER VI, CHAPTER 7, TITLE 7, DELAWARE CODE, RELATING TO RACCOON TRAPPING.

The privilege of the floor was extended to Francis Murphy, Senate Attorney after which the Bill was laid on the table on further motion of the Senator.

The following legislation was introduced:

SB 110 - AN ACT TO AMEND CHAPTER 8, TITLE 5, DELAWARE CODE TO PROVIDE FOR THE REGULATION OF DELAWARE BANK HOLDING COMPANIES. Sponsors: Senators Cordrey, Adams, Zimmerman, Slatcher, Still, Berndt, Knox; Representatives D. Ennis, Petrilli, Lee, VanSant, Dixon. Assigned to Banking Committee.

SB 111 - AN ACT TO AMEND AN ACT BEING VOLUME 63, CHAPTER 64, LAWS OF DELAWARE AS AMENDED BY VOLUME 63, CHAPTER 245, LAWS OF DELAWARE ENTITLED AN ACT OF REINCORPORATE THE TOWN OF OCEAN VIEW IN SUSSEX COUNTY, DELAWARE. Sponsor: Senator Cordrey. Assigned to Community Affairs Committee.

SB 112 - AN ACT TO AMEND CHAPTER 23, TITLE 15 OF THE DELAWARE CODE RELATING TO PENALTIES FOR VIOLATIONS OF THE STATE ELECTION LAWS. Sponsors: Senators McDowell, Berndt, McBride, Marshall, Zimmerman; Representatives Bennett, Brady, VanSant, B. Ennis, Soles, Campanelli, Wingate, Sills, West, Jester. Assigned to Insurance and Elections Committee.

SB 113 - AN ACT TO AMEND CHAPTER 20, TITLE 15, DELAWARE CODE, RELATING TO REGISTRATION OF VOTERS. Sponsors: Senators McDowell, Berndt, McBride, Marshall, Zimmerman; Representatives Bennett, Brady, VanSant, B. Ennis, Soles, Campanelli, Sills, West, Jester. Assigned to Insurance and Elections Committee.

SB 114 - AN ACT TO AMEND SUBCHAPTER III, CHAPTER 20, TITLE 15, DELAWARE CODE, RELATING TO REGISTRATION BY MAIL. Sponsors: Senators McDowell, Adams, McBride, Marshall, Zimmerman; Representatives Bennett, Brady, VanSant, B. Ennis, Soles, Clark, Campanelli, Wingate, Sills, West, Jester. Assigned to Insurance and Elections Committee.

SB 115 - AN ACT TO AMEND CHAPTER 8, TITLE 5, DELAWARE CODE TO PROVIDE FOR THE ACQUISITION OF EXISTING DELAWARE SAVINGS BANKS BY OUT-OF-STATE SAVINGS INSTITUTIONS, SAVINGS & LOAN HOLDING COMPANIES, AND BANK HOLDING COMPANIES. Sponsors: Senators Marshall, Zimmerman, Holloway, McDowell, Martin, Cook, Minner, Vaughn, Torbert, Knox, Still, Slatcher, Berndt, Bair, Connor; Representatives Oberle, Spence, Barnes, D. Ennis, Lee, Petrilli, Corrozi, VanSant, Dixon, George, Gilligan, Jester, Houghton, Soles, Brady. Assigned to Banking Committee.

SB 116 - AN ACT TO AMEND TITLE 24, CHAPTERS 31 AND 50 OF THE DELAWARE CODE RELATING TO FUNERAL SERVICES, AND PROVIDING FOR A BOARD OF FUNERAL SERVICES. Sponsors: Senator McDowell, Representative Amick. Assigned to Administrative Services/Energy Committee.

SA 1 to SB 28. Sponsor: Senator Cordrey. Placed with the Bill.

SB 111 was stricken at the request of the sponsor, Senator Cordrey.
SENATE CONSENT CALENDAR #8 was introduced and considered for adoption on motion of Senator Martin. The Calendar consisted of the following:

SR 28 - COMMENDING AND CONGRATULATING DELAWARE BANK COMMISSIONER JOHN E. MALARKEY UPON THE COMPLETION OF HIS TERM OF OFFICE AS PRESIDENT OF THE CONFERENCE OF STATE BANK SUPERVISORS. Sponsor: Senator Cordrey.

SCR 55 - COMMENDING DR. R. BYRON PIPES, DEAN OF THE COLLEGE OF ENGINEERING, UNIVERSITY OF DELAWARE, ON BEING ELECTED TO THE NATIONAL ACADEMY OF ENGINEERING. Sponsors: Senators Neal, McBride; Representatives Soles, Corrozi, Petrilli, Wingate.

HCR 27 - COMMEMORATING THE LIFE AND ACCOMPLISHMENTS OF FRANK GRIER WHO LEFT THIS WORLD MARCH 28, 1987 AT THE AGE OF 81. Sponsors: Representatives Carey, Caulk; Senators Adams, Minner; Representatives Lee, Barnes, Fallon, Quillen, Wingate, West, Buckworth, Bunting, Bennett; Senators Berndt, Neal, Connor, Slatcher, Knox, Bair, Bane, McBride, Martin, Sharp, Torbert, Zimmerman, Cordrey.

HCR 35 - EXPRESSING CONDOLENCES TO THE FAMILY OF MR. VANCE MORRIS OF FREDERICA, DELAWARE WHO DIED ON MONDAY, APRIL 6, 1987. Sponsors: Representatives Bennett, Outten; Senators Torbert, Cook, Zimmerman, Minner.

* * * * *

At his request, Senator Holloway was added as a co-sponsor of HCR 27 after which the roll call vote on the Consent Calendar was taken and revealed 20 Senators voting YES and 1 (Minner) ABSENT; therefore, the Resolutions were declared adopted. The House Concurrent Resolutions were returned to the House and the Senate Concurrent Resolution was sent to the House for consideration.

HB 73 w HA 1 was introduced and assigned to Sunset Committee:

HB 73 w HA 1 - AN ACT TO AMEND TITLE 24, CHAPTER 37, DELAWARE CODE RELATING TO THE BOARD OF EXAMINERS OF SPEECH/LANGUAGE PATHOLOGISTS, AUDIOLOGISTS AND HEARING AID DISPENSERS. Sponsors: Representative Taylor, Senator Bane, Representative Amick, Senator McDowell.

SB 116 which had been assigned to Administrative Services/Energy Committee was reassigned to Sunset Committee.

Senator Bane introduced to the Senate New Castle County Sheriff Mike Walsh.

At 5:18 p.m. on motion of Senator Sharp, the Senate recessed until 3:30 p.m., April 15, 1987.

The Senate reconvened at 4:11 p.m., April 15, 1987, Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Judiciary Committee: HB 30 - 1 Favorable, 3 Merits; HB 35 - 4 Merits; SB 78 - 4 Merits; SB 76 - 4 Merits; SB 15 - 4 Merits; SB 18 - 4 Merits; SB 91 - 4 Merits.

At 4:13 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 17th Legislative Day.

17TH LEGISLATIVE DAY

April 15, 1987

The Senate convened at 4:13 p.m., Lt. Governor Woo 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, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 20.

ABSENT: Senator Minner - 1.

Senator Adams recognized and introduced the following: from the Delaware Forestry Association: President Skip Jones and Secretary Bob Tjaden; from the Delaware Tree Farm Committee: Chairman Jeff Fisher, Secretary Kevin Donnelly; Tree Farmers Mr. and Mrs. W. Allen Jones; Tree Farmer Harvey Parrott; Tree Farmer Ed Calloway.

At the request of Senator Adams the privilege of the floor was extended to Chairman Jeff Fisher who made a short presentation.

Each of the Senators was presented a white pine seedling by the Associations.

On motion of Senator Martin (and without objection) the roll call vote on SB 25 w SA 2 was lifted and announced:

YES: Senators Bane, Berndt, Holloway, Knox, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Zimmerman - 11

NO: Senators Adams, Connor, Cook, Cordrey, Minner, Neal, Slatcher, Still, Vaughn - 9.

NOT VOTING: Senator Bair - 1.

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

SA 3 to SB 25 was stricken at the request of Senator Martin.

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 64 and adopted HCR 36 and HCR 37.

LEGISLATIVE ADVISORY #4 received from the Office of Counsel to the Governor was read which informed that the Governor signed SJR 6 on April 8, 1987 and on April 7, 1987 signed SB 73 (Volume 66, Chapter 6, Laws of Delaware).

The following legislation was introduced:

HB 17 w HA 1 - AN ACT TO AMEND CHAPTER 92, TITLE 10 OF THE DELAWARE CODE ESTABLISHING QUALIFICATIONS OF THE JUSTICE OF THE PEACE. Sponsors: Representatives Houghton and Dixon. Assigned to Judiciary Committee.

HB 44 w HA 1, 2 - AN ACT TO AMEND TITLES 24 AND 29 OF THE DELAWARE CODE RELATING TO OCCUPATIONS AND PROFESSIONS; AND PROVIDING FOR THE REGULATION OF PERSONS PRACTICING NUTRITION. Sponsors: Representative Soles, Senator Holloway; Representatives VanSant, West, Maroney, Corrozi, Jester, Roy; Senators Knox, Neal, Berndt, Torbert, Connor, Minner. Assigned to Sunset Committee.

HB 63 w HA 1 - AN ACT TO AMEND CHAPTER 41, TITLE 11, DELAWARE CODE RELATING TO RESTITUTION. Sponsors: Representatives Davis, Soles, Spence, Hebner, Buckworth; Senators Vaughn, Slatcher. Assigned to Judiciary Committee.

HB 64 - AN ACT TO AMEND CHAPTER 35 OF TITLE 18 OF THE DELAWARE CODE RELATING TO GROUP AND BLANKET HEALTH INSURANCE. Sponsors: Representative Petrilli, Senator Sharp; Representatives D. Ennis, Bennett, VanSant. Assigned to Insurance and Elections Committee.

HB 77 w HA 1 - AN ACT TO AMEND CHAPTER 66, TITLE 16, DELAWARE CODE, RELATING TO LIABILITY IN THE PERFORMANCE OF INSTRUCTIONAL SERVICE FOR THE DELAWARE STATE FIRE SCHOOL. Sponsors: Representative B. Ennis, Senator Sharp; Representatives Barnes, Boykin, Brady, Buckworth, Bunting, Campanelli, Carey, Caulk, Clark, Corrozi, Davis, DiPinto, Dixon, D. Ennis, Fallon, George, Gilligan, Hebner, Houghton, Jester, Jonkiert, Lee, Mack, Maroney, Oberle, Outten, Petrilli, Plant, Quillen, Soles, Spence, VanSant, West, Wingate; Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Slatcher, Still, Torbert, Vaughn, Zimmerman. Assigned to Health-Social Services/Aging Committee.

HB 79 w HA 1 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO TRAFFIC SIGNS. Sponsor: Representative Mack. Assigned to Public Safety.

HJR 6 - MOURNING THE UNTIMELY DEATH OF JONATHAN S. MOYED. Sponsors: Representative Bunting, all Representatives, all Senators. Assigned to Executive Committee.

The following Committee reports were announced:

From the Community Affairs Committee: SB 34 - 5 Merits; SB 86 - 5 Merits.

From the Public Safety Committee: HB 24 w HA 1, 2, 3 - 4 Merits.

The following legislation was introduced:

SB 117 - AN ACT TO AMEND §503, CHAPTER 5, TITLE 31, DELAWARE CODE, RELATING TO ELIGIBILITY FOR ASSISTANCE, AMOUNT, AND METHOD OF PAYMENT. Sponsor: Senator Martin. Assigned to Health-Social Services/Aging Committee.

SB 118 - AN ACT TO AMEND CHAPTER 7 OF TITLE 5 OF THE DELAWARE CODE RELATING TO THE AMENDMENT OF BANK CHARTER. Sponsors: Senators Cordrey, Adams, Zimmerman, Slatcher, Still, Berndt, Knox; Representatives D. Ennis, Petrilli, Lee, VanSant, Dixon. Assigned to Banking Committee.

SA 1 to SB 54. Sponsor: Senator Torbert. Placed with the Bill.

SA 1 to SB 108. Sponsor: Senator Cordrey. Placed with the Bill.

SA 1 to SB 110. Sponsor: Senator Cordrey. Placed with the Bill.

SA 1 to SB 116. Sponsor: Senator McDowell. Placed with the Bill.

HCR 36 was introduced and considered for adoption on motion of Senator Sharp:

HCR 36 - EXPRESSING OUR APPRECIATION FOR THE LILIES PRESENTED TO THE LEGISLATORS BY OUR VOCATIONAL STUDENTS. Sponsors: Representatives Oberle, Barnes, Spence, George, Gilligan; Senators Bair, Connor, Cordrey, Sharp, McDowell.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES and 4 (Cordrey, McBride, Minner, Neal) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 37 was introduced and considered for adoption on motion of Senator Sharp:

HCR 37 - CALLING TO THE ATTENTION OF ALL OUR CITIZENS THE FACT THAT ARBOR DAY, 1987, WILL BE OBSERVED ON APRIL 24 AND REQUESTING THEIR PARTICIPATION IN THE CAMPAIGN TO IMPROVE AND INCREASE OUR FORESTS, WOODS AND COPSES. Sponsors: Representatives Barnes, Amick, Boykin, Buckworth, Carey, Caulk, Corrozi, Davis, DiPinto, D. Ennis, Fallon, Hebner, Lee, Mack, Maroney, Oberle, Petrilli, Quillen, Roy, Smith, Spence, Taylor, Bennett, Brady, Bunting, Campanelli, Clark, Dixon, Ennis, George, Gilligan, Houghton, Jester, Jonkiert, Outten, Plant, Sills, Soles, VanSant, West, Wingate; Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Bair, Bane, Berndt, Connor, Knox, Neal, Slatcher, Still.

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

SB 116 was reported out of the Sunset Committee: 5 Merits.
At 4:40 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., April 16, 1987.
The Senate reconvened at 2:38 p.m., April 16, 1987, Lt. Governor Woo presiding.
Senator Cordrey marked PRESENT.
At 2:38 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 18th Legislative Day.

18TH LEGISLATIVE DAY
April 16, 1987

The Senate convened at 2:38 p.m., Lt. Governor Woo presiding.
A Prayer was offered by Senator Slatcher.
Pledge of Allegiance to the Flag.
Call of the roll revealed the following attendance:
PRESENT: Senators Adams, Bair, Bane, Berndt, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 19.
ABSENT: Senators Connor and Minner - 2.
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 adopted HCR 38; HCR 39; HCR 40; HCR 41; HCR 42; HCR 43; SCR 53; SCR 55.
LEGISLATIVE ADVISORY #5 received from the Office of Counsel to the Governor was read which informed the Senate that on April 10, 1987 the Governor signed HS 1 for HB 61 (Volume 66, Chapter 7, Laws of Delaware) and on April 13, 1987 the Governor signed SJR 4 w SA 1.

Senator Cordrey recognized and introduced to the Senate Senator J. Donald Isaacs (Former President pro Tem of the Delaware Senate) and Chris Roberts (New Castle County Councilman).

Senator Bair introduced to the Senate Sara Rose, Judy Iverson and Danielle Connolly
Senator McDowell marked PRESENT.

SB 12 was taken up for consideration on motion of Senator Cordrey:

SB 12 - AN ACT TO AMEND CHAPTER 54, TITLE 7, DELAWARE CODE RELATING TO ARCHAEOLOGICAL EXCAVATIONS.

At the request of Senator Zimmerman the following letter to the Editor of the Delaware State News (June 23, 1986) was read and made part of this Journal:

DON'T CLOSE THE GRAVES AT ISLAND FIELD

Delaware's Island Field burial site is one of the finest archeological exhibits in this country. It is tragic that the General Assembly is about to vote (today) to destroy such a significant cultural and historical area.

I understand that the bill now before the House of Representatives was requested by the Nanticoke Indians who want the graves closed because they feel the display shows disrespect to their ancestors.

It is tragic that the Nanticoke feel this way. Exactly the contrary is true.

The display is tasteful; it is preserved in entirely natural surroundings. Tourists cannot tramp around on the graves; a guide is on duty at all times. Visitors frequently even speak in a whisper there.

The Island Field burial ground encourages understanding and respect for our Delaware Indians because it increases knowledge about their culture and history. Seeing the ancient bones doesn't cause revulsion or irreverence; it causes compassion for their difficult lifestyle and interest in their customs. Because we can see these remains, hundred of years disappear and these early Delawareans become real human beings to use.

Please don't close the graves. Such an act in itself is disrespectful of the contribution these humble people have made to our civilization.

We don't consider it disrespectful to display the bones and other remains of the saints. Christianity reveres such artifacts and displays them as a sign of the high esteem we place on these early people.

We don't consider it disrespectful to show the mummies of ancient Egypt or South America. In most cases, these are the remains of pharaohs and chieftains, high-ranking people who demanded much respect and who are accorded places of honor in the finest museums.

And currently in Sweden, archeologists are exhuming the remains of their royalty to learn more about the nation's past. People don't consider it disrespectful; they consider it a contribution to a nation's knowledge about its heritage.

Our future is built on a respect for the past. We are a nation that honors its ancestors. Delaware is a state that has a proud past, one that includes the early people at the Island Field site. Surely the families buried there would be very proud to know that they are an integral part of teaching hundreds of school children and other visitors more about the Indian nation. Surely they would find it important to contribute to better relations for the future by helping to increase our understanding and feeling of kinship to fellow coastal dwellers.

It is fitting that we be respectful of these people. But closing the graves does not increase our respect; in fact, it removes a significant opportunity for people to learn more respect.

Judith Roales
Kitts Hummock

Senators Knox and Martin marked PRESENT.

The roll call vote on SB 12 was then taken; however, the roll call was laid on the table before being announced on motion of Senator Cordrey.

HB 30 was taken up for consideration on motion of Senator Sharp:

HB 30 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE RIGHT TO KEEP AND BEAR ARMS FOR THE DEFENSE OF SELF, FAMILY, HOME AND STATE, AND FOR HUNTING AND RECREATIONAL USE.

The privilege of the floor was extended to John J. Thompson (Delaware State Sportsmen's Association).

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

YES: Senators Adams, Bair, Bane, Cook, Cordrey, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 17.

NO: Senator Berndt - 1.

NOT VOTING: Senator Holloway - 1.

ABSENT: Senators Connor, Minner - 2.

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

SB 54 was lifted from the table for consideration on motion of Senator Torbert.

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

SA 2 to the Bill (sponsor: Senator Torbert) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed 18 Senators voting YES and 3 (Bair, Connor, Minner) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 54 w SA 2 was then taken and revealed:

YES: Senators Adams, Bane, Berndt, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Slatcher, Still, Torbert, Vaughn - 17.

NOT VOTING: Senator Zimmerman - 1.

ABSENT: Senators Bair, Connor, Minner - 3.

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

SA 1 to SB 54 was stricken at the request of the sponsor, Senator Torbert.

SB 91 was taken up for consideration on motion of Senator Bane:

SB 91 - AN ACT TO AMEND TITLE 6, CHAPTER 50 OF THE DELAWARE CODE RELATING TO AUTOMOBILE WARRANTIES AND DISPUTE RESOLUTION PROCEDURES FOR DEFECTIVE AUTOMOBILES.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Donald E. Williams (Delaware Division of Consumer Affairs), Ray Buttacavoli (General Motors Corporation) and Richard Dillard (Senate Attorney).

SA 1 to the Bill sponsored by Senator Bane, was introduced and considered for adoption.

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

YES: Senators Adams, Bair, Bane, Berndt, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, Neal, Sharp, Slatcher, Still, Torbert, Vaughn - 17.

NO: Senator McDowell - 1.

NOT VOTING: Senator Zimmerman - 1.

ABSENT: Senators Connor, Minner - 2.

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:

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McDowell, Torbert, Vaughn, Zimmerman - 10.

NO: Senators Bair, Bane, Berndt, Knox, Neal, Sharp, Slatcher, Still - 8.

NOT VOTING: Senator McBride - 1.

ABSENT: Senators Connor, Minner - 2.

Therefore, the Amendment was declared defeated.

At 4:50 p.m. on motion of Senator Zimmerman the Senate recessed for Party Caucus and reconvened at 5:00 p.m., Senator Cordrey presiding.

SB 91 w SA 1 which was before the Senate before the recess was laid on the table on motion of Senator Bane.

The following legislation was introduced:

SA 3, SA 4, SA 5, SA 6 to SB 91. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 7 to SB 91. Sponsor: Senator Bane. Placed with the Bill.

SA 8 to SB 91. Sponsor: Senator McDowell. Placed with the Bill.

SR 30 was introduced and considered for adoption on motion of Senator Sharp:

SR 30 - HONORING U. S. SENATOR JOSEPH R. BIDEN, JR., OF DELAWARE AND REQUESTING HIM TO APPEAR BEFORE THE DELAWARE STATE SENATE. Sponsors: Senators Sharp, Cordrey, McDowell, Adams, Cook, Holloway, Marshall, Martin, McBride, Torbert, Vaughn, Zimmerman.

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

HCR 40 was introduced and considered for adoption on motion of Senator Cordrey:

HCR 40 - MOURNING THE LOSS OF J. KENNETH DERRICKSON, KILLED IN A TRAGIC ACCIDENT IN REHOBOTH BEACH. Sponsors: Representatives Oberle, Wingate; Senators Cordrey, Bair; All Representatives, All Senators.

SA 1 to the Resolution (sponsor: Senator Cordrey) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Connor, Minner) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on HCR 40 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Connor, Minner) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House for consideration of the Senate Amendment.

SENATE CONSENT CALENDAR #9 was introduced and considered for adoption on motion of Senator Martin:

The Calendar consisted of the following:

HCR 38 - CONGRATULATING THE DOVER HIGH SCHOOL SENATOR MARCHING BAND FOR WINNING THE ALL-AMERICAN BAND FESTIVAL COMPETITION AT ORLANDO, FLORIDA, APRIL 4-5, 1987. Sponsors: Representatives Bennett, Outten; Senator Zimmerman.

HCR 39 - RECOGNIZING AND CONGRATULATING THE GREATER HARRINGTON HISTORICAL SOCIETY AS IT APPROACHES THE DEDICATION AND OPENING OF THE GREATER HARRINGTON HISTORICAL SOCIETY MUSEUM. Sponsors: Representative Quillen, Senator Minner.

HCR 41 - COMMENDING THE DELAWARE DEVELOPMENT DEPARTMENT AND THE WOODBRIDGE HIGH SCHOOL AT BRIDGEVILLE FOR COOPERATING WITH THE BRITISH BROADCASTING CORPORATION IN FILMING A DOCUMENTARY THAT WILL BRING POSITIVE PUBLICITY TO THE FIRST STATE. Sponsors: Representative Barnes, Senator Adams.

HCR 42 - CONGRATULATING MRS. STEPHANIE HAWKE ON BEING NAMED MOTHER OF THE YEAR FOR 1987. Sponsors: Representative B. Ennis, Senator Vaughn, Representative Clark, Senator Cook.

HCR 43 - EXPRESSING CONDOLENCES TO THE FAMILY OF THE LATE HOWARD C. DEAKYNE, SR. A FORMER LEGISLATOR IN THE 119TH GENERAL ASSEMBLY, 1951-52. Sponsors: Representative B. Ennis, Senator Vaughn, Representative Clark, Senator Cook.

SCR 56 - RECOGNIZING APRIL AS CHILD ABUSE PREVENTION MONTH. Sponsors: Senators Bair, Holloway; Representative Maroney; Senators Bane, McDowell, Knox, Berndt; Representatives Soles, Jester, Fallon.

SR 29 - THANKING THE INTERNATIONAL YOUTH INTERNSHIP PROGRAM DELEGATION FROM LURGEN, NORTH IRELAND, FOR THE MANY HOURS OF VOLUNTEER SERVICE THEY PERFORMED IN DELAWARE AS THEY RETURN TO THEIR HOMELAND. Sponsor: Senator McDowell.

SCR 57 - MOURNING THE DEATH OF J. FRANK GORDY SR. OF GEORGETOWN AND COMMEMORATING HIS CONTRIBUTIONS TO DELAWARE AGRICULTURE AND STATE GOVERNMENT. Sponsors: Senators Adams, Cordrey, Holloway; Representative Carey.

The roll call vote on the Consent Calendar was taken and revealed 19 Senators voting YES and 2 (Connor, Minner) ABSENT; therefore, the Resolutions were declared adopted. The House Concurrent Resolutions were returned to the House and the Senate Concurrent Resolutions were sent to the House for consideration.

The following legislation was introduced:

SB 119 - AN ACT TO AUTHORIZE 15 ADDITIONAL PROBATION/PAROLE OFFICERS IN THE OFFICE OF COMMUNITY SERVICES, DEPARTMENT OF CORRECTIONS, AND TO MAKE A SUPPLEMENTAL APPROPRIATION THEREFORE. Sponsors: Senators Holloway, Vaughn, Berndt; Representatives Plant, Sills. Assigned to Corrections Committee.

SB 120 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO DAMAGES IN PERSONAL ACTIONS. Sponsors: Senators Cordrey, Bair; Representatives Petrilli, Barnes, Bennett. Assigned to Judiciary Committee.

At 5:20 p.m. on motion of Senator Sharp, the Senate recessed to the call of the President pro Tempore.

The Senate reconvened at 2:21 p.m., April 28, 1987, Lt. Governor Woo presiding.

SA 9 to SB 91 (sponsor: Senator McDowell) was introduced and placed with the Bill.

At 2:23 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 19th Legislative Day.

19TH LEGISLATIVE DAY
April 28, 1987

The Senate convened at 2:23 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 20.

ABSENT: Senator Minner - 1.

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

The Secretary announced that a message from the House informed the Senate that it had passed HB 22 w HA 1; SB 62; SB 56 w SA 1, 2; SB 80; and adopted SCR 45 w HA 1.

LEGISLATIVE ADVISORY #6 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed the following legislation: On April 16, 1987 - SB 22 (Volume 66, Chapter 9, Laws of Delaware); on April 20 - SB 17 (Volume 66, Chapter 8, Laws of Delaware); on April 22 - HJR 5; HB 30 is a Constitution Amendment and does not require the Governor to sign (Volume 66, Chapter 10, Laws of Delaware).

* * * * *

Senator McDowell marked PRESENT.

The following legislation was introduced:

HB 22 w HA 1 - AN ACT TO AMEND AN ACT BEING CHAPTER 504, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF HENLOPEN ACRES" TO PROVIDE FOR BORROWING AGAINST ANTICIPATED REVENUES. Sponsors: Representative Wingate, Senator Cordrey. Assigned to Community Affairs Committee.

SS 1 for SB 94 - AN ACT TO AMEND CHAPTER 1, SUBCHAPTER III, TITLE 26, DELAWARE CODE, REQUIRING THE PUBLIC SERVICE COMMISSION TO ASSESS LEGAL FEES IN A RATE-MAKING PROCEDURE ON THE BASIS OF 50 PERCENT TO THE UTILITY AND 50 PERCENT TO THE CUSTOMERS. Sponsor: Senator Holloway. Adopted in lieu of the Original.

SB 121 - AN ACT TO AMEND TITLE 18 DELAWARE CODE BY REQUIRING EMPLOYERS TO OFFER HEALTH BENEFIT PLANS TO THEIR EMPLOYEES. Sponsor: Senator Holloway. Assigned to Insurance and Elections Committee.

SB 122 - AN ACT TO AMEND PART IV, TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES; AND PROVIDING FOR A CONTROLLED SUBSTANCES TAX ACT. Sponsor: Senator McBride. Assigned to Revenue and Taxation Committee.

SJR 8 - COMMENDING THE FUTURE FARMERS OF AMERICA FOR PROVIDING TODAY'S YOUTH WITH AN OUTSTANDING PROGRAM IN AGRICULTURE AND AGRICULTURE-RELATED VOCATIONS; AND CONGRATULATING AWARD-WINNING STUDENTS OF THE PROGRAM. Sponsors: Senator McBride, Representative Fallon. Laid on the table on motion of Senator McBride.

SCR 45 which had been adopted by the Senate was taken up for reconsideration as now further amended by HA 1 on motion of Senator Torbert. The roll call vote on SCR 45 w HA 1 then taken and revealed 17 Senators voting YES and 4 (Adams, Berndt, Martin, Minner) ABSENT; therefore, the Resolution was declared adopted.

Senators Marshall and Neal marked PRESENT.

Senator Holloway introduced Melanie J. Tiffin to the Senate.

SB 34 was taken up for consideration on motion of Senator Slatcher:

SB 34 - AN ACT AUTHORIZING THE SUSSEX COUNTY COUNCIL TO AMEND A PENSION BENEFIT TO A FORMER SPECIFIC EMPLOYEE.

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

SB 78 was taken up for consideration on motion of Senator Vaughn:

SB 78 - AN ACT TO AMEND CHAPTER 35, TITLE 12, DELAWARE CODE, RELATING TO THE ADMINISTRATION OF ESTATES AND TRUSTS.

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

Senator Martin marked PRESENT.

At 2:45 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:16 p.m., Lt. Governor Woo presiding.

The following communications were read:

SENATE
STATE OF DELAWARE
DOVER, DELAWARE 19901

April 28, 1987

TO WHOM IT MAY CONCERN

FROM: Senator Richard S. Cordrey, President Pro Tempore
134th General Assembly of the Delaware State Senate

SUBJECT: Senate Joint Resolution No. 4

With the passage and signing of Senate Joint Resolution No. 4, providing for the establishment of a citizens task force to study all the ramifications, both legal and ethical and to make recommendations to the Governor and members of the General Assembly with respect to surrogate parenting in Delaware, I hereby appoint Senator Herman M. Holloway.

* * * * *

SENATE
STATE of DELAWARE
DOVER, Delaware 19901

April 28, 1987

TO: All Members of the Senate of the 134th General Assembly
FROM: Senator Richard S. Cordrey, President Pro Tempore
SUBJECT: Bond Bill Committee

As per the power invested in me as President Pro Tempore of the 134th General Assembly of the Delaware State Senate, I hereby appoint the following as members of the Bond Bill Committee: Senator Thomas B. Sharp, Senator Nancy W. Cook, Senator Roger A. Martin, Senator Ruth Ann Minner, Senator James P. Neal, Senator Robert T. Still

* * * * *

SB 78 was lifted from the table for consideration on motion of Senator Vaughn and the roll call vote taken which revealed 19 Senators voting YES and 2 (Berndt and Minner) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

Senator Adams marked PRESENT.

SB 76 was taken up for consideration on motion of Senator Vaughn:

SB 76 - AN ACT TO AMEND CHAPTER 23, TITLE 12, DELAWARE CODE, RELATING TO DISTRIBUTION OF DECEDENT'S PROPERTY WITHOUT GRANT OF LETTERS WHERE ESTATE ASSETS DO NOT EXCEED \$12,500.

SA 1 to the Bill (sponsor: Senator Vaughn) was introduced; the Bill and the Amendment were then laid on the table on motion of Senator Vaughn.

SB 91 w SA 1 was lifted from the table for consideration on motion of Senator Bane.

During discussion of the Bill and SA 10, the privilege of the floor was extended to Ray Buttacavoli (General Motors Corporation) and Donald E. Williams (Delaware Division of Consumer Affairs).

SA 7 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Bane and the roll call vote taken which revealed 18 Senators voting YES and 3 (Berndt, Holloway, Minner) ABSENT; therefore, the Amendment was declared adopted.

SA 3, SA 4, SA 5 and SA 6 to the Bill which had been placed with the Bill were stricken at the request of the sponsor, Senator Zimmerman.

SA 8 and SA 9 to the Bill which had been placed with the Bill were stricken at the request of the sponsor, Senator McDowell.

SA 10 to the Bill (sponsor: Senator Zimmerman) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Bair, Bane, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McDowell, Neal, Slatcher, Still, Torbert, Vaughn, Zimmerman - 17.

NO: Senators McBride, Sharp - 2.

ABSENT: Senators Berndt, Minner - 2.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 91 w SA 1, 7, 10 was then taken and revealed 19 Senators voting YES and 2 (Berndt, Minner) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

The roll call vote on SB 12 was lifted on motion of Senator Cordrey and announced:

YES: Senators Adams, Bane, Cordrey, Holloway, Marshall, McBride, McDowell, Slatcher, Torbert, Vaughn, Zimmerman - 11.

NO: Senators Bair, Connor, Cook, Neal, Sharp - 5.

NOT VOTING: Senators Berndt, Knox, Martin, Still - 4.

ABSENT: Senator Minner - 1.

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

A messenger from the Governor was announced and admitted.

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

STATE OF DELAWARE
Office of the Governor
April 28, 1987

To the Senate of the 134th 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: Dale E. Wolf, 306 High Ridge Road, Wilmington, DE 19807, to be appointed as the Director of the Delaware Development Office of the State of Delaware to serve a term during the pleasure of the Governor to replace Louis H. Papineau.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

* * * * *

The following Committee reports were announced:
From the Sunset Committee: HB 73 w HA 1 - 4 Merits.
From the Community Affairs Committee: SB 98 - 5 Merits.
At 5:35 p.m. on motion of Senator Sharp, the Senate recessed until 3:30 p.m., April 29, 1987.

The Senate reconvened at 3:31 p.m., April 29, 1987, Lt. Governor Woo presiding.
The following Committee reports were announced:
From the Administrative Services/Energy Committee: SS 1 for SB 94 - 6 Merits.
From the Community Affairs Committee: HB 22 w HA 1 - 6 Merits.
The Secretary announced that a message from the House informed the Senate that it had passed HB 101.

Senator Berndt marked PRESENT.
The following legislation was introduced:
SA 1 to SB 115. Sponsor: Senator Marshall. Placed with the Bill.
SA 1 and SA 2 to SB 109. Sponsor: Senator Cordrey. Placed with the Bill.
SA 1 to SB 117. Sponsor: Senator Martin. Placed with the Bill.
SB 123 - AN ACT TO AMEND CHAPTER 5, TITLE 11, DELAWARE CODE, AND CHAPTER 9, TITLE 28, DELAWARE CODE, RELATING TO CRUELTY TO ANIMALS AND COCK-FIGHTING. Sponsor: Senator Torbert. Assigned to Judiciary Committee.

HB 39 w HA 2 w HA 1; HA 3, 4, 5 - AN ACT TO AMEND SECTION 1921, TITLE 24 OF THE DELAWARE CODE RELATING TO EXCEPTIONS FROM THE NURSING ACT. Sponsors: Representative Amick, Senator McDowell; Representatives Oberle, Spence, Davis, Maroney; Senators McBride, Minner. Assigned to Administrative Services/Energy Committee.

HB 50 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO THE OATH OF OFFICE FOR MEMBERS OF THE GENERAL ASSEMBLY AND PUBLIC OFFICERS. Sponsors: Representative Hebner, Senator Cordrey; Representatives Amick, Boykin, Brady, Buckworth, Bunting, Barnes, Campanelli, Carey, Caulk, Clark, Corrozi, Davis, DiPinto, Dixon, B. Ennis, D. Ennis, Fallon, Gilligan, Houghton, Jester, Jonkiert, Lee, Maroney, Oberle, Outten, Petrilli, Quillen, Roy, Mack, Sills, Smith, Soles, Spence, Taylor, VanSant, West, Wingate; Senators Adams, Berndt, Knox, Marshall, Martin, Neal. Assigned to Executive Committee.

HB 101 - AN ACT TO AMEND CHAPTER 348, VOLUME 65, LAWS OF DELAWARE, BEING SENATE BILL NO. 560 OF THE 133RD GENERAL ASSEMBLY, AND BEING AN ACT ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1987; SPECIFYING CERTAIN PROCEDURES, CONDITIONS, AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS", BY MAKING CERTAIN ADDITIONS, DELETIONS, AND ADJUSTMENTS. Sponsors: Representatives Corrozi, Oberle, Spence, Smith, Barnes, Maroney, Roy, Taylor, Lee, Boykin, Fallon, DiPinto, Mack, Carey, Amick, Buckworth; Senators Bair, Berndt, Slatcher. Assigned to Finance Committee.

The following Committee reports were announced:
From the Education Committee: SB 96 - 5 Merits.
From the Banking Committee: SB 108 - 5 Merits; SB 109 - 5 Merits; SB 110 - 5 Merits; SB 115 - 5 Merits; SB 118 - 5 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 39 w HA 2 w HA 1, HA 3, 4, 5; HB 50.

At 3:38 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 20th Legislative Day.

20TH LEGISLATIVE DAY
April 29, 1987

The Senate convened at 3:38 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 20.

ABSENT: Senator Minner - 1.

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

At the request of Senator Vaughn, the privilege of the floor was extended to Mrs. Florence Cooke, Mrs. Bettielou Wagner and student from the Loving Care Nursery School and Kindergarten who made a patriotic presentation.

Lt. Governor Woo recognized and introduced to the Senate Madame Liang, Wen Feng from the Embassy of the People's Republic of China who was accompanied by Mrs. Janet Taylor, Mrs. Betty Latchum, Mrs. Carol Christie, Mrs. Carol Walsh and Mrs. Marjorie Purcell.

The following Committee reports were announced:

From the Executive Committee: HJR 6 - 6 Merits; Dale E. Wolf - 3 Favorable, 3 Merits. Senators Holloway and Neal marked PRESENT.

HB 73 w HA 1 was taken up for consideration on motion of Senator McDowell:

HB 73 w HA 1 - AN ACT TO AMEND TITLE 24, CHAPTER 37, DELAWARE CODE RELATING TO THE BOARD OF EXAMINERS OF SPEECH/LANGUAGE PATHOLOGISTS, AUDIOLOGISTS AND HEARING AID DISPENSERS.

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

YES: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McDowell, Neal, Sharp, Slatcher, Still, Torbert, Vaughn - 18.

NOT VOTING: Senators McBride, Zimmerman - 2.

ABSENT: Senator Minner - 1.

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

HB 24 w HA 1, 2, 3 was taken up for consideration on motion of Senator Torbert:

HB 24 w HA 1, 2, 3 - AN ACT TO AMEND CHAPTER 44, TITLE 21, DELAWARE CODE RELATING TO ABANDONED VEHICLES.

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 19 Senators voting YES, 1 (Zimmerman) voting NO and 1 (Minner) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

At 4:13 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:45 p.m., Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Insurance and Elections Committee: SB 112 - 4 Merits; SB 113 - 4 Merits; SB 114 - 1 Favorable, 3 Merits.

HB 35 was taken up for consideration on motion of Senator Sharp:

HB 35 - AN ACT TO AMEND CHAPTER 43, PART II, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE; AND PROVIDING FOR A HOUSE ARREST PROGRAM FOR NON-VIOLENT OFFENDERS.

SA 1 to the Bill (sponsor: Senator Connor) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Minner, Still) ABSENT; therefore, the Amendment was declared adopted.

HB 35 w SA 1 was then laid on the table on motion of Senator Sharp.

Senator Neal introduced to the Senate a Fullbright Scholar from Finland, Heli Krannila.

HB 36 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 36 w HA 1 - AN ACT TO AMEND CHAPTER 17, TITLE 18 OF THE DELAWARE CODE TO REQUIRE AGENTS AND BROKERS TO REPORT ANY VIOLATIONS OF DELAWARE INSURANCE LAWS BY INSURANCE COMPANIES.

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

HB 40 was taken up for consideration on motion of Senator Sharp:

HB 40 - AN ACT TO AMEND CHAPTER 5, TITLE 18 OF THE DELAWARE CODE TO PROVIDE IMMUNITY FOR PERSONS WHO REPORT FRAUDULENT INSURANCE PRACTICES.

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

On motion of Senator Adams, the Governor's nomination for appointment of Dale E. Wolf 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 (Minner) ABSENT; therefore, the appointment was declared confirmed.

SB 76 was lifted from the table on motion of Senator Vaughn and placed on the Agenda. No objection.

SB 34 was lifted from the table on motion of Senator Slatcher and placed on the Agenda. No objection.

At 5:04 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., April 30, 1987.

The Senate reconvened at 2:44 p.m., April 30, 1987, Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 44; HCR 45; HCR 46; HCR 47; HCR 48; HCR 49; HCR 50; HCR 51; HCR 52; HCR 53; HCR 54; SCR 56; SCR 57.

The following legislation was introduced:

SB 124 - AN ACT TO AMEND TITLE 29, CHAPTER 69, DELAWARE CODE, RELATING TO THE PROFESSIONAL SERVICES NEGOTIATION ACT. Sponsors: Senators Sharp, McDowell. Assigned to Executive Committee.

SB 125 - AN ACT TO AMEND PART II, CHAPTER 11, TITLE 9, DELAWARE CODE, RELATING TO OPERATING PROCEDURES FOR NEW CASTLE COUNTY GOVERNMENT. Sponsor: Senator Sharp. Assigned to Community Affairs Committee.

SB 126 - AN ACT TO AMEND CHAPTER 17, TITLE 7, DELAWARE CODE, TO PROVIDE FOR DIFFERENTIAL LICENSING OF DOGS AND CATS AND CONTROL OF DOGS AND CATS. Sponsor: Senator Torbert. Assigned to Natural Resources and Environmental Control Committee.

SB 127 - AN ACT TO AMEND TITLE 14, DELAWARE CODE RELATING TO PARTICULAR REIMBURSEMENTS ON LOCAL SCHOOL TAXES PAID BY PERSONS 65 YEARS OF AGE OR OLDER. Sponsors: Senators McDowell, Martin. Assigned to Finance Committee.

SA 1 to SB 71. Sponsor: Senator Vaughn. Placed with the Bill.

SA 1 to HB 64. Sponsor: Senator Bair (by request). Placed with the Bill.

At 2:48 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 21st Legislative Day.

21ST LEGISLATIVE DAY

April 30, 1987

The Senate convened at 2:48 p.m., Lt. Governor Woo 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, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 20.

ABSENT: Senator Minner - 1.

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

Senator Cordrey introduced to the Senate Stefanie Ann Sadusky (YMCA Governor Youth in Government) who in turn introduced her parents, grandmother, teachers and friends.

HB 47 was taken up for consideration on motion of Senator Sharp:

HB 47 - AN ACT TO AMEND CHAPTER 7, TITLE 18 OF THE DELAWARE CODE TO REQUIRE INSURERS TO PAY PREMIUM TAXES SEMI-ANNUALLY INSTEAD OF ANNUALLY AND TO APPROPRIATE FUNDS TO EMPLOY PERSONNEL TO COLLECT THIS TAX.

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

SB 76 was taken up for consideration on motion of Senator Vaughn:

Senator Torbert announced that due to a conflict of interest, he would be recorded as NOT VOTING.

Senators Martin and McDowell marked PRESENT.

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, 1 (Torbert) NOT VOTING and 2 (Cordrey and Minner) ABSENT; therefore, the Amendment was declared adopted.

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

The roll call vote on SB 76 w SA 1 was then taken and revealed 19 Senators voting YES, 1 (Torbert) NOT VOTING and 1 (Minner) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 113 was taken up for consideration on motion of Senator McDowell:

SB 113 - AN ACT TO AMEND CHAPTER 20, TITLE 15, DELAWARE CODE, RELATING TO REGISTRATION OF VOTERS.

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

YES: Senators Adams, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 17.

NO: Senator Neal - 1.

NOT VOTING: Senators Bair, Knox - 2.

ABSENT: Senator Minner - 1.

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

SB 112 was taken up for consideration on motion of Senator McDowell:
SB 112 - AN ACT TO AMEND CHAPTER 23, TITLE 15 OF THE DELAWARE CODE RELATING TO PENALTIES FOR VIOLATIONS OF THE STATE ELECTION LAWS.

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

SB 114 was taken up for consideration on motion of Senator McDowell:
SB 114 - AN ACT TO AMEND SUBCHAPTER III, CHAPTER 20, TITLE 15, DELAWARE CODE, RELATING TO REGISTRATION BY MAIL.

The roll call vote on the Bill was taken and revealed:
YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 13.
NO: Senators Bair, Berndt, Connor, Knox, Neal, Still - 6.
NOT VOTING: Senator Bane - 1.

ABSENT: Senator Minner - 1.
Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 22 w HA 1 was taken up for consideration on motion of Senator Martin:
HB 22 w HA 1 - AN ACT TO AMEND AN ACT BEING CHAPTER 504, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF HENLOPEN ACRES" TO PROVIDE FOR BORROWING AGAINST ANTICIPATED REVENUES.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Minner) ABSENT; 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 4:33 p.m., Lt. Governor Woo presiding.

HB 77 w HA 1 was reported out of the Health-Social Services/Aging Committee: 7 Merits.
The following legislation was introduced:

SB 128 - AN ACT TO AMEND CHAPTER 47, TITLE 16, OF THE DELAWARE CODE BY CLARIFYING THE DEFINITIONS OF A CONTROLLED SUBSTANCE. Sponsors: Senators Holloway, Bair; Representatives Taylor, VanSant. Assigned to Health-Social Services/Aging Committee.

SB 129 - AN ACT TO AMEND TITLE 18, DELAWARE CODE, BY CREATING A NEW CHAPTER 62 TO PROVIDE CATASTROPHIC ILLNESS PROTECTION FOR DELAWARE RESIDENTS. Sponsors: Senators Holloway, McDowell; Representatives Jonkiet, VanSant, B. Ennis, Plant, West, Sillis, Campanelli. Assigned to Insurance and Elections Committee.

SB 130 - AN ACT TO AMEND CHAPTER 53, SUBCHAPTER II, TITLE 30, DELAWARE CODE, ALSO BEING CHAPTER 3, VOLUME 66, LAWS OF DELAWARE, RELATING TO THE TAX ON THE SALE OR USE OF TOBACCO PRODUCTS OTHER THAN CIGARETTES. Sponsors: Senators Adams, Cordrey; Representatives DiPinto, Dixon. Assigned to Revenue and Taxation Committee.

SB 34 was taken up for consideration on motion of Senator Slatcher and the roll call vote taken which revealed:

YES: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Holloway, Knox, Marshall, Martin, McDowell, Neal, Slatcher, Still, Torbert, Vaughn - 16.
NO: Senator Cordrey - 1.

NOT VOTING: Senators McBride, Sharp, Zimmerman - 3.
ABSENT: Senator Minner - 1.
Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SS 1 for SB 96 was lifted from the table and taken up for consideration under suspension of the necessary rules on motion of Senator McBride:

SS 1 for SB 96 - AN ACT TO AMEND CHAPTER 36, PART I, TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATIONAL BENEFITS FOR CHILDREN OF DECEASED VETERANS AND OTHERS.

The privilege of the floor was extended to James Harbison, Director of Veterans Affairs after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Minner) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 98 was taken up for consideration on motion of Senator McBride:
SB 98 - AN ACT TO AMEND TITLE 16 AND TITLE 29 OF THE DELAWARE CODE, RELATING TO CERTAIN STATUTES WHICH DIRECTLY AFFECT VETERANS AND VETERANS' ORGANIZATIONS.

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

SENATE CONSENT CALENDAR #10 was introduced and considered for adoption on motion of Senator Martin:

The Calendar consisted of the following:

HCR 44 - MOURNING THE SUDDEN AND TRAGIC LOSS OF DALE T. MANGAN, AN OUTSTANDING HARNESS RACING TRAINER-DRIVER. Sponsors: Representative Quillen, Senator Adams.

HCR 45 - SUPPORTING CONGRESSIONAL ACTION TO OBSERVE THE PERIOD FROM APRIL 26 - MAY 2, 1987, AS NATIONAL ORGAN AND TISSUE DONOR AWARENESS WEEK. Sponsors: Representative Barnes, Senator Cordrey; Representatives Brady, VanSant, Roy, Clark, Buckworth, Lee, West; Senators Torbert, Adams, Slatcher.

HCR 46 - EXPRESSING SYMPATHY TO THE IMMEDIATE FAMILY OF THE LATE HARRY H. DUKES, JR., A PROMINENT BANKER AND COMMUNITY LEADER IN SUSSEX COUNTY WHO DIED ON FRIDAY, APRIL 10, 1987. Sponsors: Representative Bunting, Senator Cordrey; Representatives West, Quillen, Wingate.

HCR 47 - COMMEMORATING ORGAN DONOR AWARENESS WEEK, APRIL 26 TO MAY 2, AND REMEMBERING THE LATE SALLY T. MOFFATT, DELAWARE HEART-LUNG RECIPIENT. Sponsors: Representatives Jester, Maroney, Oberle, VanSant; Senators Holloway, Marshall, McBride.

HCR 48 - MOURNING THE DEATHS OF SIX MILLION JEWS IN THE NAZI HOLOCAUST. Sponsors: Representatives Barnes, Oberle, Spence, George, Gilligan; Senators Cordrey, Sharp, McDowell, Bair, Connor.

HCR 49 - LOOKING FORWARD TO THE HALCYON DAY WHEN THE KALMAR NYCKLE, NOW UNDER CONSTRUCTION IN WILMINGTON, HOISTS SAIL AS A PART OF THE 350TH ANNIVERSARY OF THE FIRST LANDING OF SWEDISH SETTLERS IN AMERICA. Sponsor: Representative Smith.

HCR 50 - CONGRATULATING FRANK ROMANOWSKI ON BEING NAMED "FIREMAN OF THE YEAR" BY THE MINQUAS FIRE COMPANY IN NEWPORT, DELAWARE. Sponsors: Representatives VanSant, Dixon; Senators McBride, Sharp.

HCR 51 - CONGRATULATING STUDENTS FROM LAKE FOREST SCHOOL DISTRICT ON WINNING THEIR RESPECTIVE DIVISIONS FOR DELAWARE'S ODYSSEY OF THE MIND COMPETITION. Sponsors: Representative Quillen; Senators Cook, Minner.

HCR 52 - CONGRATULATING THE CAPITAL, CHRISTINA AND INDIAN RIVER SCHOOL DISTRICTS FOR WINNING \$1,000 PRIZES FOR EXCELLENCE IN ECONOMIC EDUCATION AT A PARTICULAR GRADE LEVEL OR SCHOOL. Sponsors: Representative Fallon, Senator McBride; Representatives Hebner, Smith, Jester, Wingate; Senators Torbert, Zimmerman, Neal, Still.

HCR 53 - COMMENDING THE STUDENTS SELECTED AS STATE SUPERINTENDENT'S SCHOLARS OF 1987. Sponsors: Representative Fallon, Senator McBride, all Representatives, all Senators.

HCR 54 - CONGRATULATING AGNES SCOTT ON BEING SELECTED AS A RECIPIENT OF ONE OF THE 1987 GOVERNOR'S OUTSTANDING VOLUNTEER AWARDS. Sponsors: Representative VanSant, Senator McBride.

SR 31 - EXTENDING CONGRATULATIONS TO MRS. VERNA M. PRETTYMAN OF LEWES ON THE OCCASION OF HER NINETY-FIRST BIRTHDAY. Sponsor: Senator Cordrey.

SCR 58 - COMMENDING CHARLES H. MITCHELL OF MILLSBORO FOR BEING NAMED BY THE DELAWARE SCHOOL BOARDS ASSOCIATION AS DISTINGUISHED SERVICE AWARD RECIPIENT FOR 1987. Sponsors: Senators Cordrey, Adams, Minner, Slatcher; Representatives Barnes, Bunting, Carey, Fallon, Lee, West, Wingate.

SCR 59 - EXTENDING CONGRATULATIONS TO THE DELAWARE CITY FIRE COMPANY #1, INC. ON ITS ONE HUNDREDTH ANNIVERSARY. Sponsors: Senator Vaughn, Representative Mack; Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Slatcher, Still, Torbert, Zimmerman; Representatives Amick, Barnes, Bennett, Boykin, Brady, Buckworth, Bunting, Campanelli, Carey, Caulk, Clark, Corrozi, Davis, DiPinto, Dixon, B. Ennis, D. Ennis, Fallon, George, Gilligan, Hebner, Houghton, Jester, Jonklert, Lee, Maroney, Oberle, Outten, Petrilli, Plant, Quillen, Roy, Sills, Smith, Soles, Spence, Taylor, VanSant, West, Wingate.

SCR 60 - COMMENDING EARL J. REED, JR. AS A RECIPIENT OF THE 1987 11TH ANNUAL DELAWARE SCHOOL BOARDS ASSOCIATION DISTINGUISHED SERVICE AWARD. Sponsors: Senator Connor, Representative Mack; Senators Holloway, McBride, Sharp, Vaughn; Representatives Dixon, Houghton, Jester, Plant, Sills, Spence.

* * * * *

The roll call vote on SENATE CONSENT CALENDAR #10 was then taken and revealed 20 Senators voting YES and 1 (Minner) ABSENT; therefore, the Resolutions were declared adopted. The House Concurrent Resolutions were returned to the House and the Senate Concurrent Resolutions were sent to the House for consideration.

HJR 6 was taken up for consideration on motion of Senator Adams:

HJR 6 - MOURNING THE UNTIMELY DEATH OF JONATHAN S. MOYED.

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

At 5:15 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 5, 1987.

The Senate reconvened at 2:21 p.m., May 5, 1987, Lt. Governor Woo presiding.

HJR 3 was reported out of the Executive Committee: 5 Merits.

The following legislation was introduced:

SB 131 - AN ACT TO AMEND CHAPTER 348, VOLUME 65, LAWS OF DELAWARE, BEING SENATE BILL NO. 560 OF THE 133RD GENERAL ASSEMBLY AND BEING AN ACT ENTITLED, "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1987; SPECIFYING CERTAIN PROCEDURES, CONDITIONS, AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS", BY MAKING CERTAIN ADDITIONS, DELETIONS, AND ADJUSTMENTS. Sponsors: Senator Zimmerman, Representatives West, Outten, Brady, Bunting, Campanelli, Clark, Dixon, B. Ennis, Houghton, Jonkiert, Plant, Sills, VanSant; Senators Holloway, Minner. Assigned to Health-Social Services/Aging Committee.

SB 132 - AN ACT TO AMEND CHAPTER 93, TITLE 16, RELATING TO EQUITABLE HEALTH PLANNING AND REVIEW. Sponsors: Senators Holloway, Berndt, Bane, Knox, Neal, McDowell, Marshall, McBride, Martin, Vaughn; Representatives Soles, Sills, Plant, Davis, Maroney. Assigned to Health-Social Services/Aging Committee.

SB 133 - AN ACT TO AMEND CHAPTER 22, TITLE 16, DELAWARE CODE, RELATING TO IMMUNITY TO CERTAIN PERSONS FOR ACTS UNDERTAKEN PURSUANT TO THE UNIFORM ALCOHOLISM AND INTOXICATION TREATMENT ACT. Sponsors: Senators Holloway, Knox, Bane, Neal; Representatives Maroney, DiPinto, Jester, Soles. Assigned to Health-Social Services/Aging Committee.

SB 134 - AN ACT TO AMEND CHAPTER 79, SUBCHAPTER 1, TITLE 29, OF THE DELAWARE CODE, TO INCREASE THE MEMBERSHIP OF THE COUNCIL ON THE AGING. Sponsors: Senators Holloway, Knox, Bane, Neal; Representatives Maroney, DiPinto, Jester, Soles. Assigned to Executive Committee.

SA 1 to SB 97. Sponsor: Senator Bair. Placed with the Bill.

At 2:25 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 22nd Legislative Day.

22ND LEGISLATIVE DAY
May 5, 1987

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

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 20.

ABSENT: Senator Minner - 1.

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

A messenger from the Governor was announced and admitted.

The Secretary announced that a message from the House informed the Senate that it had passed HB 68 w HA 1, 2; HB 76; SB 27; SB 77.

LEGISLATIVE ADVISORY #7 received from the Office of Counsel to the Governor was read which informed the Senate that on April 29, 1987 the Governor signed SB 62 (Volume 66, Chapter 11, Laws of Delaware) and SB 80 (Volume 66, Chapter 12, Laws of Delaware).

The following legislation was introduced:

HB 68 w HA 1, 2 - AN ACT TO AMEND CHAPTER 39, TITLE 18 OF THE DELAWARE CODE RELATING TO VEHICLE INSURANCE PREMIUMS FOR PHYSICAL DAMAGE. Sponsor: Representative Dixon. Assigned to Insurance and Elections Committee.

HB 76 - AN ACT TO AMEND AN ACT BEING CHAPTER 166, VOLUME 37, LAWS OF DELAWARE, AS AMENDED BY CHAPTER 122 VOLUME 38, CHAPTER 165, VOLUME 41, CHAPTER 185 VOLUME 43, CHAPTER 186 VOLUME 43, CHAPTER 187 VOLUME 43, CHAPTER 220 VOLUME 46, CHAPTER 279 VOLUME 46, CHAPTER 20 VOLUME 47, CHAPTER 65 VOLUME 48, CHAPTER 108 VOLUME 48, CHAPTER 211 VOLUME 57, CHAPTER 85 VOLUME 58, CHAPTER 193 VOLUME 59, CHAPTER 182 VOLUME 65 AND CHAPTER 250 VOLUME 65, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF SELBYVILLE" TO INCREASE THE AMOUNT OF TAXES THAT MAY BE RAISED IN ANY ONE YEAR. Sponsors: Representative Bunting, Senator Cordrey. Assigned to Community Affairs Committee.

Senator McBride marked PRESENT.

SB 108 was taken up for consideration on motion of Senator Cordrey:

SB 108 - AN ACT TO AMEND CHAPTER 8, TITLE 5, DELAWARE CODE, TO PROVIDE FOR THE ACQUISITION OF EXISTING DELAWARE BANKS AND BANK HOLDING COMPANIES BY OUT-OF-STATE BANK HOLDING COMPANIES.

Senator Cook marked PRESENT.

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

The privilege of the floor was extended to David S. Swayze (representing Delaware Trust Company) and John Malarky (Delaware Bank Commissioner).

Senators Martin and McDowell marked PRESENT.

Senators Adams and Cordrey declared that they would vote "NOT VOTING" due to a conflict of interest.

The roll call vote on SB 108 w SA 1 was then taken and revealed:
YES: Senators Balr, Bane, Berndt, Connor, Cook, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Slatcher, Still, Torbert, Vaughn, Zimmerman - 17.

NO: Senator Sharp - 1.

NOT VOTING: Senators Adams, Cordrey - 2.

ABSENT: Senator Minner - 1.

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

SB 115 was taken up for consideration on motion of Senator Marshall:

SB 115 - AN ACT TO AMEND CHAPTER 8, TITLE 5, DELAWARE CODE TO PROVIDE FOR THE ACQUISITION OF EXISTING DELAWARE SAVINGS BANKS BY OUT-OF-STATE SAVINGS INSTITUTIONS, SAVINGS & LOAN HOLDING COMPANIES, AND BANK HOLDING COMPANIES.

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 20 Senators voting YES and 1 (Minner) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to D. Francis Blondl, Esq. (representing Wilmington Savings Fund Society) and John Malarky (Delaware Bank Commissioner) after which the roll call vote on SB 115 w SA 1 was taken and revealed 19 Senators voting YES, 1 (Sharp) voting NO and 1 (Minner) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 109 was taken up for consideration on motion of Senator Cordrey:

SB 109 - AN ACT TO AMEND CHAPTER 1, TITLE 5, DELAWARE CODE TO PROVIDE FOR THE PRIOR APPROVAL BY THE DELAWARE BANK COMMISSIONER OF THE CHANGE IN CONTROL OF DELAWARE CHARTERED BANKS AND TRUST COMPANIES.

During discussion of the Bill and the Amendments offered to it, the privilege of the floor was extended to John Malarky (Delaware Bank Commissioner).

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 (Minner) 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 Cordrey and the roll call vote taken which revealed 20 Senators voting YES and 1 (Minner) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 109 w SA 1, 2 was then taken and revealed 20 Senators voting YES and 1 (Minner) 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 Cordrey:

SB 110 - AN ACT TO AMEND CHAPTER 8, TITLE 5, DELAWARE CODE TO PROVIDE FOR THE REGULATION OF DELAWARE BANK HOLDING COMPANIES.

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 (Minner) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 110 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Minner) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 118 was taken up for consideration on motion of Senator Cordrey:

SB 118 - AN ACT TO AMEND CHAPTER 7 OF TITLE 5 OF THE DELAWARE CODE RELATING TO THE AMENDMENT OF BANK CHARTER.

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

HB 35 w SA 1 was lifted from the table for consideration on motion of Senator Sharp.

At 3:30 p.m., Senator Cordrey presiding.

HB 35 w SA 1 was then again laid on the table on further motion of Senator Sharp.

HB 40 was lifted from the table for consideration on motion of Senator Sharp.

At 3:39 p.m., Lt. Governor Woo presiding.

The roll call vote on HB 40 was taken and revealed 20 Senators voting YES and 1 (Minner) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

At 3:40 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:44 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SB 135 - AN ACT TO AMEND CHAPTER 37, TITLE 31, DELAWARE CODE, RELATING TO THE ELDERLY HOUSING COUNSELING PROGRAM. Sponsors: Senators Holloway, Knox, Bane; Representatives Maroney, DiPinto, Jester. Assigned to Health-Social Services/Aging Committee.

SB 136 - AN ACT TO AMEND CHAPTER 39, TITLE 31, DELAWARE CODE RELATING TO ADULT PROTECTIVE SERVICES. Sponsors: Senators Holloway, Knox, Bane; Representatives Maroney, DiPinto, Jester. Assigned to Health-Social Services/Aging Committee.

SB 137 - AN ACT TO AMEND CHAPTER 5, TITLE 31, OF THE DELAWARE CODE RELATING TO CATEGORIES OF ASSISTANCE. Sponsors: Senators Holloway, Knox, Bane; Representatives Maroney, DiPinto, Jester. Assigned to Health-Social Services/Aging Committee.

SB 138 - AN ACT TO AMEND TITLE 4, CHAPTER 5 OF THE DELAWARE CODE, RELATING TO ALCOHOLIC LIQUORS. Sponsors: Senator McDowell, Representative Quillen. Assigned to Administrative Services/Energy Committee.

SA 1 to HB 77. Sponsor: Senator Bair. Placed with the Bill.

SA 1 to SB 53. Sponsor: Senator McBride. Placed with the Bill.

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

STATE OF DELAWARE
Office of the Governor
April 29, 1987

To the Senate of the 134th 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: Alexander L. Searl, 403 Stafford Road, Wilmington, DE 19803, to be reappointed as a member of the Cash Management Policy Board of the State of Delaware to serve a three year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

* * * * *
STATE OF DELAWARE
Office of the Governor
April 29, 1987

To the Senate of the 134th 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: Mark W. Diehl, 121 Rehoboth Avenue, Rehoboth, DE 19971, to be reappointed as a member of the Cash Management Policy Board of the State of Delaware to serve a three year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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

SCR 62 was introduced and considered for adoption on motion of Senator Cook:

SCR 62 - HONORING VIRGINIA VAN PELT ON HER TWENTIETH YEAR AS MANAGER OF THE FOSTER GRANDPARENT PROGRAM IN DELAWARE AND ACKNOWLEDGING THE TWENTIETH ANNIVERSARY OF THE PROGRAM IN DELAWARE. Sponsors: Senators Cook, Cordrey, Adams, Slatcher, Sharp, Berndt, Bair, Connor, Vaughn; Representatives Corrozi, Bennett, Soles, Bunting, Barnes, Wingate, West, Lee, Fallon.

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

SCR 61 was introduced and considered for adoption on motion of Senator Bane:

SCR 61 - RECOGNIZING THE WEEK OF MAY 10 THROUGH MAY 16, 1987 AS STUTTERING AWARENESS WEEK IN THE STATE OF DELAWARE. Sponsors: Senator Bane, Representative Gilligan.

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

Senator Zimmerman introduced to the Senate Doris Harris, sister of Senate Sergeant-at-Arms, Beulah Gray.

At 4:55 p.m. on motion of Senator Sharp, the Senate recessed until 3:30 p.m., May 6, 1987.

The Senate reconvened at 3:50 p.m., May 6, 1987, Senator Cordrey presiding.

The following Committee reports were announced:

From the Health-Social Services/Aging Committee: SB 128 - 5 Merits; SB 137 - 5 Merits; SB 136 - 5 Merits; SB 133 - 5 Merits; SB 135 - 5 Merits; SB 132 - 5 merits.

From the Natural Resources and Environmental Control Committee: SB 97 - 5 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 110; HB 116 w HA 1; HB 117; HB 78 w HA 1 w HA 1; HB 42 and adopted HJR 8 w HA 1; SCR 62.

HB 110 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE BY PROVIDING FOR THE EXERCISE OF SECURITIES POWERS BY DELAWARE BANKS AND TRUST COMPANIES; BY PROVIDING FOR THE OWNERSHIP OF SUBSIDIARIES BY DELAWARE BANKS AND TRUST COMPANIES; BY PROVIDING FOR THE SUPERVISION AND EXAMINATION OF BANK AND TRUST COMPANY SUBSIDIARIES BY THE BANK COMMISSIONER; AND BY PROVIDING FOR THE TAXATION OF DELAWARE BANKS AND TRUST COMPANIES WHICH OWN SUBSIDIARIES ENGAGED IN THE SECURITIES BUSINESS. Sponsors: Representatives D. Ennis, Lee, Petrilli, Buckworth, DiPinto, Spence, Barnes, Corrozi, Oberle, Dixon, George, Gilligan, Brady, Houghton, Bennett, VanSant, Roy, Jonkier; Senators Cordrey, Zimmerman, McBride, Holloway, Marshall, Martin, Cook, Minner, Vaughn, Torbert, Slatcher, Still, Knox, Bair, Berndt, Bane, Connor. Assigned to Banking Committee.

HB 116 w HA 1 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO THE LENDING AND MORTGAGE BANKING BUSINESS. Sponsors: Representatives D. Ennis, Lee, Petrilli, Dixon, Roy, VanSant; Senators Cordrey, Adams, Zimmerman, Still, Knox, Slatcher, Berndt. Assigned to Banking Committee.

HB 117 - AN ACT TO AMEND CHAPTER 11, TITLE 5 OF THE DELAWARE CODE BY PROVIDING FOR THE FILING OF ESTIMATED BANK FRANCHISE TAX AND PAYMENT IN QUARTERLY INSTALLMENTS. Sponsors: Representatives D. Ennis, Petrilli, Lee, Dixon, VanSant; Senators Cordrey, Adams, Zimmerman, Still, Slatcher, Knox, Berndt. Assigned to Banking Committee.

HB 42 - AN ACT TO AMEND CHAPTER 55, TITLE 15 OF THE DELAWARE CODE RELATING TO ABSENTEE VOTING. Sponsors: Representative Buckworth, Senator Martin. Assigned to Insurance and Elections Committee.

HB 78 w HA 1 w HA 1 - AN ACT TO AMEND CHAPTER 28, TITLE 24, DELAWARE CODE, RELATING TO PROFESSIONAL ENGINEERS. Sponsors: Representatives Barnes, Boykin, Wingate; Senators Neal, McBride. Assigned to Administrative Services/Energy Committee.

SR 33 was introduced and considered for adoption on motion of Senator Holloway:

SR 33 - HONORING JUDGE ROBERT C. O'HARA ON HIS 21 YEARS AS A JUDGE ON THE SUPERIOR COURT OF THE STATE OF DELAWARE AND EXTENDING BEST WISHES TO HIM FOR THE FUTURE. Sponsor: Senator Holloway.

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

YES: Senators Adams, Bair, Bane, Berndt, Connor, Cordrey, Holloway, Knox, Marshall, Martin, McBride, Neal, Sharp, Slatcher, Still, Torbert, Vaughn - 17

NO: Senator Zimmerman - 1.

ABSENT: Senators Cook, McDowell, Minner - 3.

Therefore, the Resolution was declared adopted.

The following legislation was introduced:

HJR 8 w HA 1 - PROVIDING FOR THE ESTABLISHMENT OF AN AD HOC COMMITTEE TO RECOMMEND LEGISLATION AUTHORIZING THE REGULATION AND INSPECTION OF INDUSTRIAL FACILITIES FOR THE PURPOSES OF PREVENTING AND MITIGATING CATASTROPHIC RELEASES OF HAZARDOUS SUBSTANCES. Sponsors: Representatives Mack, Oberle, Davis, Brady, Bunting, Clark, Jester; Senators Connor, Vaughn. Assigned to Natural Resources and Environmental Control Committee.

SB 139 - AN ACT TO AMEND TITLE 14, CHAPTER 26, SECTION (a), PARAGRAPH 1, TO PROVIDE INCREASED REVENUES FOR THE SUSSEX COUNTY VOCATIONAL-TECHNICAL SCHOOL DISTRICT. Sponsors: Senators Adams, Cordrey, Slatcher, Minner; Representatives Wingate, Bunting, Fallon, Carey, Lee, West. Assigned to Education Committee.

SB 140 - AN ACT TO AMEND CHAPTER 55, TITLE 30, DELAWARE CODE, RELATING TO PUBLIC UTILITIES TAX. Sponsors: Senators Torbert, Cook, Cordrey, Vaughn, Zimmerman, Slatcher, Marshall, Sharp, Adams, McBride, Martin; Representatives Amick, Clark, Quillen, Sills, West, Bennett, Buckworth, Caulk, Petrilli, Corrozi, D. Ennis, VanSant, Davis, Mack, Plant, Dixon. Assigned to Revenue and Taxation Committee.

SB 141 - AN ACT AUTHORIZING THE DISINTERRING AND REINTERING OF BODIES IN A CEMETERY LOCATED ON THE SOUTH SIDE OF EAST PINE STREET IN GEORGETOWN, DELAWARE, BELONGING TO THE RECTOR, WARDEN AND VESTRY OF ST. PAUL'S EPISCOPAL CHURCH, GEORGETOWN, DELAWARE. Sponsors: Senator Adams, Representative West. Assigned to Executive Committee.

At 4:00 p.m., on motion of Senator Sharp, the Senate adjourned to immediately convene for the 23rd Legislative Day.

23RD LEGISLATIVE DAY
May 6, 1987

The Senate convened at 4:00 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, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 20.

ABSENT: Senator Minner - 1.

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

SB 123 was stricken at the request of the sponsor, Senator Torbert.

LEGISLATIVE ADVISORY #8 was read which informed the Senate that on May 5, 1987, the Governor signed SB 56 w SA 1, 2 (Volume 66, Chapter 13, Laws of Delaware).

HB 77 w HA 1 was taken up for consideration on motion of Senator Holloway:

HB 77 w HA 1 - AN ACT TO AMEND CHAPTER 66, TITLE 16, DELAWARE CODE, RELATING TO LIABILITY IN THE PERFORMANCE OF INSTRUCTIONAL SERVICE FOR THE DELAWARE STATE FIRE SCHOOL. Senator Cook marked PRESENT.

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 19 Senators voting YES, 1 (Zimmerman) NOT VOTING and 1 (Minner) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on HB 77 w HA 1, SA 1 was then taken and revealed 20 Senators voting YES and 1 (Minner) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

At 4:10 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:48 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SB 142 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO CONSTITUTIONAL AMENDMENTS; AND PROVIDING THAT CONSTITUTIONAL AMENDMENTS BE RATIFIED AT THE POLLS. Sponsor: Senator McBride. Assigned to Executive Committee.

SA 2 to SB 44. Sponsors: Senator Torbert, Representative B. Ennis. Placed with the Bill.

HJR 3 was taken up for consideration on motion of Senator Adams:

HJR 3 - MEMORIALIZING DELAWARE'S U. S. CONGRESSIONAL DELEGATION TO SPONSOR LEGISLATION TO STRIKE MEMORIAL DAY FROM PUBLIC LAW 90-363 AND DESIGNATE MEMORIAL DAY AS MAY 30TH.

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

YES: Senators Adams, Cook, Cordrey, Knox, Marshall, Martin, McDowell, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 12.

NO: Senators Bair, Holloway - 2.

NOT VOTING: Senators Bane, Connor, Neal, Still - 4.

ABSENT: Senators Berndt, McBride, Minner - 3.

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

HB 39 w HA 2 w HA 1; HA 3, 4, 5 was taken up for consideration on motion of Senator McDowell under suspension of the necessary rules:

HB 39 w HA 2 w HA 1; HA 3, 4, 5 - AN ACT TO AMEND SECTION 1921, TITLE 24 OF THE DELAWARE CODE RELATING TO EXCEPTIONS FROM THE NURSING ACT.

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

SR 34 was introduced and considered for adoption on motion of Senator McBride:

SR 34 - ENCOURAGING DELAWAREANS TO OBSERVE "TEACHER DAY IN DELAWARE." Sponsors: Senators McBride, Torbert, Zimmerman, Neal, Still.

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

SR 32 was introduced and considered for adoption on motion of Senator Holloway:

SR 32 - COMMENDING KENNETH V. HILTON ON HIS TEN YEARS AS A MEMBER OF THE DELAWARE STATE BOARD OF EDUCATION AND WISHING HIM WELL IN HIS FUTURE ENDEAVORS. Sponsor: Senator Holloway.

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

At 5:02 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. May 7, 1987.

The Senate reconvened at 2:58 p.m., May 7, 1987 Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 55; HCR 56; HCR 57; HCR 58; HCR 59; SCR 58; SCR 59; SCR 60; SCR 61.

The following Committee reports were announced:

From the Banking Committee: HB 110 - 4 Merits; HB 116 w HA 1 - 4 Merits; HB 117 - 4 Merits.

At 3:00 p.m. on motion of Senator Sharp the Senate adjourned to immediately convene for the 24th Legislative Day.

24TH LEGISLATIVE DAY
May 7, 1987

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

A Prayer was offered by Senator Martin.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 20.

ABSENT: Senator Minner - 1.

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

A Resolution adopted by the Federation of Delaware Democratic Clubs (#87-3) was read. The Resolution supported the purchase of the Banks Property in Sussex County.

Senators Bane and Holloway marked PRESENT.

SB 136 was taken up for consideration on motion of Senator Holloway:

SB 136 - AN ACT TO AMEND CHAPTER 39, TITLE 31, DELAWARE CODE RELATING TO ADULT PROTECTIVE SERVICES.

Senators Bair, Marshall, McBride, Neal marked PRESENT.

The privilege of the floor was extended to Muriel Rusten (Director, Division of Planning, Research and Evaluation) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Minner) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 137 was taken up for consideration on motion of Senator Holloway:

SB 137 - AN ACT TO AMEND CHAPTER 5, TITLE 31, OF THE DELAWARE CODE RELATING TO CATEGORIES OF ASSISTANCE.

The privilege of the floor was extended to Muriel Rusten (Director, Division of Planning, Research and Evaluation) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Minner) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 135 was taken up for consideration on motion of Senator Holloway:

SB 135 - AN ACT TO AMEND CHAPTER 37, TITLE 31, DELAWARE CODE, RELATING TO THE ELDERLY HOUSING COUNSELING PROGRAM.

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

SB 133 was taken up for consideration on motion of Senator Holloway:

SB 133 - AN ACT TO AMEND CHAPTER 22, TITLE 16, DELAWARE CODE, RELATING TO IMMUNITY TO CERTAIN PERSONS FOR ACTS UNDERTAKEN PURSUANT TO THE UNIFORM ALCOHOLISM AND INTOXICATION TREATMENT ACT.

The privilege of the floor was extended to Muriel Rusten (Director, Division of Planning, Research and Evaluation) after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (McDowell) NOT VOTING and 1 (Minner) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 132 was taken up for consideration on motion of Senator Holloway:

SB 132 - AN ACT TO AMEND CHAPTER 93, TITLE 16, RELATING TO EQUITABLE HEALTH PLANNING AND REVIEW.

The privilege of the floor was extended to Amos Burke (Director, Bureau of Health Planning) after which the Bill was laid on the table on further motion of Senator Holloway.

At 4:02 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:55 p.m., Senator Cordrey presiding.

SB 97 was taken up for consideration on motion of Senator McBride:

SB 97 - AN ACT TO AMEND CHAPTER 47, PART V, TITLE 7 OF THE DELAWARE CODE RELATING TO STATE PARKS; AND PROVIDING FOR A PUBLIC PARK FEE WAIVER FOR VETERANS' PATRIOTIC OR MEMORIAL SERVICES.

During discussion of the Bill and the Amendments offered to it, the privilege of the floor was extended to Richard Dillard (Senate Attorney).

SA 2 to the Bill (sponsor: Senator McBride) was introduced and placed with the Bill.

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 19 Senators voting YES and 2 (Knox and Minner) 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 McBride and the roll call vote taken which revealed 19 Senators voting YES and 2 (Knox and Minner) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 97 w SA 1, 2 was then taken and revealed 19 Senators voting YES and 2 (Knox and Minner) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 35 w SA 1 was lifted from the table for consideration on motion of Senator Sharp and the roll call vote taken which revealed 18 Senators voting YES and 3 (Knox, Minner, Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

HCR 59 was introduced and taken up for consideration on motion of Senator Vaughn:

HCR 59 - URGENTLY REQUESTING THE DELAWARE DEVELOPMENT OFFICE AND OTHER STATE AND COUNTY AGENCIES TO APPRISE THE COUNTY LINE ACTION GROUP AND LEGISLATORS WHO REPRESENT THE PROPOSED GEOGRAPHIC SITE OF THE EGG FARM FACILITY, TO INCLUDE LEGISLATORS IN ADJOINING POLITICAL DISTRICTS, REGARDING THE FILING OF ANY APPLICATIONS FOR PERMITS TO PROCEED WITH THE CONSTRUCTION OF SUCH A FACILITY OR ANY PRELIMINARY PLANS WHICH MAY BE REQUIRED BY THE PROPRIETORS. Sponsors: Representative B. Ennis, Senator Vaughn; Representatives Clark, Jester; Senator Cook.

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

SCR 63 was introduced and considered for adoption on motion of Senator McDowell:

SCR 63 - EXTENDING A SINCERE WELCOME TO WILLARD SCOTT OF NBC-TV'S "TODAY" SHOW ON THE OCCASION OF HIS VISIT TO THE WILMINGTON FLOWER MARKET AT ROCKFORD PARK. Sponsors: Senator McDowell, all Senators, all Representatives.

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

SR 35 was introduced and considered for adoption on motion of Senator Zimmerman:

SR 35 - COMMENDING DR. LUNA I. MISHOE, RETIRING PRESIDENT OF DELAWARE STATE COLLEGE, ON HIS CONTRIBUTIONS TO HIGHER EDUCATION IN DELAWARE AND WISHING HIM WELL IN THE FUTURE. Sponsors: Senators Zimmerman, Torbert, Holloway and all Senators.

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

SENATE CONSENT CALENDAR #11 was introduced and considered for adoption on motion of Senator Martin. The Calendar consisted of the following:

HCR 55 - CONGRATULATING VIOLET AND ELLSWORTH WILSON ON THE OCCASION OF THEIR 69TH WEDDING ANNIVERSARY CELEBRATED ON APRIL 20, 1987. Sponsors: Representative VanSant, Senator McBride.

HCR 56 - CONGRATULATING DUCKS UNLIMITED, INC., INCLUDING THE DELAWARE CHAPTERS, FOR 50 YEARS OF PROTECTION AND ENHANCEMENT OF WETLANDS WATERFOWL HABITAT. Sponsors: Representatives Fallon, Barnes, Bennett; Senators Slatcher, Adams.

HCR 57 - SUPPORTING CONGRESSIONAL LEGISLATION PROCLAIMING THE WEEK OF JUNE 1 - 7, 1987, AS NATIONAL FISHING WEEK. Representative Buckworth, Senator Torbert.

HCR 58 - CONGRATULATING THE CAPITAL, CHRISTINA AND INDIAN RIVER SCHOOL DISTRICTS FOR WINNING \$1,000 PRIZES FOR EXCELLENCE IN ECONOMIC EDUCATION AT A PARTICULAR GRADE LEVEL OR SCHOOL. Sponsors: Representative Fallon, Senator McBride; Representatives Hebner, Smith, Jester, Wingate, Bunting; Senators Torbert, Zimmerman, Neal, Still.

The roll call vote on SENATE CONSENT CALENDAR #11 was then taken and revealed 19 Senators voting YES and 2 (Knox, Minner) ABSENT; therefore, the Resolutions were declared adopted by the Senate and returned to the House.

At 5:42 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 12, 1987.

The Senate reconvened at 2:35 p.m., May 12, 1987 Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 25; SB 95 w SA 1, 2, HA 1 and adopted HJR 4, HJR 11, HCR 60 and SCR 63.

The following legislation was introduced:

SB 143 - AN ACT TO AMEND TITLE 6, CHAPTER 45 OF THE DELAWARE CODE RELATING TO SUPPORT ANIMALS. Sponsors: Senators Neal, Cook, Holloway, Berndt, Bane; Representatives DiPinto, Boykin, Maroney. Assigned to Natural Resources and Environmental Control Committee.

SB 95 w SA 1, 2 which had been returned from the House as further amended by HA 1 was laid on the table on motion of Senator Marshall. No objection.

HB 25 - AN ACT TO AMEND CHAPTER 13, TITLE 14 OF THE DELAWARE CODE RELATING TO THE DISPOSITION OF UNUSED SICK LEAVE TIME ACCRUED TO THE BENEFIT OF A DECEASED SCHOOL EMPLOYEE. Sponsors: Representatives Fallon, Amick, Boykin, Buckworth, Carey, Caulk, Corrozi, Davis, DiPinto, D. Ennis, Lee, Mack, Maroney, Oberle, Petrilli, Smith, Spence, Taylor, Bennett, Brady, Bunting, Dixon, George, Gilligan, Houghton, Jester, Plant, Quillen, Soles, VanSant, West, Wingate; Senators Bair, Bane, Berndt, Connor, Knox, Neal, Slatcher, Still, Adams, Cook, Cordrey, Holloway, Martin, McBride, McDowell, Minner, Torbert, Vaughn, Zimmerman. Assigned to Finance Committee.

HJR 4 - COMMENDING THE FOLLOWING NAMED STUDENTS WHO HAVE GONE THROUGH THE FIELDS OF MARKETING AND DISTRIBUTION OFFERED BY PUBLIC SCHOOLS OF DELAWARE. Sponsors: Representatives Bennett, Buckworth; Senators Berndt, McBride, Cook. Laid on the table.

HJR 11 - DESIGNATING MONDAY, MAY 25, 1987, AS MEMORIAL DAY AND DECLARING IT A LEGAL HOLIDAY IN THE STATE OF DELAWARE FOR THE YEAR 1987. Sponsors: Representatives Oberle, Gilligan; Senator Bair. Laid on the table.

HCR 60 - REQUESTING THE DELAWARE STATE BOARD OF EDUCATION OBTAIN AND PROVIDE TO THE GENERAL ASSEMBLY STATISTICS PERTAINING TO THE NUMBER OF HOMELESS CHILDREN WITHIN THE STATE OF DELAWARE THAT ARE NOT ATTENDING PUBLIC SCHOOLS. Sponsor: Representative Plant. Laid on the table.

SA 1 to SB 128. Sponsor: Senator Holloway. Placed with the Bill.
SB 143 which had been assigned to Natural Resources and Environmental Control Committee was reassigned to Health-Social Services/Aging Committee.
HJR 4 was lifted from the table and considered for adoption under suspension of the necessary rules on motion of Senator McBride. No objection:
HJR 4 - COMMENDING THE FOLLOWING NAMED STUDENTS WHO HAVE GONE THROUGH THE FIELDS OF MARKETING AND DISTRIBUTION OFFERED BY PUBLIC SCHOOLS OF DELAWARE.
The roll call vote on the Resolution was taken and revealed 16 Senators voting YES and 5 (Bair, Connor, Cook, Holloway, Minner) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.
At 2:48 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 25th Legislative Day.

25TH LEGISLATIVE DAY
May 12, 1987

The Senate convened at 2:48 p.m., Lt. Governor Woo presiding.
A Prayer was offered by Senator Slatcher.
Pledge of Allegiance to the Flag.
Call of the roll revealed the following attendance:
PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 20.
ABSENT: Senator Minner - 1.
The Journal of the previous day was approved as read on motion of Senator Sharp.
HB 110 was taken up for consideration on motion of Senator Cordrey:
HB 110 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE BY PROVIDING FOR THE EXERCISE OF SECURITIES POWERS BY DELAWARE BANKS AND TRUST COMPANIES; BY PROVIDING FOR THE OWNERSHIP OF SUBSIDIARIES BY DELAWARE BANKS AND TRUST COMPANIES; BY PROVIDING FOR THE SUPERVISION AND EXAMINATION OF BANK AND TRUST COMPANY SUBSIDIARIES BY THE BANK COMMISSIONER; AND BY PROVIDING FOR THE TAXATION OF DELAWARE BANKS AND TRUST COMPANIES WHICH OWN SUBSIDIARIES ENGAGED IN THE SECURITIES BUSINESS.
The privilege of the floor was extended to O. Francis Blondi (Chase Manhattan Corporation) after which the roll call vote on the Bill was taken and revealed:
YES: Senators Adams, Bane, Berndt, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Slatcher, Still, Torbert, Vaughn, Zimmerman - 17.
NO: Senator Sharp - 1.
ABSENT: Senators Bair, Connor, Minner - 3.
Therefore, the Bill was declared passed by the Senate and returned to the House.
HB 116 w HA 1 was taken up for consideration on motion of Senator Cordrey:
HB 116 w HA 1 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO THE LENDING AND MORTGAGE BANKING BUSINESS.
The privilege of the floor was extended to David S. Swayze (representing Duane, Morris & Heckscher).
The roll call vote on the Bill was taken and revealed:
YES: Senators Adams, Bane, Berndt, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Slatcher, Still, Torbert, Vaughn, Zimmerman - 17.
NO: Senator Sharp - 1.
ABSENT: Senators Bair, Connor, Minner - 3.
Therefore, the Bill was declared passed by the Senate and returned to the House.
HB 117 was taken up for consideration on motion of Senator Cordrey:
HB 117 - AN ACT TO AMEND CHAPTER 11, TITLE 5 OF THE DELAWARE CODE BY PROVIDING FOR THE FILING OF ESTIMATED BANK FRANCHISE TAX AND PAYMENT IN QUARTERLY INSTALLMENTS.
The privilege of the floor was extended to Michael Harkins (Secretary of State) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Minner) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.
At 3:16 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:45 p.m., Lt. Governor Woo presiding.
The following legislation was introduced:
SB 144 - AN ACT TO AMEND CHAPTER 68, TITLE 18 OF THE DELAWARE CODE, RELATING TO HEALTH CARE MALPRACTICE INSURANCE AND LITIGATION. Sponsors: Senators McDowell, Marshall; Representatives Spence, Jonkiert, Roy, Campanelli, West, Plant, Buckworth, Quillen, Corrozi, VanSant. Assigned to Insurance and Elections Committee.
SB 145 - AN ACT TO AMEND AN ACT, BEING CHAPTER 276, VOLUME 65, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF GEORGETOWN" TO CONFER UPON THE TOWN COUNCIL OF THE TOWN OF GEORGETOWN CERTAIN POWERS RELATING TO THE TAXATION OF REAL ESTATE TRANSFERS WITHIN THE TOWN OF GEORGETOWN. Sponsors: Senator Adams, Representative West. Assigned to Community Affairs Committee.
SB 128 was taken up for consideration on motion of Senator Holloway:

SB 128 - AN ACT TO AMEND CHAPTER 47, TITLE 16, OF THE DELAWARE CODE BY CLARIFYING THE DEFINITIONS OF A CONTROLLED SUBSTANCE.

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 (McBride, Minner) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 128 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Minner) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SCR 65 was introduced and considered for adoption on motion of Senator Adams:

SCR 65 - COMMENDING M. LEON HART, RETIRING STATE SUPERVISOR OF PUPIL TRANSPORTATION, FOR HIS 36 YEARS OF STATE SERVICE AND EXTENDING BEST WISHES FOR A HAPPY AND FRUITFUL RETIREMENT. Sponsors: Senators Adams, Torbert, McBride, Vaughn; Representatives Bennett, Barnes, Buckworth.

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

HJR 11 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Bair:

HJR 11 - DESIGNATING MONDAY, MAY 25, 1987, AS MEMORIAL DAY AND DECLARING IT A LEGAL HOLIDAY IN THE STATE OF DELAWARE FOR THE YEAR 1987.

The roll call vote on the Resolution was taken; however, the roll call was laid on the table before being announced on motion of Senator Bair.

At 5:03 p.m. on motion of Senator Sharp, the Senate recessed until 3:30 p.m., May 13, 1987.

The Senate reconvened at 3:54 p.m., May 13, 1987 Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Executive Committee: SB 124 - 5 Merits; SB 134 - 5 Merits; Mark W. Diehl - 5 Merits; Alexander L. Searl - 1 Favorable, 4 Merits; SB 141 - 5 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 106 w HA 1; SB 4 w SA 1, 2; SB 59 w SA 1.

The following legislation was introduced:

SB 146 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO LEGISLATIVE AUTHORITY; AND PROVIDING FOR INITIATIVE AND REFERENDUM. Sponsor: Senator McBride. Assigned to Executive Committee.

SB 147 - AN ACT TO AMEND SECTION 1106, CHAPTER 11, TITLE 30, OF THE DELAWARE CODE RELATING TO STATE PERSONAL INCOME TAXES; AND TO PROVIDE FOR A MODIFICATION FOR EDUCATIONAL EXPENSES. Sponsors: Senators Marshall, Berndt, Connor; Representatives Campanelli, DiPinto, Jonklert, Spence, VanSant. Assigned to Revenue and Taxation Committee.

SB 148 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PRIMARY HEALTH CARE FACILITIES FOR THE MEDICALLY INDIGENT. Sponsors: Senators Holloway, McDowell; Representatives Jonklert, VanSant, B. Ennis, Plant, West, Sills, Campanelli. Assigned to Health-Social Services/Aging Committee.

SB 149 - AN ACT TO AMEND CHAPTER 11, TITLE 29, DELAWARE CODE RELATING TO THE FREQUENCY OF LEGISLATIVE COUNCIL MEETINGS. Sponsors: Senator Cordrey, Representative Barnes. Assigned to Executive Committee.

SA 1 to HB 101. Sponsor: Senator Bair. Placed with the Bill.

SA 1 to SB 50. Sponsor: Senator McBride. Placed with the Bill.

SA 2 to SB 53. Sponsor: Senator McBride. Placed with the Bill.

HB 106 w HA 1 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REQUIREMENT OF INSURANCE FOR MOTOR VEHICLES. Sponsors: Representatives Davis, Spence, D. Ennis, Buckworth, Mack, Jonklert, Houghton; Senator Holloway. Assigned to Public Safety Committee.

At 4:03 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 26th Legislative Day.

26TH LEGISLATIVE DAY May 13, 1987

The Senate convened at 4:03 p.m., Lt. Governor Woo 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, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 20.

ABSENT: Senator Minner - 1.

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

At the request of Senator Holloway the following poem, dedicated to Betty Jean Caniford (Secretary of the Senate) was read and is made part of this Journal:

Mom,
You've been a mother and a father.
A "wonder woman", too.
Taking care of Cheryl and me
Was a hard job for you.

You work so hard
For the two of us,
And never make
The slightest fuss!

You give us everything and
Take from yourself for us two,
Maybe we'll never know
How much we mean to you!

We've had the best life
Any kids could ask for
You're the mother we'll
Always love.....Forevermore.

Love,
Brenda and Cheryl

* * * * *

At 4:08 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus and reconvened at 5:00 p.m., Senator Cordrey presiding, immediately followed by Lt. Governor Woo.

The following Committee reports were announced:

From the Administrative Services/Energy Committee: SB 138 - 4 Merits.

From the Public Safety Committee: SB 75 - 5 Merits.

From the Community Affairs Committee: SB 125 - 5 Merits; SB 145 - 5 Merits; HB 76 - 5 Merits.

From the Natural Resources and Environmental Control Committee: HJR 8 w HA 1 - 5 Merits.

From the Health-Social Services/Aging Committee: SB 143 - 2 Favorable, 2 Merits.

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

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

With Senator Bair's permission, Senator Sharp moved that the roll call vote on HJR 11 be lifted and there was no objection.

The roll call vote on HJR 11 was therefore announced:

YES: Senators Bane, Berndt, Connor, Cordrey, Holloway, Knox, McDowell, Neal, Still - 9.

NO: Senators Adams, Cook, Marshall, Martin, McBride, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 10.

NOT VOTING: Senator Bair - 1.

ABSENT: Senator Minner - 1.

Therefore, the Resolution was declared defeated.

SENATE CONSENT CALENDAR #12 was introduced and considered for adoption on motion of Senator Martin:

The Calendar consisted of the following:

SCR 66 - MOURNING THE UNTIMELY DEATH OF WILLIAM L. SLACUM, A LEADER IN THE AREA OF VETERAN'S AFFAIRS IN THE STATE OF DELAWARE. Sponsors: Senator Vaughn, Representative B. Ennis.

SCR 67 - EXPRESSING SYMPATHY AND REMORSE UPON SADLY LEARNING OF THE DEATH OF GERALD R. PEPPER, RETIRED STATE TROOPER, AND FORMER AIDE TO GOVERNOR SHERMAN W. TRIBBITT. Sponsors: Senator Cook, Representative Clark; Senator, Vaughn; Representatives B. Ennis, VanSant; Senators Adams, Torbert, Martin, Cordrey, Neal, Zimmerman were added as co-sponsors at their request.

SR 36 - COMMENDING THE DELAWARE FEDERATION OF BUSINESS AND PROFESSIONAL WOMEN'S CLUBS, INC. ON THE EVE OF ITS FIFTIETH STATE CONVENTION. Sponsors: Senators Marshall, McDowell, Bair, Bane, Cook.

The roll call vote on SENATE CONSENT CALENDAR #12 was then taken and revealed 20 Senators voting YES and 1 (Minner) ABSENT; therefore, the Resolutions were declared adopted and the Concurrent Resolutions were sent to the House for consideration.

The following Committee reports were announced:

From the Revenue and Taxation Committee: SB 122 - 5 Merits; SB 130 - 6 Merits; SB 140 - 6 Merits.

At 5:17 p.m. on motion of Senator Sharp, the Senate recessed until 2:15 p.m., May 14, 1987.

The Senate reconvened at 2:55 p.m., May 14, 1987 Senator Cordrey presiding.

The following Committee reports were announced:

From the Judiciary Committee: SB 66 - 5 Merits; SB 70 - 5 Merits; HB 17 w HA 1 - 4 Merits; HB 9 - 4 Merits.

The following legislation was introduced:

SB 150 - AN ACT TO AMEND CHAPTER 66, TITLE 16, AND CHAPTER 11, TITLE 30, OF THE DELAWARE CODE BY REQUIRING SMOKE DETECTORS IN ALL RESIDENTIAL UNITS AND PROVIDING A TAX CREDIT FOR THE INSTALLATION THEREOF. Sponsors: Senator McDowell, Representative Lee; Senators Holloway, Connor, Marshall, Vaughn; Representatives Jonkiert, B. Ennis, Jester, Sills, Bunting, Campanelli, Soles, Spence, Caulk, Clark, Gilligan, Plant, Dixon. Assigned to Revenue and Taxation Committee.

SB 151 - AN ACT TO MODIFY CERTAIN STATE PAY SCALES AND CERTAIN PAY SCALES IN CHAPTER 13, TITLE 14 OF THE DELAWARE CODE AND PROVIDING A SUPPLEMENTAL APPROPRIATION THEREFOR. Sponsors: Senators McBride, McDowell, Holloway, Marshall, Martin, Zimmerman; Representatives Brady, Campanelli, Dixon, B. Ennis, Gilligan, Houghton, Jester, Jonkiert, Plant, Sills, VanSant, West, Spence, Amick Davis, Mack, Taylor. Assigned to Finance Committee.

At 2:56 p.m. Lt. Governor Woo presiding.

At 2:57 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 27th Legislative Day.

27TH LEGISLATIVE DAY

May 14, 1987

The Senate convened at 2:57 p.m., Lt. Governor Woo 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, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 20.

ABSENT: Senator Minner - 1.

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 108 w SA 1; SB 109 w SA 1, 2; SB 110 w SA 1; SB 115 w SA 1; SB 118 and adopted HCR 61; HCR 62; HCR 63; HCR 64; SCR 65.

SB 138 was taken up for consideration on motion of Senator McDowell:

SB 138 - AN ACT TO AMEND TITLE 4, CHAPTER 5 OF THE DELAWARE CODE, RELATING TO ALCOHOLIC LIQUORS.

Senator Neal marked PRESENT.

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

SB 95 w SA 1, 2 which had been returned from the House with HA 1 was lifted from the table and considered under suspension of the necessary rules on motion of Senator Marshall.

The privilege of the floor was extended to George E. Hale (Secretary of Administrative Services) after which the roll call vote on SB 95 w SA 1, 2, HA 1 was taken and revealed 19 Senators voting YES and 2 (Minner, Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SB 28 was taken up for consideration on motion of Senator Cordrey:

SB 28 - AN ACT TO AMEND CHAPTER 68, PART VI, TITLE 16 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM CIVIL LIABILITY; AND PROVIDING IMMUNITY FOR THE RENDERING OF EMERGENCY CARE UNDER CERTAIN CIRCUMSTANCES.

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

The roll call vote on SB 28 w SA 1 was taken and revealed 20 Senators voting YES and 1 (Minner) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 3:45 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:41 p.m., Lt. Governor Woo presiding.

SB 141 was taken up for consideration on motion of Senator Adams:

SB 141 - AN ACT AUTHORIZING THE DISINTERRING AND REINTERING OF BODIES IN A CEMETERY LOCATED ON THE SOUTH SIDE OF EAST PINE STREET IN GEORGETOWN, DELAWARE, BELONGING TO THE RECTOR, WARDEN AND VESTRY OF ST. PAUL'S EPISCOPAL CHURCH, GEORGETOWN, DELAWARE.

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 (Minner, Slatcher, Torbert) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 141 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Minner) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 134 was taken up for consideration on motion of Senator Holloway:

SB 134 - AN ACT TO AMEND CHAPTER 79, SUBCHAPTER 1, TITLE 29, OF THE DELAWARE CODE, TO INCREASE THE MEMBERSHIP OF THE COUNCIL ON THE AGING.

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

HJR 8 w HA 1 was taken up for consideration on motion of Senator Zimmerman:

HJR 8 w HA 1 - PROVIDING FOR THE ESTABLISHMENT OF AN AD HOC COMMITTEE TO RECOMMEND LEGISLATION AUTHORIZING THE REGULATION AND INSPECTION OF INDUSTRIAL FACILITIES FOR THE PURPOSES OF PREVENTING AND MITIGATING CATASTROPHIC RELEASES OF HAZARDOUS SUBSTANCES.

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

SCR 64 was introduced and considered for adoption on motion of Senator Zimmerman:

SCR 64 - URGING THE STATE BOARD OF EDUCATION TO REFRAIN FROM ATTEMPTING TO ANTICIPATE GENERAL ASSEMBLY ACTION IN ADOPTING ITS SCHOOL ATTENDANCE SCHEDULE AND TO SCHEDULE TRADITIONAL MEMORIAL DAY, MAY 30, AS A SCHOOL HOLIDAY. Sponsors: Senators Zimmerman, Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn; Representative Bennett.

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

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

NO: Senators Bair, Berndt, Connor, Knox, Still - 5.

NOT VOTING: Senator Bane - 1.

ABSENT: Senator Minner - 1.

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

SENATE CONSENT CALENDAR #13 was introduced and considered for adoption on motion of Senator Martin. The Calendar consisted of the following:

HCR 61 - HONORING AND CONGRATULATING REPRESENTATIVE ADA LEIGH SOLES UPON RECEIVING THE 1987 GOOD GOVERNMENT AWARD OF THE CIVIC LEAGUE FOR NEW CASTLE COUNTY. Sponsors: Representatives George, Gilligan, all Members of the House and the Senate.

HCR 62 - COMMENDING MAJOR GENERAL WILLIAM H. DUNCAN FOR THIRTY-FIVE YEARS OF MERITORIOUS SERVICE TO THE ARMY NATIONAL GUARD, THE UNITED STATES ARMY, THE UNITED STATES CENTRAL COMMAND, AND THE STATE OF DELAWARE; AND EXTENDING BEST WISHES TO GENERAL DUNCAN UPON HIS RETIREMENT. Sponsors: Representatives Gilligan, Maroney; Senator Bair.

HCR 63 - DESIGNATING MAY 15TH AS JUST SAY NO TO DRUGS AND ALCOHOL DAY IN DELAWARE. Sponsors: Representatives DiPinto, Buckworth, Lee, Maroney; Senator Bane.

SCR 68 - COMMENDING THE FUTURE FARMERS OF AMERICA FOR PROVIDING TODAY'S YOUTH WITH AN OUTSTANDING PROGRAM IN AGRICULTURE AND AGRICULTURE-RELATED VOCATIONS; AND CONGRATULATING AWARD-WINNING STUDENTS OF THE PROGRAM. Sponsors: Senators McBride, Adams; Representative Fallon.

SCR 69 - REQUESTING THE DELAWARE DEVELOPMENT OFFICE TO EXAMINE THE POTENTIAL OF BUSINESS INCUBATOR PROGRAMS IN DELAWARE. Sponsors: Senators Bair, Connor, Holloway, Torbert; Representatives Oberle, Spence, Soles, Sills.

SR 37 - REQUESTING THAT STATE AGENCIES MAKE MORE EFFECTIVE USE OF THE STATE COURIER MAIL SYSTEM AND ELIMINATE UNNECESSARY AND EXPENSIVE USE OF THE U.S. POSTAL SERVICE UNLESS ABSOLUTELY NECESSARY. Sponsors: Senator McBride, Adams, Cook, Cordrey, Holloway, Marshall, Martin, McDowell, Sharp, Torbert, Vaughn, Zimmerman.

The roll call vote on SENATE CONSENT CALENDAR #13 was then taken and revealed 20 Senators voting YES and 1 (Minner) ABSENT; therefore, the Resolutions were declared adopted. The Senate Concurrent Resolutions were sent to the House for consideration and the House Concurrent Resolutions were returned to the House.

HCR 64 was introduced and considered for adoption on motion of Senator Bair:

HCR 64 - REQUESTING DOVER POSTMASTER JACK BAILEY TO PLACE A UNITED STATES POSTAL BOX AT THE WEST SIDE OF LEGISLATIVE HALL. Sponsor: Representative Smith.

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

YES: Senators Bair, Bane, Berndt, Connor, Knox, Marshall, Martin, Still - 8.

NO: Senators Adams, Cook, Cordrey, Holloway, McBride, McDowell, Neal, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 12.

ABSENT: Senator Minner - 1.

Therefore, the Resolution was declared defeated.

SR 38 was introduced and considered for adoption on motion of Senator Holloway:

SR 38 - SALUTING "MR. CONGENIALITY", SENATOR JACOB W. ZIMMERMAN, 17TH SENATORIAL DISTRICT, ON HIS 57TH BIRTHDAY. Sponsors: Senators Holloway, Adams, Cook, Cordrey, Martin, Marshall, McBride, McDowell, Torbert, Vaughn, Sharp, Bane, Bair, Berndt, Connor, Knox, Neal, Slatcher, Still.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES, 1 (Bair) NOT VOTING, and 1 (Minner) ABSENT; therefore, the Resolution was declared adopted.

At 5:21 p.m. on motion of Senator Sharp, the Senate recessed to the call of the President pro Tempore or May 26 whichever comes first.

The Senate reconvened at 2:25 p.m., May 26, 1987, Senator Cordrey presiding.

The following legislation was introduced:

SB 152 - AN ACT TO AMEND SECTIONS 7002, 8001 AND 8003, TITLE 9 OF THE DELAWARE CODE TO CHANGE THE DATES FOR ADOPTION OF THE SUSSEX COUNTY BUDGET AND LEVYING THE SUSSEX COUNTY TAX. Sponsors: Senator Cordrey, Representative Barnes; Senators Adams, Slatcher; Representatives Bunting, Carey, Fallon, Lee, West, Wingate. Assigned to Community Affairs Committee.

SB 153 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER I, TITLE 26, DELAWARE CODE, RELATING TO THE PUBLIC SERVICE COMMISSION AND PUBLIC UTILITIES; AND PROVIDING FOR THE ESTABLISHMENT OF SERVICE TERRITORIES FOR REGULATED PUBLIC UTILITIES PROVIDING RETAIL ELECTRIC SERVICE SUBJECT TO THE JURISDICTION OF THE PUBLIC SERVICE COMMISSION. Sponsors: Senator Adams, Representative Barnes. Assigned to Administrative Services/Energy Committee.

SB 154 - AN ACT TO AMEND TITLE 16, DELAWARE CODE, TO ESTABLISH A MANAGED MEDICAL DELIVERY SYSTEM FOR THE MEDICALLY NEEDY. Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

SB 155 - AN ACT TO AMEND CHAPTER 7, TITLE 19 OF THE DELAWARE CODE RELATING TO THE USE OF A PRE-EMPLOYMENT POLYGRAPH LIE DETECTOR, OR SIMILAR TESTS AS PART OF THE POLICE OFFICER APPLICANT BACKGROUND INVESTIGATION. Sponsors: Senators Adams, Cordrey, Sharp. Assigned to Labor and Industrial Relations Committee.

At 2:28 p.m., Lt. Governor Woo presiding.

SB 156 - AN ACT TO AMEND CHAPTER 1, TITLE 22 OF THE DELAWARE CODE RELATING TO MUNICIPAL PARKS; AND PROVIDING FOR A PARK FEE WAIVER FOR VETERANS' PATRIOTIC OR MEMORIAL SERVICES. Sponsors: Senators McBride, Vaughn; Representatives Brady, VanSant, Dixon, Jester, Wingate, Jonkier. Assigned to Administrative Services/Energy Committee.

SB 157 - AN ACT TO AMEND PART II, CHAPTER 5, TITLE 16, DELAWARE CODE, RELATING TO THE DISEASE "ACQUIRED IMMUNE DEFICIENCY SYNDROME" (A.I.D.S.) BY REQUIRING CERTAIN PERSONS TO UNDERGO TESTING. Sponsors: Senators Holloway, Knox, Neal, Torbert, Berndt. Assigned to Health-Social Services/Aging Committee.

SB 158 - AN ACT TO AMEND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC WORKS CONTRACTS. Sponsors: Senator McBride, Representative Fallon. Assigned to Education Committee.

SB 159 - AN ACT TO AMEND CHAPTER 18, TITLE 2 OF THE DELAWARE CODE RELATING TO RAILROAD CROSSINGS. Sponsors: Senators Vaughn, Martin; Representatives Buckworth, Barnes, Carey, B. Ennis. Assigned to Highway and Transportation Committee.

SB 160 - AN ACT TO AMEND CHAPTER 5, TITLE 11, DELAWARE CODE, AND CHAPTER 9, TITLE 28, DELAWARE CODE, RELATING TO CRUELTY TO ANIMALS AND COCK-FIGHTING. Sponsor: Senator Torbert. Assigned to Judiciary Committee.

SB 161 - AN ACT TO AMEND CHAPTER 51, PART III, TITLE 25 OF THE DELAWARE CODE RELATING TO THE LANDLORD-TENANT CODE; AND PROVIDING FOR CERTAIN EXCLUSIONS FROM THE APPLICATION OF THE CODE. Sponsor: Senator Cordrey. Assigned to Administrative Services/Energy Committee.

SB 156 which had been assigned to Administrative Services/Energy Committee was reassigned to Community Affairs Committee on motion of Senator McBride. No objection.

Senator Cordrey requested Senator Martin to relinquish all legislation from the Administrative Services/Energy Committee and the Community Affairs Committee to Senator Minner.

At 2:33 p.m on motion of Senator Sharp, the Senate adjourned to immediately convene for the 28th Legislative Day.

28TH LEGISLATIVE DAY
May 26, 1987

The Senate convened at 2:33 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:
PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, 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 160 w HA 1; HB 72; HB 113; HB 115 w HA 1.

LEGISLATIVE ADVISORIES #9, 10, 11 and 12 received from the Office of Counsel to the Governor were read:

LEGISLATIVE ADVISORY #9 - The Governor signed the following legislation on May 11, 1987: HB 24 w HA 1, 2, 3 (Volume 66, Chapter 14, Laws of Delaware); HB 22 w HA 1 (Volume 66, Chapter 15, Laws of Delaware); HB 36 w HA 1 (Volume 66, Chapter 16, Laws of Delaware); HB 47 (Volume 66, Chapter 17, Laws of Delaware); HB 73 w HA 1 (Volume 66, Chapter 18, Laws of Delaware); HJR 6; SB 27 (Volume 66, Chapter 19, Laws of Delaware); SB 77 (Volume 66, Chapter 20, Laws of Delaware).

LEGISLATIVE ADVISORY #10 - The Governor signed the following legislation on May 14, 1987: HB 39 w HA 2 w HA 1; HA 2, 3, 4, 5 (Volume 66, Chapter 21, Laws of Delaware); HJR 3.

LEGISLATIVE ADVISORY #11 - The Governor signed the following legislation on May 18, 1987: HB 116 w HA 1 (Volume 66, Chapter 22, Laws of Delaware); HB 117 (Volume 66, Chapter 23, Laws of Delaware); SB 109 w SA 1, 2 (Volume 66, Chapter 24, Laws of Delaware); SB 110 w SA 1 (Volume 66, Chapter 25, Laws of Delaware); SB 118 (Volume 66, Chapter 26, Laws of Delaware).

LEGISLATIVE ADVISORY #12 - The Governor signed the following legislation on May 20, 1987: HB 110 (Volume 66, Chapter 27, Laws of Delaware); HJR 4; SB 59 w SA 1 (Volume 66, Chapter 28, Laws of Delaware).

Senators Adams and Neal marked PRESENT.

SB 160 which had been assigned to Judiciary Committee was reassigned to Natural Resources and Environmental Control Committee.

At the request of Senator Torbert, the Senate observed a moment of silence in respectful remembrance of the victims of the U. S. S. Stark.

SB 140 was taken up for consideration on motion of Senator Torbert:

SB 140 - AN ACT TO AMEND CHAPTER 55, TITLE 30, DELAWARE CODE, RELATING TO PUBLIC UTILITIES TAX.

The privilege of the floor was extended to George Jarvis (Delmarva Power and Light Company).

Senators Holloway, Marshall, McBride marked PRESENT.

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

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, McBride, McDowell, Minner, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 13.

NO: Senators Berndt, Connor, Neal - 3.

NOT VOTING: Senators Bair, Bane, Knox, Still - 4.

ABSENT: Senator Martin - 1.

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

SB 145 was taken up for consideration on motion of Senator Adams:

SB 145 - AN ACT TO AMEND AN ACT, BEING CHAPTER 276, VOLUME 65, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF GEORGETOWN" TO CONFER UPON THE TOWN COUNCIL OF THE TOWN OF GEORGETOWN CERTAIN POWERS RELATING TO THE TAXATION OF REAL ESTATE TRANSFERS WITHIN THE TOWN OF GEORGETOWN.

The privilege of the floor was extended to M. E. Prettyman, Jr. (Delaware Association of Realtors).

Senator Martin marked PRESENT.

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

YES: Senators Adams, Bane, Cook, Cordrey, Holloway, Marshall, Martin, Minner, Neal, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 14.

NO: Senator McDowell - 1.

NOT VOTING: Senators Bair, Berndt, Connor, Knox, McBride, Still - 6.

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

SB 130 was taken up for consideration on motion of Senator Adams:

SB 130 - AN ACT TO AMEND CHAPTER 53, SUBCHAPTER II, TITLE 30, DELAWARE CODE, ALSO BEING CHAPTER 3, VOLUME 66, LAWS OF DELAWARE, RELATING TO THE TAX ON THE SALE OR USE OF TOBACCO PRODUCTS OTHER THAN CIGARETTES.

The privilege of the floor was extended to Steven H. Rudnitsky (Delaware Business Tobacco Group) and Norman F. Sharp (Cigar Association of America).

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

YES: Senators Adams, Bane, Berndt, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 18.

NO: Senators Bair, Connor - 2.

NOT VOTING: Senator Knox - 1.

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

At 3:45 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:00 p.m., Lt. Governor Moo presiding.

The following legislation was introduced:

HB 160 w HA 1 - AN ACT TO ESTABLISH A MECHANISM AND FORMULA FOR THE SHARING OF STATE GENERAL FUND REVENUE WITH COUNTIES AND MUNICIPALITIES. Sponsors: Representatives Oberle, Barnes, Spence, Amick, Boykin, Buckworth, Carey, Caulk, DiPinto, Fallon, D. Ennis, Hebner, Davis, Corrozi, Mack, Maroney, Roy, Lee, Quillen, Petrilli, Smith, Taylor, Bennett, Brady, Campanelli, Clark, B. Ennis, Houghton, Dixon, George, Gilligan, Soles, Outten, VanSant, Sills, West, Plant; Senators Bair, Bane, Knox, Neal, Still, Connor. Assigned to Finance Committee.

SB 168 - AN ACT TO AMEND CHAPTER 7, PART I, TITLE 7 OF THE DELAWARE CODE RELATING TO FISHING; AND PROVIDING FOR CERTAIN RESTRICTIONS RELATING TO FISHING FOR TAUTOG. Sponsor: Senator Cordrey. Assigned to Natural Resources and Environmental Control Committee.

SB 167 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO SUSPENDING AND REVOCATION OF LICENSE FOR REFUSAL TO SUBMIT TO CHEMICAL TEST AND PERSONS QUALIFIED TO ADMINISTER TESTS. Sponsors: Senator Torbert; Representatives Buckworth, Davis, Dixon, Hebner, Houghton, VanSant. Assigned to Public Safety Committee.

SB 162 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE, BY ADDING A NEW CHAPTER 33 RELATING TO BANKING ORGANIZATIONS AND COMMUNITY REINVESTMENT. Sponsors: Senators McDowell, Holloway, Marshall, McBride; Representatives Campanelli, Davis, DiPinto, B. Ennis, D. Ennis, Jester, Plant, Sills, West. Assigned to Banking Committee.

SB 163 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO 3-YEAR TAGS ON SMALL TRAILERS. Sponsors: Senator Torbert; Representatives Buckworth, Davis, Dixon, Houghton, VanSant. Assigned to Public Safety Committee.

SB 164 - AN ACT TO AMEND CHAPTER 82, TITLE 29 OF THE DELAWARE CODE RELATING TO THE OFFICE OF INTERGOVERNMENTAL SERVICES WITHIN THE DEPARTMENT OF PUBLIC SAFETY. Sponsors: Senator Torbert; Representatives Buckworth, Davis, Dixon, Houghton, VanSant, Hebner. Assigned to Public Safety Committee.

SB 165 - AN ACT TO AMEND CHAPTER 43, TITLE 21 OF THE DELAWARE CODE RELATING TO EQUIPMENT ADDED TO OR DELETED FROM MOTOR VEHICLES' ORIGINAL DESIGN. Sponsors: Senator Torbert; Representatives Buckworth, Davis, Dixon, Houghton, VanSant. Assigned to Public Safety Committee.

SB 166 - AN ACT TO AMEND CHAPTER 52, TITLE 30 OF THE DELAWARE CODE RELATING TO THE MOTOR CARRIER FUEL PURCHASE LAW. Sponsors: Senator Torbert; Representatives Buckworth, Davis, Houghton, VanSant. Assigned to Public Safety Committee.

SB 169 - AN ACT TO AMEND CHAPTER 19, TITLE 11 OF THE DELAWARE CODE RELATING TO POLICE MUTUAL AID AGREEMENTS. Sponsors: Senators Adams, Vaughn, Sharp, Cordrey, Slatcher, Knox, Representatives Spence, Oberle, Hebner, Lee, Buckworth, B. Ennis, VanSant, Barnes. Assigned to Executive Committee.

HB 72 - AN ACT TO AMEND CHAPTER 41, TITLE 14 OF THE DELAWARE CODE RELATING TO CIVIL LIABILITY OF SCHOOL EMPLOYEES OR SUPERINTENDENTS. Sponsors: Representatives Buckworth, Fallon; Senator Minner; Representatives Quillen, Jester, Wingate, Smith, Spence, Carey, Hebner. Assigned to Education Committee.

HB 113 - AN ACT TO AMEND CHAPTER 5, TITLE 1 OF THE DELAWARE CODE RELATING TO THE CELEBRATION OF MARTIN LUTHER KING DAY AND CORRECTING DR. KING'S NAME. Sponsors: Representatives Plant, Bunting, Dixon, B. Ennis, George, Gilligan, Jester, Jonklert, Mack, Petrilli, Sills, Spence, VanSant, West; Senator Holloway. Assigned to Executive Committee.

HB 115 w HA 1 - AN ACT AUTHORIZING THE CITY OF REHOBOTH BEACH TO ISSUE PROMISSORY NOTES OR CERTIFICATES OF INDEBTEDNESS IN AN AMOUNT NOT TO EXCEED \$1,100,000 TO PROVIDE INTERIM FINANCING FOR THE EXPANSION OF THE REHOBOTH BEACH SEWAGE TREATMENT FACILITIES. Sponsors: Representative Wingate, Senator Cordrey. Assigned to Community Affairs Committee.

SA 1 to SB 129. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 66. Sponsor: Senator Adams. Placed with the Bill.

SR 39 was introduced and considered for adoption on motion of Senator Bair:

SR 39 - COMMEMORATING THE LIFE AND NOTABLE ACHIEVEMENTS OF RAYMOND E. TOMASETTI, SR. Sponsors: Senators Bair, Berndt. Senator Adams was added as co-sponsor at his request.

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

At 5:14 p.m. on motion of Senator Sharp, the Senate recessed until 3:30 p.m., May 27, 1987.

The Senate reconvened at 3:46 p.m., May 27, 1987, Senator Cordrey presiding.

The following legislation was introduced:

SB 170 - AN ACT TO AMEND CHAPTER 52, TITLE 30, OF THE DELAWARE CODE RELATING TO THE MOTOR CARRIER FUEL PURCHASE LAW. Sponsors: Senator Torbert, Representative Buckworth. Assigned to Revenue and Taxation Committee.

SB 171 - AN ACT TO AMEND CHAPTER 39 OF TITLE 12, DELAWARE CODE, TO PROVIDE IN LIMITED CIRCUMSTANCES FOR THE APPOINTMENT BY THE COURT OF CHANCERY OF AN INTERIM GUARDIAN WHEN AN IMMINENT THREAT OF SERIOUS PHYSICAL HARM IS PRESENT. Sponsors: Senator Sharp, Representative Hebner. Assigned to Judiciary Committee.

SA 1 to SB 83. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 132. Sponsor: Senator Holloway. Placed with the Bill.

HB 96 w HA 1, 2 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO CERTAIN FARM EQUIPMENT WARRANTIES. Sponsors: Representatives Clark, Caulk, Carey, B. Ennis, Jester, Lee, Quillen West; Senators Adams, Connor, Cook, Slatcher, Vaughn. Assigned to Agriculture Committee.

SR 40 was introduced and considered for adoption on motion of Senator Sharp acting at the request of Senator Cordrey:

SR 40 - COMMENDING W. EDWARD BURTON, PRINCIPAL OF EAST MILLSBORO ELEMENTARY SCHOOL, ON HIS LEADERSHIP IN THE FIELD OF ARTS EDUCATION AND CONGRATULATING HIM UPON BEING NATIONALLY HONORED FOR THAT AREA OF EXPERTISE. Sponsor: Senator Cordrey.

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

At 3:57 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 29th Legislative Day.

29TH LEGISLATIVE DAY
May 27, 1987

The Senate convened at 3:57 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, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, 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 96 w HA 1, 2; SB 12 w HA 2; SB 91 w SA 1, 7, 10.

At 4:00 p.m., Lt. Governor Woo presiding.

SB 12 which had previously passed the Senate was taken up for reconsideration under suspension of the necessary rules as now further amended by HA 2 on motion of Senator Cordrey. No objection.

The privilege of the floor was extended to Dr. John Kern (Department of State) and Daniel R. Griffith (Bureau of Archeology and Historic Preservation).

Senators Marshall and Neal marked PRESENT.

The roll call vote on SB 12 w HA 2 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.

SB 66 was taken up for consideration on motion of Senator Adams:

SB 66 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, §2, OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE RESIDENCE OF THE JUSTICES OF THE SUPREME COURT, AND THE RESIDENCE AND NUMBER OF VICE CHANCELLORS AND ASSOCIATE JUDGES OF SUPERIOR COURT.

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 privilege of the floor was extended to Gary Dalton, Senate Attorney after which the roll call vote on SB 66 w SA 1 was taken and revealed:

YES: Senators Adams, Berndt, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Neal, Slatcher, Torbert, Vaughn - 14.

NO: Senators Bair, Bane, Connor, Knox, Sharp, Still - 6.

ABSENT: Senator Zimmerman - 1.

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

SCR 70 was introduced and considered for adoption on motion of Senator McBride:

SCR 70 - CONGRATULATING PAUL L. PARETS FOR BEING SELECTED DELAWARE TEACHER OF THE YEAR AND COMMENDING ALL OF DELAWARE'S LOCAL TEACHERS OF THE YEAR. Sponsors: Senator McBride, Representative Fallon, Senator Still; All Senators; All Representatives.

The privilege of the floor was extended to Paul L. Parets after which the roll call vote on the Resolution was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

At 4:55 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:40 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Community Affairs Committee: SB 152 - 5 Merits; SB 156 - 6 Merits; HB 115 w HA 1 - 4 Merits.

Lt. Governor Woo presiding.

From the Administrative Services/Energy Committee: SB 153 - 4 Merits; SB 161 - 6 Merits.

At 5:44 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 28, 1987.

The Senate reconvened at 2:13 p.m., May 28, 1987 Lt. Governor Woo presiding.

SR 42 was introduced and laid on the table on motion of Senator Vaughn:

SR 42 - REQUESTING NEW CASTLE COUNTY EXECUTIVE RITA JUSTICE TO APPEAR BEFORE THE STATE SENATE TO EXPLAIN QUESTIONABLE PROCEDURES OF THE COUNTY FINANCE DIVISION WHICH HAVE RESULTED IN SUBSTANTIAL LOSS OF REVENUE TO SAID COUNTY. Sponsor: Senator Vaughn.

The following legislation was introduced:

SB 172 - AN ACT TO AMEND CHAPTER 100, TITLE 29, DELAWARE CODE, RELATING TO THE PROHIBITION OF CERTAIN RECORDS IN POSSESSION OF THE DEPARTMENT OF CORRECTION. Sponsor: Senator Vaughn. Assigned to Corrections Committee.

SB 173 - AN ACT TO AMEND CHAPTER 348, VOLUME 65, LAWS OF DELAWARE, BEING SENATE BILL NO. 560 OF THE 133RD GENERAL ASSEMBLY, AND BEING AN ACT ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1987; SPECIFYING CERTAIN PROCEDURES, CONDITIONS, AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS", BY MAKING CERTAIN ADDITIONS, DELETIONS, AND ADJUSTMENTS. Sponsor: Senator Vaughn. Assigned to Executive Committee.

SB 174 - AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO ISSUE A COMMERCIAL GILL NET FOOD FISHING PERMIT TO JOSEPH F. FORST OF GEORGETOWN, DELAWARE, WHO IS PRESENTLY PROHIBITED FROM OBTAINING A PERMIT UNDER THE DELAWARE FISHING STATUTES. Sponsors: Senator Minner, Representative Carey. Assigned to Natural Resources and Environmental Control Committee.

SA 1 to SB 49. Sponsor: Senator McDowell. Placed with the Bill.

SA 1 to SB 161. Sponsor: Senator Cordrey. Placed with the Bill.

SA 1 to SB 169. Sponsor: Senator Adams. Placed with the Bill.

SA 1 to HB 160. Sponsor: Senator Vaughn. Placed with the Bill.

At 2:19 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 30th Legislative Day.

30TH LEGISLATIVE DAY

May 28, 1987

The Senate convened at 2:19 p.m., Lt. Governor Woo 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, Blair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, 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 adopted HCR 65; HCR 66; HCR 67; SCR 66, SCR 67; SCR 68; SCR 69.

At 2:22 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 2:51 p.m., Lt. Governor Woo presiding.

The following legislation was introduced:

SA 2 to SB 161. Sponsor: Senator Cordrey. Placed with the Bill.

SA 2 to HB 160. Sponsor: Senator McBride. Placed with the Bill.

Sensors Still, Torbert, Zimmerman, Martin marked PRESENT.

SB 143 was taken up for consideration on motion of Senator Neal:

SB 143 - AN ACT TO AMEND TITLE 6, CHAPTER 45 OF THE DELAWARE CODE RELATING TO SUPPORT ANIMALS.

The privilege of the floor was extended to Mark Manno (4 H - Del. Coop. Ext.); William and Lois Hall (Guiding Paws 4-H Club), Jennifer Rumsey (Guiding Paws 4-H Club).

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 125 was taken up for consideration on motion of Senator Sharp:

SB 125 - AN ACT TO AMEND PART II, CHAPTER 11, TITLE 9, DELAWARE CODE, RELATING TO OPERATING PROCEDURES FOR NEW CASTLE COUNTY GOVERNMENT.

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

HB 76 was taken up for consideration on motion of Senator Martin:

HB 76 - AN ACT TO AMEND AN ACT BEING CHAPTER 166, VOLUME 37, LAWS OF DELAWARE, AS AMENDED BY CHAPTER 122 VOLUME 38, CHAPTER 165, VOLUME 41, CHAPTER 185 VOLUME 43, CHAPTER 186 VOLUME 43, CHAPTER 187 VOLUME 43, CHAPTER 220 VOLUME 46, CHAPTER 279 VOLUME 46, CHAPTER 20 VOLUME 47, CHAPTER 65 VOLUME 48, CHAPTER 108 VOLUME 48, CHAPTER 211 VOLUME 57, CHAPTER 85 VOLUME 58, CHAPTER 193 VOLUME 59, CHAPTER 182 VOLUME 65 AND CHAPTER 250 VOLUME 65, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF SELBYVILLE" TO INCREASE THE AMOUNT OF TAXES THAT MAY BE RAISED IN ANY ONE YEAR.

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

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Holloway and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Amos Burke (Bureau of Health Planning) after which the roll call vote on SB 132 w SA 1 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 152 was taken up for consideration on motion of Senator Cordrey:

SB 152 - AN ACT TO AMEND SECTIONS 7002, 8001 AND 8003, TITLE 9 OF THE DELAWARE CODE TO CHANGE THE DATES FOR ADOPTION OF THE SUSSEX COUNTY BUDGET AND LEVYING THE SUSSEX COUNTY TAX.

SA 1 to the Bill (sponsor: Senator Slatcher) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, McDowell, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn - 18.

NO: Senator McBride - 1.

NOT VOTING: Senators Martin, Zimmerman - 2.

Therefore, the Amendment was declared adopted.

Senator Minner was added as co-sponsor of the Bill at her request. No objection.

The roll call vote on SB 152 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Zimmerman) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 153 was taken up for consideration on motion of Senator Adams:

SB 153 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER I, TITLE 26, DELAWARE CODE, RELATING TO THE PUBLIC SERVICE COMMISSION AND PUBLIC UTILITIES; AND PROVIDING FOR THE ESTABLISHMENT OF SERVICE TERRITORIES FOR REGULATED PUBLIC UTILITIES PROVIDING RETAIL ELECTRIC SERVICE SUBJECT TO THE JURISDICTION OF THE PUBLIC SERVICE COMMISSION.

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.

SR 42 was lifted from the table for consideration on motion of Senator Vaughn:

SR 42 - REQUESTING NEW CASTLE COUNTY EXECUTIVE RITA JUSTICE TO APPEAR BEFORE THE STATE SENATE TO EXPLAIN QUESTIONABLE PROCEDURES OF THE COUNTY FINANCE DIVISION WHICH HAVE RESULTED IN SUBSTANTIAL LOSS OF REVENUE TO SAID COUNTY.

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

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 13.

NO: Senators Bair, Bane, Berndt, Connor, Knox, Neal, Still - 7.

NOT VOTING: Senator Slatcher - 1.

Therefore, the Resolution was declared adopted.

At 4:10 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:51 p.m., Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 68.

SR 41 was introduced and considered for adoption on motion of Senator Cordrey:

SR 41 - REQUESTING THE SECRETARY OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, ACTING THROUGH THE STATE BOARD OF HEALTH, TO ESTABLISH, IMPLEMENT AND MAINTAIN A PROGRAM TO INVESTIGATE THE POTENTIAL OF BIOLOGICAL CONTAMINATION OF SHELLFISH AREAS RESULTING FROM MARINAS AND BOAT LAUNCHING FACILITIES. Sponsor: Senator Cordrey.

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

SENATE CONSENT CALENDAR #14 was introduced and considered for adoption on motion of Senator Minner:

The Calendar consisted of the following:

HCR 65 - CONGRATULATING LESTER J. HATFIELD FOR COMMUNITY SERVICE AS HE RETIRES AFTER 29 YEARS AS MAYOR OF FARMINGTON. Sponsors: Representatives Barnes, Senator Adams.

HCR 66 - CONGRATULATING THE OUTSTANDING SCIENCE STUDENTS FROM ALEXIS I. DUPONT HIGH SCHOOL AND THE H. B. DU PONT MIDDLE SCHOOL WHO WON FIVE GOLD MEDALS AND FIVE BRONZE MEDALS AT THE NATIONAL SCIENCE OLYMPIAD AT OHIO STATE UNIVERSITY ON MAY 16, 1987. Sponsors: Representatives Petrilli, Corrozi, Roy; Senators Bane, Still, Knox.

HCR 67 - MOURNING THE DEATH OF BERTHA ELLEN JOHNSON, PUBLIC SERVANT AND COMMUNITY ACTIVIST, AND MEMORIALIZING HER LIFE. Sponsors: Representative Jester, Senator Vaughn; Representatives Fallon, Hebner, Smith, Wingate; Senators McBride, Neal, Still, Torbert, Zimmerman, Martin.

SCR 71 - URGING STATE, COUNTY AND LOCAL LAW ENFORCEMENT OFFICERS TO UNDERGO TRAINING TO IDENTIFY, AND REACT TO, SYMPTOMS OF MENTAL ILLNESS. Sponsors: Senator McDowell, Representative VanSant.

HCR 68 - HONORING THE BLUE AND GOLD ALL-STAR CHILDREN AND THEIR PARTICIPANT BUDDIES IN THE UPCOMING DELAWARE ALL-STAR FOOTBALL GAME. Sponsors: Representatives Spence, Oberle, Barnes, George, Gilligan; Senators Cordrey, Sharp, McDowell, Bair, Connor.

SCR 72 - COMMENDING THE ADMINISTRATORS, FACULTY AND STUDENT BODY OF DOVER HIGH SCHOOL FOR ACHIEVING A LEVEL OF EXCELLENCE HIGH ENOUGH TO BRING THE SCHOOL NATIONAL RECOGNITION. Sponsors: Senators Zimmerman, Cook; Representatives Bennett, Outten, Clark.

The roll call vote on SENATE CONSENT CALENDAR #14 was then taken and revealed 21 Senators voting YES; therefore, the Resolutions were declared adopted. The House Concurrent Resolutions were returned to the House and the Senate Concurrent Resolutions were sent to the House for concurrence.

SR 43 was introduced and considered for adoption on motion of Senator Holloway:

SR 43 - EXTENDING TO McDONALD T. COKER, ASSISTANT DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL, BEST WISHES FOR SAFE STOMACH SURGERY, A SPEEDY RECOVERY AND A RAPID RETURN TO HIS DUTIES. Sponsors: Senator Holloway 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.

The following legislation was introduced:

SB 175 - AN ACT TO AMEND CHAPTER 5, TITLE 1 OF THE DELAWARE CODE RELATING TO MEMORIAL DAY. Sponsor: Senator Bair. Assigned to Executive Committee.

SB 176 - AN ACT TO AMEND CHAPTER 428, VOLUME 50, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF ELSMERE", AS AMENDED, RELATING TO THE FISCAL AND BUDGET YEARS OF THE TOWN AS WELL AS THE AUTHORITY OF THE TREASURER AND PRESIDENT PRO TEMPORE OF THE TOWN COUNCIL TO SIGN CHECKS ON BEHALF OF THE TOWN. Sponsors: Senators Still, Marshall. Assigned to Community Affairs Committee.

SJR 8 was stricken at the request of the sponsor, Senator McBride.

At 5:33 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 2, 1987.

The Senate reconvened at 2:33 p.m., June 2, 1987, Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 56 w HA 1; HB 120 w HA 1; HB 121; HB 123; HB 147 w HA 1, 2 and adopted SCR 70.

The following legislation was introduced:

HB 56 w HA 1 - AN ACT TO AMEND TITLES 24, 29 AND 30, OF THE DELAWARE CODE TO PROVIDE FOR THE LICENSING AND REGULATION OF PROFESSIONAL COUNSELORS. Sponsors: Representatives Maroney, Buckworth, Boykin, Fallon, Petrilli, Taylor, Brady, Campanelli, Gilligan, Houghton, Sills, Jester, VanSant; Senators Berndt, Holloway. Assigned to Administrative Services/Energy Committee.

HB 120 w HA 1 - AN ACT TO AMEND CHAPTER 44, TITLE 18, DELAWARE CODE, TO SET FORTH IN GREATER DETAILS THE OBLIGATIONS AND POWERS OF THE DELAWARE LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION. Sponsors: Representatives D. Ennis, Lee, Petrilli, Dixon, VanSant, Roy. Assigned to Insurance and Elections Committee.

HB 121 - AN ACT TO AMEND CHAPTER 42, TITLE 18, DELAWARE CODE, RELATING TO THE DELAWARE INSURANCE GUARANTY ASSOCIATION ACT. Sponsors: Representatives D. Ennis, Lee, Petrilli, Dixon, VanSant, Roy. Assigned to Insurance and Elections Committee.

HB 123 - AN ACT TO AMEND AN ACT BEING VOLUME 63, CHAPTER 64, LAWS OF DELAWARE AS AMENDED BY VOLUME 63, CHAPTER 245, LAWS OF DELAWARE ENTITLED AN ACT TO REINCORPORATE THE TOWN OF OCEAN VIEW IN SUSSEX COUNTY, DELAWARE. Sponsors: Representative Bunting, Senator Cordrey. Assigned to Community Affairs Committee.

HB 147 w HA 1, 2 - AN ACT TO AMEND CHAPTER 21, TITLE 23, DELAWARE CODE, AND BY CREATING A NEW CHAPTER 22, TITLE 23, DELAWARE CODE RELATING TO THE OPERATING, AND/OR CONTROL OF A VESSEL OR BOAT UPON THE WATERS OF THE STATE OF DELAWARE WHILE UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS. Sponsors: Representatives Buckworth, Oberle, Davis, Carey, Caulk, Bunting. Assigned to Natural Resources and Environmental Control Committee.

At 2:37 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 31st Legislative Day.

31ST LEGISLATIVE DAY June 2, 1987

The Senate convened at 2:37 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:
PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 21.

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

SB 161 was taken up for consideration on motion of Senator Cordrey:

SB 161 - AN ACT TO AMEND CHAPTER 51, PART III, TITLE 25 OF THE DELAWARE CODE RELATING TO THE LANDLORD-TENANT CODE; AND PROVIDING FOR CERTAIN EXCLUSIONS FROM THE APPLICATION OF THE CODE.

Senator Martin marked PRESENT.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cordrey and the roll call vote taken which revealed 15 Senators voting YES and 6 (Bair, Berndt, McDowell, Sharp, Slatcher, 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 Cordrey and the roll call vote taken which revealed 17 Senators voting YES and 4 (Bair, Berndt, McDowell, Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 161 w SA 1, 2 was then taken and revealed 19 Senators voting YES, 1 (Neal) voting NO and 1 (McDowell) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

Senator Zimmerman marked PRESENT.

HB 115 w HA 1 was taken up for consideration on motion of Senator Minner:

HB 115 w HA 1 - AN ACT AUTHORIZING THE CITY OF REHOBOTH BEACH TO ISSUE PROMISSORY NOTES OR CERTIFICATES OF INDEBTEDNESS IN AN AMOUNT NOT TO EXCEED \$1,100,000 TO PROVIDE INTERIM FINANCING FOR THE EXPANSION OF THE REHOBOTH BEACH SEWAGE TREATMENT FACILITIES.

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

SB 156 was taken up for consideration on motion of Senator McBride:

SB 156 - AN ACT TO AMEND CHAPTER 1, TITLE 22 OF THE DELAWARE CODE RELATING TO MUNICIPAL PARKS; AND PROVIDING FOR A PARK FEE WAIVER FOR VETERANS' PATRIOTIC OR MEMORIAL SERVICES.

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

At 2:57 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:35 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SB 177 - AN ACT TO AMEND CHAPTER 5, TITLE 1 OF THE DELAWARE CODE RELATING TO CERTAIN LEGAL HOLIDAYS. Sponsor: Senator Bair. Assigned to Executive Committee.

SB 178 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO MARGARET ANSTINE; APPROPRIATING MONIES INTO THE SPECIAL 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 OF THE DELAWARE CODE. Sponsors: Senators Berndt, Cook. Assigned to Finance Committee.

SB 179 - AN ACT TO AMEND TITLE 18, CHAPTER 7, DELAWARE CODE, RELATING TO THE GENERAL PREMIUM TAX, THE SPECIAL TAX ON GROSS PREMIUMS FOR BENEFIT OF POLICE AND THE DISTRIBUTION OF PROCEEDS OF TAX Sponsors: Senators Holloway, Marshall; Representatives George, Gilligan, Jonkier. Assigned to Revenue and Taxation Committee.

At 4:36 p.m. Lt. Governor Woo presiding.

HB 56 w HA 1 which had been assigned to Administrative Services/Energy Committee was reassigned to Sunset Committee.

SS 1 for SB 175 - AN ACT TO AMEND CHAPTER 5, TITLE 1 OF THE DELAWARE CODE RELATING TO MEMORIAL DAY. Sponsor: Senator Bair. Adopted in lieu of the Original and assigned to Executive Committee.

SA 2 to SS 1 for SB 67. Sponsor: Senator Torbert. Placed with the Bill.

SA 1 to SB 160. Sponsor: Senator Torbert. Placed with the Bill.

SR 44 - CONGRATULATING RUDOLPH "CHIP" RIFFIN III OF NEW CASTLE FOR ACHIEVING THE HIGHEST RANK IN SCOUTING, THAT OF EAGLE SCOUT. Sponsor: Senator McBride.

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

SB 49 was lifted from the table for consideration on motion of Senator McDowell.

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

The roll call vote on SB 49 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 75 was stricken at the request of the sponsor, Senator Torbert.

At 4:50 p.m. on motion of Senator Sharp, the Senate recessed until 3:30 p.m., June 3, 1987.

The Senate reconvened at 3:56 p.m., June 3, 1987, Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Insurance and Elections Committee: SB 102 - 4 Merits.

From the Executive Committee: SB 142 - 4 Merits, 1 Unfavorable; SB 146 - 4 Merits, 1 Unfavorable; SB 149 - 5 Merits; SB 169 - 5 Merits; SB 173 - 5 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 168; HB 169; HB 140; SB 42; SB 82.

The following legislation was introduced:

SB 180 - AN ACT TO AMEND CHAPTER 26, TITLE 9 OF THE DELAWARE CODE RELATING TO ZONING IN NEW CASTLE COUNTY. Sponsor: Senator Sharp. Assigned to Community Affairs Committee.

SB 181 - AN ACT TO AMEND CHAPTER 47, TITLE 21 OF THE DELAWARE CODE, RELATING TO MOTOR CARRIER SAFETY, RECORD-KEEPING AND WEIGHTS. Sponsors: Senator Minner, Representative Caulk; Senators Adams, Cook, Cordrey, Slatcher, Torbert; Representatives Clark, West, Carey, Boykin, Dixon, Barnes, Buckworth, Plant, B. Ennis, Lee, Quillen, Bunting Wingate, D. Ennis, Jester, DiPinto, Taylor. Assigned to Public Safety Committee.

SB 182 - AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE BY PERMITTING PEREMPTORY CHALLENGE TO A JUDGE. Sponsor: Senator Sharp. Assigned to Judiciary Committee.

SB 183 - AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE BY ELIMINATING THE POSITION OF DIRECTOR OF TREATMENT SERVICES AND RECREATING AND RECODIFYING IN ITS STEAD A JUDICIAL COUNCIL TO ADMINISTER AFFAIRS OF THE COURT. Sponsor: Senator Sharp. Assigned to Judiciary Committee.

SB 184 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsors: Senator Marshall, Representative Davis; Senators Holloway, Martin, McBride, Sharp, Knox, Neal; Representatives Mack, Spence, Campanelli, Jonkiert, Lee. Assigned to Labor and Industrial Relations Committee.

SB 185 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsors: Senator Marshall, Representative Davis; Senators Holloway, Martin, McBride, Sharp, Knox, Neal; Representatives Mack, Spence, Campanelli, Jonkiert, Lee. Assigned to Labor and Industrial Relations Committee.

HB 140 - AN ACT TO AMEND PART I, CHAPTER 1, TITLE 21, DELAWARE CODE, RELATING TO THE DEFINITION OF CERTAIN WORDS AND PHRASES IN THE MOTOR VEHICLE CODE. Sponsors: Representative B. Ennis, Senator Torbert. Assigned to Public Safety Committee.

HB 168 - AN ACT TO AMEND TITLE 21, CHAPTER 28 OF THE DELAWARE CODE RELATING TO THE CERTIFICATION OF DRIVING RECORDS ON HABITUAL OFFENDERS. Sponsors: Representative Buckworth, Senator Torbert; Representatives Davis, Hebner, Plant, Houghton. Assigned to Public Safety Committee.

HB 169 - AN ACT TO AMEND CHAPTER 29, TITLE 21 OF THE DELAWARE CODE RELATING TO THE SUSPENSION OF VEHICLE REGISTRATIONS BECAUSE OF JUDGEMENTS. Sponsors: Representative Buckworth, Senator Torbert; Representatives Davis, Hebner, Plant, Houghton. Assigned to Public Safety Committee.

The following Committee reports were announced:

From the Judiciary Committee: SB 69 - 4 Merits; SB 71 - 4 Merits; SB 171 - 4 Merits.

At 3:59 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 32nd Legislative Day.

32ND LEGISLATIVE DAY

June 3, 1987

The Senate convened at 3:59 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 21.

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

The following communication was read:

Nevada Legislature

May 7, 1987

Mrs. Betty Caniford
Secretary of the Senate
Legislative Hall
Dover, DE 19901

Dear B. J.

Pursuant to legislative direction, I enclose a copy of Senate Concurrent Resolution No. 27 adopted by the Senate of the State of Nevada on May 7, 1987. I also offer my personal best wishes.

Yours sincerely,

Jan

Janice L. Thomas, Secretary of the Senate

Senate Concurrent Resolution No., 27 -- Senators Hickey, Beyer, Coffin, Gibson, Horn, Jacobsen, Joerg, Jones, Malone, Mello, Neal, O'Connell, O'Donnell, Raggio, Rawson, Redelsperger, Rhoads, Shaffer, Townsent, Vergiels and Wagner

FILE NUMBER 77

SENATE CONCURRENT RESOLUTION --Declaring August 13, 1987, as Senior Citizens' Day in Nevada.

WHEREAS, It is with special affection that the Legislature of the State of Nevada recognizes its older residents; and

WHEREAS, It is especially appropriate that we analyze the needs of elderly Nevadans because for many, daily living on fixed incomes has become particularly burdensome; and

WHEREAS, The elderly have contributed to this state, to our towns and cities, and to our families for years, yet they are very often the most neglected and ignored group of persons living today; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the Nevada Legislature is proud to declare August 13, 1987, as Senior Citizens' Day in the State of Nevada; and be it further

RESOLVED, That the Legislature urges firends or relatives of elderly persons to do something special for these aging persons to show them appreciation and love while the opportunity exists; and be it further

RESOLVED, That a copy of this resolution be prepared and transmitted forthwith by the Secretary of the Senate to every Legislature in the United Sates; and be it further

RESOLVED, That Legislatures across America are urged to join this body in recognition of senior citizens.

* * * * *

Senator Neal marked PRESENT.

SB 86 was taken up for consideration on motion of Senator McDowell:

SB 86 - AN ACT TO AMEND TITLES 15 AND 22 OF THE DELAWARE CODE RELATING TO ANNEXATIONS AND SPECIAL ELECTIONS CONCERNING ANNEXATIONS.

The privilege of the floor was extended to Frederick H. Schranck (City of Wilmington).

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

YES: Senators Adams, Bair, Bane, Berndt, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McDowell, Minner, Neal, Slatcher, Still, Torbert, Vaughn - 17.

NO: Senators Connor, McBride - 2.

NOT VOTING: Senator Zimmerman - 1.

ABSENT: Senator Sharp - 1.

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

SB 122 was taken up for consideration on motion of Senator McBride:

SB 122 - AN ACT TO AMEND PART IV, TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES; AND PROVIDING FOR A CONTROLLED SUBSTANCES TAX ACT.

SA 1 to the Bill (sponsor: Senator McBride) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (Neal) voting NO; therefore, the Amendment was declared adopted.

At 4:50 p.m., Senator Cordrey presiding.

The privilege of the floor was extended to Francis J. Murphy (Senate Attorney) to speak to the Point of Order which had been raised.

At 4:55 p.m., Lt. Governor Woo presiding.

SB 122 w SA 1 was then laid on the table on further motion of Senator McBride.

The following Committee reports were announced:

From the Administrative Services/Energy Committee: SB 103 - 6 Merits.

From the Education Committee: SB 139 - 4 Merits.

From the Revenue and Taxation Committee: SB 147 - 1 Favorable, 5 Merits.

From the Labor and Industrial Relations Committee: SB 155 - 5 Merits.

From the Natural Resources and Environmental Control Committee: SB 168 - 5 Merits; SB 174 - 5 Merits.

At 5:35 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 4, 1987.

The Senate reconvened at 2:55 p.m., June 4, 1987, Senator Cordrey presiding.

The following legislation was introduced:

SB 186 - AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE", TO PERMIT ABSENTEE VOTING IN ANNUAL ELECTIONS. Sponsors: Senator Adams, Representative Barnes. Assigned to Community Affairs Committee.

SB 187 - AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE. Sponsor: Senator Sharp. Assigned to Judiciary Committee.

SB 188 - AN ACT TO AMEND TITLE 10, CHAPTER 9 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT. Sponsor: Senator Sharp. Assigned to Judiciary Committee.

SB 189 - AN ACT TO AMEND THE MERIT SYSTEM RULES OF PERSONNEL ADMINISTRATION RELATING TO HOLIDAY PAY. Sponsors: Senators Torbert, McDowell; Representative Caulk. Assigned to Executive Committee.

SB 190 - AN ACT TO AMEND CHAPTER 66, TITLE 16, DELAWARE CODE, RELATING TO THE PROHIBITION AGAINST ANY LIVE BURN OPERATION CONDUCTED AT THE DELAWARE STATE FIRE SERVICE CENTER WHILE CONDUCTING TRAINING OR INSTRUCTIONAL COURSES AT THE CENTER. Sponsors: Senator Cook, Representative Clark; Senators Adams, Bair, Bane, Berndt, Connor, Holloway, Knox, Martin, Minner, Neal, Slatcher, Still, Torbert, Vaughn; Representatives Amick, Barnes, Buckworth, Bunting, Campanelli, Carey, Caulk, Davis, DiPinto, Dixon, B. Ennis, D. Ennis, Fallon, Houghton, Jester, Jonkiert, Lee, Oberle, Plant, Quillen, Spence, West, Wingate. Assigned to Health-Social Services/Aging Committee.

At 2:57 p.m., Lt. Governor Woo presiding.

SB 191 - AN ACT TO AMEND CHAPTER 23, SUBCHAPTER I, TITLE 19, DELAWARE CODE, RELATING TO WORKMEN'S COMPENSATION. Sponsors: Senator Marshall, Representative Davis. Assigned to Labor and Industrial Relations Committee.

SB 192 - AN ACT TO AMEND CHAPTER 5, TITLE 19 OF THE DELAWARE CODE RELATING TO CHILD LABOR. Sponsors: Senator Marshall, Representative Davis; Senators Holloway, Martin, McBride, Sharp, Knox, Neal; Representatives Mack, Spence, Campanelli, Jonkiert, Lee. Assigned to Labor and Industrial Relations Committee.

SA 1 to SB 102. Sponsor: Senator Bane. Placed with the Bill.

SA 2 to SB 160. Sponsor: Senator Torbert. Placed with the Bill.

SB 193 - AN ACT TO AMEND CHAPTER 279, VOLUME 53, LAWS OF DELAWARE, AS AMENDED ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BOWERS" RELATING TO GENERAL CORPORATE POWERS OF THE TOWN OF BOWERS. Sponsors: Senator Torbert, Representative Caulk. Assigned to Community Affairs Committee.

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

At 3:00 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 33rd Legislative Day.

33RD LEGISLATIVE DAY June 4, 1987

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

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, 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 adopted HCR 69, HCR 70, HCR 71, HCR 72, SCR 72.

LEGISLATIVE ADVISORY #13 was read which informed the Senate that the Governor signed the following legislation on the dates indicated: HB 35 w SA 1 (5-18-87) (Volume 66; Chapter 29, Laws of Delaware); HB 40 (5-15-87) (Volume 66, Chapter 30, Laws of Delaware); SB 4 w SA 1, 2 (5-25-87) (Volume 66, Chapter 31, Laws of Delaware); SB 108 w SA 1 (5-14-87) (Volume 66, Chapter 32, Laws of Delaware); SB 115 w SA 1 (5-21-87) (Volume 66, Chapter 33, Laws of Delaware).

LEGISLATIVE ADVISORY #14 was read which informed the Senate that the Governor signed the following legislation on June 2, 1987: HB 77 w HA 1, SA 1 (Volume 66, Chapter 34, Laws of Delaware); SB 95 w SA 1, 2, HA 1 (Volume 66, Chapter 35, Laws of Delaware).

At 3:03 p.m., Senator Cordrey presiding.

Senator Marshall welcomed to the Senate John Magliane, his wife Elizabeth and a group of retired persons from Antonian House in Wilmington.

The privilege of the floor was extended to John Magliane who played several selections on the mandolin.

SCR 74 was introduced and considered for adoption on motion of Senator Marshall:

SCR 74 - CONGRATULATING GIOVANNI "JOHN" MAGLIANE, MUSICIAN PAR EXCELLENCE, ON BECOMING A CENTENARIAN. Sponsors: Senator Marshall, Representative DiPinto.

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

Senator Martin introduced Mr. Hodgson to the Senate.

SB 174 was taken up for consideration on motion of Senator Minner:

SB 174 - AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO ISSUE A COMMERCIAL GILL NET FOOD FISHING PERMIT TO JOSEPH F. FORST OF GEORGETOWN, DELAWARE, WHO IS PRESENTLY PROHIBITED FROM OBTAINING A PERMIT UNDER THE DELAWARE FINFISHING STATUTES.

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

SB 173 was taken up for consideration on motion of Senator Vaughn:

SB 173 - AN ACT TO AMEND CHAPTER 348, VOLUME 65, LAWS OF DELAWARE, BEING SENATE BILL NO. 560 OF THE 133RD GENERAL ASSEMBLY, AND BEING AN ACT ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1987; SPECIFYING CERTAIN PROCEDURES, CONDITIONS, AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS", BY MAKING CERTAIN ADDITIONS, DELETIONS, AND ADJUSTMENTS.

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 71 was taken up for consideration on motion of Senator Vaughn:

SB 71 - AN ACT TO AMEND CHAPTER 42, TITLE 11, OF THE DELAWARE CODE RELATING TO THE AUTHORIZED DISPOSITIONS OF CONVICTED OFFENDERS.

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 21 Senators voting YES; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to David Swayze, Esq.

At 3:31 p.m., Lt. Governor Woo presiding.

The roll call vote on SB 71 w SA 1 was then taken and revealed:

YES: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Holloway, Knox, Martin, McDowell, Minner, Neal, Slatcher, Still, Torbert, Vaughn, Zimmerman - 17.

NO: Senators Cordrey, Marshall, McBride, Sharp - 4.

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

SB 69 was taken up for consideration on motion of Senator Vaughn:

SB 69 - AN ACT TO AMEND CHAPTER 43, TITLE 11 OF THE DELAWARE CODE RELATING TO AUTHORIZING THE DEPARTMENT OF CORRECTION TO ADMINISTRATIVELY HANDLE THE TECHNICAL AND MINOR VIOLATIONS OF CONDITIONS OF PARTIAL CONFINEMENT, PROBATION, OR SUSPENSION OF SENTENCE.

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 21 Senators voting YES; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to David S. Swayze (Delaware Sentencing Accountability Commission) after which the roll call vote on SB 69 w SA 1 was taken and revealed:

YES: Senators Adams, Bair, Berndt, Connor, Cordrey, Holloway, Knox, Marshall, Martin, McDowell, Minner, Neal, Slatcher, Still, Torbert, Vaughn, Zimmerman - 17.

NO: Senators Cook, McBride, Sharp 3.

ABSENT: Senator Bane - 1.

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

SB 155 was taken up for consideration on motion of Senator Adams:

SB 155 - AN ACT TO AMEND CHAPTER 7, TITLE 19 OF THE DELAWARE CODE RELATING TO THE USE OF A PRE-EMPLOYMENT POLYGRAPH, LIE DETECTOR, OR SIMILAR TESTS AS PART OF THE POLICE OFFICER APPLICANT BACKGROUND INVESTIGATION.

The privilege of the floor was extended to Major Robert S. Klosiewicz (New Castle County Police) after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (McDowell) voting NO and 1 (Zimmerman) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 169 was taken up for consideration on motion of Senator Adams:

SB 169 - AN ACT TO AMEND CHAPTER 19, TITLE 11 OF THE DELAWARE CODE RELATING TO POLICE MUTUAL AID AGREEMENTS.

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 privilege of the floor was extended to Richard S. McCann (Attorney for Delaware Police Chiefs' Council) after which the roll call vote on SB 169 w SA 1 was taken and revealed 20 Senators voting YES and 1 (McBride) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

The Secretary announced that a message from the House informed the Senate that it had passed HB 247.

HB 247 was introduced and taken up for consideration under suspension of the necessary rules on motion of Senator Cordrey:

HB 247 - AN ACT TO PERMIT THE DELAWARE ADJUTANT GENERAL TO PLACE RETIRING MAJOR GENERAL WILLIAM DUNCAN ONTO THE RETIRED LIST OF THE DELAWARE NATIONAL GUARD AT THE GRADE OF LIEUTENANT GENERAL. Sponsors: Representatives Roy, Boykin, Fallon, Clark, B. Ennis, Gilligan, Jester, Outten, West, Wingate, Mack; Senators Adams, Cook, Cordrey, Holloway, Torbert, Vaughn, Bane, Knox.

The privilege of the floor was extended to Major Francisco E. Cristiano and Art Episcopo.

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.

SENATE CONSENT CALENDAR #15 was introduced and considered for adoption on motion of Senator Minner:

The Calendar consisted of the following:

SCR 73 - CONGRATULATING JENNIFER PASE, A PUPIL AT SMYRNA NORTH ELEMENTARY SCHOOL, FOR WINNING THE FIFTH ANNUAL DELAWARE SPELLING BEE. Sponsors: Senator Vaughn, Representative B. Ennis.

SCR 75 - REQUESTING THE SECRETARY OF THE DEPARTMENT OF FINANCE TO STUDY THE FEASIBILITY OF A "DELAWARE EDUCATION TRUST FUND" TO ALLOW PLANNED ADVANCE PAYMENT OF COLLEGE TUITION. Sponsors: Senators Still, McBride, Cook; Representatives Fallon, Roy, Corrozi, Bennett.

SCR 76 - COMMENDING CAESAR RODNEY HIGH SCHOOL AND SMYRNA HIGH SCHOOL ON BEING NAMED THE FIRST RECIPIENTS OF THE FOUNDERS' AWARDS FOR SPORTS EXCELLENCE BY THE HENLOPEN CONFERENCE. Sponsors: Senators Torbert, Vaughn, Cook, Zimmerman, Minner; Representatives B. Ennis, Clark, Quillen, Outten, Bennett, Caulk, Buckworth.

SCR 77 - MOURNING THE DEATH OF RUSSELL W. WHITBY, FORMER MOTOR VEHICLES COMMISSIONER AND PROMINENT KENT COUNTY DEMOCRAT. Sponsors: Senator Cook, Representative Bennett; Senators Vaughn, Zimmerman, Torbert, Minner, Adams; Representatives B. Ennis, Outten, Clark, Quillen, Buckworth, Caulk.

SCR 69 - JOINING IN THE NATIONAL OBSERVANCE OF THE WEEK OF MAY 24, 1987, AS SOIL AND WATER STEWARDSHIP WEEK. Sponsors: Representative Carey, Senator Adams; Representatives Caulk, Smith, Bunting, Clark.

SCR 70 - HONORING AND CONGRATULATING MRS. ADELE LESLIE CALLOWAY UPON RECEIVING THE 1987 MAJOR BENEFACTORS HONOR AWARD FROM THE AMERICAN LIBRARY TRUSTEE ASSOCIATION. Sponsors: Representatives Jester, B. Ennis; Senator Vaughn.

SCR 71 - MOURNING THE DEATH OF EMANUEL BARROS, PROMINENT BUSINESSMAN IN THE DOVER AREA FOR ALMOST HALF OF A CENTURY AND A CIVIC COMMUNITY LEADER. Sponsors: Representatives Outten, Bennett; Senator Zimmerman. Senator Minner requested that Senate Torbert be added as co-sponsor to the Resolution. No objection.

SCR 72 - MOURNING THE DEATH OF PAUL A. CAMPONELLI, FORMER NEW CASTLE CITY COUNCILMAN AND CHAIRMAN OF THE POLICE COMMITTEE. Sponsors: Representative Mack, Senator Connor.

The roll call vote on SENATE CONSENT CALENDAR #15 was then taken and revealed 21 Senators voting YES; therefore, the Resolutions were declared adopted. The House Concurrent Resolutions were returned to the House and the Senate Concurrent Resolutions were sent to the House for consideration.

SR 45 was introduced and considered for adoption on motion of Senator Zimmerman:

SR 45 - EXTENDING THANKS AND APPRECIATION TO THE STAFF OF THE DELAWARE STATE SENATE FOR ORGANIZING AN EXTREMELY SUCCESSFUL AND ENJOYABLE STAFF PARTY. Sponsors: Senator Zimmerman 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.

Senator Bair introduced Janet Reynolds to the Senate.

Senator McDowell introduced Gertrude Lowell to the Senate.

At 5:45 p.m. on motion of Senator Sharp, the Senate recessed until 4:00 p.m., June 9, 1987.

The Senate reconvened at 4:31 p.m., June 9, 1987, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 124, SB 65 and adopted SCR 74.

The following legislation was introduced:

HB 124 - AN ACT TO AMEND TITLE 13, CHAPTER 15, OF THE DELAWARE CODE RELATING TO ALIMONY. Sponsors: Representative Maroney, Senator McDowell; Representatives Jester, Spence, DiPinto, Smith, Bennett, Clark, B. Ennis, Sillis; Senators Bair, Minner, Knox. Assigned to Committee on Children, Youth and Families.

SB 194 - AN ACT TO AMEND TITLE 14, CHAPTER 26, SECTION 2601(a)(1), TO PROVIDE INCREASED REVENUES FOR THE SUSSEX COUNTY VOCATIONAL-TECHNICAL SCHOOL DISTRICT. Sponsors: Senators Adams, Cordrey, Slatcher, Minner; Representatives Wingate, Bunting, Fallon, Carey, Lee, West. Assigned to Education Committee.

SB 195 - AN ACT TO EMPOWER KENT COUNTY LEVY COURT TO ADOPT BY ORDINANCE A PENSION PLAN. Sponsors: Senator Minner, Representative Caulk; Senators Vaughn, Zimmerman; Representatives Bennett, Clark, Outten, B. Ennis, Buckworth, Quillen. Assigned to Executive Committee.

SB 196 - AN ACT TO AMEND CHAPTER 81, TITLE 9, DELAWARE CODE, TO EMPOWER KENT COUNTY LEVY COURT TO EXEMPT CITIZENS OVER AGE 65 FROM TAXATION ON REAL PROPERTY. Sponsors: Senator Torbert, Representative Buckworth; Senators Cook, Minner, Vaughn, Zimmerman; Representatives Caulk, Clark, B. Ennis, Bennett, Outten, Quillen. Assigned to Revenue and Taxation Committee.

SB 197 - AN ACT TO AMEND CHAPTER 1, TITLE 14, DELAWARE CODE, TO REQUIRE EDUCATIONAL PROGRAMS EMPHASIZING PROTECTION AGAINST ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS). Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

SB 198 - AN ACT TO AMEND CHAPTER 51, TITLE 29, DELAWARE CODE, RELATING TO FALSIFICATION OF APPLICATIONS FOR STATE EMPLOYMENT. Sponsor: Senator Holloway. Assigned to Labor and Industrial Relations Committee.

SJR 9 - ESTABLISHING A TASK FORCE ON RUBBER CHECKS TO INVESTIGATE METHODS AND RECOMMEND LEGISLATION TO ENABLE MERCHANTS TO RECOVER LOSSES DUE TO THE UNCOLLECTIBILITY OF CHECKS RETURNED FOR INSUFFICIENT FUNDS OR OTHER REASONS. Sponsor: Senator Cordrey. Assigned to Executive Committee.

At 4:37 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 34th Legislative Day.

34TH LEGISLATIVE DAY June 9, 1987

The Senate convened at 4:37 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, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 20.

ABSENT: Senator Knox - 1.

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

LEGISLATIVE ADVISORY #15 received from the Office of Counsel to the Governor was read which informed the Senate that on June 4, 1987 the Governor signed SB 91 w SA 1, 7, 10 (Volume 66, Chapter 36, Laws of Delaware); on June 5, 1987, the Governor signed HJR 8 w HA 1.

SB 102 was taken up for consideration on motion of Senator Bane:

SB 102 - AN ACT TO AMEND CHAPTER 57, TITLE 15 OF THE DELAWARE CODE RELATING TO COSTS.

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

The privilege of the floor was extended to Richard Dillard, Senate Attorney after which the roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (Knox) ABSENT; therefore, the Amendment was declared adopted.

Senator McBride marked PRESENT.

The roll call vote on SB 102 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Knox) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 4:47 p.m., Senator Sharp presiding.

SB 149 was taken up for consideration on motion of Senator Cordrey:

SB 149 - AN ACT TO AMEND CHAPTER 11, TITLE 29, DELAWARE CODE RELATING TO THE FREQUENCY OF LEGISLATIVE COUNCIL MEETINGS.

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

At 4:51 p.m., Senator Cordrey presiding.

SB 194 was taken up for consideration on motion of Senator Adams under suspension of the necessary rules (no objection):

SB 194 - AN ACT TO AMEND TITLE 14, CHAPTER 26, SECTION 2601(a)(1), TO PROVIDE INCREASED REVENUES FOR THE SUSSEX COUNTY VOCATIONAL-TECHNICAL SCHOOL DISTRICT.

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

SB 139 was stricken at the request of the sponsor, Senator Adams.

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

STATE OF DELAWARE
Office of the Governor
June 9, 1987

To the Senate of the 134th 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 J. Watson, 672 Cascade Drive, N.W., Salem, Oregon 97202, to be appointed as Commissioner, Department of Correction, to serve a term during the pleasure of the Governor to replace John L. Sullivan, retired.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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SR 47 was introduced and considered for adoption on motion of Senator Sharp:
SR 47 - CONGRATULATING DELAWARE'S SENATOR JOE BIDEN UPON HIS FORMAL ANNOUNCEMENT FOR THE DEMOCRATIC PRESIDENTIAL NOMINATION. Sponsors: Senators Sharp, Cordrey, Adams, Cook, Holloway, Marshall, Martin, McBride, McDowell, Minner, Torbert, Vaughn, Zimmerman.

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

SR 48 was introduced and considered for adoption on motion of Senator Holloway:

SR 48 - MOURNING THE PASSING OF CHARLES FRANKLIN BROWN, JR., WIDELY-RESPECTED CITIZEN OF THE CITY OF WILMINGTON. Sponsor: Senator Holloway.

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

SCR 78 was introduced and considered for adoption on motion of Senator Bair:

SCR 78 - COMMENDING THE CLAYMONT COMMUNITY CENTER'S 124 VOLUNTEERS FOR THEIR GIFT OF TIME AND SERVICE TO THEIR FOLLOW HUMAN BEINGS. Sponsors: Senator Bair, Representative Hebner; Senator Berndt; Representatives Smith, Brady, D. Ennis.

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

SCR 79 was introduced and considered for adoption on motion of Senator Torbert:

SCR 79 - CONGRATULATING SCOTT ALAN KESSEL OF DOVER UPON HIS GRADUATION FROM THE UNITED STATES MILITARY ACADEMY AT WEST POINT. Sponsors: Senator Torbert, Representative Bennett.

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

SCR 80 was introduced and considered for adoption on motion of Senator Bair:

SCR 80 - REQUESTING THE STATE BOARD OF EDUCATION EXPLORE ALTERNATIVES TO EXPULSION AND SUSPENSION. Sponsors: Senators Bair, Neal, Still, Holloway; Representatives Fallon, Jester.

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

SR 46 was introduced and laid on the table on motion of Senator Martin:

SR 46 - HONORING BLUE HENS RICH GANNON, JOE McGRILL, JEFF MODESITT AND BOB NORRIS FOR THEIR OUTSTANDING FOOTBALL CAREERS AT THE UNIVERSITY OF DELAWARE AND WISHING THEM WELL AS THEY EMBARK ON PROFESSIONAL CAREERS IN THE NATIONAL FOOTBALL LEAGUE. Sponsor: Senator Martin.

SB 159 was reported out of the Highways and Transportation Committee: 1 Favorable, 4 Merits.

At 5:15 p.m. on motion of Senator Sharp, the Senate recessed until 3:00 p.m., June 10, 1987.

The Senate reconvened at 3:26 p.m., June 10, 1987, Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Executive Committee: SJR 9 - 5 Merits; SB 189 - 1 Favorable, 4 Merits; SB 195 - 5 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 173; HB 172; HB 162; HB 71 w HA 1, 2; HB 187; HB 200; HB 218; HB 217; HB 215; SB 54 w SA 2.

The following legislation was introduced:

HB 71 w HA 1, 2 - AN ACT TO AMEND CHAPTER 51, TITLE 29 OF THE DELAWARE CODE BY ADDING A NEW SECTION RELATING TO THE USE OF STATE MAIL SERVICES AND STATE PAID FOR POSTAGE CHARGES BY STATE EMPLOYEES AND OTHERS. Sponsors: Representatives B. Ennis, Amick, Boykin, Brady, Buckworth, Bunting, Carey, Caulk, Clark, Corrozi, Davis, DiPinto, Dixon, D. Ennis, Gilligan, Hebner, Jester, Jonkiert, Lee, Petrilli, Plant, Sills, Spence, Taylor; Senators Bair, Connor, Knox, Minner, Neal, Slatcher, Vaughn. Assigned to Executive Committee.

HB 162 - AN ACT TO AMEND CHAPTER 81, TITLE 10 OF THE DELAWARE CODE RELATING TO LIMITING THE LIABILITY OF CERTAIN PERSONS PERFORMING HAZARDOUS DISCHARGE MITIGATION OR CLEANUP SERVICES. Sponsors: Representatives D. Ennis, Mack, Caulk, Carey, Bennett, Bunting, Dixon, West; Senators Minner, Vaughn, Bair, Knox. Assigned to Judiciary Committee.

HB 172 - AN ACT TO AMEND CHAPTER 197, VOLUME 54, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT REVISING THE PRIOR CHARTER OF THE CITY OF REHOBOTH BEACH AND ESTABLISHING A NEW CHARTER THEREFORE AND PRESCRIBING THE POWERS AND DUTIES OF THE COMMISSIONERS OF REHOBOTH BEACH". Sponsors: Representative Wingate, Senator Cordrey.

HB 173 - AN ACT TO AMEND SECTION 25, CHAPTER 197, VOLUME 54, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT REVISING THE PRIOR CHARTER OF THE CITY OF REHOBOTH BEACH AND ESTABLISHING A NEW CHARTER THEREFORE AND PRESCRIBING THE POWERS AND DUTIES OF THE COMMISSIONERS OF REHOBOTH BEACH". Sponsors: Representative Wingate, Senator Cordrey. Assigned to Community Affairs Committee.

HB 187 - AN ACT TO AMEND CHAPTER 5, TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS LICENSURE. Sponsors: Representative Spence, Senator Connor; Representatives Roy, Brady, Dixon, B. Ennis, Gilligan, Jonkiert, Houghton, Plant, West, VanSant; Senator McBride. Assigned to Administrative Services/Energy Committee.

HB 200 - AN ACT TO AMEND SUBSECTION (a), SECTION 4331, TITLE 11, DELAWARE CODE, RELATING TO IMMEDIATE INCARCERATION OF CERTAIN OFFENDERS. Sponsors: Representative Hebner, Senator Sharp. Representatives Davis, Buckworth, Plant. Assigned to Judiciary Committee.

HB 215 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsors: Representative Davis, Senator Marshall; Representatives Lee, Spence, Caulk, D. Ennis, Mack, Campanelli, Jonkiert, Outten, Wingate; Senators Holloway, Martin, McBride, Sharp, Knox, Neal. Assigned to Labor and Industrial Relations Committee.

HB 217 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsors: Representatives Davis, Senator Marshall; Representatives Spence, Mack, Lee, Campanelli, Jonkiert; Senators Holloway, Martin, McBride, Sharp, Knox, Neal. Assigned to Labor and Industrial Relations Committee.

HB 218 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsors: Representative Davis, Senator Marshall; Representatives Spence, Mack, Lee, Campanelli, Jonkiert; Senators Holloway, Martin, McBride, Sharp, Knox, Neal. Assigned to Labor and Industrial Relations Committee.

The following Committee reports were announced:

From the Corrections Committee: SB 172 - 1 Favorable, 4 Merits.

From the Judiciary Committee: HB 63 w HA 1 - 6 Merits.

From the Insurance and Elections Committee: HB 64 - 4 Merits; HB 68 w HA 1, 2 - 4 Merits.

SA 2 to SB 116 (sponsor: Senator McDowell) was introduced and placed with the Bill.

The following Committee reports were announced:

From the Community Affairs Committee: HB 123 - 3 Merits; SB 180 - 3 Merits; SB 193 - 3 Merits; SB 186 - 3 Merits.

At 3:36 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 35th Legislative Day.

35TH LEGISLATIVE DAY
June 10, 1987

The Senate convened at 3:36 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 20.

ABSENT: Senator Knox - 1.

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

Senator Minner marked PRESENT.

SB 171 was taken up for consideration on motion of Senator Sharp:

SB 171 - AN ACT TO AMEND CHAPTER 39 OF TITLE 12, DELAWARE CODE, TO PROVIDE IN LIMITED CIRCUMSTANCES FOR THE APPOINTMENT BY THE COURT OF CHANCERY OF AN INTERIM GUARDIAN WHEN AN IMMINENT THREAT OF SERIOUS PHYSICAL HARM IS PRESENT.

Senator McBride marked PRESENT.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Knox, Torbert, Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

Senator Holloway introduced to the Senate Carmen A. Orechio (State Senator of New Jersey) and Alan V. Sokolow (New York City) representing the Council of State Governments.

Senator Vaughn introduced to the Senate, former State Representative Bill Brady.

At 3:45 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 Committee reports were announced:

From the Health-Social Services/Aging Committee: SB 190 - 4 Merits.

From the Revenue and Taxation Committee: SB 150 - 4 Merits; SB 170 - 5 Merits; SB 179 - 5 Merits; SB 196 - 1 Favorable, 3 Merits.

From the Labor and Industrial Relations Committee: SB 192 - 4 Merits; SB 191 - 4 Merits; SB 185 - 4 Merits; SB 198 - 4 Merits; SB 184 - 4 Merits.

From the Executive Committee: SB 99 - 4 Merits.

SS 1 for SB 116 was introduced, adopted in the lieu of the Original and laid on the table on motion of Senator McDowell (no objection):

SS 1 for SB 116 - AN ACT TO AMEND TITLE 24, CHAPTERS 31 AND 50 OF THE DELAWARE CODE RELATING TO FUNERAL SERVICES, AND PROVIDING FOR A BOARD OF FUNERAL SERVICES. Sponsors: Senator McDowell, Representative Amick.

At the request of Senator McBride, the privilege of the floor was extended to Charles E. Welch, President of the State Board of Education, who addressed the Senate on the topic of public education in Delaware.

The following legislation was introduced:

SB 199 - AN ACT TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO THE PERSONAL INCOME TAX WITH RESPECT TO CRIMINAL OFFENSES. Sponsors: Senator Marshall, Representative Petrilli. Assigned to Judiciary Committee.

SB 200 - AN ACT TO AMEND CHAPTER 19, TITLE 30 OF THE DELAWARE CODE RELATING TO THE CORPORATION INCOME TAX. Sponsors: Senator Marshall, Representative Petrilli. Assigned to Revenue and Taxation Committee.

SB 201 - AN ACT TO AMEND CHAPTER 55, TITLE 30, DELAWARE CODE, RELATING TO PUBLIC UTILITY TAXES. Sponsors: Senator Marshall, Representative Petrilli. Assigned to Revenue and Taxation Committee.

SB 202 - AN ACT TO AMEND CHAPTERS 3, 11, 15, 19, 21, 53, 54 AND 61 OF TITLE 30 OF THE DELAWARE CODE RELATING TO ADMINISTRATIVE PROCEDURES IN REGARD TO TAX AND REFUND DETERMINATIONS AND THEIR APPEAL. Sponsors: Senator Marshall, Representative Petrilli. Assigned to Revenue and Taxation Committee.

SB 203 - AN ACT TO AMEND CHAPTER 11, TITLE 30 OF THE DELAWARE CODE RELATING TO SET OFF BETWEEN REFUNDS AND DEBTS IN CLAIMANT AGENCIES. Sponsors: Senator Marshall, Representative Petrilli. Assigned to Revenue and Taxation Committee.

SB 204 - AN ACT TO AMEND CHAPTERS 3 AND 11, TITLE 30, DELAWARE CODE, RELATING TO STATE TAXES, THE MAKING OF FALSE STATEMENTS IN CONNECTION WITH STATE TAXES, AND FURTHER RELATING TO THE POWERS AND DUTIES OF THE SECRETARY OF FINANCE WITH REGARD TO TAX RETURNS AND OTHER DOCUMENTS. Sponsors: Senator Marshall, Representative Petrilli. Assigned to Revenue and Taxation Committee.

SB 205 - AN ACT TO AMEND CHAPTER 11, TITLE 30 OF THE DELAWARE CODE RELATING TO WITHHOLDING TAXES. Sponsors: Senator Marshall, Representative Petrilli. Assigned to Revenue and Taxation Committee.

SB 206 - AN ACT TO AMEND CHAPTER 5 OF TITLE 18 OF THE DELAWARE CODE RELATING TO THE LOCATION OF THE CORPORATE HEADQUARTERS, OFFICERS, AND BOOKS AND RECORDS OF DELAWARE DOMESTIC INSURANCE COMPANIES. Sponsors: Senator McDowell, Representative D. Ennis; Senators Slatcher, Adams; Representative Bennett. Assigned to Insurance and Elections Committee.

SB 207 - AN ACT TO AMEND CHAPTER 27, TITLE 30 OF THE DELAWARE CODE RELATING TO THE LICENSE TAXES IMPOSED ON CERTAIN PERSONS ENGAGED IN THE ACTIVITY OF MANUFACTURING. Sponsors: Senators Martin, Marshall; Representative Petrilli. Assigned to Revenue and Taxation Committee.

SB 208 - AN ACT TO AMEND TITLE 6, TITLE 11, TITLE 14 AND TITLE 19 OF THE DELAWARE CODE RELATING TO DOOR-TO-DOOR SOLICITATIONS; AND PROVIDING FOR A SALES SOLICITATIONS ACT. Sponsors: Senator Minner; Representatives Barnes, Lee. Assigned to Community Affairs Committee.

SB 209 - AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE, RELATING TO APPEALS FROM THE FAMILY COURT OF THE STATE OF DELAWARE. Sponsors: Senator McBride; Representatives Dixon, Spence. Assigned to Judiciary Committee.

SB 210 - AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE, RELATING TO APPEALS FROM THE FAMILY COURT OF THE STATE OF DELAWARE. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SB 211 - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO PROBATION SUPERVISION RESULTING FROM FAMILY COURT ORDERS. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

Senator Holloway requested that the Secretary of the Senate transcribe the remarks made by Mr. Welch, President of the State School Board Association. No objection.

SB 31 was reported out of the Community Affairs Committee: 4 Merits.

At 5:11 p.m. on motion of Senator Sharp, the Senate recessed until June 11, 1987 at 2:00 p.m.

The Senate reconvened at 2:29 p.m., June 11, 1987, Senator Cordrey presiding.

The following Committee reports were announced:

From the Judiciary Committee: SB 104 - 5 Merits; SB 105 - 5 Merits.

At 2:29 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 36th Legislative Day.

36TH LEGISLATIVE DAY June 11, 1987

The Senate convened at 2:29 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Vaughn.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 20.

ABSENT: Senator Knox - 1.

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

LEGISLATIVE ADVISORIES #16 and #17 received from the office of Counsel to the Governor were read:

LEGISLATIVE ADVISORY #16: The Governor signed the following legislation: HB 247 (6-5-87) (Volume 66, Chapter 37, Laws of Delaware); SB 12 w HA 2 (6-9-87) (Volume 66, Chapter 38, Laws of Delaware).

LEGISLATIVE ADVISORY #17: On June 10, 1987 the Governor signed HB 115 w HA 1 (Volume 66, Chapter 39, Laws of Delaware).

Senators McDowell and Torbert marked PRESENT.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 77, HCR 76, HCR 75, HCR 74, HCR 73, SCR 73, SCR 75, SCR 76, SCR 77, SCR 78, SCR 79.

At 2:34 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:

SA 1 to SS 1 for SB 116. Sponsor: Senator McDowell. Placed with the Bill.

SA 2 to SS 1 for SB 116. Sponsor: Senator McDowell. Placed with the Bill.

SA 3 to SS 1 for SB 116. Sponsor: Senator Vaughn. Placed with the Bill.

At 4:51 p.m., Lt. Governor Woo presiding.

SA 1 to SB 31. Sponsor: Senator Bair. Placed with the Bill.

SB 212 - AN ACT TO AMEND CHAPTER 55, TITLE 30 OF THE DELAWARE CODE, RELATING TO PUBLIC UTILITY TAXES OF DELAWARE MANUFACTURERS WHO USE ELECTRICITY IN AN ELECTROLYTIC OR ELECTROARCTHERMAL MANUFACTURING PROCESS. Sponsors: Senators Vaughn, Sharp; Representatives Petrilli, Corrozi. Assigned to Revenue and Taxation Committee.

SB 213 - AN ACT TO AMEND SECTION 1903, TITLE 10 OF THE DELAWARE CODE RELATING TO REMOVAL OF THE SUPREME COURT FROM DOVER TO HEAR PARTICULAR CASES. Sponsor: Senator Sharp. Assigned to Judiciary Committee.

SB 214 - AN ACT TO AMEND SECTION 101, TITLE 10 OF THE DELAWARE CODE RELATING TO THE PLACE WHERE THE SUPREME COURT HOLDS COURT. Sponsor: Senator Sharp. Assigned to Judiciary Committee.

SB 215 - AN ACT TO AMEND TITLE 10, SECTION 921, DELAWARE CODE RELATING TO DISPOSITION OF FORMER MARITAL PROPERTY. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SB 216 - AN ACT TO AMEND TITLE 10, DELAWARE CODE, RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE BY PROVIDING FOR EXPUNGEMENT OF RECORDS UNDER CERTAIN CIRCUMSTANCES. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SB 217 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE, RELATING TO HEARINGS IN CERTAIN VOLUNTARY RELINQUISHMENTS OF PARENTAL RIGHTS. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SB 218 - AN ACT TO AMEND CHAPTER 18, TITLE 2 OF THE DELAWARE CODE RELATING TO THE CONSTRUCTION AND PROTECTION OF RAILROAD CROSSINGS. Sponsors: Senator Martin, Representative Roy. Assigned to Highways and Transportation Committee.

The following communication was read:

SENATE
STATE OF DELAWARE
DOVER, DELAWARE 19901

DATE: June 11, 1987
TO: All Members of the 134th General Assembly
FROM: Richard S. Cordrey, President Pro Tempore, Delaware State Senate
SUBJECT: Appointment -- Delaware Compensation Commission

As per the power invested in me as President Pro Tempore of the Senate, I hereby appoint: John R. Malloy, 196 Becks Lane, Wilmington, DE 19807, to serve on the Delaware Compensation Commission, 29 Delaware Code 3301, until August 8, 1988, filling the unexpired term of Charles E. Welch, Esquire.

Mr. Malloy is Senior Vice-President of External Affairs, E. I. duPont deNemours and Company, in Wilmington, Delaware.

CC: House of Representatives
Governor
John R. Malloy
Charles E. Welch

* * * * *

Senators Cook, Holloway, Martin, Neal, Slatcher marked PRESENT.

Senator Still introduced to the Senate Christopher Heimann from Weisbaden, West Germany an exchange student and his hosts in the United States - John and Dolores Gareis and their son, David.

SS 1 for SB 116 was lifted from the table for consideration on motion of Senator McDowell:

SS 1 for SB 116 - AN ACT TO AMEND TITLE 24, CHAPTERS 31 AND 50 OF THE DELAWARE CODE RELATING TO FUNERAL SERVICES, AND PROVIDING FOR A BOARD OF FUNERAL SERVICES.

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

YES: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, Vaughn - 18.

NOT VOTING: Senators Torbert, Zimmerman - 2.

ABSENT: Senator Knox - 1.

Therefore, the Amendment was declared adopted.

Senator McBride marked PRESENT.

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator McDowell and the roll call vote taken which revealed 19 Senators voting YES, 1 (Torbert) NOT VOTING, and 1 (Knox) ABSENT; 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 Vaughn and the roll call vote taken which revealed:

YES: Senators Adams, Bair, Bane, Cook, Cordrey, Holloway, Martin, McBride, Minner, Sharp, Slatcher, Vaughn, Zimmerman - 13.

NOT VOTING: Senators Berndt, Connor, Marshall, McDowell, Neal, Still - 6.

ABSENT: Senator Knox - 1.

Therefore, the Amendment was declared adopted.

SS 1 for SB 116 w SA 1, 2, 3 was then laid on the table on motion of Senator McDowell.

HB 123 was taken up for consideration on motion of Senator Minner:

HB 123 - AN ACT TO AMEND AN ACT BEING VOLUME 63, CHAPTER 64, LAWS OF DELAWARE AS AMENDED BY VOLUME 63, CHAPTER 245, 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:

YES: Senators Adams, Bair, Bane, Connor, Cook, Cordrey, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 18.

NOT VOTING: Senators Berndt, Holloway - 2.

ABSENT: Senator Knox - 1.

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

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

SJR 9 - ESTABLISHING A TASK FORCE ON RUBBER CHECKS TO INVESTIGATE METHODS AND RECOMMEND LEGISLATION TO ENABLE MERCHANTS TO RECOVER LOSSES DUE TO THE UNCOLLECTIBILITY OF CHECKS RETURNED FOR INSUFFICIENT FUNDS OR OTHER REASONS.

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

SENATE CONSENT CALENDAR #16 was introduced and considered for adoption on motion of Senator Minner.

The Calendar consisted of the following:

SR 49 - COMMENDING THE GOVERNOR'S ADVISORY COUNCIL ON ECONOMIC SERVICES FOR AN EXCELLENT CONFERENCE ON WELFARE REFORM IN DELAWARE AND FOR THE GENERALLY HIGH CALIBER OF THEIR WORK. Sponsor: Senator Holloway.

HCR 73 - GRIEVING THE LOSS OF FREDERICK L. WRIGLEY, MUCH LOVED FORMER PRINCIPAL OF CLAYMONT HIGH SCHOOL. Sponsors: Representatives Smith, Hebner, Brady, Gilligan; Senator Bair.

HCR 74 - THANKING CHARLOTTE A. HARRIS FOR HER MANY YEARS OF OUTSTANDING SERVICE TO THE STATE OF DELAWARE AND ITS CITIZENS. Sponsors: Representative B. Ennis, Senator Cook; Representative Clark, Senator Vaughn.

HCR 75 - CONGRATULATING THE DELAWARE BAR ASSOCIATION ON THE INSTALLATION OF SUSAN C. DELPESCO, OF HOCKESSIN, AS ITS FIRST WOMAN PRESIDENT. Sponsors: Representatives Corrozi, Roy; Senators Bane, Knox, Still.

HCR 76 - EXPRESSING APPRECIATION TO THE THOUSANDS OF VOLUNTEERS AND CONGRATULATING THE MANY MEMBERS OF PUBLIC AND PRIVATE COMPANIES AND ORGANIZATIONS WHO PLANNED, LABORED AND CONTRIBUTED TO THE SUCCESS OF THE 7TH ANNUAL MCDONALD'S CHAMPIONSHIP HELD AT WILMINGTON'S DUPONT COUNTRY CLUB. Sponsors: Representative Bennett, Senator Adams; Representatives Corrozi, Quillen, Petrilli, Spence, Outten, Gilligan; Senators McBride, Cook.

HCR 77 - CHEERS FOR HARVEY C. SMITH, OF LLANGOLLEN ESTATES, FOR 50 YEARS OF VOLUNTEER SERVICE TO THE DELAWARE CHAPTER OF THE AMERICAN RED CROSS. Sponsors: Representative Mack, Senator Connor.

The roll call vote on SENATE CONSENT CALENDAR #16 was then taken and revealed 20 Senators voting YES and 1 (Knox) ABSENT; therefore, the Resolutions were declared adopted and the House Concurrent Resolutions were returned to the House.

The following Committee reports were announced:

From the Public Safety Committee: SB 163 - 4 Merits, SB 164 - 4 Merits, SB 165 - 4 Merits, SB 166 - 4 Merits, SB 167 - 4 Merits, SB 181 - 4 Merits, HB 140 - 4 Merits.

From the Natural Resources and Environmental Control Committee: SB 101 - 5 Merits, SB 126 - 5 Merits, HB 5 w HA 1, 2, 3 - 5 Merits.

On motion of Senator McDowell and without objection, HB 124 was taken out of the Committee on Children, Youth and Families and reassigned to the Judiciary Committee.

SR 50 was introduced and considered for adoption on motion of Senator Holloway:

SR 50 - COMMENDING THE FOSTER CARE REVIEW BOARD FOR THEIR EFFORTS ON BEHALF OF CHILDREN LIVING IN FOSTER CARE AND ESTABLISHING A COMMITTEE TO INVESTIGATE THE FEASIBILITY OF EXPANDING THE JURISDICTION OF THE FOSTER CARE REVIEW BOARD TO INCLUDE THE MONITORING OF ALL CHILDREN IN OUT-OF-HOME PLACEMENT. Sponsor: Senator Holloway. Senator McDowell was added as co-sponsor at his request.

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

At 5:31 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 16, 1987.

The Senate reconvened at 2:16 p.m., June 16, 1987, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed SB 133; SB 134; SB 135; SB 136; SB 153.

The following legislation was introduced:

SB 219 - AN ACT TO AMEND CHAPTER 47, TITLE 10 OF THE DELAWARE CODE RELATING TO ENTRY OF JUDGMENTS. Sponsors: Senators Zimmerman, Cordrey. Assigned to Judiciary Committee.

SB 220 - AN ACT TO AMEND CHAPTER 67, TITLE 16 DELAWARE CODE RELATING TO APPOINTMENT OF FIRE POLICE. Sponsors: Senator Adams, Representative Lee; Senators Bane, Berndt, Connor, Martin, Minner, Neal, Slatcher, Still, Vaughn, Zimmerman; Representatives Barnes, Campanelli, Carey, Caulk, Clark, Corrozi, Dixon, B. Ennis, D. Ennis, Fallon, Gilligan, Hebner, Houghton, Jonkier, Petrilli, Spence, VanSant, West. Assigned to Community Affairs Committee.

SB 221 - AN ACT TO AMEND SECTION 3318(b), TITLE 19 OF THE DELAWARE CODE, RELATING TO THE TIME IN WHICH TO APPEAL THE CLAIM DEPUTY'S DECISION TO THE REFEREE IN UNEMPLOYMENT COMPENSATION CASES. Sponsors: Senators Zimmerman, Cordrey. Assigned to Labor and Industrial Relations Committee.

SB 222 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 60, TITLE 7, DELAWARE CODE, RELATED TO POWERS AND DUTIES OF THE SECRETARY AND DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. Sponsors: Senator McBride, Representative Houghton. Assigned to Natural Resources and Environmental Control Committee.

SB 223 - AN ACT TO AMEND CHAPTER 45, TITLE 21 OF THE DELAWARE CODE RELATING TO THE SIZE AND WEIGHT OF VEHICLES AND TO GRANT MULTI-TRIP PERMITS TO CERTAIN TYPES OF VEHICLES AND PROVIDE INCREASED PENALTIES FOR VIOLATIONS WHILE HOLDING SAME. Sponsors: Senator Martin, Representative Roy. Assigned to Public Safety Committee.

SB 224 - AN ACT TO AMEND CHAPTER 44, TITLE 21 OF THE DELAWARE CODE RELATING TO ABANDONED VEHICLES AND TO THE PROCEDURE FOR PROCESSING AND SELLING MOTOR VEHICLES WHICH ARE REMOVED FROM PUBLIC HIGHWAYS, DESIGNATING RESPONSIBILITY FOR THE SECTION TO ONE AGENCY, MODERNIZING THE LANGUAGE AND ADDING AUTHORITY FOR REMOVAL OF VEHICLES WHICH CREATE A SAFETY PROBLEM. Sponsors: Senator Martin, Representative Roy. Assigned to Public Safety Committee.

At 2:19 p.m., Lt. Governor Woo presiding.

SB 225 - AN ACT TO AMEND CHAPTER 9 AND CHAPTER 39, TITLE 10 OF THE DELAWARE CODE, RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE; AND PROVIDING FOR PARENTAL LIABILITY FOR RESTITUTION ORDERED BY THE FAMILY COURT FOR MONETARY DAMAGES CAUSED BY THEIR CHILD'S DELINQUENT CONDUCT. Sponsor: Senator Cordrey. Assigned to Judiciary Committee.

At 2:21 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 37th Legislative Day.

37TH LEGISLATIVE DAY
June 16, 1987

The Senate convened at 2:21 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 21.

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

SR 52 was introduced and considered for adoption on motion of Senator Cordrey:

SR 52 - MOURNING THE PASSING OF MR. WALTER M. "HUCK" BETTS OF MILLSBORO, ONE OF DELAWARE'S LAST SURVIVING LINKS WITH THE GOLDEN AGE OF BASEBALL AND ONE OF HER FINEST SPORTS HEROES, ON AND OFF THE FIELD. Sponsor: Senator Cordrey.

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

Senators Bane, Zimmerman, McDowell marked PRESENT.

Senator Martin introduced and requested the privilege of the floor for H. R. "Tubby" Raymond, Head Football Coach of the University of Delaware. Mr. Raymond then introduced Joe McGrail, Captain, and Richard Gannon, Quarterback, of the team.

SR 51 was introduced and considered for adoption on motion of Senator Holloway:

SR 51 - EXTENDING THE SENATE'S BEST WISHES FOR A SPEEDY RECOVERY TO IVY DAVIS. Sponsor: Senator Holloway.

Senators Berndt and Marshall marked PRESENT.

Senators Berndt, Zimmerman, Vaughn, Bair, Connor, Sharp and Cordrey were added as co-sponsors after which the roll call vote on the Resolution was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted.

SCR 81 was introduced and considered for adoption on motion of Senator Bair:

SCR 81 - CONGRATULATING DR. FRANK J. FURGELE, SUPERINTENDENT OF THE BRANDYWINE SCHOOL DISTRICT, FOR BEING NAMED BY THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS IN WASHINGTON, D.C. ONE OF THIRTEEN AMERICAN SUPERINTENDENTS WHO BUILT AN EXEMPLARY ARTS PROGRAM IN THEIR SCHOOLS. Sponsors: Senator Bair, Representative Hebner: Senators Berndt, Knox; Representatives Boykin, D. Ennis, Maroney, Smith, Brady.

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

SCR 82 was introduced and considered for adoption on motion of Senator Martin:

SCR 82 - HONORING BLUE HENS RICH GANNON, JOE MCGRAIL, JEFF MODESITT AND BOB NORRIS FOR THEIR OUTSTANDING FOOTBALL CAREERS AT THE UNIVERSITY OF DELAWARE AND WISHING THEM WELL AS THEY EMBARK ON PROFESSIONAL CAREERS IN THE NATIONAL FOOTBALL LEAGUE. Sponsors: Senator Martin; Representatives Oberle, Barnes.

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

SS 1 for SB 67 was taken up for consideration under suspension of the necessary rules on motion of Senator Torbert (no objection):

SS 1 for SB 67 - AN ACT TO AMEND CHAPTER 80, TITLE 15, DELAWARE CODE, RELATING TO CAMPAIGN CONTRIBUTIONS AND EXPENDITURES.

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 (Bane, Marshall) ABSENT; therefore, the Amendment was declared adopted.

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Torbert and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Charles J. Durante and John G. Davis, Jr. (State Election Commissioner).

At 3:45 p.m., Senator Adams presiding.

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

At 4:40 p.m., Senator Adams presiding.

SA 3 to the Bill (sponsor: Senator McDowell) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

SA 4 to the Bill (sponsor: 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 (Knox) ABSENT; therefore, the Amendment was declared adopted.

SA 5 to the Bill (sponsor: Senator Torbert) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed 18 Senators voting YES, 2 (McBride, Minner) NOT VOTING and 1 (Knox) ABSENT; therefore, the Amendment was declared adopted.

SS 1 for SB 67 w SA 1, 2, 3, 4, 5 was then laid on the table on motion of Senator Torbert. No objection.

A messenger from the Governor was announced and admitted.

SS 1 for SB 116 w SA 1, 2, 3 was lifted from the table for consideration on motion of Senator McDowell.

Senator Torbert announced that he would be voting NOT VOTING due to a conflict of interest.

At 5:00 p.m., Lt. Governor Woo presiding.

The privilege of the floor was extended to Stanley Yasik (Funeral Director) and Frank C. Mayer (New Castle County Funeral Homes Association) after which the roll call vote on the Bill was taken and revealed:

YES: Senators Bair, Bane, Berndt, Connor, Cook, Cordrey, Knox, Martin, McDowell, Minner, Neal, Slatcher, Still, Vaughn, Zimmerman - 15.

NOT VOTING: Senators Marshall, McBride, Sharp, Torbert - 4.

ABSENT: Senators Adams, Holloway - 2.

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

SS 1 for SB 67 w SA 1, 2, 3, 4, 5 was lifted from the table for consideration on motion of Senator Torbert.

On motion of Senator Torbert (and without objection), the roll call vote on SA 5 to the Bill was rescinded and the Amendment stricken.

SA 6 to the Bill (sponsor: Senator Torbert) was introduced and considered for adoption. 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 SS 1 for SB 67 w SA 1, 2, 3, 4, 6 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 48 was reported out of the Sunset Committee: 3 Merits.

At 5:44 p.m. on motion of Senator Sharp, the Senate recessed until 3:00 p.m., June 17, 1987.

The Senate reconvened at 3:49 p.m., June 17, 1987, Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Community Affairs Committee: HB 172 - 3 Merits; HB 173 - 3 Merits; SB 220 - 3 Merits.

From the Insurance and Elections Committee: SB 121 - 4 Merits; SB 129 - 4 Merits; SB 206 - 4 Merits.

From the Executive Committee: HB 71 w HA 1, 2 - 4 Merits.

From the Judiciary Committee: SB 210 - 4 Merits; SB 211 - 5 Merits; SB 215 - 5 Merits; SB 216 - 5 Merits; SB 217 - 5 Merits; SB 199 - 5 Merits; SB 219 - 5 Merits; SB 225 - 4 Merits; SB 209 - 4 Merits; HB 162 - 5 Merits; HB 200 - 5 Merits.

From the Executive Committee: Robert J. Watson - 2 Favorable, 3 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 190 w HA 1; HB 163 w HA 1; HB 199; SB 28 w SA 1; HB 262 w HA 1; HS 1 for HB 100 w HA 1.

HB 96 w HA 1, 2 was reported out of the Agriculture Committee - 4 Merits.

The following legislation was introduced:

SB 226 - AN ACT TO AMEND CHAPTER 18, TITLE 2 OF THE DELAWARE CODE, RELATING TO PUBLIC CARRIERS. Sponsors: Senator Martin, Representative Roy. Assigned to Highways and Transportation Committee.

SB 227 - AN ACT TO AMEND CHAPTER 65, PART VI, TITLE 29 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF A COMPREHENSIVE TRAVEL POLICY. Sponsors: Senators Vaughn, Bair, Connor, McDowell, Minner, Zimmerman; Representatives Smith, Dixon, West. Assigned to Executive Committee.

SB 228 - AN ACT TO AMEND CHAPTER 56, TITLE 29, DELAWARE CODE, RELATING TO THE STATE JUDICIARY PENSION PLAN. Sponsors: Senator Adams, Representatives Barnes, Carey. Assigned to Executive Committee.

SA 1 to SB 181. Sponsor: Senator Minner. Placed with the Bill.

SA 1 to SB 104. Sponsor: Senator Still. Placed with the Bill.

SA 1 to SB 101. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 2 to SB 181. Sponsor: Senator Minner. Placed with the Bill.

SA 2 to SB 31. Sponsor: Senator Bair. Placed with the Bill.

HB 182 w HA 1 - AN ACT TO AMEND CHAPTERS 33 AND 35, TITLE 18, DELAWARE CODE RELATING TO IN VITRO FERTILIZATION. Sponsors: Representatives D. Ennis, Corrozi, Roy, B. Ennis, VanSant; Senators Cook, Cordrey, McDowell, Marshall, Still, Bane. Assigned to Health-Social Services/Aging Committee.

HS 1 for HB 100 w HA 2 - AN ACT TO AMEND CHAPTERS 13 AND 16, TITLE 19 AND CHAPTER 85, TITLE 29 OF THE DELAWARE CODE RELATING TO THE RIGHT OF PUBLIC EMPLOYEES TO ORGANIZE FOR PURPOSES OF COLLECTIVE BARGAINING. Sponsors: Representatives Davis, Oberle, Spence, Roy, Petrilli, Fallon, Caulk, Corrozi, Mack, Campanelli, Gilligan, Houghton, Brady, Dixon, Jonkiert, B. Ennis, Jester, Plant, West, Bunting, George; Senators Bair, Knox, Berndt, Bane, McDowell, Marshall, Zimmerman, McBride, Minner, Torbert, Holloway, Martin. Assigned to Judiciary Committee.

HB 163 w HA 1 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO STOPPING, STANDING OR PARKING. Sponsors: Representatives Boykin, Amick, Carey, Caulk, Buckworth, DiPinto, Lee, Quillen, Petrilli, Bunting, Campanelli, Clark, B. Ennis, Wingate, Sills; Senators Bane, Berndt, Connor, Still. Assigned to Public Safety Committee.

HB 190 w HA 1 - AN ACT TO AMEND CHAPTER 428, VOLUME 50 AND CHAPTER 240, VOLUME 62, LAWS OF DELAWARE ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF ELSMERE" AS AMENDED RELATING TO THE FISCAL AND BUDGET YEARS OF THE TOWN AS WELL AS THE AUTHORITY OF THE TREASURER AND PRESIDENT PRO TEMPORE OF THE TOWN COUNCIL TO SIGN CHECKS ON BEHALF OF THE TOWN. Sponsor: Representative Campanelli. Assigned to Community Affairs Committee.

HB 199 - AN ACT TO AMEND SECTION 4177B, TITLE 21, DELAWARE CODE REQUIRING PARTICIPANTS IN THE FIRST OFFENDER PROGRAM TO PAY COURT COSTS. Sponsors: Representatives Davis, Hebner. Assigned to Public Safety Committee.

HB 262 w HA 1 - AN ACT TO AMEND CHAPTER 11, TITLE 30 OF THE DELAWARE CODE RELATING TO THE PERSONAL INCOME TAX. Sponsors: Representatives Petrilli, Amick, Barnes, Boykin, Buckworth, Carey, Caulk, Corrozi, Davis, DiPinto, D. Ennis, Fallon, Hebner, Lee, Mack, Maroney, Oberle, Quillen, Roy, Smith, Spence, Taylor, Bennett, Brady, Bunting, Campanelli, Clark, Dixon, B. Ennis, George, Gilligan, Houghton, Jester, Jonkiert, Outten, Plant, Sills, Soles, VanSant, West, Wingate; Senators Bair, Bane, Connor, Knox, Neal, Slatcher, Still. Assigned to Revenue and Taxation Committee.

At 4:03 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 38th Legislative Day.

38TH LEGISLATIVE DAY

June 17, 1987

The Senate convened at 4:03 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 21.

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

SB 31 was taken up for consideration on motion of Senator Bair:

SB 31 - AN ACT TO AMEND CHAPTER 27, TITLE 6 OF THE DELAWARE CODE, RELATING TO THE USE OF LANGUAGE IN CONSUMER CONTRACTS.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Donald E. Williams (Division of Consumer Affairs).

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 19 Senators voting YES and 2 (Cordrey, Holloway) 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 Bair and the roll call vote taken which revealed:

YES: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Holloway, Knox, Marshall, Martin, Neal, Slatcher, Still - 13.

NO: Senators McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 7.

ABSENT: Senator Cordrey - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 31 w SA 1, 2 was then taken and revealed:

YES: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Holloway, Knox, Marshall, Martin, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn - 17.

NO: Senators McBride, McDowell, Zimmerman - 3.

ABSENT: Senator Cordrey - 1.

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

SR 53 was introduced and considered for adoption on motion of Senator Neal:

SR 53 - WELCOMING CONSTANCE HECKMAN, EXECUTIVE DIRECTOR OF THE AMERICAN LEGISLATIVE EXCHANGE COUNCIL, TO DELAWARE. Sponsor: Senator Neal.

The privilege of the floor was extended to Ms. Heckman after which the roll call vote on the Resolution was taken and revealed 20 Senators voting YES and 1 (Cordrey) ABSENT; therefore, the Resolution was declared adopted.

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

SB 48 - AN ACT TO AMEND TITLES 24 AND 29, DELAWARE CODE, RELATING TO THE BOARD OF REGISTRATION OF GEOLOGISTS.

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

SB 99 was taken up for consideration on motion of Senator Berndt:

SB 99 - AN ACT TO AMEND CHAPTER 21, TITLE 29 OF THE DELAWARE CODE RELATING TO THE SALARY OF THE GOVERNOR.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES, 2 (Minner, Torbert) voting NO and 1 (Cordrey) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 181 was taken up for consideration on motion of Senator Minner:

SB 181 - AN ACT TO AMEND CHAPTER 47, TITLE 21 OF THE DELAWARE CODE, RELATING TO MOTOR CARRIER SAFETY, RECORD-KEEPING AND WEIGHTS.

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

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

The roll call vote on SB 181 w SA 1, 2 was then taken and revealed 20 Senators voting YES and 1 (Cordrey) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 150 was taken up for consideration on motion of Senator McDowell:

SB 150 - AN ACT TO AMEND CHAPTER 66, TITLE 16, AND CHAPTER 11, TITLE 30, OF THE DELAWARE CODE BY REQUIRING SMOKE DETECTORS IN ALL RESIDENTIAL UNITS AND PROVIDING A TAX CREDIT FOR THE INSTALLATION THEREOF.

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

SB 172 was taken up for consideration on motion of Senator Vaughn:

SB 172 - AN ACT TO AMEND CHAPTER 100, TITLE 29, DELAWARE CODE, RELATING TO THE PROHIBITION OF CERTAIN RECORDS IN POSSESSION OF THE DEPARTMENT OF CORRECTION.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Bair, Cordrey, Neal) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 72 was taken up for consideration on motion of Senator Vaughn:

SB 72 - AN ACT TO AMEND CHAPTER 82, TITLE 9, DELAWARE CODE, RELATING TO SALARIES FOR KENT COUNTY OFFICIALS.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Bair, Cordrey, Neal) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 70 was taken up for consideration on motion of Senator Vaughn:

SB 70 - AN ACT TO AMEND CHAPTER 9, TITLE 12 OF THE DELAWARE CODE RELATING TO THE ELECTIVE SHARE OF A SURVIVING SPOUSE.

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

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

SB 104 was taken up for consideration on motion of Senator Still:

SB 104 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO THE OFFENSE OF WALKING ON HIGHWAYS UNDER INFLUENCE OF ALCOHOL OR DRUGS.

Senator Sharp requested that his name be removed as co-sponsor of the Bill.

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

YES: Senators Adams, Bane, Berndt, Connor, Cook, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Sharp, Slatcher, Still, Torbert, Vaughn - 17.

NOT VOTING: Senator Zimmerman - 1.

ABSENT: Senators Bair, Cordrey, Neal - 3.

The privilege of the floor was extended to Richard Dillard, Senate Attorney after which the roll call vote on SB 104 w SA 1 was taken; however, the roll call was laid on the table before being announced on motion of Senator Still.

SB 105 - AN ACT TO AMEND CHAPTER 27, TITLE 11 OF THE DELAWARE CODE RELATING TO JUSTICE OF THE PEACE COURT JURISDICTION.

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

SB 195 was taken up for consideration on motion of Senator Minner:

SB 195 - AN ACT TO EMPOWER KENT COUNTY LEVY COURT TO ADOPT BY ORDINANCE A PENSION PLAN.

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

The following Committee reports were announced:

From the Health-Social Services/Aging Committee: SB 131 - 5 Merits.

From the Public Safety Committee: SB 223 - 5 Merits; SB 224 - 5 Merits.

The following legislation was introduced:

SB 229 - AN ACT TO AMEND CHAPTER 83, TITLE 11 OF THE DELAWARE CODE RELATING TO THE ELIGIBILITY FOR PENSIONS OF MEMBERS OF THE DELAWARE STATE POLICE. Sponsors: Senator Sharp, Representative Hebner; Senators Berndt, Martin; Representatives Barnes, Spence. Assigned to Judiciary Committee.

SB 230 - AN ACT TO AMEND CHAPTER 49, TITLE 18 OF THE DELAWARE CODE RELATING TO REDOMESTICATION OF INSURERS. Sponsors: Senators Sharp, Cordrey; Representatives D. Ennis, Oberle. Assigned to Insurance and Elections Committee.

SB 231 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PENALTIES FOR SPEEDING OFFENSES. Sponsors: Senator Minner; Representatives Barnes, West. Assigned to Public Safety Committee.

SB 232 - AN ACT TO AMEND TITLES 18 AND 16 OF THE DELAWARE CODE RELATING TO INSURANCE AND HEALTH AND SAFETY AND TO ALLOCATE RESPONSIBILITY FOR REGULATION OF HEALTH MAINTENANCE ORGANIZATIONS BETWEEN THE INSURANCE COMMISSIONER AND THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. Sponsor: Senator Sharp. Assigned to Insurance and Elections Committee.

SB 233 - AN ACT TO AMEND SECTION 526A, CHAPTER 5, TITLE 18, DELAWARE CODE, RELATING TO REPORTING REQUIREMENTS AND FINANCIAL DISCLOSURE OF PROPERTY OR CASUALTY INSURERS. Sponsors: Senators Zimmerman, Berndt, Sharp, Torbert, Minner, McBride, Knox, Still. Assigned to Insurance and Elections Committee.

SB 234 - AN ACT TO AMEND CHAPTER 25, PART II, TITLE 16 OF THE DELAWARE CODE RELATING TO A PATIENT'S RIGHT TO TERMINATE TREATMENT. Sponsor: Senator McBride. Assigned to Health-Social Services/Aging Committee.

SB 235 - AN ACT TO AMEND SECTION 937, CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO THE DISPOSITION OF JUVENILES FOLLOWING ADJUDICATION AND THE COMMITMENT OF JUVENILES TO THE CUSTODY OF THE DEPARTMENT OF CORRECTION. Sponsor: Senator Vaughn. Assigned to Judiciary Committee.

SB 236 - AN ACT TO AMEND CHAPTER 65, TITLE 29 OF THE DELAWARE CODE, RELATING TO AN INVENTORY OF PROPERTY UNDER AN AGENCIES CONTROL. Sponsors: Senator Minner, Adams, McDowell; Representatives Brady, Campanelli, Corrozi, Wingate. Assigned to Executive Committee.

SB 237 - AN ACT TO AMEND CHAPTER 11, TITLE 30 OF THE DELAWARE CODE RELATING TO THE PERSONAL INCOME TAX. Sponsors: Senators Marshall, Adams, Cook, Holloway, Martin, McBride, Minner, Sharp, Torbert, Vaughn, Zimmerman; Representatives Bennett, Brady, Bunting, Campanelli, Clark, Dixon, B. Ennis, George, Gilligan, Houghton, Jester, Jonklert, Outten, Plant, Sills, Soles, VanSant, West, Wingate. Assigned to Revenue and Taxation Committee.

SS 1 to SB 183 - AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE BY ELIMINATING THE POSITION OF DIRECTOR OF TREATMENT SERVICES AND RECREATING AND RECODIFYING IN ITS STEAD A JUDICIAL COUNCIL TO ADMINISTER AFFAIRS OF THE COURT. Sponsor: Senator Sharp. Adopted in lieu of the Original.

SA 1 to SB 93. Sponsor: Senator Sharp. Placed with the Bill.

SA 1 to HB 162. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 1 to SB 121. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 74. Sponsor: Senator Vaughn. Placed with the Bill.

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

STATE OF DELAWARE
Office of the Governor
June 11, 1987

To the Senate of the 134th 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 E. Bazzelle, Sr., 24 York Way, Hockessin, DE 19707, to be appointed as a member of the State Board of Education to serve a term expiring July 1, 1988, to replace Kenneth Hilton, resigned.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
June 16, 1987

To the Senate of the 134th 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: Jerome O. Herlihy, 2301 West 11th Street, Wilmington, DE 19806, to be appointed Associate Judge of the Superior Court of the State of Delaware to serve a twelve year term to replace Robert C. O'Hara, retired.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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At 6:16 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 18, 1987.

The Senate reconvened at 2:53 p.m., June 18, 1987, Senator Cordrey presiding.

At 2:54 p.m., Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 81, HCR 78, HCR 79, SCR 81, SCR 82.

The following Committee reports were announced:

From the Executive Committee: SB 227 - 5 merits; SB 228 - 1 Favorable, 4 Merits.

From the Insurance and Elections Committee: SB 230 - 3 Merits; SB 232 - 3 Merits; SB 233 - 3 Merits.

From the Judiciary Committee: SB 235 - 5 Merits.

Senator Cordrey marked PRESENT.

At 2:55 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 39th Legislative Day.

39TH LEGISLATIVE DAY
June 18, 1987

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

A Prayer was offered by Senator Cordrey.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 21.

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

LEGISLATIVE ADVISORY #19 was read which informed the Senate that on June 17, 1987, the Governor signed SB 54 w SA 2 (Volume 66, Chapter 43, Laws of Delaware).

Sensors Holloway and McBride marked PRESENT.

SCR 85 was introduced and laid on the table on motion of Senator Martin:

SCR 85 - REQUESTING GOVERNOR MICHAEL N. CASTLE TO APPOINT A TASK FORCE TO STUDY THE ADVISABILITY AND FEASIBILITY OF STATE PURCHASE OF A LAND BRIDGE BETWEEN THE WHITE CLAY CREEK PRESERVE AND THE MIDDLE RUN NATURAL AREA, TO INVESTIGATE COORDINATED MANAGEMENT OF THE TWO NATURAL AREAS SO JOINED, AND TO DETERMINE IF OTHER ADJACENT TRACTS ARE CRITICAL TO THE INTEGRITY OF BOTH THESE PUBLIC PRESERVES. Sponsors: Senators Martin, Marshall, Sharp, McDowell, McBride, Holloway, Berndt, Neal, Knox, Still, Bane, Bair; Representatives Gilligan, Plant, D. Brady, B. Ennis, VanSant, Soles, Oberle, Amick, Fallon, Spence, DiPinto, Roy, Taylor, Petrilli, Boykin, R. Davis, Caulk, D. Ennis.

Senators Connor, Slatcher, Bair, Marshall, McDowell, Berndt marked PRESENT.

SB 228 was taken up for consideration on motion of Senator Adams:

SB 228 - AN ACT TO AMEND CHAPTER 56, TITLE 29, DELAWARE CODE, RELATING TO THE STATE JUDICIARY PENSION PLAN.

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

Senator Bair marked PRESENT.

SCR 85 was lifted from the table for consideration on motion of Senator Martin and the roll call vote taken which 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.

Senator Cook marked PRESENT.

SB 189 was taken up for consideration on motion of Senator Torbert:

SB 189 - AN ACT TO AMEND THE MERIT SYSTEM RULES OF PERSONNEL ADMINISTRATION RELATING TO HOLIDAY PAY.

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

At 3:19 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:50 p.m., Senator Cordrey presiding.

HS 1 for HB 4 w HA 1 was introduced and assigned to Health-Social Services/Aging Committee:

HS 1 for HB 4 w HA 1 - AN ACT TO AMEND PART II, TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY; AND PROVIDING FOR THE USE OF PUBLIC PLACES BY SMOKERS AND NON-SMOKERS. Sponsors: Representatives Roy, Gilligan, Spence, Amick, Carey, Caulk, Corrozi, Davis, D. Ennis, Fallon, Lee, Mack, Maroney, Smith, Taylor, Bunting, George, Jester, Soles, West, Wingate; Senators Bair, Bane, Knox, Marshall, Neal, Slatcher, Still.

LEGISLATIVE ADVISORY #18 received from the Office of Council to the Governor was read which informed the Senate that the Governor signed the following legislation on the dates indicated: HB 76 (6-12-87) (Volume 66, Chapter 40, Laws of Delaware); SB 82 (6-15-87) (Volume 66, Chapter 41, Laws of Delaware); SB 42 (6-15-87) (Volume 66, Chapter 42, Laws of Delaware).

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At 4:52 p.m., Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Revenue and Taxation Committee:

SB 200 - 2 Favorable, 4 Merits; SB 201 - 1 Favorable, 5 Merits; SB 202 - 1 Favorable, 4 Merits; SB 203 - 1 Favorable, 4 Merits; SB 204 - 1 Favorable, 5 Merits; SB 205 - 1 Favorable, 5 Merits; SB 207 - 1 Favorable, 3 Merits; SB 237 - 1 Favorable, 5 Merits.

From the Labor and Industrial Relations Committee: HB 215 - 1 Favorable, 5 Merits; HB 217 - 1 Favorable, 5 Merits; HB 218 - 1 Favorable, 4 Merits.

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

SB 101 was taken up for consideration on motion of Senator McBride:

SB 101 - AN ACT TO AMEND CHAPTER 63, TITLE 7 OF THE DELAWARE CODE RELATING TO HAZARDOUS WASTE.

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 (Knox) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 101 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 121 was taken up for consideration on motion of Senator Holloway:

SB 121 - AN ACT TO AMEND TITLE 18 DELAWARE CODE BY REQUIRING EMPLOYERS TO OFFER HEALTH BENEFIT PLANS TO THEIR EMPLOYEES.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Holloway and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

SB 121 w SA 1 was then laid on the table on further motion of the Senator.

SB 186 was taken up for consideration on motion of Senator Adams:

SB 186 - AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE", TO PERMIT ABSENTEE VOTING IN ANNUAL ELECTIONS.

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 190 was taken up for consideration on motion of Senator Cook:

SB 190 - AN ACT TO AMEND CHAPTER 66, TITLE 16, DELAWARE CODE, RELATING TO THE PROHIBITION AGAINST ANY LIVE BURN OPERATION CONDUCTED AT THE DELAWARE STATE FIRE SERVICE CENTER WHILE CONDUCTING TRAINING OR INSTRUCTIONAL COURSES AT THE CENTER.

The privilege of the floor was extended to McDonald Coker (Legislative Council) and Arthur J. Pennewill (Delaware Volunteer Firemen's Association).

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Zimmerman) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 220 was taken up for consideration on motion of Senator Adams:

SB 220 - AN ACT TO AMEND CHAPTER 67, TITLE 16 DELAWARE CODE RELATING TO APPOINTMENT OF FIRE POLICE.

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

HB 96 w HA 1, 2 was taken up for consideration on motion of Senator Adams:

HB 96 w HA 1, 2 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO CERTAIN FARM EQUIPMENT WARRANTIES.

SA 1 to the Bill (sponsor: Senator Connor) was introduced.

The privilege of the floor was extended to Representative Donald Clark and Richard Dillard (Senate Attorney) after which 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 HB 96 w HA 1, 2, SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

SB 219 was taken up for consideration on motion of Senator Zimmerman:

SB 219 - AN ACT TO AMEND CHAPTER 47, TITLE 10 OF THE DELAWARE CODE RELATING TO ENTRY OF JUDGMENTS.

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.

SB 219 w SA 1 was then laid on the table on further motion of Senator Zimmerman.

SENATE CONSENT CALENDAR #17 was introduced and considered for adoption on motion of Senator Minner.

The Calendar consisted of the following:

SCR 83 - ESTABLISHING AUGUST 21, 1987 AS DANA J. PYLE DAY IN DELAWARE IN RECOGNITION OF THE NATIONAL COMMANDER OF THE VETERANS OF WORLD WAR I OF THE U. S. A., A WILMINGTON NATIVE. Sponsors: Senators Vaughn, Berndt, Slatcher; Representatives Brady, Quillen. Senators Martin and Still added as co-sponsors at their request.

SCR 84 - COMMENDING DR. RICHARD WEST, DONALD K. SHARPE, THE DELAWARE NATURE EDUCATION SOCIETY AND THE NEW CASTLE COUNTY DEPARTMENT OF PARKS AND RECREATION FOR WINNING CERTIFICATES OF RECOGNITION IN THE 1986 "TAKE PRIDE IN AMERICA PROGRAM". Sponsors: Senators Bair, Connor, Holloway, Minner; Representatives Oberle, Soles, Jester. Senator Neal added as co-sponsor at his request.

HCR 78 - CONGRATULATING LARRY P. SHAFFER, A 4-H LEADER FROM WILMINGTON ON RECEIVING THE 4-H SALUTE TO EXCELLENCE AWARD FOR OUTSTANDING VOLUNTEER LEADERSHIP TO THE YOUTH OF DELAWARE. Sponsors: Representatives DiPinto, George; Senator McDowell.

HCR 79 - EXPRESSING APPRECIATION TO FINNFEST 88, INCORPORATED AND THE MANY ORGANIZATIONS IN FINLAND AND THE UNITED STATES FOR THEIR LEADERSHIP, CONTRIBUTIONS AND EFFORTS IN THE INITIATION AND CELEBRATION OF FINNFEST USA 1988, MARKING 350 YEARS OF THE UNBROKEN ASSOCIATION BETWEEN THE UNITED STATES AND FINLAND. Sponsors: Representatives Soles, Amick, Jester; Senators Knox, Neal.

HCR 81 - CONGRATULATING THE DELAWARE STATE FINALISTS FOR THEIR OUTSTANDING PERFORMANCE IN THE 1987 CITIZEN BEE. Sponsors: Representative Fallon, Senators McBride; All Representatives, All Senators.

The roll call vote on SENATE CONSENT CALENDAR #17 was then taken and revealed 21 Senators voting YES; therefore, the Resolutions were declared adopted. The Senate Concurrent Resolutions were sent to the House for consideration and the House Concurrent Resolutions were returned to the House.

Senator Adams introduced his wife Hilda, her sister and Lee Bayle, to the Senate.

The following legislation was introduced:

SB 238 - AN ACT TO AMEND TITLE 9, 10 AND 12, OF THE DELAWARE CODE RELATING TO THE SALARIES OF PARTICULAR KENT COUNTY OFFICIALS. Sponsors: Senators Torbert, Adams, Minner, Zimmerman; Representative B. Ennis. Assigned to Judiciary Committee.

SB 239 - AN ACT TO AMEND SUBCHAPTER III, CHAPTER 58, TITLE 29, DELAWARE CODE, RELATING TO COMPENSATION POLICY FOR SIMULTANEOUS EMPLOYMENT. Sponsor: Senator Holloway. Assigned to Executive Committee.

SB 240 - AN ACT TO AMEND CHAPTER 60, TITLE 7, DELAWARE CODE RELATING TO THE ASSESSING OF CIVIL AND ADMINISTRATIVE PENALTIES. Sponsors: Senators Zimmerman, Martin, Minner, Berndt, Knox. Assigned to Natural Resources and Environmental Control Committee.

SB 241 - AN ACT TO AMEND TITLE 29, CHAPTER 69, OF THE DELAWARE CODE, RELATING TO THE PROFESSIONAL SERVICES NEGOTIATION ACT. Sponsors: Senators Zimmerman, Martin, Minner, Berndt, Knox. Assigned to Executive Committee.

SB 242 - AN ACT TO AMEND CHAPTER 7, TITLE 7 OF THE DELAWARE CODE RELATING TO CERTAIN TRAPS. Sponsor: Senator Berndt. Assigned to Natural Resources and Environmental Control Committee.

SB 243 - AN ACT TO AMEND CHAPTER 40, TITLE 10, OF THE DELAWARE CODE RELATING TO THE TORT CLAIMS ACT. Sponsors: Senators Zimmerman, Martin, Minner, Berndt, Knox. Assigned to Judiciary Committee.

SB 244 - AN ACT TO AMEND TITLE 7, CHAPTER 40, OF THE DELAWARE CODE, RELATING TO ENFORCEMENT BY CRIMINAL PENALTY, ADDING A LESSER CRIMINAL PENALTY, AND CONCILIATION. Sponsors: Senators Zimmerman, Martin, Minner, Berndt, Knox. Assigned to Natural Resources and Environmental Control Committee.

SB 245 - AN ACT TO AMEND CHAPTER 62, TITLE 7, DELAWARE CODE RELATING TO THE UNLAWFUL DISCHARGE OF OIL AND HAZARDOUS SUBSTANCES. Sponsors: Senators Zimmerman, Martin, Minner, Berndt, Knox. Assigned to Natural Resources and Environmental Control Committee.

SB 246 - AN ACT TO AMEND §4331, CHAPTER 43, TITLE 21 OF THE DELAWARE CODE RELATING TO THE USE OF MOTOR VEHICLE HEADLAMPS. Sponsors: Senator Slatcher, Representative Smith. Assigned to Public Safety Committee.

SB 247 - AN ACT TO AMEND SUBCHAPTER 1, CHAPTER 5, TITLE 10 OF THE DELAWARE CODE RELATING TO THE SUPERIOR COURT. Sponsors: Senators Marshall, Sharp; Representative Hebner. Assigned to Judiciary Committee.

SB 248 - AN ACT TO AMEND CHAPTER 5, TITLE 10 OF THE DELAWARE CODE TO AUTHORIZE THE SUPERIOR COURT TO APPOINT MASTERS. Sponsors: Senators Marshall, Sharp; Representative Hebner. Assigned to Judiciary Committee.

SB 249 - AN ACT TO AMEND CHAPTER 80, TITLE 9, CHAPTER 8, TITLE 22, AND CHAPTER 54, TITLE 30 OF THE DELAWARE CODE, RELATING TO REALTY TRANSFER TAX. Sponsors: Senators Holloway, Sharp, Martin, Marshall, Adams, Zimmerman; Representative Campanelli. Laid on the table on motion of Senator Holloway. No objection.

SB 250 - AN ACT TO AMEND CHAPTER 9, TITLE 19 OF THE DELAWARE CODE RELATING TO MINIMUM WAGE. Sponsors: Senators Bair, Still, Slatcher, Bane, Berndt; Representatives Barnes, Quillen, Caulk, Outten. Assigned to Labor and Industrial Relations Committee.

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

SA 1 to SB 225. Sponsor: Senator Cordrey. Placed with the Bill.

SA 1 to SB 179. Sponsor: Senator Holloway. Placed with the Bill.

SA 2 to SB 104. Sponsor: Senator Still. Placed with the Bill.

SA 1 to SB 229. Sponsor: Senator Bair. Placed with the Bill.

SR 54 was introduced and laid on the table on motion of Senator Cordrey.

SR 54 - EXTENDING CONGRATULATIONS TO THE AMERICAN LEGION, DEPARTMENT OF DELAWARE, SPONSOR, AND TO ALL THE STUDENT PARTICIPANTS IN THE 50TH SESSION OF BOYS STATE. Sponsors: Senator Cordrey and all the Senators.

SCR 86 - REQUESTING AND URGING THE SUPERIOR COURT OF THE STATE OF DELAWARE TO ALLOCATE FURTHER RESOURCES TO THE HANDLING OF ASBESTOS LITIGATION. Sponsors: Senators Marshall, Sharp; Representative Hebner. Laid on the table on motion of Senator Marshall. No objection.

HCR 80 - RECOGNIZING THE WEEK OF OCTOBER 4, 1987, AS MENTAL HEALTH AWARENESS WEEK. Sponsors: Representative Maroney, Senator Berndt; Representatives George, Gilligan, Clark, Jester, West, VanSant, Wingate, Bunting, Brady, Sills, Soles, Campanelli, Dixon, Houghton, Plant, Jonkier, Outten, Bennett, B. Ennis, Boykin; Senators Holloway, Minner, Bair, Bane. Laid on the table.

SR 46 was stricken at the request of the sponsor, Senator Martin.

SR 54 was lifted from the table for consideration on motion of Senator Cordrey and the roll call vote taken which revealed 20 Senators voting YES and 1 (Torbert) ABSENT; therefore, the Resolution was declared adopted.

At 6:32 p.m. on motion of Senator Sharp, the Senate recessed until June 22, 1987 at 2:00 p.m.

The Senate reconvened at 2:25 p.m., June 22, 1987, Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 266; HB 263; HB 265; HB 269; HB 268; HB 267; HB 264; HB 260; HS 2 for HB 41 w HA 1, 2; SB 71 w SA 1; SB 69 w SA 1; SB 149; SB 102 w SA 1; SB 43; HB 204; HB 244; HB 234; HB 278; HB 228; HB 231; HB 270; HB 243; HB 155; HB 300; HB 220; HB 20; HB 171; HB 92; HB 238; HB 236; HB 235; HB 237; HB 282 w HA 1, 2, 3.

The following legislation was introduced:

HB 20 - AN ACT TO AMEND CHAPTER 55, TITLE 29 OF THE DELAWARE CODE RELATING TO THE AMOUNT OF A STATE SERVICE PENSION. Sponsors: Representatives Bennett, Buckworth; Senator Cook; Representatives Campanelli, Corrozi, Davis, Houghton, Jester, Outten, Plant, Sillis, Quillen, Soles, VanSant, Wingate, Brady; Senator Connor. Assigned to Finance Committee.

HS 2 for HB 41 w HA 1, 2 - AN ACT TO AMEND CHAPTER 27, TITLE 6, DELAWARE CODE RELATING TO EQUIPMENT DEALER CONTRACTS. Sponsors: Representative Caulk, Senator Adams; Representatives Carey, Mack, Clark, West; Senators Connor, Slatcher, Cook, Cordrey, Vaughn. Assigned to Agriculture Committee.

HB 92 - AN ACT TO AMEND SECTION 6504, CHAPTER 65, TITLE 25 OF THE DELAWARE CODE, RELATING TO MISCELLANEOUS PROVISIONS IN THE LANDLORD-TENANT CODE THAT ALLOW THE TENANT TO OBTAIN A SUMMARY OF THE LANDLORD-TENANT CODE. Sponsors: Representatives Sillis, D. Ennis, Plant; Senators Holloway, McDowell. Assigned to Health-Social Services/Aging Committee.

HB 155 - AN ACT TO AMEND CHAPTER 47, TITLE 21, DELAWARE CODE RELATING TO MOTOR CARRIER RESPONSIBILITY. Sponsors: Representatives West, Campanelli, Quillen, Fallon, Sillis, Bennett, Houghton, Barnes, Brady, Buckworth, Mack, Jonkier, Bunting, VanSant; B. Ennis, Dixon, Wingate, Clark, Lee, Plant, Jester, Carey, Caulk, Hebner; Senators Adams, Cordrey, Minner, Holloway, Cook, Vaughn, Zimmerman. Assigned to Public Safety Committee.

HB 171 - AN ACT TO AMEND CHAPTER 55, TITLE 29, OF THE DELAWARE CODE, RELATING TO THE STATE EMPLOYEES' PENSION PLAN; AND PROVIDING "CREDIT SERVICE" STATUS TO INDIVIDUALS WHO HAVE SERVED IN THE ARMED FORCES AND WHO HAVE BEEN EMPLOYED BY THE STATE OF DELAWARE FOR TWENTY YEARS. Sponsors: Representatives Gilligan, Oberle, Amick, Bennett, Boykin, Buckworth, Bunting, Carey, Clark, Corrozi, Davis, DiPinto, Dixon, B. Ennis, D. Ennis, Fallon, George, Hebner, Jester, Lee, Mack, Maroney, Outten, Quillen, Roy, Sillis, Soles, Spence, Taylor, West, Barnes; Senators Adams, Connor, Neal, Vaughn. Assigned to Executive Committee.

HB 204 - AN ACT TO AMEND AN ACT BEING CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF LEWES" AS AMENDED BY CHAPTER 590, VOLUME 58, LAWS OF DELAWARE, AND CHAPTER 127, VOLUME 60, LAWS OF DELAWARE RELATING TO THE ANNUAL MUNICIPAL ELECTION. Sponsor: Representative Wingate. Assigned to Community Affairs Committee.

HB 220 - AN ACT TO AMEND CHAPTER 42, TITLE 21 OF THE DELAWARE CODE RELATING TO STOPPING AT ACCIDENTS, REPORTS OF ACCIDENTS, PENALTIES, AND INTERPRETATION OF LAWS. Sponsors: Representative Buckworth, Senator Torbert. Assigned to Public Safety Committee.

HB 228 - AN ACT TO AMEND AN ACT BEING CHAPTER 158, VOLUME 36, LAWS OF DELAWARE, ENTITLED "AN ACT TO INCORPORATE THE CITY OF DOVER AND CHANGING THE NAME THEREOF" AS AMENDED BY CHAPTER 456, VOLUME 60, LAWS OF DELAWARE, AND CHAPTER 5, VOLUME 64, LAWS OF DELAWARE, AND CHAPTER 28, VOLUME 65, LAWS OF DELAWARE RELATING TO REIMBURSEMENT OF EXPENSES TO THE MAYOR, MEMBERS OF THE ELECTION BOARD, MEMBERS OF THE PLANNING COMMISSION, AND OTHER ELECTED OR APPOINTED OFFICIALS. Sponsors: Representatives Outten, Bennett; Senator Zimmerman. Assigned to Community Affairs Committee.

HB 231 - AN ACT TO AMEND CHAPTER 158, VOLUME 34, LAWS OF DELAWARE, BEING "AN ACT CHANGING THE NAME OF 'THE TOWN OF DOVER' TO 'THE CITY OF DOVER' AND ESTABLISHING A CHARTER THEREFOR", AS AMENDED BY CHAPTER 219, VOLUME 47, LAWS OF DELAWARE, AND CHAPTER 98, VOLUME 59, LAWS OF DELAWARE, AND CHAPTER 147, VOLUME 61, LAWS OF DELAWARE, AND CHAPTER 5, VOLUME 64, RELATING TO A COUNCILMAN RUNNING FOR THE OFFICE OF MAYOR AND TO NOMINATION OF CANDIDATES FOR THE OFFICES OF MAYOR AND COUNCIL. Sponsors: Representatives Outten, Bennett. Assigned to Insurance and Elections Committee.

HB 234 - AN ACT TO AMEND CHAPTER 1, TITLE 17, DELAWARE CODE, RELATING TO GOVERNING THE USE OF OR CONDUCT ON STATE LANDS OWNED, CONTROLLED OR IN THE CUSTODY OF THE DEPARTMENT OF TRANSPORTATION. Sponsors: Representative Roy, Senator Martin. Assigned to Highways and Transportation Committee.

HB 235 - AN ACT TO AMEND CHAPTER 5, TITLE 17, DELAWARE CODE RELATING TO THE MAXIMUM MONETARY AMOUNT PERMITTED IN THE JUSTICE OF THE PEACE COURT AND THE COURT OF COMMON PLEAS. Sponsors: Representative Roy, Senator Martin. Assigned to Highways and Transportation Committee.

HB 236 - AN ACT TO AMEND CHAPTER 45, TITLE 21 OF THE DELAWARE CODE ALLOWING POLICE OFFICERS TO ATTACH SUMMONSES TO CERTAIN UNATTENDED VEHICLES. Sponsors: Representative Roy, Senator Martin. Assigned to Highways and Transportation Committee.

HB 237 - AN ACT TO AMEND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE BY INCLUDING A DEFINITION FOR MAINTENANCE CONTRACTS AND GRANTING STATE AGENCIES AUTHORITY TO WAIVE PERFORMANCE BONDS FOR STATE MAINTENANCE CONTRACTS IF IT IS SO STATED IN THE BID SPECIFICATIONS AND TO REQUIRE INSURANCE FOR JOB PERFORMANCE. Sponsors: Representative Roy, Senator Martin. Assigned to Highways and Transportation Committee.

HB 238 - AN ACT TO AMEND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE BY PERMITTING LETTERS OF CREDIT OR OTHER SECURITY TO BE POSTED AS SURETY FOR THE PERFORMANCE OF CERTAIN TYPES OF CONTRACTS. Sponsors: Representative Roy, Senator Martin. Assigned to Highways and Transportation Committee.

HB 243 - AN ACT TO AMEND TITLE 19, DELAWARE CODE, RELATING TO MINIMUM WAGE. Sponsors: Representative Davis, Senator Marshall; Representatives Mack, Spence, Lee, Campanelli, Jonklert; Senators Holloway, Martin, McBride, Knox, Neal. Assigned to Labor and Industrial Relations Committee.

HB 244 - AN ACT TO AMEND ARTICLE X, SECTION 1002, OF THE CHARTER OF THE CITY OF NEWARK AS ADOPTED ON APRIL 26, 1965, BY REFERENDUM PURSUANT TO CHAPTER 260, VOLUME 53, LAWS OF DELAWARE, AS AMENDED BY CHAPTER 479, VOLUME 58, LAWS OF DELAWARE, RELATING TO ELECTION PROCEDURE. Sponsors: Representatives Oberle, Petrilli, Amick, Davis, Soles; Senators Martin, Neal. Assigned to Community Affairs Committee.

HB 260 - AN ACT TO AMEND CHAPTER 11, TITLE 12 OF THE DELAWARE CODE RELATING TO ESCHEATS. Sponsors: Representative Petrilli, Senator Marshall; Representatives D. Ennis, Lee, Dixon, VanSant. Assigned to Judiciary Committee.

HB 263 - AN ACT TO AMEND CHAPTERS 3 AND 11 OF TITLE 30 OF THE DELAWARE CODE RELATING TO CERTAIN ASSESSMENTS OCCASIONED BY TAXPAYER POSITIONS OR STATEMENTS THAT ARE FRIVOLOUS OR WITHOUT REASONABLE BASIS OR ARISE OUT OF A DESIRE TO DELAY OR IMPEDE THE ADMINISTRATION OF TAX LAWS. Sponsors: Representative Petrilli, Senator Marshall; Representatives D. Ennis, Lee, Dixon, VanSant. Assigned to Revenue and Taxation Committee.

HB 264 - AN ACT TO AMEND CHAPTER 11, TITLE 30 OF THE DELAWARE CODE RELATING TO INSPECTION OF RETURNS. Sponsors: Representative Petrilli, Senator Marshall; Representatives D. Ennis, Lee, Dixon, VanSant. Assigned to Revenue and Taxation Committee.

HB 171 which had been assigned to the Executive Committee was reassigned to the Finance Committee.

HB 265 - AN ACT TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO PERSONAL INCOME TAX CREDITS FOR SOLAR ENERGY DEVICES. Sponsors: Representative Petrilli, Senator Marshall; Representatives D. Ennis, Lee, Dixon, VanSant. Assigned to Revenue and Taxation Committee.

HB 266 - AN ACT TO AMEND CHAPTERS 11, 53, 54, AND 55 OF TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES AND TO CERTAIN CIVIL PENALTIES AND RELATED PROCEDURES. Sponsors: Representative Petrilli, Senator Marshall; Representatives D. Ennis, Lee, Dixon, VanSant. Assigned to Revenue and Taxation Committee.

HB 267 - AN ACT TO AMEND CHAPTERS 21, 54, 61 AND 63 OF TITLE 30 OF THE DELAWARE CODE RELATING TO EXTENSIONS OF PERIODS OF LIMITATION WITH RESPECT TO BUSINESS AND OCCUPATIONAL LICENSE FEES AND TAXES, REALTY TRANSFER TAX, PUBLIC ACCOMMODATION TAXES, AND AFFILIATED FINANCE COMPANY TAXES. Sponsors: Representative Petrilli, Senator Marshall; Representatives D. Ennis, Lee, Dixon, VanSant. Assigned to Revenue and Taxation Committee.

HB 268 - AN ACT TO AMEND CHAPTER 29, TITLE 30, DELAWARE CODE, RELATING TO RETAIL MERCHANTS' LICENSE REQUIREMENTS AND TAXES. Sponsors: Representative Petrilli, Senator Marshall; Representatives D. Ennis, Lee, Dixon, VanSant. Assigned to Revenue and Taxation Committee.

HB 269 - AN ACT TO AMEND CHAPTER 30, TITLE 30, DELAWARE CODE, RELATING TO MOTOR VEHICLE DOCUMENTS FEES. Sponsors: Representative Petrilli, Senator Marshall; Representatives D. Ennis, Lee, Dixon, VanSant. Assigned to Revenue and Taxation Committee.

HB 270 - AN ACT TO AMEND CHAPTER 59, TITLE 29, DELAWARE CODE RELATING TO THE HIRING PRACTICES OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. Sponsors: Representatives Carey, Amick, DiPinto, Lee, Mack, Smith, Bunting, George, West; Senator Minner. Assigned to Natural Resources and Environmental Control Committee.

HB 278 - AN ACT TO AMEND CHAPTER 137, VOLUME 61, LAWS OF DELAWARE ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF DELMAR" RELATING TO ELECTIONS AND TO THE ORGANIZATION OF THE TOWN COUNCIL. Sponsors: Representative Lee; Senator Slatcher. Assigned to Community Affairs Committee.

HB 282 w HA 1, 2, 3 - AN ACT TO AMEND TITLES 9, 10, AND 29 OF THE DELAWARE CODE RELATING TO THE PROTHONOTARY OFFICES, TRANSFERRING RESPONSIBILITY AND AUTHORITY FOR PROTHONOTARY OFFICES FROM COUNTY GOVERNMENT TO THE STATE OF DELAWARE. Sponsors: Representative Oberle, Senator Bane. Assigned to Finance Committee.

HB 300 - AN ACT TO AMEND CHAPTER 81, TITLE 10, DELAWARE CODE RELATING TO LIMITING CIVIL LIABILITY FOR CERTAIN NON-PROFIT ORGANIZATION VOLUNTEERS. Sponsors: Representatives Oberle, Barnes; Senator Adams. Assigned to Judiciary Committee.

SB 251 - AN ACT TO AMEND CHAPTER 29, TITLE 7 OF THE DELAWARE CODE, RELATING TO STATE FORESTRY. Sponsors: Senator Adams, Representative Carey. Assigned to Natural Resources and Environmental Control Committee; reassigned to Agriculture Committee.

Senator Sharp moved that all necessary rules be suspended for the balance of this session for the purpose of assigning bills to committee to allow the President pro Tem to assign those bills at his convenience either before or after session and that a list be made up showing where those bills were assigned and distributed to members of the Senate and any other interested parties.

There was no objection, so the motion carried.

At 2:47 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 40th Legislative Day.

40TH LEGISLATIVE DAY
June 22, 1987

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

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Still, Torbert, Vaughn, Zimmerman - 21.

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

SB 249 was lifted from the table and taken up for consideration under suspension of the necessary rules on motion of Senator Holloway (no objection):

SB 249 - AN ACT TO AMEND CHAPTER 80, TITLE 9, CHAPTER 8, TITLE 22, AND CHAPTER 54, TITLE 30 OF THE DELAWARE CODE, RELATING TO REALTY TRANSFER TAX.

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

Senator McBride was added as co-sponsor to the Bill.

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

YES: Senators Adams, Bane, Connor, Cook, Cordrey, Holloway, Marshall, Martin, McBride, Minner, Neal, Sharp, Still, Torbert, Vaughn, Zimmerman - 16.

NO: Senator McDowell - 1.

NOT VOTING: Senator Knox - 1.

ABSENT: Senators Bair, Berndt, Slatcher - 3.

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

SB 131 was taken up for consideration on motion of Senator Zimmerman:

SB 131 - AN ACT TO AMEND CHAPTER 348, VOLUME 65, LAWS OF DELAWARE, BEING SENATE BILL NO. 560 OF THE 133RD GENERAL ASSEMBLY AND BEING AN ACT ENTITLED, "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1987; SPECIFYING CERTAIN PROCEDURES, CONDITIONS, AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS", BY MAKING CERTAIN ADDITIONS, DELETIONS, AND ADJUSTMENTS.

The privilege of the floor was extended to John Frazer (Controller General's Office).

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

Senator Bair marked PRESENT.

HB 172 was taken up for consideration on motion of Senator Minner:

HB 172 - AN ACT TO AMEND CHAPTER 197, VOLUME 54, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT REVISING THE PRIOR CHARTER OF THE CITY OF REHOBOTH BEACH AND ESTABLISHING A NEW CHARTER THEREFORE AND PRESCRIBING THE POWERS AND DUTIES OF THE COMMISSIONERS OF REHOBOTH BEACH".

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

HB 173 was taken up for consideration on motion of Senator Minner:

HB 173 - AN ACT TO AMEND SECTION 25, CHAPTER 197, VOLUME 54, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT REVISING THE PRIOR CHARTER OF THE CITY OF REHOBOTH BEACH AND ESTABLISHING A NEW CHARTER THEREFORE AND PRESCRIBING THE POWERS AND DUTIES OF THE COMMISSIONERS OF REHOBOTH BEACH".

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

SB 225 was taken up for consideration on motion of Senator Cordrey:

SB 225 - AN ACT TO AMEND CHAPTER 9 AND CHAPTER 39, TITLE 10 OF THE DELAWARE CODE, RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE; AND PROVIDING FOR PARENTAL LIABILITY FOR RESTITUTION ORDERED BY THE FAMILY COURT FOR MONETARY DAMAGES CAUSED BY THEIR CHILD'S DELINQUENT CONDUCT.

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

The roll call vote on SB 225 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Berndt, Slatcher) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 211 was taken up for consideration on motion of Senator Holloway:

SB 211 - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO PROBATION SUPERVISION RESULTING FROM FAMILY COURT ORDERS.

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

SB 216 was taken up for consideration on motion of Senator Holloway:

SB 216 - AN ACT TO AMEND TITLE 10, DELAWARE CODE, RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE BY PROVIDING FOR EXPUNGEMENT OF RECORDS UNDER CERTAIN CIRCUMSTANCES.

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.

SB 217 was taken up for consideration on motion of Senator Holloway:

SB 217 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE, RELATING TO HEARINGS IN CERTAIN VOLUNTARY RELINQUISHMENTS OF PARENTAL RIGHTS.

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

SB 198 was taken up for consideration on motion of Senator Holloway:

SB 198 - AN ACT TO AMEND CHAPTER 51, TITLE 29, DELAWARE CODE, RELATING TO FALSIFICATION OF APPLICATIONS FOR STATE EMPLOYMENT.

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

YES: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, Sharp, Still, Torbert, Vaughn - 15.

NO: Senator Neal - 1.

NOT VOTING: Senators McBride, McDowell, Minner, Slatcher, Zimmerman - 5.

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

At 4:11 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:43 p.m., Senator Cordrey presiding.

HB 71 w HA 1, 2 was taken up for consideration on motion of Senator Adams:

HB 71 w HA 1, 2 - AN ACT TO AMEND CHAPTER 51, TITLE 29 OF THE DELAWARE CODE BY ADDING A NEW SECTION RELATING TO THE USE OF STATE MAIL SERVICES AND STATE PAID FOR POSTAGE CHARGES BY STATE EMPLOYEES AND OTHERS.

At 4:45 p.m., Lt. Governor Woo presiding.

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

On motion of Senator Martin, and without objection, the roll call vote on SCR 85 was rescinded and the Resolution taken up for reconsideration.

SA 1 to the Resolution (sponsor: Senator Martin) was introduced and considered for adoption. 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 SCR 85 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SB 179 was taken up for consideration on motion of Senator Holloway:

SB 179 - AN ACT TO AMEND TITLE 18, CHAPTER 7, DELAWARE CODE, RELATING TO THE GENERAL PREMIUM TAX, THE SPECIAL TAX ON GROSS PREMIUMS FOR BENEFIT OF POLICE AND THE DISTRIBUTION OF PROCEEDS OF TAX.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Harry W. Towers, Sr. (Wilmington Police) and Frank J. Murphy, Esq. (Senate Attorney).

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

SA 2 to the Bill (sponsor: Senator Holloway) was introduced and considered for adoption. 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 179 w SA 2 was then taken; however, the roll call was laid on the table before being announced on motion of Senator Marshall.

SB 191 was taken up for consideration on motion of Senator Marshall:

SB 191 - AN ACT TO AMEND CHAPTER 23, SUBCHAPTER I, TITLE 19, DELAWARE CODE, RELATING TO WORKMEN'S COMPENSATION.

The privilege of the floor was extended to M. E. Prettyman, Jr. (Delaware Association of Realtors).

At 5:29 p.m., Senator Cordrey presiding.

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

SB 233 was taken up for consideration on motion of Senator Zimmerman:

SB 233 - AN ACT TO AMEND SECTION 526A, CHAPTER 5, TITLE 18, DELAWARE CODE, RELATING TO REPORTING REQUIREMENTS AND FINANCIAL DISCLOSURE OF PROPERTY OR CASUALTY INSURERS.