

The Resolution was considered for adoption on motion of Senator Holloway and the roll call vote taken which revealed 17 Senators voting YES; 3 (Hughes, McCullough and Spence) voting NO and 1 (Hale) ABSENT; therefore, the Resolution was declared adopted.

SR 34 - MOURNING THE DEATH OF MILLARD NAYLOR, FOR MANY YEARS COACH OF THE HOWARD HIGH SCHOOL FOOTBALL TEAM, ON APRIL 16, 1979. Sponsors: Senators Holloway and Hughes.

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

SR 32 was lifted from the table for consideration on motion of Senator Holloway.

The privilege of the floor was extended to Senate Attorney, Tom Sandbach.

At the request of Senator Cicione, his name was removed as co-sponsor of the Resolution after which the roll call vote on the Resolution was taken and revealed:

YES: Senators Holloway, Knox, Marshall, Weiss - 4.

NO: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hughes, Kearns, Littleton, Martin, McCullough, Murphy, Sharp, Spence, Zimmerman - 15.

ABSENT: Senators Hale and McDowell - 2.

Therefore, the Resolution was declared lost.

At 3:55 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:11 p.m., Senator Sharp presiding.

The following legislation was introduced:

SR 35 - EXPRESSING BEST WISHES FOR A SPEEDY RECOVERY FOR OUR COLLEAGUE, SENATOR EVERETTE HALE. Sponsors: Senator Weiss and all the Senators.

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

SR 36 - URGING THE STATE AUDITOR TO CONDUCT A SPECIAL AUDIT OF THE EXPENDITURE OF TRAVEL FUNDS BY THE EXECUTIVE BRANCH.

Sponsors: Senator Kearns and Sharp.

On motion of Senator Kearns, the roll call vote on the resolution was taken and revealed 19 Senators voting YES and 2 (Hale and Holloway) ABSENT; therefore, the Resolution was declared adopted.

SCR 18 - REQUESTING THE MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO SUPPORT SENATE JOINT RESOLUTION 37 WHICH AUTHORIZES THE PRESIDENT TO DESIGNATE MAY 1, 1979, AS NATIONAL BICYCLING DAY. Sponsor: Senator Knox.

The Resolution was considered for adoption on motion of Senator Knox and the roll call vote taken which revealed 18 Senators voting YES and 3 (Cicione, Hale and Holloway) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SB 196 - AN ACT TO AMEND CHAPTERS 5, 7 AND 13 OF TITLE 7, DELAWARE CODE, RELATING TO HUNTING AND TRAPPING. Sponsor: Senator Zimmerman. Assigned to Natural Resources and Environmental Control Committee.

SB 197 - AN ACT AWARDING SPECIAL PENSION BENEFITS TO OLIN CONAWAY, A FORMER STATE EMPLOYEE; APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND AUTHORIZED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE. Sponsor: Senator Littleton. Assigned to Executive Committee.

SB 198 - AN ACT AWARDING SPECIAL PENSION BENEFITS TO MILDRED A TIEMAN (BLADES), A FORMER STATE EMPLOYEE; APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND AUTHORIZED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE. Sponsors: Senator Littleton and Representative Gordy. Assigned to Executive Committee.

SB 199 - AN ACT TO AMEND CHAPTER 3, TITLE 28 OF THE DELAWARE CODE PROHIBITING PARIMUTUEL HORSE RACING ON STATE PROPERTY. Sponsor: Senator Hughes. Assigned to Administrative Services Committee.

SB 200 - AN ACT TO AMEND SECTION 4169, CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIFIC SPEED LIMITS FOR MOTOR TRUCKS AND MOTOR TRUCK TRACTORS. Sponsor: Senator Hughes. Assigned to Public Safety Committee.

SB 201 - AN ACT TO AMEND CHAPTER 5, TITLE 31, DELAWARE CODE, RELATING TO THE STATE PUBLIC ASSISTANCE CODE, BY REQUIRING ASSISTANCE BE AT 100% OF THE 1970 STANDARD OF NEED. Sponsors: Senators Holloway and Berndt. Assigned to Health and Social Services Committee.

SA 1 to SB 186. Sponsor: Senator Hughes. Placed with the Bill.

HB 1 - AN ACT TO AMEND CHAPTER 19 AND CHAPTER 27, TITLE 30 OF THE DELAWARE CODE RELATING TO CORPORATION INCOME TAXES AND MANUFACTURERS LICENSE TAXES ATTRIBUTABLE TO NEW MANUFACTURING FACILITIES WITHIN THIS STATE. Sponsor: Representative Gilligan. Assigned to Revenue and Taxation Committee.

HB 109 - AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE RELATING TO THE RESIDENCE OF JUDGES OF THE FAMILY COURT. Sponsor: Representative Matushefske. Assigned to Judiciary Committee.

HB 115 - AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE RELATING TO POLITICAL PARTY MEMBERSHIP OF THE FAMILY COURT JUDGES. Sponsor: Representative Matushefske. Assigned to Judiciary Committee.

HJR 13 - TO REAFFIRM THE STATE OF DELAWARE'S COMMITMENT TO ENERGY CONSERVATION AS A STATE POLICY. Sponsors: Representatives Smith, Ambrosino, Anderson, Bennett, W. Brady, T. Brady, Burris, Cain, Cathcart Clendaniel, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Vernon, Ferguson; Senators McDowell, Arnold, Cook, Hale, Hughes, Knox, Littleton, Spence, Weiss. Assigned to Energy Committee.

Senator Berndt moved that the roll call vote on SCR 17 be rescinded and the Resolution be restored to the Calendar; however, a question of parliamentary procedure was raised and the Senator withdrew his motion.

SB 27 was stricken at the request of the sponsor, Senator Holloway.

At 5:45 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., April 26, 1979.

The Senate reconvened at 2:24 p.m. April 26, 1979, Senator Cordrey presiding.

The following legislation was introduced:

SB 202 - AN ACT TO AMEND CHAPTERS 13, 17, 20, 45, AND 49 OF TITLE 15, DELAWARE CODE, RELATING TO REGISTRATION AND VOTING BY PHYSICALLY DISABLED AND ELDERLY PERSONS. Sponsor: Senator Murphy. Assigned to Banking, Insurance and Elections Committee.

SB 203 - AN ACT MAKING AN APPROPRIATION FROM THE BUDGET RESERVE ACCOUNT ESTABLISHED IN CHAPTER 65, TITLE 29, DELAWARE CODE, FOR THE PURPOSE OF GRANTING A TEN PERCENT REBATE ON CALENDAR 1979 PERSONAL INCOME TAXES. Sponsor: Senator Zimmerman. Assigned to Finance Committee.

The following Committee reports were announced:

From the Public Safety Committee: SB 142 - 5 Merits; SB 171 - 5 Merits.

From the Revenue and Taxation Committee: HB 235 w HA 1 - 4 Merits.

From the Education Committee: SB 5 - 2 Favorable, 3 Merits; SB 13 - 2 Favorable, 3 Merits; SB 84 - 3 Favorable, 2 Merits; SB 127 - 5 Favorable; SB 153 - 2 Favorable, 3 Merits; HB 60 - 3 Favorable, 2 Merits; HB 111 w HA 1,2, - 3 Favorable, 2 Merits.

At 2:28 p.m. on motion of Senator Sharp, the Senate adjourned to reconvene for the 24th Legislative Day.

24TH LEGISLATIVE DAY April 26, 1979

The Senate convened at 2:28 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Martin.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:
PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 20.

ABSENT: Senator Hale - 1.

The Journal of the previous day was approved as read.

Senators Spence and Adams marked PRESENT.

At the request of Senator Berndt, the privilege of the floor was extended to Tom Sandbach and Harry Terry, Senate attorneys.

Senator Berndt moved that SCR 17 which had previously failed for passage by the Senate be reconsidered.

Before action was taken on the motion, the Senate recessed for Party Caucus on motion of Senator Sharp at 2:37 p.m.

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

Senator Kearns marked PRESENT.

Senator Berndt withdrew his motion for reconsideration of SCR 17 which had been made before the recess.

Senator Cicione marked PRESENT.

The following legislation was introduced:

SB 204 - AN ACT TO AMEND ARTICLE 4, TITLE 6, DELAWARE CODE, RELATING TO CHECK COLLECTIONS. Sponsor: Senator Murphy. Assigned to Banking, Insurance and Elections Committee.

SB 205 - AN ACT TO AMEND SUBCHAPTER 1, CHAPTER 49, TITLE 10, OF THE DELAWARE CODE RELATING TO EXEMPTIONS IN BANKRUPTCY. Sponsor: Senator Murphy. Assigned to Judiciary Committee.

SB 206 - AN ACT TO AMEND TITLE 24, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A STATE BOARD OF OPTICIANS. Sponsors: Senator Holloway and Representative Gilligan. Assigned to Health and Social Services Committee.

SA 1 to SB 179. Sponsor: Senator Holloway. Placed with the Bill.

SCR 19 - EXTENDING THE CONGRATULATIONS OF THE GENERAL ASSEMBLY TO DENISE ELDERKIN, A MCKEAN HIGH SCHOOL SENIOR, FOR WINNING FIRST PLACE IN THE DISTRIBUTIVE EDUCATION CLUBS OF AMERICA STATEWIDE COMPETITION IN CREATIVE MARKETING. Sponsors: Senator Cicione and Representative Gilligan.

On motion of Senator Cicione, the Resolution was considered for adoption and the roll call vote taken which revealed 18 Senators voting YES and 3 (Hale, Murphy and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SR 37 - URGING THE STATE AUDITOR TO CONDUCT A SPECIAL AUDIT OF THE EXPENDITURE OF TRAVEL FUNDS BY THE LEGISLATIVE BRANCH. Sponsor: Senator Weiss.

On motion of Senator Weiss, the Resolution was considered for adoption and the roll call vote taken which revealed 18 Senators voting YES, 2 (Berndt and Hughes) voting NO and 1 (Hale) ABSENT; therefore, the Resolution was declared adopted.

HB 41 was taken up for consideration on motion of Senator Adams:

HB 41 - AN ACT TO AMEND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE RELATING TO THE PROCUREMENT OF MATERIEL AND AWARD OF CONTRACTS FOR PUBLIC WORKS BY STATE AGENCIES.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Hale) ABSENT.

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

SB 125 was taken up for consideration on motion of Senator Holloway:

SB 125 - AN ACT TO AMEND CHAPTER 79, TITLE 29 OF THE DELAWARE CODE RELATING TO PAYMENT FOR SERVICES BY PATIENTS OF THE DELAWARE HOSPITAL FOR THE CHRONICALLY ILL.

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

The roll call vote on SB 125 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Hale) ABSENT.

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

On motion of Senator Knox, SB 136 was lifted from the table for consideration.

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

The roll call vote on SB 136 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Hale) ABSENT.

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

The following legislation was introduced:

SB 207 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 3, TITLE 28 OF THE DELAWARE CODE RELATING TO STEEPLECHASE RACING MEETS. Sponsor: Senator Holloway. Assigned to Revenue and Taxation Committee.

SB 208 - AN ACT TO AMEND SUBCHAPTER IV, CHAPTER 3, TITLE 28, RELATING TO TAXES ON PARI-MUTUEL WAGERING FOR STEEPLECHASE RACING MEETS AT BELLEVUE PARK. Sponsor: Senator Holloway. Assigned to Revenue and Taxation Committee.

SB 160 was stricken at the request of the sponsor, Senator Cicone.

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

SENATE
STATE OF DELAWARE
DOVER

April 26, 1979

TO: Members of the Delaware State Senate - 130th General Assembly
FROM: Senator Richard S. Cordrey, President Pro Tempore
SUBJECT: House Concurrent Resolution No. 42

As per the powers invested in me by House Concurrent Resolution No. 42, I hereby appoint: Senator Thurman Adams, Jr., Senator Roger A. Martin, Senator Charles E. Hughes, to serve on a committee to plan a program to commemorate the completion of the Chesapeake and Delaware Canal.

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On motion of Senator Cordrey, SB 203 which had been assigned to Finance Committee was reassigned to Revenue and Taxation Committee.

At 5:12 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. May 1, 1979.

The Senate reconvened at 2:11 p.m. May 1, 1979, Lt. Governor McGinnis presiding.

The following legislation was introduced:

SB 209 - AN ACT TO AMEND CHAPTER 11, PART II, TITLE 30, OF THE DELAWARE CODE TO PROVIDE FOR PERSONAL EDUCATIONAL EXEMPTION FROM TAXABLE INCOME. Sponsors: Senators Marshall, Arnold, Kearns, Cicione; Representatives George, Matushefske, McBride, Jonkiert, Cain, Ambrosino, Gilligan, Kelly, Maxwell, Darling, Morris, Gordy, Holloway, Petrilli, T. Brady, Roy, Cathcart, Oberle, Connor, Loughney, Anderson, Plant. Assigned to Revenue and Taxation Committee.

HB 177 - AN ACT TO AMEND CHAPTER 28, TITLE 24, OF THE DELAWARE CODE RELATING TO THE APPLICABILITY OF THE FREEDOM OF INFORMATION ACT TO THE COUNCIL OF THE DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS. Sponsors: Representatives Neal, McBride and Ambrosino. Assigned to Administrative Services Committee.

SCR 20 - ESTABLISHING A STATE POLICE PENSION REFORM COMMITTEE. Sponsors: Senator Adams and Representative West.

The Resolution was considered for adoption on motion of Senator Adams and the roll call vote taken which revealed 14 Senators voting YES and 7 (Cook, Hale, Kearns, Martin, McCullough, Weiss, Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

At 2:19 p.m. on motion of Senator Cordrey, the Senate recessed for a short period and reconvened at 4:07 p.m., Senator Cordrey presiding.

The following Bills were reported out of the Administrative Services Committee: SB 81 - 6 Merits; SB 134 - 5 Merits.

The following legislation was introduced:

SB 210 - AN ACT TO AMEND CHAPTER 1, TITLE 10, DELAWARE CODE, RELATING TO OPINIONS BY THE SUPREME COURT. Sponsor: Senator Cicone. Assigned to Judiciary Committee.

SB 211 - AN ACT TO AMEND CHAPTER 1, TITLE 17 OF THE DELAWARE CODE RELATING TO HIGHWAYS. Sponsor: Senator Adams. Assigned to Highways and Transportation Committee.

SB 212 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE JUDICIARY; AND PERMITTING CERTAIN FORMER STATE JUDGES AND FORMER JUSTICES OF THE SUPREME COURT TO RETURN TO ACTIVE JUDICIAL DUTY UNDER CERTAIN CIRCUMSTANCES. Sponsor: Senator Kearns. Assigned to Judiciary Committee.

SB 213 - AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER, BEING CHAPTER 158, VOLUME 36, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE VALUATION OF FARM LAND DEVOTED TO AGRICULTURAL, HORTICULTURAL OR FOREST USE. Sponsors: Senator Zimmerman; Representatives Bennett and Harrington. Assigned to Community Affairs Committee.

SB 214 - AN ACT TO AMEND SUBCHAPTER IV, CHAPTER 3, TITLE 28 OF THE DELAWARE CODE, RELATING TO SPORTS AND AMUSEMENTS BY DIRECTING THAT A PORTION OF THE MONIES FROM UNCLAIMED PARI-MUTUEL TICKETS BE USED IN THE TREATMENT OF COMPULSIVE GAMBLING. Sponsor: Senator McDowell. Assigned to Revenue and Taxation Committee.

SR 40 - IN REFERENCE TO THE TEMPORARY RULES OF THE SENATE. Sponsor: Senator Murphy. Laid on the table at the request of the sponsor.

SR 38 - MEMORIALIZING THE DELAWARE CONGRESSIONAL DELEGATION TO USE THE INFLUENCE OF THEIR OFFICES TO ASSURE DELAWARE OF FEDERAL VOCATIONAL REHABILITATION FUNDS FOR THE VISUALLY IMPAIRED. Sponsor: Senator Holloway. Laid on the table at the request of the sponsor.

SR 39 - AMENDING SENATE RESOLUTION NO. 37 RELATING TO A SPECIAL AUDIT OF THE EXPENDITURE OF TRAVEL FUNDS BY THE LEGISLATIVE BRANCH. Sponsor: Senator Cordrey.

On motion of Senator Cordrey, Senator Sharp floor managed the Resolution. The roll call vote on the Resolution was taken which revealed 19 Senators voting YES and 2 (Hale and Weiss) ABSENT; therefore, the Resolution was declared adopted.

SCR 21 - EXPRESSING CONGRATULATIONS TO CAESAR RODNEY HIGH SCHOOL ON BEING THE OVERALL WINNER AT THE DELAWARE SCIENCE OLYMPIAD HELD AT DELAWARE STATE COLLEGE, DOVER, ON SATURDAY, APRIL 28, 1979. Sponsors: Senator Murphy; Representatives Morris, Bennett, Darling, Minner.

On motion of Senator Murphy, the Resolution was considered for adoption and the roll call vote taken which revealed 19 Senators voting YES and 2 (Hale and Weiss) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 22 - CONGRATULATING ARTHUR B. CAHALL, III, MAYOR OF HARRINGTON ON HIS SELECTION AS HARRINGTON'S OUTSTANDING CITIZEN OF THE YEAR. Sponsors: Senator Cook and Representative Darling.

On motion of Senator Cook, the Resolution was considered for adoption and the roll call vote taken which revealed 19 Senators voting YES and 2 (Hale and Weiss) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SJR 13 - DIRECTING THE STATE HIGHWAY DIVISION TO TAKE NECESSARY STEPS TO NOTIFY THE TRAVELING PUBLIC THAT I-95 STILL EXISTS AND CAN BE USED AS ORIGINALLY INTENDED. Sponsors: Senator Martin and Representative Kelly.

On motion of Senator Martin, the necessary rules were suspended for consideration of the Resolution and the roll call vote taken which revealed:

YES: Senators Cicione, Cook, Cordrey, Kearns, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence - 11.

NO: Senators Adams, Arnold, Berndt, Holloway, Hughes, Knox, Littleton, Zimmerman - 8.

ABSENT: Senators Hale and Weiss - 2.

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

At 4:47 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 25th Legislative Day.

25TH LEGISLATIVE DAY

May 1, 1979

The Senate convened at 4:47 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Sharp.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 20.

ABSENT: Senator Hale - 1.

The Journal of the previous day was approved as read.

Senator Cicione moved that SB 210 be moved from the Judiciary Committee.

However, before any action was taken on Senator Cicione's motion, the Senate recessed for Party Caucus on motion of Senator Sharp. Time: 4:50 p.m.

The Senate reconvened at 5:42 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SA 1 and SA 2 to SB 84. Sponsor: Senator Kearns. Placed with the Bill.

SA 1 to SB 167. Sponsor: Senator Cicione. Placed with the Bill.

SA 1 to SB 169. Sponsor: Senator Cicione. Placed with the Bill.

SR 41 - AMENDING SENATE RESOLUTION NO. 36 RELATING TO A SPECIAL AUDIT OF THE EXPENDITURE OF TRAVEL FUNDS BY THE EXECUTIVE BRANCH. Sponsors: Senators Kearns and Sharp.

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

YES: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Kearns, Knox, Martin, McCullough, Sharp, Spence - 12.

ABSENT: Senators Hale, Holloway, Hughes, Littleton, Marshall, McDowell, Murphy, Weiss, Zimmerman - 9.

Therefore, the Resolution was declared adopted.

SB 127 was taken up for consideration on motion of Senator Zimmerman:

SB 127 - AN ACT TO PROVIDE A SUPPLEMENTARY APPROPRIATION FOR A NEW AUDITORY AMPLIFICATION SYSTEM IN THE CLASSROOMS AND CERTAIN OTHER FACILITIES AT THE MARGARET S. STERCK SCHOOL FOR THE HEARING IMPAIRED.

Senators Martin, Murphy and McCullough were added as co-sponsors of the Bill at their request after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Kearns, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Zimmerman - 16.

NO: Senators Holloway and Knox - 2.

NOT VOTING: Senator Hughes - 1.

ABSENT: Senators Hale and Weiss - 2.

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

At the request of Senator Cordrey, Senator Cook floor managed HB 235 w HA 1.

HB 235 w HA 1 was taken up for consideration on motion of Senator Cook:

HB 235 w HA 1 - AN ACT TO AMEND CHAPTER 23, TITLE 29 OF THE DELAWARE CODE RELATING TO FEES CHARGED BY THE SECRETARY OF STATE.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Hale and Weiss) ABSENT.

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

SB 84 was taken up for consideration on motion of Senator Kearns:

SB 84 - AN ACT TO AMEND TITLE 14, DELAWARE CODE, RELATING TO DISTURBING SCHOOLS OR DESTROYING SCHOOL PROPERTY.

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

The roll call vote on SB 84 w SA 1, 2 was then taken on motion of Senator Kearns and revealed 19 Senators voting YES and 2 (Hale and Weiss) ABSENT.

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

HB 60 was taken up for consideration on motion of Senator McCullough:

HB 60 - AN ACT TO AMEND CHAPTER 13, TITLE 14, DELAWARE CODE, TO PROVIDE A NURSE FOR EACH VOCATIONAL-TECHNICAL HIGH SCHOOL.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Hale and Weiss) ABSENT.

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

SA 1 to SB 21 (sponsored by Senators McCullough and Hughes) was introduced and placed with the Bill.

SR 40 which had been laid on the table was lifted for consideration on motion of Senator Murphy.

The roll call vote on the Resolution was taken; however, the roll call was laid on the table before being announced on further motion of Senator Murphy.

At 6:27 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. May 2, 1979.

The Senate reconvened at 2:27 p.m., May 2, 1979, Lt. Governor McGinnis presiding.

SB 201 which had been assigned to Health and Social Services Committee was reassigned to Finance Committee.

SA 2 to SB 142 was introduced by Senator Martin and placed with the Bill.

Senator Weiss was marked PRESENT.

At 2:30 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 26th Legislative Day.

26TH LEGISLATIVE DAY

May 2, 1979

The Senate convened at 2:30 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicone, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 20.

ABSENT: Senator Hale - 1.

The Journal of the previous day was approved as read.

The following Committee reports were announced from the Community Affairs Committee: HB 146 - 4 Merits; HB 160 - 4 Merits; SB 98 - 4 Merits; SB 181 - 4 Merits.

SB 21 was taken up for consideration on motion of Senator McCullough:

SB 21 - AN ACT TO AMEND TITLE 21, DELAWARE CODE BY ADDING A NEW CHAPTER 70 RELATING TO STOPPING, STANDING OR PARKING IN DESIGNATED FIRE LANES AND AREAS ESSENTIAL TO FIRE SAFETY AND PROVIDING PENALTIES THEREFOR.

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

The privilege of the floor was extended to Sgt. Clyde Leonard of the Delaware State Police.

Senators Holloway, Adams, Kearns, Cicione and Martin marked PRESENT.

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

The roll call vote on SB 21 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Hale and McDowell) ABSENT.

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

HB 111 w HA 1, 2 was taken up for consideration on motion of Senator McCullough:

HB 111 w HA 1, 2 - AN ACT TO AMEND CHAPTER 13, PART I, TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC SCHOOL EMPLOYEES; AND PROVIDING FOR THE ACCUMULATION OF ANNUAL LEAVE AND ABSENCES FOR OTHER REASONS.

Before final action was taken on the Bill it was laid on the table on further motion of Senator McCullough.

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

SB 2 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE 8 OF THE CONSTITUTION TO PROVIDE FOR A THREE-FIFTHS VOTE OF THE GENERAL ASSEMBLY TO ENACT LAWS AUTHORIZING AN INCREASE IN THE RATE OF TAXES AND LICENSE FEES; TO PROVIDE AN EXCEPTION THERETO FOR LAWS AUTHORIZING AN INCREASE IN THE RATE OF TAXES AND LICENSE FEES TO SATISFY THE STATE'S PLEDGE OF ITS FAITH AND CREDIT FOR THE PAYMENT OF PRINCIPAL OF AND INTEREST ON DEBT AFTER PROVISION HAS BEEN MADE ANNUALLY FOR SUCH PAYMENT; AND TO PROVIDE FOR THE ALLOCATION OF PUBLIC MONEYS TO MAKE SUCH PAYMENTS.

The privilege of the floor was extended to Weston E. Nellius, Secretary of Finance, after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (Holloway) voting NO AND 1 (Hale) ABSENT.

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

On motion of Senator McCullough, HB 111 w HA 1, 2 was lifted for consideration.

The privilege of the floor was extended to Representative McBride and Fred VanSant after which the roll call vote was taken which revealed 20 Senators voting YES and 1 (Hale) ABSENT.

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

The following Committee reports were announced:

From the Administrative Services Committee: SB 108 - 4 Merits.

From the Energy Committee: HJR 13 - 5 Favorable.

At 3:44 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:33 p.m., Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted SCR 22 and SJR 13.

HB 385 was introduced:

HB 385 - AN ACT MAKING A SUPPLEMENTARY APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF MAKING REPAIRS TO THE STANTON UNDERPASS. Sponsors: Representatives Ferguson and Powell; Senators Sharp, Kearns and Arnold.

On motion of Senator Sharp, the necessary rules were suspended for consideration of the Bill and the roll call vote taken which revealed 19 Senators voting YES and 2 (Hale and Murphy) ABSENT.

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

SR 38 was lifted from the table for consideration on motion of Senator Holloway and the roll call vote taken which revealed 20 Senators voting YES and 1 (Hale) ABSENT; therefore, the Resolution was declared adopted.

SA 1 to SB 75 was introduced by Senator Martin and placed with the Bill.

SJR 14 was introduced by Senator Cicione:

SJR 14 - REQUESTING THE GOVERNOR TO SECURE AN ADVISORY OPINION FROM THE SUPREME COURT CONCERNING THE CONSTITUTIONALITY OF SENATE CONCURRENT RESOLUTION NO. 47 ENACTED BY THE 126TH GENERAL ASSEMBLY.

Senator Cicione moved that the Resolution be laid on the table.

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

YES: Senators Adams, Cicione, Cook, Cordrey, Hughes, Kearns, Littleton, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Zimmerman - 14.

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

NOT VOTING: Senator Holloway - 1

ABSENT: Senators Hale and Marshall - 2.

Therefore, the motion prevailed and the Resolution was laid on the table.

HCR 48 was introduced:

HCR 48 - REQUESTING PRESIDENT JIMMY CARTER TO INSTRUCT THE DEPARTMENT OF ENERGY TO MAKE SUFFICIENT GASOLINE AVAILABLE TO ASSURE VISITORS TO DELAWARE'S RECREATIONAL AREAS OF A SUPPLY FOR THE SUMMER OF 1979. Sponsor: Representative West.

On motion of Senator McDowell, the Resolution was considered for adoption and the roll call vote taken which revealed:

YES: Senators Adams, Berndt, Cook, Cordrey, Kearns, Littleton, Marshall, Weiss - 8.

NO: Senators Arnold, Cicione, Holloway, Hughes, Knox, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Zimmerman - 12.

ABSENT: Senator Hale - 1.

Therefore, the Resolution was declared lost and returned to the House.

SB 153 was taken up for consideration on motion of Senator Cicione:

SB 153 - AN ACT TO AMEND CHAPTER 7 AND CHAPTER 27, TITLE 14 OF THE DELAWARE CODE RELATING TO THE FREE PUBLIC SCHOOLS; AND PROVIDING PROCEDURES FOR SUSPENSION, EXPULSION AND READMISSION OF PUPILS.

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

Senator Martin was added as co-sponsor of SB 153 w SA 1 after which the roll call vote was taken and revealed:

YES: Senators Arnold, Berndt, Cicione, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss - 15.

NO: Senators Adams, Cook and Cordrey - 3.

NOT VOTING: Senator Holloway - 1.

ABSENT: Senators Hale and Zimmerman - 2.

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

At 5:20 p.m. Senator Adams presiding.

At the request of Senator Cicione, the privilege of the floor was extended to Senate Attorney, Tom Sandbach.

At 5:42 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m. May 3, 1979.

The Senate reconvened at 2:29 p.m. May 3, 1979, Lt. Governor McGinnis presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted SCR 19.

The following legislation was introduced:

HB 230 w HA 1 - AN ACT TO AMEND CHAPTER 41, TITLE 14 OF THE DELAWARE CODE, TO PROVIDE SUPERINTENDENTS OF SCHOOLS WITH SUBPOENA POWER IN DEALING WITH UNCOOPERATIVE PARENTS. Sponsor: Representative Matushefske. Assigned to Education Committee.

HCR 49 - SUPPORTING A RESOLUTION OF THE UNITED STATES SENATE ASKING PRESIDENT JIMMY CARTER TO DESIGNATE THE WEEK OF MAY 14 THROUGH 20, 1979, AS NATIONAL FISHING WEEK. Sponsor: Representative West.

On motion of Senator Cordrey, the Resolution was considered for adoption and the roll call vote taken which revealed 17 Senators voting YES and 4 (Berndt, Hale, Holloway and Weiss) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SR 42 - REQUESTING THE HOUSE OF REPRESENTATIVES TO RETURN SENATE BILL NO. 178 TO THE SENATE. Sponsor: Senator Cordrey.

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

Senator Sharp recognized and welcomed to the Chamber former Senator Margaret Manning.

At 2:35 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 27th Legislative Day.

27TH LEGISLATIVE DAY
May 3, 1979

The Senate convened at 2:35 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Sharp.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 20.

ABSENT: Senator Hale - 1.

The Journal of the previous day was approved as read.

Senator Cordrey marked PRESENT.

At the request of Senator McCullough, a lengthy magazine article concerning the NEA was read.

After much heated controversy during which motions were made and withdrawn, Senator Hughes moved that the necessary rules requiring that a motion be in writing be suspended. The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cook, Cordrey, Hughes, Knox, Littleton, Martin, McCullough, Murphy, Sharp, Spence, Weiss - 14.

NO: Senators Holloway, Marshall, McDowell and Zimmerman - 4.

NOT VOTING: Senators Cicione and Kearns - 2.

ABSENT: Senator Hale - 1.

Therefore, the motion prevailed.

In accordance with the above suspension of rules, Senator Hughes moved that the Secretary of the Senate ask William D'Nofrio and Ms. Wise to appear before the Senate on May 9, 1979 at 2:00 p.m. to answer questions concerning the above-mentioned article which had been read at the request of Senator McCullough.

SB 75 was taken up for consideration on motion of Senator Martin:

SB 75 - AN ACT TO AMEND CHAPTER 12, TITLE 17 OF THE DELAWARE CODE RELATING TO THE REGULATION OF JUNKYARDS.

The privilege of the floor was extended to Willard Thomson, Jr., to speak on the Bill.

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

The roll call vote on SB 75 w SA 1 was then taken and revealed:

YES: Senators Adams, Berndt, Cook, Cordrey, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Weiss, Zimmerman - 14.

NO: Senators Arnold, Hughes, Spence - 3.

NOT VOTING: Senator Kearns - 1.

ABSENT: Senators Cicione, Hale, and Holloway - 3.

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

At 3:48 p.m. Senator Cordrey presiding.

At 4:04 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:31 p.m., Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed SB 123 w SA 1 and was returning SB 178 as per SR 42.

The following Committee reports were announced:

From the Banking, Insurance and Elections Committee: SB 18 - 5 Merits; SB 112 - 4 Merits, 1 Unfavorable; SB 129 - 1 Favorable, 4 Merits; SB 144 - 5 Merits; SB 180 - 1 Favorable, 4 Merits; SB 193 - 2 Merits, 2 Unfavorable; SB 202 - 5 Merits; SB 204 - 4 Merits, 1 Unfavorable.

From the Natural Resources and Environmental Control Committee: SB 196 - 4 Favorable, 1 Merits.

The following Legislation was introduced:

SB 215 - AN ACT TO AMEND TITLE 31, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A PROTECTIVE SERVICES UNIT WITHIN THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES AND FURTHER PROVIDING A SUPPLEMENTARY APPROPRIATION THEREFOR. Sponsor: Senator Holloway. Assigned to Finance Committee.

SB 216 - AN ACT TO AMEND CHAPTER 50, TITLE 15, DELAWARE CODE, RELATING TO VOTING MACHINES. Sponsor: Senator Zimmerman. Assigned to Banking, Insurance and Elections Committee.

SA 2 to SB 5. Sponsor: Senator Cicione. Placed with the Bill.

HB 61 - AN ACT TO AMEND CHAPTER 5, TITLE 11, DELAWARE CODE RELATING TO THE DEFINITION OF PUBLIC SERVANT. Sponsors: Representatives McKay and Maroney. Assigned to Judiciary Committee.

SB 178 which had been returned from the House in accordance with SR 42 was placed on the bottom of the Agenda at the request of Senator Cordrey.

SB 217 - AN ACT TO AMEND PART VII, TITLE 7 OF THE DELAWARE CODE RELATING TO THE UTILIZATION OF SOLAR ENERGY; AND PROVIDING FOR THE CREATION OF SOLAR EASEMENTS. Sponsor: Senator McDowell. Assigned to Energy Committee.

SB 218 - AN ACT TO AMEND CHAPTER 27, TITLE 24, DELAWARE CODE, RELATING TO PROFESSIONAL LAND SURVEYORS. Sponsor: Senator Murphy. Assigned to Labor Committee.

At 5:46 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. May 8, 1979.

The Senate reconvened at 3:04 p.m. May 8, 1979, Lt. Governor McGinnis presiding.

The Secretary announced that a message from the House informed the Senate that it had passed SB 124 and adopted SCR 20.

The following legislation was introduced:

SB 219 - AN ACT TO AMEND CHAPTER 65, TITLE 11, DELAWARE CODE RELATING TO INMATE CONTACTS OUTSIDE THE INSTITUTION. Sponsors: Senator Sharp and Representative Morris. Assigned to Corrections Committee.

SB 220 - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF FINANCE FOR PAYMENT OF A BONA FIDE VETERAN'S CLAIM. Sponsors: Senators Cordrey and Murphy. Assigned to Finance Committee.

SB 221 - AN ACT TO AMEND CHAPTER 21, TITLE 25 OF THE DELAWARE CODE RELATING TO PURCHASE MONEY MORTGAGES OF MARRIED PERSONS. Sponsor: Senator Cordrey. Assigned to Judiciary Committee.

SB 222 - AN ACT TO AMEND CHAPTER 39, TITLE 14, DELAWARE CODE, TO PROVIDE POST-RETIREMENT INCREASES TO RETIRED AND DISABLED TEACHERS WHO RETIRED PRIOR TO 1978. Sponsors: Senators Cook, Zimmerman, Hughes and Representative Gordy. Assigned to Education Committee.

SA 1 to SB 134. Sponsor: Senator McDowell. Placed with the Bill.

SA 2 to SB 134. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 181. Sponsor: Senator Adams. Placed with the Bill.

The following Committee reports were announced:

From the Judiciary Committee: SB 47 - 3 Favorable, 2 Merits; SB 77 - 1 Favorable, 4 Merits; SB 111 - 2 Favorable, 3 Merits; SB 117 - 1 Favorable, 4 Merits; SB 166 - 2 Favorable, 3 Merits; SB 167 - 1 Favorable, 4 Merits; SB 168 - 1 Favorable, 4 Merits; SB 169 - 1 Favorable, 4 Merits; SB 210 - 1 Favorable, 3 Merits; HB 95 - 1 Favorable, 3 Merits.

HCR 50 was introduced and considered for adoption on motion of Senator Kearns:

HCR 50 - REQUESTING THE NEWSPAPERS OF THIS STATE TO REFRAIN FROM PUBLISHING REFERENCES TO UNPROVEN CRIMINAL CHARGES IN OBITUARIES AND OTHER FAMILY ANNOUNCEMENTS. Sponsor: Representative Matushefske.

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

YES: Senators Adams, Arnold, Cicione, Cook, Cordrey, Hughes, Kearns, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Weiss, Zimmerman - 15.

NOT VOTING: Senators Berndt, Holloway, Knox, Sharp, Spence - 5.

ABSENT: Senator Hale - 1.

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

At 3:13 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 28th Legislative Day.

28TH LEGISLATIVE DAY

May 8, 1979

The Senate convened at 3:13 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 20.

ABSENT: Senator Hale - 1.

The Journal of the previous day was approved as read.

The following Committee reports were announced:

From the Executive Committee: SB 120 - 5 Merits, 1 Unfavorable; SB 139 - 6 Merits; SB 185 - 6 Merits; SB 191 - 6 Merits; SB 192 - 6 Merits; SB 194 - 6 Merits; HB 46 - 6 Merits; HB 237 w HA 1 - 6 Merits.

SB 142 was taken up for consideration on motion of Senator Martin:

SB 142 - AN ACT TO AMEND SUBCHAPTER X, TITLE 21, DELAWARE CODE, RELATING TO PARKING REGULATIONS.

The privilege of the floor was extended to Tom Sandbach and Harry Terry, Senate Attorneys to speak on the Bill.

SA 1 to the Bill which had been placed with the Bill was deferred for consideration on motion of Senator Martin.

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Martin and the roll call vote taken which revealed 19 Senators voting YES, 1 (Zimmerman) voting NO and 1 (Hale) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 142 w SA 2 was then taken and revealed:

YES: Senators Cook, Cordrey, Holloway, Marshall, Martin, Sharp, Weiss - 7.

NO: Senators Adams, Arnold, Berndt, Cicione, Hughes, Knox, Littleton, McDowell, Murphy, Spence, Zimmerman - 11.

NOT VOTING: Senator Kearns - 1.

ABSENT: Senators Hale and McCullough - 2.

Therefore, the Bill was declared lost.

SA 1 to SB 142 was stricken at the request of the sponsor, Senator Martin.

SB 59 was stricken at the request of the sponsor, Senator Sharp.

Senators Zimmerman and Hughes were added as co-sponsors of SB 222 at their request.

Senator Zimmerman marked PRESENT.

At 4:08 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus and reconvened at 5:19 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SB 224 - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE RELATING TO STATE EMPLOYEES' PENSION PLAN. Sponsors: Senators Cook and Knox; Representatives Gordy and Sincock. Assigned to Executive Committee.

SB 225 - AN ACT TO AMEND SECTION 4123, CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO VEHICLES FOLLOWING ANOTHER VEHICLE TOO CLOSELY. Sponsor: Senator Hughes. Assigned to Public Safety Committee.

SR 43 (sponsored by Senators Adams, Littleton and Kearns) was introduced and considered for adoption:

SR 43 - RELATING TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION.

The roll call vote on the Resolution was taken and revealed 13 Senators voting YES, 3 (Arnold, Martin and McCullough) NOT VOTING, and 5 (Hale, McDowell, Sharp, Spence and Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

SB 223 - AN ACT PROVIDING THAT THE OFFICIAL NAME OF THE NEW STATE OFFICE BUILDING AT NINTH AND FRENCH STREETS IN WILMINGTON, DELAWARE, BE THE J. CALEB BOGGS STATE OFFICE BUILDING. Sponsors: Senators Holloway, Knox, Berndt, Marshall, McDowell, Cook, McCullough, Hughes, Littleton, Spence, Cicione; Representatives McKay, Sincock, Hebner, Powell, T. Brady, Burris, Plant, Matushefske, Gilligan, Holloway. The Bill was laid on the table at the request of Senator Holloway.

SCR 23 - CONGRATULATING LINDA GRAY, OF MILFORD, UPON HER SELECTION BY THE DELAWARE JANECEES AS THE OUTSTANDING YOUNG WOMAN OF THE YEAR. Sponsors: Senator Adams and Representative Minner.

The Resolution was considered for adoption on motion of Senator Adams and the roll call vote taken which revealed 19 Senators voting YES and 2 (Hale and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 24 - CONGRATULATING THE DICKINSON HIGH SCHOOL COLOR GUARD AND TWIRLING CORPS ON THEIR RECENT VICTORY IN THE REGIONAL CHAMPIONSHIPS. Sponsors: Senator Arnold and Sharp; Representatives Roy and Powell.

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

SA 1 to SB 196. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 1 to SB 108. Sponsors: Senators Knox and Weiss. Placed with the Bill.

SA 2 to SB 108. Sponsor: Senator Hughes. Placed with the Bill.

HB 59 - AN ACT TO AMEND CHAPTERS 41 AND 45 OF TITLE 21, DELAWARE CODE, RELATING TO COMBINATION OF VEHICLES USED FOR TRANSPORTATION OF MOTOR VEHICLES. Sponsors: Representatives Minner and Sincock. Assigned to Public Safety Committee.

HB 128 - AN ACT TO AMEND SUBCHAPTER VII OF CHAPTER 5, TITLE 11, DELAWARE CODE, RELATING TO CRUELTY TO ANIMALS. Sponsors: Representatives Minner, Darling, Bennett; Senators Cook, Zimmerman and Murphy. Assigned to Natural Resources and Environmental Control Committee.

HB 256 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES; AND PROVIDING "IN-TRANSIT" PLATES FOR CERTAIN TYPES OF CONSTRUCTION EQUIPMENT. Sponsors: Representatives Harrington and Riddagh; Senators Littleton and Hughes. Assigned to Public Safety Committee.

HB 283 - AN ACT TO AMEND CHAPTER 7, SUBCHAPTER 1, TITLE 7, OF THE DELAWARE CODE RELATING TO METHODS OF HUNTING FOR DISABLED PERSONS. Sponsor: Representative Morris. Assigned to Natural Resources and Environmental Control Committee.

HB 322 w HA 1 - AN ACT TO AMEND CHAPTERS 43 AND 45, TITLE 10, AND CHAPTER 5, TITLE 11, MAKING IT A CRIMINAL OFFENSE FOR AN EMPLOYER TO SUBJECT AN EMPLOYEE TO DISCHARGE OR PENALTY ON ACCOUNT OF ABSENCE FROM EMPLOYMENT TO ATTEND JUDICIAL OR ADMINISTRATIVE PROCEEDINGS AS WITNESS OR JUROR. Sponsors: Representatives Plant, Maxwell, McBride. Assigned to Judiciary Committee.

SA 1 to SB 134 (sponsored by Senator McDowell) was introduced and placed with the Bill.

SA 2 to SB 134 was introduced as being sponsored by Senator Holloway; however, Senator Holloway moved that the Amendment be stricken since he was not the sponsor of the Amendment. The Chair ruled that the Amendment be laid on the table until the sponsor was determined.

SB 81 was taken up for consideration on motion of Senator Cicione:

SB 81 - AN ACT TO AMEND CHAPTER 5, TITLE 4 OF THE DELAWARE CODE RELATING TO LICENSES FOR SALES OF ALCOHOLIC LIQUORS TO BE CONSUMED OFF-PREMISES.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Hale and Zimmerman) ABSENT.

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

On motion of Senator Cicione, the necessary rules were suspended for lifting from the table SJR 14 for consideration:

SJR 14 - REQUESTING THE GOVERNOR TO SECURE AN ADVISORY OPINION FROM THE SUPREME COURT CONCERNING THE CONSTITUTIONALITY OF SENATE CONCURRENT RESOLUTION NO. 47 ENACTED BY THE 126TH GENERAL ASSEMBLY.

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

YES: Senators Adams, Arnold, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, Littleton, Marshall, Martin, McCullough, Murphy, Sharp, Spence, Weiss, Zimmerman - 17.

NO: Senators Berndt, Knox and McDowell - 3.

ABSENT: Senator Hale - 1.

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

The following nominations for appointment by the Governor were announced from the Executive Committee: Anna L. Holliday - 6 Merits; Robert S. Jackson, Sr. - 6 Merits.

At 6:10 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. May 9, 1979.

The Senate reconvened at 2:18 p.m. May 9, 1979, Lt. Governor McGinnis presiding.

The following legislation was introduced:

HB 220 w HA 1 - AN ACT TO AMEND TITLE 16 AND TITLE 24 OF THE DELAWARE CODE RELATING TO INSTRUMENTS AND PARAPHERNALIA FOR THE ADMINISTERING AND USE OF DRUGS. Sponsor: Representative Ambrosino. Assigned to Health and Social Services Committee.

SB 226 - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE RELATING TO STATE EMPLOYEES' PENSION PLAN. Sponsors: Senator Cook and Representative Gordy. Assigned to Executive Committee.

SB 227 - AN ACT TO AMEND 37 DELAWARE LAWS, CHAPTER 167, ENTITLED AN ACT TO INCORPORATE THE TOWN OF SLAUGHTER BEACH", AS AMENDED BY 52 DELAWARE LAWS, CHAPTER 44 AND 60 DELAWARE LAWS, CHAPTER 300. Sponsor: Senator Adams. Assigned to Community Affairs Committee.

SA 1 to SB 161. Sponsor: Senator Holloway. Placed with the Bill.

SA 2 to SB 189. Sponsor: Senator Adams. Placed with the Bill.

At 2:21 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 29th Legislative Day.

29TH LEGISLATIVE DAY

May 9, 1979

The Senate convened at 2:21 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Adams.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 20.

ABSENT: Senator Hale - 1.

The Journal of the previous day was approved as read.

The privilege of the floor was extended to William D'Nofrio (Positive Action Committee, Inc.) and Helen Wise (Delaware State Education Association).

At 3:18 p.m. Senator Sharp presiding.

At 3:29 p.m. Lt. Governor McGinnis presiding.

At 3:47 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:42 p.m., Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted SCR 23, SCR 24 and SCR 21.

The following legislation was introduced:

SB 228 - AN ACT TO AMEND CHAPTER 92, PART VII, TITLE 10 OF THE DELAWARE CODE RELATING TO JUSTICES OF THE PEACE; AND PROVIDING FOR THE ASSIGNMENT OF RETIRED OR INACTIVE JUSTICES. Sponsors: Senator Cicione; Representatives Jonkiert and T. Brady. Assigned to Judiciary Committee.

SA 3 to SB 134. Sponsor: Senator McDowell. Placed with the Bill.

Senators Knox, Arnold, Hughes and McDowell marked PRESENT.

On motion of Senator Adams, the Governor's nomination for appointment of Anna L. Holliday was taken up for consideration and the roll call vote taken which revealed 17 Senators voting YES and 4 (Hale, McCullough, Murphy and Spence) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Robert S. Jackson, Sr. was taken up for consideration and the roll call vote taken which revealed 17 Senators voting YES and 4 (Hale, McCullough, Murphy and Spence) ABSENT; therefore, the appointment was declared confirmed.

HB 160 was taken up for consideration on motion of Senator Marshall:

HB 160 - AN ACT TO AMEND CHAPTER 251, VOLUME 61, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT TO REINCORPORATE THE CITY OF DELAWARE CITY" RELATING TO THE PLANNING COMMISSION; INDEMNIFICATION OF OFFICIALS AND EMPLOYEES; AND PETITIONS.

The roll call vote on the Bill was taken and revealed 17 Senators voting YES and 4 (Hale, McCullough, Murphy and Spence) ABSENT.

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

SB 181 was taken up for consideration on motion of Senator Adams:

SB 181 - AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CHARTER OF THE TOWN OF BRIDGEVILLE PROVIDING FOR APPOINTMENTS OR ELECTIONS OF COMMISSIONERS TO FILL UNEXPIRED TERMS OF COMMISSIONERS WHO DIE IN OFFICE OR RESIGN FROM OFFICE.

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:

YES: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McDowell, Sharp, Zimmerman - 16.

NOT VOTING: Senator Weiss - 1.

ABSENT: Senators Hale, McCullough, Murphy and Spence - 4.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 181 w SA 1 was then taken and revealed 17 Senators voting YES and 4 (Hale, McCullough, Murphy and Spence) ABSENT.

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

SB 229 was introduced:

SB 229 - A CAPITAL IMPROVEMENT ACT OF THE STATE OF DELAWARE AUTHORIZING THE ISSUANCE OF OBLIGATIONS TO FINANCE THE RECONSTRUCTION AND RESURFACING OF ROADS AND BRIDGES, APPROPRIATING THE PROCEEDS TO THE DEPARTMENT OF TRANSPORTATION FOR APPLICATION TO SUCH PURPOSES, AND TEMPORARILY REVOKING CERTAIN AUTHORITY OF THE STATE AND THE DEPARTMENT OF TRANSPORTATION TO CONTRACT FOR CAPITAL IMPROVEMENTS PREVIOUSLY AUTHORIZED TO BE FUNDED FROM THE PROCEEDS OF OBLIGATIONS AND TO ISSUE BONDS WITH RESPECT THERETO. Sponsors: Senators Cordrey, Sharp, McCullough, Adams, Cicione, Cook, Holloway, Kearns, Marshall, Martin, McDowell, Zimmerman, Arnold, Littleton, Hughes, Weiss; Representatives Gordy, Ferguson, Minner.

On motion of Senator Cordrey, the necessary rules were suspended for consideration of SB 229 and the roll call vote taken which revealed 17 Senators voting YES and 4 (Hale, McCullough, Murphy and Spence) ABSENT.

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

HB 202 was reported out of the Administrative Services Committee: 5 Favorable.

At 6:19 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. May 10, 1979.

The Senate reconvened at 2:11 p.m. May 10, 1979, Lt. Governor McGinnis presiding.

The following legislation was introduced:

SA 1 to SB 168. Sponsor: Senator Cicione. Placed with the Bill.

SA 2 to SB 169. Sponsor: Senator Cicione. Placed with the Bill.

HJR 13 was taken up for consideration on motion of Senator McDowell:

HJR 13 - TO REAFFIRM THE STATE OF DELAWARE'S COMMITMENT TO ENERGY CONSERVATION AS A STATE POLICY.

Before final consideration of the Resolution however, it was laid on the table on further motion of the Senator.

At 2:15 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 30th Legislative Day.

30TH LEGISLATIVE DAY

May 10, 1979

The Senate convened at 2:15 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Adams.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 20.

ABSENT: Senator Hale - 1.

The Journal of the previous day was approved as read.

Senator Cordrey moved that the roll call vote on SB 178 which had passed the Senate be stricken. There was no objection, so the roll call was declared stricken and the Bill was recommitted to the Finance Committee.

On motion of Senator McDowell, HJR 13 was lifted from the table for consideration and the roll call vote taken which revealed 18 Senators voting YES and 3 (Arnold, Hale and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

Senators Hughes and Martin marked PRESENT.

The Secretary announced that a message from the House informed the Senate that it had passed SB 229.

At 2:50 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:08 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Community Affairs Committee: SB 213 - 4 Merits.

From the Banking, Insurance and Elections Committee: SB 216 - 1 Favorable, 3 Merits.

From the Education Committee: SB 149 - 2 Favorable, 3 Merits; SB 222 - 2 Favorable, 3 Merits; HB 230 w HA 1 - 4 Merits.

From the Health and Social Services Committee: SB 161 - 5 Merits; SB 163 - 5 Merits; SB 172 - 5 Merits; SB 175 - 5 Merits; SB 184 - 5 Merits; SB 206 - 5 Merits.

From the Committee on Aging: SB 182 - 5 Merits.

From the Executive Committee: The Governor's nomination for appointment of James H. Baxter, Jr. - 6 Merits.

SR 44 (Sponsored by Senators Hughes, Adams and Cordrey) was introduced and considered for adoption:

SR 44 - MOURNING THE DEATH OF PHILIP KAYE, REHOBOTH CIVIC LEADER AND BUSINESSMAN.

Senator Zimmerman marked PRESENT.

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

The following legislation was introduced:

SB 230 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO ALICE L. BANTA, A FORMER STATE EMPLOYEE WITH THE DEPARTMENT OF PUBLIC INSTRUCTION, AND FURTHER APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND AUTHORIZED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE, AND FURTHER DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT, ANY PROVISION OF CHAPTER 55, TITLE 29, DELAWARE CODE TO THE CONTRARY NOTWITHSTANDING. Sponsor: Senator Zimmerman. Assigned to Finance Committee.

SA 2 to SB 167. Sponsor: Senator Cicione. Placed with the Bill.

SA 1 to SB 202. Sponsor: Senator Murphy. Placed with the Bill.

SA 1 to SB 210. Sponsor: Senator Cicione. Placed with the Bill.

HCR 52 - REQUESTING THE DIVISION OF PARKS AND RECREATION OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO PROVIDE THAT RESIDENTS OF DELAWARE MAY RESERVE CAMP SITES. Sponsors: Representatives Gilligan, Minner, Darling, Bennett; Senators Cook, Arnold, Zimmerman.

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

HCR 53 - WISHING ALL OF THE STATE'S MOTHERS A HAPPY AND MEMORABLE MOTHERS' DAY ON MAY 13, 1979. Sponsors: Representatives Cathcart and Harrington.

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

HCR 54 - CONGRATULATING UNITED STATES SENATOR JOSEPH R. BIDEN, JR. ON HIS VICTORY IN OBTAINING THE REBUILDING PROJECT FOR THE U.S.S. SARATOGA AND THREE OTHER AIRCRAFT CARRIERS FOR THE PHILADELPHIA NAVY YARD. Sponsor: Representative Holloway.

The Resolution was considered for adoption on motion of Senator Holloway and the roll call vote taken which revealed 19 Senators voting YES and 2 (Hale and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

The following letter was read and made part of this record at the request of Senator Hughes:

SENATE
STATE OF DELAWARE
DOVER
May 10, 1979

The Honorable Richard S. Cordrey
President Pro-Tem
State Senate
Dover, Delaware

Dear Senator Cordrey:

In keeping with my statement made on the floor of the Senate during the late afternoon session yesterday, relating to my resigning as a member of the Senate Standing Committee on Corrections, and in light of what has been provided through the news media since yesterday's meeting of the Joint Committee with Governor du Pont, I find that I can no longer serve on a committee that is rapidly becoming involved in such a controversy between the Governor's office and the Legislative branch.

I feel that Corrections are too important to the State of Delaware to let political objectives be involved.

I have enjoyed my six years of this Committee, and have learned much relating to the short-comings as well as recognizing many dedicated people employed in the Corrections system.

I can also say that I have the deepest respect for all those of the General Assembly of both Houses that I have had the opportunity to serve with on this Committee.

Sincerely
Charles E. Hughes

* * * * *

SB 231 - AN ACT TO AMEND CHAPTER 1 AND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS LICENSE. Sponsor: Senator Cordrey. Assigned to Public Safety Committee.

SB 232 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO A FEE FOR THE REINSTATEMENT OF DRIVING PRIVILEGES FOR A NON-RESIDENT. Sponsor: Senator Cordrey. Assigned to Public Safety Committee.

SB 233 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO "PC" LICENSE PLATES. Sponsor: Senator Cordrey. Assigned to Public Safety Committee.

SB 234 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO SUSPENSION OF DRIVERS LICENSES FOR LENDING LICENSES. Sponsor: Senator Cordrey. Assigned to Public Safety Committee.

SB 235 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF PROOF OF FINANCIAL RESPONSIBILITY. Sponsor: Senator Cordrey. Assigned to Public Safety Committee.

SB 236 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO TAXICABS. Sponsor: Senator Cordrey. Assigned to Public Safety Committee.

SB 237 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REISSUANCE OF LICENSE PLATES. Sponsor: Senator Cordrey. Assigned to Public Safety Committee.

SB 238 - AN ACT TO AMEND CHAPTER 30, TITLE 30 OF THE DELAWARE CODE RELATING TO CREDIT GIVEN ON VEHICLE DOCUMENT FEES. Sponsor: Senator Cordrey. Assigned to Public Safety Committee.

SB 134 was taken up for consideration on motion of Senator Holloway:

SB 134 - AN ACT TO AMEND SUBCHAPTER VI OF CHAPTER 1, TITLE 26 DELAWARE CODE RELATING TO REGULATION BY THE PUBLIC SERVICE COMMISSION OF RATES CHARGED BY CABLE TELEVISION SYSTEMS.

SA 1 to the Bill which had been placed with the Bill was stricken on motion of Senator McDowell.

SA 3 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 18 Senators voting YES, 1 (Murphy) voting NO, and 2 (Hale 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 McDowell and the roll call vote taken which revealed 20 Senators voting YES and 1 (Hale) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Ned Hankins (Diamond State Telephone Company) and W. Layton Johnson (Mayor of Georgetown and Vice President of the Delaware League of Local Governments).

The roll call vote on SB 134 w SA 2, 3 was then taken; however, the roll call was laid on the table before being announced on motion of Senator Holloway.

SB 108 was taken up for consideration on motion of Senator Holloway:

SB 108 - AN ACT TO AMEND SUBCHAPTER 1, CHAPTER 21, TITLE 19, DELAWARE CODE RELATING TO THE COMPOSITION OF THE INDUSTRIAL ACCIDENT BOARD.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Weiss and the roll call vote taken which revealed 20 Senators voting YES and 1 (Hale) 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 Hughes and the roll call vote taken which revealed:

YES: Senators Arnold, Berndt, Cicione, Hughes, Kearns, Knox, Martin, McCullough, Murphy, Sharp, Spence, Weiss - 12.

NO: Senators Adams, Cook, Cordrey, Holloway, Littleton, Marshall, McDowell - 7.

NOT VOTING: Senator Zimmerman - 1.

ABSENT: Senator Hale - 1.

Therefore, the Amendment was declared adopted.

SA 3 to the Bill was introduced by Senator Murphy and the roll call vote taken which revealed:

YES: Senators Cicione, Cordrey, Hughes, Kearns, Littleton, Martin, McCullough, Murphy, Sharp, Weiss, Zimmerman - 11.

NO: Senators Adams, Arnold, Berndt, Cook, Holloway, Knox, Marshall, McDowell, Spence - 9.

ABSENT: Senator Hale - 1.

Therefore, the Amendment was declared adopted.

During the discussion of the Bill and the various Amendments the privilege of the floor was extended to Senate Attorneys Tom Sandbach and Harry Terry.

The roll call vote on SB 108 w SA 1, 2, 3 was taken and revealed 20 Senators voting YES and 1 (Hale) ABSENT.

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

SB 171 was taken up for consideration on motion of Senator Sharp:

SB 171 - AN ACT TO AMEND CHAPTER 29, TITLE 14 AND CHAPTER 27 TITLE 21 OF THE DELAWARE CODE RELATING TO THE OPERATION OF SCHOOL BUSES AND QUALIFICATIONS OF SCHOOL BUS DRIVERS.

SA 1 to the Bill was introduced by Senator Sharp and the roll call vote taken which revealed 20 Senators voting YES and 1 (Hale) ABSENT; therefore, the Amendment was declared adopted.

SA 2 to the Bill was introduced by Senator Knox and the roll call vote taken which revealed 18 Senators voting YES, 2 (Holloway and Marshall) NOT VOTING, and 1 (Hale) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 171 w SA 1, 2 was then taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cook, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 17.

NO: Senator Cordrey - 1.

NOT VOTING: Senator Holloway - 1.

ABSENT: Senators Cicione and Hale - 2.

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

On motion of Senator Adams, the necessary rules were suspended for consideration of the Governor's nomination for appointment of James H. Baxter, Jr. and the roll call vote taken which revealed:

YES: Senators Arnold, Berndt, Cordrey, Hughes, Knox, Littleton, Spence, Weiss - 8.

NO: Senators Cicione, Cook, Holloway, Kearns, Marshall, Martin, McCullough, Murphy, Sharp, Zimmerman - 10.

NOT VOTING: Senator Adams - 1.

ABSENT: Senators Hale and McDowell - 2.

Therefore, the appointment was declared defeated.

A corrected Committee Report on HB 230 w HA 1 was announced: 1 Favorable, 4 Merits.

SB 239 was introduced by Senator Holloway and laid on the table at his request:

SB 239 - AN ACT RELATING TO A TEMPORARY CHANGE IN THE OBSERVANCE OF MEMORIAL DAY.

SA 1 to SB 180 was introduced by Senator Murphy and placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had adopted SCR 13.

At 6:15 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. May 15, 1979.

The Senate reconvened at 2:12 p.m. May 15, 1979, Lt. Governor McGinnis presiding.

HB 84 was introduced and assigned to the Executive Committee:

HB 84 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO INITIATIVE AND REFERENDUM. Sponsors: Representatives Ferguson, Gilligan, Riddagh and Smith; Senators McCullough, Sharp and Berndt.

At 2:14 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 31st Legislative Day.

31ST LEGISLATIVE DAY

May 15, 1979

The Senate convened at 2:14 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Zimmerman - 19.

ABSENT: Senators Hale and Weiss - 2.

The Journal of the previous day was approved as read.

SCR 25 (sponsored by Senator Cordrey and Representative Bennett) was introduced and considered for adoption:

SCR 25 - COMMENDING MRS. NINA LOU BUNTING OF LORD BALITMORE ELEMENTARY SCHOOL, INDIAN RIVER SCHOOL DISTRICT, FOR BEING SELECTED AS DELAWARE TEACHER OF THE YEAR FOR 1979.

The roll call vote on the Resolution was taken and revealed 16 Senators voting YES and 5 (Cook, Hale, Holloway, Weiss and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

The privilege of the floor was extended to Mrs. Nina Lou Bunting who addressed the Senate.

SCR 26 (sponsored by Senators Hughes, Knox, Arnold, Littleton, Marshall and Berndt) was introduced and considered for adoption:

SCR 26 - CONGRATULATING RUTH CANN AS THE FIRST WOMAN NAMED TO LIFE MEMBERSHIP ON THE ADVISORY BOARD OF THE SALVATION ARMY OF DELAWARE.

The roll call vote on the Resolution was taken and revealed 16 Senators voting YES and 5 (Cook, Hale, Holloway, Weiss and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

Senator Cook marked PRESENT.

The Secretary announced that a message from the House informed the Senate that it had adopted SCR 16 and SJR 14.

The following message from the Governor was read:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
May 12, 1979

To the Senate of the 130th General Assembly of the
State of Delaware

I am returning without my signature Senate Joint Resolution No. 13, entitled:

"DIRECTING THE STATE HIGHWAY DIVISION TO TAKE NECESSARY STEPS TO NOTIFY THE TRAVELING PUBLIC THAT I-95 STILL EXISTS AND CAN BE USED AS ORIGINALLY INTENDED."

This resolution appears to address two situations which have developed with the new route designation made by the State Division of Highways in connection with the major highway improvement work being done on former Interstate Highway 95.

First, the Resolution directs that the Division, rather than rerouting traffic around the construction, advise motorists that the Highway may still be used.

I am certainly sympathetic to tourists and commercial interests in the area who wish to assure that their businesses and attractions are readily accessible by highway. And I note that the route designations do in fact advise motorists that former I-95 provides access to Exits 6 - 9 and Routes 52 and 202, and additional signs are to be installed directing traffic to hotels, motels, museums and other attractions. I believe, however, that it is crucial for the safety of motorists that traffic through the construction area be reduced as much as possible. Since the passage of the resolution, it has become necessary to restrict traffic on part of the highway to a single lane. As there are, in this particular stretch, no other lanes or shoulders for motorists to pull into, an accident or even a disabled vehicle could create interminable traffic backups and greatly complicate tow trucks or ambulances reaching the site. Also, of course, the more traffic, the more difficulty for construction vehicles and supplies to reach the site. In short, I believe the less traffic on this particular highway during the construction work, the better for the public as a whole.

Secondly, the Resolution appears to direct the Division of Highways to continue to use "I-95" markers on former Interstate Highway 95. However, the change in the designation of this highway had long been planned, in conjunction with the development of the federal interstate highway system. Although undoubtedly the change from the accustomed marking will create some confusion at first, the situation should be mitigated by the installation of the additional markers and signs by the Division.

Accordingly, I am returning SJR 13 without my signature.

Respectfully submitted,
Pierre S. duPont, IV Governor

* * * * *

Senator Zimmerman marked PRESENT.

SB 196 which had been first on the Agenda of the day was deferred for consideration on motion of Senator Zimmerman.

SB 185 was taken up for consideration on motion of Senator Adams:

SB 185 - AN ACT TO AUTHORIZE AND DIRECT THE TRANSFER OF THE PROPERTY KNOWN AS THE BROADKILL SCHOOL AND FORMERLY USED BY THE DEPARTMENT OF ELECTIONS FOR SUSSEX COUNTY FOR ELECTION PURPOSES TO THE MILTON JAYCEES INC.

Before final action on the Bill was taken, however, it was laid on the table on further motion of Senator Adams.

SB 196 was taken up for consideration on motion of Senator Zimmerman:

SB 196 - AN ACT TO AMEND CHAPTERS 5, 7, AND 13 OF TITLE 7, DELAWARE CODE RELATING TO HUNTING AND TRAPPING.

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

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

The roll call vote on SB 196 w SA 1, 2 was then taken and revealed 19 Senators voting YES and 2 (Hale and Weiss) ABSENT.

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

HB 95 was taken up for consideration on motion of Senator Cicone:

HB 95 - AN ACT TO AMEND CHAPTER 1 AND CHAPTER 92, TITLE 10, DELAWARE CODE, TO PROVIDE FOR A CHIEF MAGISTRATE TO ADMINISTER THE JUSTICE OF THE PEACE COURT SYSTEM THROUGHOUT THE STATE; TO ABOLISH THE OFFICE OF DEPUTY ADMINISTRATOR OF THE JUSTICE OF THE PEACE COURTS AND MAKING AN APPROPRIATION FOR THE POSITION OF CHIEF MAGISTRATE FOR THE REMAINDER OF THE FISCAL YEAR.

During discussion of the Bill, the privilege of the floor was extended to David S. Swayze, Harry Terry and Tom Sandbach.

The roll call vote on the Bill was taken; however, before being announced, the roll call was laid on the table on motion of Senator Cicone.

The Chair introduced the members of Brownie Troop #555 from Dover who attend the East Dover Elementary School and their Troop Leader, Ms. Betty Jean Caniford, Secretary of the Senate.

The Chair introduced Senator Long of Maryland to the members of the Senate.

At 3:53 p.m. Senator Kearns presiding.

SB 185 which had been laid on the table was now taken up for consideration on motion of Senator Adams and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McDowell, Murphy, Sharp, Spence, Zimmerman - 16.

NO: Senator Berndt - 1.

ABSENT: Senators Cicone, Hale, McCullough and Weiss - 4.

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

At 4:08 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:04 p.m., Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted SCR 25 and SCR 26.

Legislative Advisory #13 received from the Office of Counsel to the Governor informed the Senate that the Governor signed the following legislation: On May 12, 1979 - SB 124 and SB 123 w SA 1; on May 14 - SB 229. The Governor vetoed SJR 13 on May 12, 1979.

The following legislation was introduced:

SB 240 - AN ACT MAKING AN APPROPRIATION FROM THE BUDGET RESERVE ACCOUNT ESTABLISHED IN SECTION 6532, CHAPTER 65, TITLE 29, DELAWARE CODE, FOR THE PURPOSE OF GRANTING A REBATE ON CALENDAR 1979 PERSONAL INCOME TAXES. Sponsor: Senator Zimmerman. Assigned to Revenue and Taxation Committee.

HB 110 - AN ACT TO AMEND CHAPTER 23, TITLE 7, DELAWARE CODE RELATING TO THE MARKING OF COMMERCIAL CRAB POTS AND VESSELS. Sponsor: Representative Darling. Assigned to Natural Resources and Environmental Control Committee.

HB 399 - AN ACT RELATING TO A TEMPORARY CHANGE IN THE OBSERVANCE OF MEMORIAL DAY. Sponsors: Representatives Petrilli, Free, Connor, Powell and Vernon; Senators Arnold and Knox. The Bill was laid on the table on motion of Senator Arnold.

HCR 55 - COMMENDING THE WORK OF THE GIRLS CLUB OF DELAWARE AND MARKING THE WEEK OF MAY 13-19, 1979, AS GIRLS CLUB WEEK. Sponsors: Representative Jonkiert and Senator Holloway.

The Resolution was considered for adoption on motion of Senator Cicone and the roll call vote taken which revealed 12 Senators voting YES and 9 (Berndt, Hale, Hughes, Kearns, Littleton, McCullough, McDowell, Sharp and Weiss) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 56 - CONGRATULATING GEORGE SHAVER SCHOLLENBERGER ON HIS ELECTION TO THE DELAWARE SPORTS HALL OF FAME. Sponsors: Representative Gordy; Senators Martin, Littleton, Kearns, Adams and Marshall.

The Resolution was considered for adoption on motion of Senator Adams and the roll call vote taken which revealed 15 Senators voting YES and 6 (Hale, Hughes, McCullough, McDowell, Sharp and Weiss) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HJR 8 - MEMORIALIZING THE UNITED STATES FEDERAL GOVERNMENT TO URGE THE GERMAN FEDERAL REPUBLIC TO ABOLISH, OR EXTEND, THE STATUTE OF LIMITATIONS ON NAZI WAR CRIMINALS. Sponsors: Representatives Harrington, Bennett, Minner Connor, Maroney, Fallon, Smith, Roy, Sincock, Ambrosino, Vernon and Ferguson; Senator Weiss.

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

SB 241 - AN ACT TO AMEND CHAPTER 29, TITLE 5, DELAWARE CODE, RELATING TO THE FINANCING OF THE SALE OF MOTOR VEHICLES. Sponsor: Senator Holloway. Assigned to Banking, Insurance and Elections Committee.

SR 45 - CONGRATULATING MARION BORST OF NEWARK ON HER ELECTION AS PRESIDENT OF THE DELAWARE STATE COUNCIL OF SENIOR CITIZENS, INC. Sponsor: Senator Martin.

The Resolution was considered for adoption on motion of Senator Martin and the roll call vote taken which revealed 16 Senators voting YES, 1 (McCullough) NOT VOTING, and 4 (Hale, Sharp, Weiss and Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

On motion of Senator Holloway, the necessary rules were suspended for lifting SB 239 from the table for consideration:

SB 239 - AN ACT RELATING TO A TEMPORARY CHANGE IN THE OBSERVANCE OF MEMORIAL DAY.

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

YES: Senators Arnold, Berndt, Holloway, Kearns, Knox, Marshall, Martin, McDowell, Murphy, Sharp, Zimmerman - 11.

NO: Senators Adams, Cook, Cordrey, Hughes, Littleton, McCullough - 6.

NOT VOTING: Senators Cicione and Spence - 2.

ABSENT: Senators Hale and Weiss - 2.

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

SB 202 was taken up for consideration on motion of Senator Murphy:

SB 202 - AN ACT TO AMEND CHAPTERS 13, 17, 20, 45 AND 49 OF TITLE 15, DELAWARE CODE, RELATING TO REGISTRATION AND VOTING BY PHYSICALLY DISABLED AND ELDERLY PERSONS.

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

The roll call vote on SB 202 w SA 1 was then taken and revealed 18 Senators voting YES and 3 (Hale, Holloway and Weiss) ABSENT.

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

SB 180 was taken up for consideration on motion of Senator Murphy:

SB 180 - AN ACT TO AMEND CHAPTER 21, TITLE 5 OF THE DELAWARE CODE, RELATING TO SMALL LOAN COMPANIES.

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

The roll call vote on SB 180 w SA 1 was then taken and revealed 18 Senators voting YES and 3 (Hale, Holloway and Weiss) ABSENT.

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

SB 144 was taken up for consideration on motion of Senator Murphy:

SB 144 - AN ACT TO AMEND CHAPTER 7, TITLE 18, OF THE DELAWARE CODE RELATING TO THE FEE SCHEDULE OF THE INSURANCE CODE FOR THE STATE OF DELAWARE.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Hale, Martin and Weiss) ABSENT.

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

SB 129 was taken up for consideration on motion of Senator Murphy:

SB 129 - AN ACT TO AMEND CHAPTER 29, TITLE 21, DELAWARE CODE TO ELIMINATE THE REQUIREMENT FOR FILING SR-22 INSURANCE CERTIFICATES.

The roll call vote on the Bill was taken and revealed 16 Senators voting YES and 5 (Hale, Holloway, Martin, Weiss and Zimmerman) ABSENT.

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

SB 194 was taken up for consideration on motion of Senator Murphy:

SB 194 - AN ACT TO AMEND CHAPTER 69, TITLE 29, DELAWARE CODE, RELATING TO THE AWARD OF CONTRACTS.

The roll call vote on the Bill was taken; however, before being announced, it was laid on the table on motion of Senator Murphy.

Senator Holloway marked PRESENT.

The following Committee reports were announced from the Corrections Committee: SB 97 - 1 Favorable, 4 Merits; SB 219 - 2 Favorable, 3 Merits; HB 198 - 1 Favorable, 4 Merits.

The following legislation was introduced:

SB 242 - AN ACT TO AMEND CHAPTER 7, TITLE 17, DELAWARE CODE RELATING TO RAILROAD CROSSINGS OVER HIGHWAYS. Sponsors: Senators Martin, Berndt and Hughes; Representatives Kelly, Sincock and Powell. Assigned to Highways and Transportation Committee.

SA 1 to SB 184. Sponsor: Senator Berndt. Placed with the Bill.

At 6:12 p.m. the Senate adjourned on motion of Senator Sharp until 2:00 p.m. May 16, 1979.

32ND LEGISLATIVE DAY

May 16, 1979

The Senate convened at 2:17 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Sharp.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 20.

ABSENT: Senator Hale - 1.

The Journal of the previous day was approved as read.

The Secretary announced that a message from the House informed the Senate that it had passed SB 239.

The following Committee reports were announced from the Executive Committee: SB 197 - 6 Merits; SB 198 - 6 Merits.

The following legislation was introduced:

HB 297 w HA 1 - AN ACT TO AMEND TITLE 16, DELAWARE CODE, RELATING TO THE PROCEDURE FOR THE INVOLUNTARY COMMITMENT OF MENTALLY ILL PERSONS TO THE DELAWARE STATE HOSPITAL AND OTHER HOSPITALS AND DISCHARGE THEREFROM. Sponsors: Representative Gilligan and Senator Holloway. Assigned to Corrections Committee.

HB 298 - AN ACT TO AMEND CHAPTER 53, TITLE 16, DELAWARE CODE, RELATING TO DEPARTMENTS WITHIN THE GOVERNOR BACON HEALTH CENTER. Sponsors: Representative Gilligan and Senator Holloway. Assigned to Health and Social Services Committee.

HB 299 - AN ACT TO AMEND TITLE 16, DELAWARE CODE, RELATING TO THE PROCEDURE FOR VOLUNTARY ADMISSION OF MENTALLY ILL PERSONS TO THE DELAWARE STATE HOSPITAL AND OTHER HOSPITALS AND DISCHARGE THEREFROM. Sponsors: Representative Gilligan and Senator Holloway. Assigned to Health and Social Services Committee.

HB 300 w HA 1 - AN ACT TO AMEND SUBCHAPTER 1, TITLE 16, DELAWARE CODE, RELATING TO NEGLECT OF DUTY. Sponsors: Representative Gilligan and Senator Holloway. Assigned to Health and Social Services Committee.

HB 335 w HA 1, 2 - AN ACT TO AMEND CHAPTER 68, TITLE 16, DELAWARE CODE RELATING TO THE EXEMPTION OF PERSONS FROM LIABILITY WHEN RENDERING EMERGENCY CARE. Sponsors: Representatives Gilligan and Sincock. Assigned to Health and Social Services Committee.

HB 336 - AN ACT TO AMEND TITLE 10 AND TITLE 29, DELAWARE CODE RELATING TO JUSTICE OF PEACE COMPENSATION AND MAKING AN APPROPRIATION THEREFOR. Sponsors: Representatives Jonkiert, Plant, T. Brady, Riddagh, Matushefske, Loughney; Senator Cicione. Assigned to Judiciary Committee.

HB 345 w HA 1 - AN ACT TO AMEND CHAPTER 17, TITLE 24 OF THE DELAWARE CODE, WITH REFERENCE TO IMMUNITY WHEN PARTICIPATING WITH THE BOARD OF MEDICAL PRACTICE. Sponsors: Representatives Gilligan and Holloway. Assigned to Health and Social Services Committee.

The following Bills were reported out of the Finance Committee: SB 150 - 6 Merits; SB 154 - 6 Merits; SB 187 - 6 Merits; SB 230 - 6 Merits.

HB 336 which had been introduced and assigned to the Judiciary Committee was reassigned to the Finance Committee by the Chair.

Senators Marshall and Zimmerman marked PRESENT.

HJR 8 was lifted from the table for consideration on motion of Senator Weiss:

HJR 8 - MEMORIALIZING THE UNITED STATES FEDERAL GOVERNMENT TO URGE THE GERMAN FEDERAL REPUBLIC TO ABOLISH, OR EXTEND, THE STATUTE OF LIMITATIONS ON NAZI WAR CRIMINALS.

Before final action was taken on the Resolution, however, it was again laid on the table on further motion of Senator Weiss.

Senators Spence and Murphy marked PRESENT.

SB 209 was reported out of the Revenue and Taxation Committee: 1 Favorable, 2 Merits, 1 Unfavorable.

Senators Kearns and Cicone marked PRESENT.

HJR 8 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Weiss; however, before final action was taken on the Resolution it was again laid on the table on further motion of the Senator.

SB 47 was taken up for consideration on motion of Senator Kearns:

SB 47 - AN ACT TO AMEND SECTION 101, SUBCHAPTER 1, CHAPTER 1, TITLE 13 OF THE DELAWARE CODE, RELATING TO THE MARRIAGE OF MENTAL HOSPITAL PATIENTS.

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

YES: Senators Berndt, Cook, Cordrey, Holloway, Kearns, Knox, Littleton, McDowell, Murphy, Sharp, Weiss - 11.

NO: Senators Adams, Arnold, Hughes, Martin, Spence - 5.

NOT VOTING: Senator Cicone - 1.

ABSENT: Senators Hale, Marshall, McCullough, Zimmerman - 4.

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

At 2:58 p.m. Senator Murphy presiding.

SB 77 was taken up for consideration. Senator Murphy requested Senator Kearns to floor manage the Bill.

SB 77 - AN ACT TO AMEND CHAPTER 86, PART VI, TITLE 10 OF THE DELAWARE CODE RELATING TO THE RECOUPMENT OF DEFENSE COSTS; AND PROVIDING FOR RECOUPMENT IN ALL COURTS OF THE STATE.

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

YES: Senators Adams, Arnold, Berndt, Cicone, Cook, Cordrey, Kearns, Knox, Marshall, Martin, Murphy, Sharp, Spence, Weiss - 14.

NO: Senator Littleton - 1.

NOT VOTING: Senator Hughes - 1.

ABSENT: Senators Hale, Holloway, McCullough, McDowell, Zimmerman - 5.

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

SB 117 was taken up for consideration on motion of Senator Kearns:

SB 117 - AN ACT TO AMEND CHAPTER 79, PART VIII, TITLE 29 OF THE DELAWARE CODE RELATING TO THE BUREAU OF CHILD SUPPORT ENFORCEMENT; AND CONFERRING LIMITED POLICE POWERS UPON THE ENFORCEMENT OFFICERS OF THE BUREAU.

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

YES: Senator Kearns - 1.

NO: Senators Adams, Arnold, Berndt, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McDowell, Murphy, Sharp, Spence - 15.

NOT VOTING: Senator Cicione - 1.

ABSENT: Senators Hale, McCullough, Weiss, Zimmerman - 4.

Therefore, the Bill was declared lost.

At 3:49 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:09 p.m., Senator Cordrey presiding.

SB 130 was reported out of the Revenue and Taxation Committee: 2 Merits, 1 Unfavorable.

The following legislation was introduced:

SA 1 to SB 111. Sponsor: Senator Kearns. Placed with the Bill.

SA 1 to HJR 8. Sponsor: Senator Weiss. Placed with the Resolution.

HB 261 - AN ACT TO PROVIDE A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF COMMUNITY AFFAIRS AND ECONOMIC DEVELOPMENT TO MAINTAIN AN ADEQUATE SERVICE LEVEL. Sponsors: Representatives Ferguson and George. Assigned to Finance Committee.

HB 271 - AN ACT TO MAKE AN APPROPRIATION TO THE DIVISION OF SOIL AND WATER CONSERVATION OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL FOR MAINTENANCE DREDGING OF CEDAR CREEK IN SUSSEX COUNTY. Sponsors: Representative Minner and Senator Adams. Assigned to Finance Committee.

HCR 57 - REQUESTING THE UNITED STATES ECONOMIC DEVELOPMENT ADMINISTRATION TO MAKE THE FUNDS NECESSARY FOR EXPANDING THE INDUSTRIAL-VOCATIONAL TRAINING PROGRAM AT THE TERRY CAMPUS OF THE DELAWARE TECHNICAL AND COMMUNITY COLLEGE. Sponsors: Representatives Darling and Morris.

The Resolution was considered for adoption on motion of Senator Cook and the roll call vote taken which revealed 15 Senators voting YES AND 6 (Cicione, Hale, Hughes, Martin, McCullough, Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SB 243 - AN ACT TO PROVIDE SUPPLEMENTARY APPROPRIATIONS TO THE JUDICIAL BRANCH FOR THE PURPOSE OF PROVIDING ADDITIONAL OPERATING FUNDS FOR THE FISCAL YEAR ENDING JUNE 30, 1970, AND PRIOR YEARS EXPENSE. Sponsors: Senator Cicione and Representative Jonkiert. Assigned to Finance Committee.

SB 244 - AN ACT TO AMEND CHAPTER 14, TITLE 24 OF THE DELAWARE CODE, PROVIDING FOR AN EXEMPTION FROM ELECTRICAL INSPECTION TO THE DEPARTMENT OF TRANSPORTATION. Sponsor: Senator Martin. Assigned to Highways and Transportation Committee.

SB 245 - AN ACT TO AMEND TITLES 10 AND 31, DELAWARE CODE, FOR THE PURPOSE OF CREATING A FOSTER CHILD REVIEW BOARD AND ESTABLISHING A SYSTEM OF CITIZEN AND COURT REVIEW OF FOSTER CHILD CARE. Sponsors: Senators Holloway, Cook, Marshall, Murphy, Berndt, McDowell, Knox, Kearns, Littleton, Sharp, Weiss, Martin; Representatives Matushefske, Maroney, Powell, Plant, W. Brady, Petrilli, McBride, Oberle, Sincock, Morris, Gilligan, Fallon, T. Brady, Connor, Ambrosino. Assigned to Health and Social Services Committee.

SB 246 - AN ACT AUTHORIZING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES FOR THE PURPOSE OF RAISING GENERAL ASSISTANCE AND AID TO FAMILIES WITH DEPENDENT CHILDREN PAYMENTS AND AMENDING CHAPTER 5, TITLE 31, DELAWARE CODE, BY REQUIRING THAT AID TO FAMILIES WITH DEPENDENT CHILDREN BE AT 100% OF THE 1969 STANDARD OF NEED. Sponsors: Senators Holloway, Berndt, Knox, Weiss, Cicione, Kearns, Marshall, McDowell; Representatives Holloway and Plant. Assigned to Finance Committee.

The following Committee reports were announced:

From the Public Safety Committee: SB 231 - 6 Merits; SB 232 - 6 Merits; SB 234 - 6 Merits; SB 235 - 6 Merits; SB 236 - 6 Merits; SB 237 - 6 Merits; SB 238 - 6 Merits; HB 59 - 6 Merits.

From the Executive Committee: HB 94 - 5 Merits; HB 118 w HA 1 - 5 Merits.

SB 53 was taken up for consideration on motion of Senator Weiss:

SB 53 - AN ACT TO AMEND SECTION 704, TITLE 19, DELAWARE CODE RELATING TO LIE DETECTORS.

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

YES: Senators Arnold, Berndt, Cook, Kearns, Knox, Littleton, Marshall, Martin, McDowell, Spence, Weiss, Zimmerman - 12.

NO: Senators Adams, Cordrey, McCullough, Murphy - 4.

NOT VOTING: Senators Hughes and Sharp - 2.

ABSENT: Senators Cicione, Hale and Holloway - 3.

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

HB 146 was taken up for consideration on motion of Senator Marshall:

HB 146 - AN ACT TO AUTHORIZE THE CONVEYANCE OF THE PROPERTY KNOWN AS 308 WEST STREET IN THE CITY OF WILMINGTON FROM THE STATE OF DELAWARE TO THE CITY OF WILMINGTON.

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

YES: Senators Adams, Arnold, Berndt, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Sharp, Weiss, Zimmerman - 17.

NO: Senator Spence - 1.

ABSENT: Senators Cicione, Hale and Murphy - 3.

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

SA 1 to SB 213 was introduced by Senator Zimmerman and placed with the Bill.

At 5:51 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. May 17, 1979.

The Senate reconvened at 2:26 p.m., May 17, 1979, Lt. Governor McGinnis presiding.

Legislative Advisory #14 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed SB 239 on May 17, 1979.

The following legislation was introduced:

SB 247 - AN ACT TO AMEND AN ACT ENTITLED: "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1980; SPECIFYING CERTAIN PROCEDURES, CONDITIONS, AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.", BEING HOUSE BILL NO. 333 OF THE 130TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE." Sponsor: Senator Holloway. Assigned to Finance Committee.

SB 248 - AN ACT TO AMEND CHAPTER 35, PART IV, TITLE 12 OF THE DELAWARE CODE RELATING TO TRUSTS. Sponsor: Senator Cicione. Assigned to Banking, Insurance and Elections Committee.

At 2:29 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 33rd Legislative Day.

33RD LEGISLATIVE DAY

May 17, 1979

The Senate convened at 2:29 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 20.

ABSENT: Senator Hale - 1.

The Journal of the previous day was approved as read.

Senator Sharp recognized and introduced former Lt. Governor Bookhammer who was invited by the Lt. Governor to a seat on the podium.

Senator Cordrey introduced and welcomed to the Chamber officers of the Executive Council of Sussex High School.

SB 249 (sponsored by Senator Cicione; Representatives Matushefske and Clendaniel) was introduced and assigned to Finance Committee:

SB 249 - AN ACT TO AMEND AN ACT ENTITLED: "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1980; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS," BEING HOUSE BILL NO. 333 OF THE 130TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE.

HB 202 was taken up for consideration on motion of Senator McDowell:

HB 202 - AN ACT TO PERMIT FACSIMILE SIGNATURE BY THE SECRETARY OF STATE UNDER CERTAIN CONDITIONS.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES, 2 (Cordrey and Sharp) voting NO and 1 (Hale) ABSENT.

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

Senators Zimmerman, Martin and Murphy marked PRESENT.

SB 213 was taken up for consideration on motion of Senator Zimmerman:

SB 213 - AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER, BEING CHAPTER 158, VOLUME 36, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE VALUATION OF FARM LAND DEVOTED TO AGRICULTURAL, HORTICULTURAL OR FOREST USE.

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 19 Senators voting YES and 2 (Hale and McDowell) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 213 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Hale) 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 Zimmerman:

SB 216 - AN ACT TO AMEND CHAPTER 50, TITLE 15, DELAWARE CODE, RELATING TO VOTING MACHINES.

The roll call vote was taken and revealed 19 Senators voting YES, 1 (Holloway) voting NO, and 1 (Hale) ABSENT.

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

At 3:05 p.m., Senator Cicione presiding.

SB 161 was taken up for consideration on motion of Senator Holloway:

SB 161 - AN ACT TO AMEND CHAPTER 47, PART IV, TITLE 16 OF THE DELAWARE CODE RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT; AND PERMITTING PRACTITIONERS TO PRESCRIBE MARIJUANA TO PATIENTS FOR MEDICINAL PURPOSES.

At 3:20 p.m., Senator Sharp presiding.

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

However, before final action was taken on the Bill or the Amendment, the Senate recessed for Party Caucus on motion of Senator Cordrey at 3:36 p.m.

The Senate reconvened at 4:41 p.m., Senator Cordrey presiding.

SB 161 was laid on the table at the request of Senator Holloway.

SB 206 was taken up for consideration on motion of Senator Holloway:

SB 206 - AN ACT TO AMEND TITLE 24, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A STATE BOARD OF OPTICIANS.

Final action on the Bill was deferred, however, on further motion of Senator Hollway.

HB 230 w HA 1 was taken up for consideration on motion of Senator McCullough:

HB 230 w HA 1 - AN ACT TO AMEND CHAPTER 41, TITLE 14 OF THE DELAWARE CODE, TO PROVIDE SUPERINTENDENTS OF SCHOOLS WITH SUBPOENA POWER IN DEALING WITH UNCOOPERATIVE PARENTS.

Final action on the Bill was deferred, however, on further motion of the Senator.

SA 1 to SB 191 was introduced by Senator Marshall and placed with the Bill.

SB 191 was taken up for consideration on motion of Senator Marshall:

SB 191 - AN ACT TO AMEND TITLE 16, TITLE 18, AND TITLE 24 OF THE DELAWARE CODE AND REQUIRING THE APPOINTMENT OR INCLUSION OF AT LEAST ONE MEMBER OF THE GENERAL PUBLIC TO THE GOVERNING BODY OF CERTAIN AGENCIES, BOARDS AND ORGANIZATIONS.

SA 1 to the Bill which had been placed with the Bill was considered for adoption on motion of Senator Marshall.

The roll call vote on the Amendment was taken and revealed 15 Senators voting YES, 1 (Murphy) NOT VOTING and 5 (Cicione, Hale, Hughes, McDowell and Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Tom Sandbach, Senate Attorney, after which SB 191 w SA 1 was laid on the table on motion of Senator Marshall.

SB 222 was taken up for consideration on motion of Senator Cook:

SB 222 - AN ACT TO AMEND CHAPTER 39, TITLE 14, DELAWARE CODE, TO PROVIDE POST-RETIREMENT INCREASES TO RETIRED AND DISABLED TEACHERS WHO RETIRED PRIOR TO 1978.

Senator Cordrey was added as co-sponsor of the Bill at his request.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Cicione and Hale) ABSENT.

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 119 and SB 93 w SA 1.

HCR 58 was introduced and considered for adoption on motion of Senator McDowell:

HCR 58 - RECOGNIZING THE ACCOMPLISHMENTS OF THE SEVEN DELAWARE SPORTS FIGURES RECENTLY ELECTED TO THE DELAWARE SPORTS HALL OF FAME, AND EXTENDING THE CONGRATULATIONS AND GOOD WISHES OF THE GENERAL ASSEMBLY. Sponsors: Representatives Connor, Kelly, Ambrosino and Cathcart and all the Senators.

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

HCR 59 was introduced and considered for adoption on motion of Senator Knox:

HCR 59 - SAYING GOODBYE TO LUCILLE BROWN RETIRING AFTER TWELVE YEARS AS COOK TO FORMER GOVERNORS RUSSELL W. PETERSON AND SHERMAN W. TRIBBITT AND INCUMBENT GOVERNOR PIERRE S. DU PONT, IV. Sponsors: Representative Burris; Senator Knox and all the Senators.

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

HCR 63 was introduced and considered for adoption on motion of Senator Adams:

HCR 63 - CONGRATULATING FORMER UNITED STATES SENATOR JOHN J. WILLIAMS, OF MILLSBORO, AS HE OBSERVES HIS 75TH BIRTHDAY ON MAY 17, 1979. Sponsors: Representative Ferguson and Senator Cordrey.

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

The following legislation was introduced:

SB 250 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO PARKING AREAS DESIGNATED FOR THE HANDICAPPED. Sponsor: Senator Martin. The Bill was laid on the table at the request of the sponsor.

SB 251 - AN ACT TO AMEND CHAPTER 68 OF TITLE 16, DELAWARE CODE RELATING TO IMMUNITY FOR THE REPORTING OF ARSON. Sponsors: Senators Murphy and Hughes; Representative Matushefske. Assigned to Health and Social Services Committee.

SA 1 to SB 97. Sponsor: Senator Sharp. Placed with the Bill.

SA 2 to SB 162. Sponsor: Senator Cicione. Placed with the Bill.

SA 1 to SB 245. Sponsor: Senator McDowell. Placed with the Bill.

HB 348 w HA 1, 2 - AN ACT TO AMEND SUBCHAPTER I, CHAPTER 5, TITLE 7, DELAWARE CODE, RELATING TO THE ISSUANCE OF A MIGRATORY WATERFOWL STAMP. Sponsors: Representative Bennett and Senator Zimmerman. Assigned to Natural Resources and Environmental Control Committee.

On motion of Senator Weiss, the necessary rules were suspended for lifting HJR 8 from the table for consideration.

SA 1 to the Resolution which had been placed with the Resolution was taken up for consideration on motion of Senator Weiss and the roll call vote taken which revealed 16 Senators voting YES, 1 (Berndt) NOT VOTING and 4 (Cicione, Hale, Kearns and Spence) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on HJR 8 w SA 1 was then taken and revealed 17 Senators voting YES and 4 (Cicione, Hale, Kearns, and Spence) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House for consideration of the Senate Amendment.

At 6:08 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. May 22, 1979.

The Senate reconvened at 2:19 p.m. May 22, 1979, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed SB 33.

At 2:20 p.m., Lt. Governor McGinnis presiding.

The following legislation was introduced:

SA 1 to SB 36. Sponsor: Senator Murphy. Placed with the Bill.

SA 1 to SB 246. Sponsor: Senator Cook. Placed with the Bill.

HB 158 - AN ACT TO AMEND CHAPTERS 13 AND 18, TITLE 2 AND CHAPTER 1, TITLE 26 OF THE DELAWARE CODE RELATING TO REGULATION OF PUBLIC CARRIERS. Sponsors: Representative Kelly and Senator Martin. Assigned to Highways and Transportation Committee.

HB 166 - AN ACT TO AMEND CHAPTER 16 AND CHAPTER 17, TITLE 2, OF THE DELAWARE CODE, RELATING TO CONFLICT OF INTEREST PROVISIONS RELATING TO COMMISSIONERS OR EMPLOYEES OF LOCAL TRANSPORTATION AUTHORITIES AND SPECIALIZED TRANSPORTATION AUTHORITIES. Sponsors: Representative Kelly and Senator Martin. Assigned to Highways and Transportation Committee.

HB 167 - AN ACT TO AMEND CHAPTER 65, TITLE 29 AND CHAPTER 17, TITLE 2, DELAWARE CODE RELATING TO REIMBURSEMENT FOR COSTS OF GOODS AND SERVICES PROVIDED BY SPECIALIZED TRANSPORTATION AUTHORITIES TO STATE AGENCIES AND DEPARTMENTS. Sponsors: Representative Kelly and Senator Martin. Assigned to Executive Committee.

HB 174 - AN ACT AUTHORIZING THE DEPARTMENT OF AGRICULTURE AND AN AD HOC COMMITTEE HEREIN ESTABLISHED TO CONTINUE THE PILOT PROJECT ON THE CONCEPTS OF DYNAMIC SEEDING (WEATHER MODIFICATION); AND FURTHER PROVIDING A SUPPLEMENTARY APPROPRIATION THEREFOR. Sponsors: Representatives Clendaniel, Maxwell, West, T. Brady; Senators Adams, Cook, Spence, Littleton, Cicione, Arnold. Assigned to Finance Committee.

HB 187 w HA 1 - AN ACT TO AMEND CHAPTER 13, TITLE 2 AND CHAPTER 84, TITLE 29 OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION AND THE DIRECTOR OF THE DELAWARE TRANSPORTATION AUTHORITY. Sponsors: Representative Kelly and Senator Martin. Assigned to Highways and Transportation Committee.

HB 302 - AN ACT TO AMEND TITLE 16, DELAWARE CODE, RELATING TO THE PROCEDURE RELATING TO THE PATIENTS' RIGHTS BILL. Sponsors: Representative Gilligan and Senator Holloway. Assigned to Health and Social Services Committee.

HB 333 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1980; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. Sponsors: Representative George and Senator Cook; Representatives Ambrosino, Bennett, Clendaniel, Gilligan, Maxwell, Neal, Sincock; Senators Cicione, Holloway, Littleton, Hughes, Murphy, Sharp. Assigned to Finance Committee.

HB 346 - AN ACT TO AMEND CHAPTER 17, TITLE 24, OF THE DELAWARE CODE, RELATING TO OUT OF STATE EMERGENCY PARAMEDICS. Sponsors: Representative Gilligan and Senator Holloway. Assigned to Health and Social Services Committee.

At 2:25 p.m. the Senate adjourned on motion of Senator Cordrey, to immediately convene for the 34th Legislative Day.

34TH LEGISLATIVE DAY
May 22, 1979.

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

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 19.

ABSENT: Senators Hale and Holloway - 2.

The Journal of the previous day was approved as read.

HCR 62 (Sponsored by Representative Anderson) was introduced and considered for adoption on motion of Senator Cordrey:

HCR 62 - REQUESTING THE UNITED STATES COMMISSIONER OF REHABILITATION SERVICES TO HONOR HIS PREVIOUS COMMITMENT TO ALLOT A FULL \$3,000,000 TO THE STATE OF DELAWARE AS REQUIRED BY PUBLIC LAW 95-602. (1978 REHABILITATION AMENDMENTS ACT).

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

SCR 27 (Sponsored by Senator Hughes) was introduced and considered for adoption on his motion:

SCR 27 - REQUESTING THE MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO SUPPORT THE JOINT RESOLUTION AUTHORIZING PRESIDENT JIMMY CARTER TO PROCLAIM THE WEEK OF JUNE 8, 1979, AS MACARTHUR MEMORIAL WEEK.

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

SB 166 was taken up for consideration on motion of Senator Cicione:

SB 166 - AN ACT TO AMEND CHAPTER 28, PART II, TITLE 10 OF THE DELAWARE CODE RELATING TO PAYMENTS TO CONSTABLES FOR THE CONVEYING OF PRISONERS.

Before final action was taken on the Bill, however, it was laid on the table on further motion of the Senator.

SB 169 was taken up for consideration on motion of Senator Cicione:

SB 169 - AN ACT TO AMEND CHAPTER 98, PART VII, TITLE 10 OF THE DELAWARE CODE RELATING TO JUSTICES OF THE PEACE; AND PROVIDING RATES FOR THE PROCESSING OF ALL TRAFFIC AND CRIMINAL CASES.

SA 1 to the Bill which had been placed with the Bill was stricken on motion of Senator Cicione.

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cicione and the roll call vote taken which revealed 17 Senators voting YES and 4 (Hale, Holloway, McDowell and Murphy) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 169 w SA 2 was then taken and revealed:

YES: Senators Adams, Arnold, Cicione, Cook, Cordrey, Hughes, Kearns, Knox, Littleton, Martin, McCullough, McDowell, Murphy, Sharp, Spence - 15.

NO: Senators Berndt, Weiss and Zimmerman - 3.

ABSENT: Senators Hale, Holloway, Marshall - 3.

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

Senator McDowell marked PRESENT.

SB 166 which had been laid on the table was taken up for consideration on motion of Senator Cicione.

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

YES: Senators Adams, Cicione, Cordrey, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence - 14.

NO: Senators Arnold, Berndt, Cook, Weiss, Zimmerman - 5.

ABSENT: Senators Hale and Holloway - 2.

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

SB 167 was taken up for consideration on motion of Senator Cicione:

SB 167 - AN ACT TO AMEND CHAPTER 98, PART VII, TITLE 10 OF THE DELAWARE CODE RELATING TO JUSTICE OF THE PEACE COURTS; AND PROVIDING FOR COSTS IN CIVIL PROCEEDINGS BEFORE JUSTICES OF THE PEACE.

SA 1 to the Bill which had been placed with the Bill was stricken on motion of Senator Cicione.

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

SB 167 w SA 2 was then laid on the table on further motion of the Senator.

At 3:27 p.m. on motion of Senator Sharp, the Senate recessed for Party caucus and reconvened at 4:59 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Judiciary Committee: SB 164 - 4 Merits; SB 228 - 6 Merits; SB 147 - 4 Merits; SB 212 - 5 Merits; HB 322 w HA 1 - 5 Merits.

From the Community Affairs Committee: SB 227 - 4 Merits.

The following legislation was introduced:

SA 2 to SB 97 sponsored by Senator Sharp. Placed with the Bill.

SB 252 - AN ACT TO AMEND CHAPTER 44, TITLE 6 OF THE DELAWARE CODE RELATING TO DOOR-TO-DOOR SALES. Sponsors: Senators Weiss and Arnold; Representative Oberle. Assigned to Judiciary Committee.

SCR 28 - IN RECOGNITION OF THE ESTEEMED HONOR BESTOWED UPON THE DELAWARE NATIONAL GUARD AS A RESULT OF THE NEWLY ASSIGNED MISSION OF SETTING UP AND SUPERVISING THE COMMUNICATIONS NETWORK SERVING THE ARMY, NAVY AND AIR FORCE IN THE ENTIRE AREA COVERED BY THE PACIFIC COMMAND. Sponsors: Senators Sharp, Murphy and Hughes.

The Resolution was considered for adoption on motion of Senator Sharp and the roll call vote taken which revealed 19 Senators voting YES and 2 (Hale and Holloway) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

At 5:10 p.m. Senator Adams presiding.

SCR 29 - EXTENDING CONGRATULATIONS TO DANIEL V. TAYLOR, WINNER OF THE FIRST PRESIDENTIAL SPORTS AWARD FOR FITNESS WALKING. Sponsor: Senator Cicione. Laid on the table at the request of the sponsor.

SR 46 - AMENDING SENATE RESOLUTION NO. 36 RELATING TO A SPECIAL AUDIT OF THE EXPENDITURE OF TRAVEL FUNDS BY THE EXECUTIVE BRANCH. Sponsor: Senator Cordrey.

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

On motion of Senator Cicione, the roll call vote on HB 95 was lifted and announced:

YES: Senators Arnold, Berndt, Cicione, Holloway, Hughes, Kearns, Knox, Martin, McCullough, McDowell, Murphy, Weiss - 12.

NO: Senators Adams, Cook, Cordrey, Littleton, Marshall, Sharp, Spence, Zimmerman - 8.

ABSENT: Senator Hale - 1.

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

SB 150 was taken up for consideration on motion of Senator Zimmerman:

SB 150 - AN ACT TO MAKE A SUPPLEMENTARY APPROPRIATION TO THE DEPARTMENT OF ADMINISTRATIVE SERVICES FOR INTEREST OWED THE CITY OF DOVER IN JULY, 1975.

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

YES: Senators Adams, Berndt, Cicione, Cook, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McDowell, Murphy, Zimmerman - 13.

NO: Senator Cordrey - 1.

NOT VOTING: Senators Arnold, McCullough, Sharp, Spence, Weiss - 5.

ABSENT: Senators Hale and Holloway - 2.

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

SB 219 was taken up for consideration on motion of Senator Sharp:

SB 219 - AN ACT TO AMEND CHAPTER 65, TITLE 11, DELAWARE CODE RELATING TO INMATE CONTACTS OUTSIDE THE INSTITUTION.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES, 1 (McCullough) voting NO and 2 (Hale and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 154 was taken up for consideration on motion of Senator Zimmerman:

SB 154 - AN ACT AUTHORIZING THE CAPITAL SCHOOL DISTRICT TO EXPEND FUNDS.

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

HB 198 was taken up for consideration on motion of Senator Sharp:

HB 198 - AN ACT RELATING TO THE NAME OF THE FERRIS SCHOOL FOR BOYS.

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

SB 111 was stricken at the request of the sponsor, Senator Kearns.

SB 230 was taken up for consideration on motion of Senator Zimmerman:

SB 230 - AN ACT AWARDING SPECIAL PENSION BENEFITS TO ALICE L. BANTA, A FORMER STATE EMPLOYEE WITH THE DEPARTMENT OF PUBLIC INSTRUCTION, AND FURTHER APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND AUTHORIZED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE, AND FURTHER DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT, AND PROVISION OF CHAPTER 55, TITLE 29, DELAWARE CODE TO THE CONTRARY NOTWITHSTANDING.

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

YES: Senators Adams, Berndt, Cook, Hughes, Kearns, Knox, Littleton, Marshall, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 15.

NO: Senators Cordrey and Martin - 2.

NOT VOTING: Senator Arnold - 1.

ABSENT: Senators Cicione, Hale and Holloway - 3.

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

SB 204 was taken up for consideration on motion of Senator Murphy:

SB 204 - AN ACT TO AMEND ARTICLE 4, TITLE 6, DELAWARE CODE, RELATING TO CHECK COLLECTIONS.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Cicione, Hale and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

The following legislation was introduced:

SB 253 - AN ACT TO AMEND CHAPTER 45, TITLE 21 OF THE DELAWARE CODE, RELATING TO SIZE AND WEIGHTS OF VEHICLES BEING TOWED BY TOW TRUCKS. Sponsor: Senator Adams. Assigned to Public Safety Committee.

SB 254 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO VEHICLES BEING TOWED BY TOW TRUCKS. Sponsor: Senator Adams. Assigned to Public Safety Committee.

SB 255 - AN ACT TO AMEND SECTION 1056, TITLE 14 OF THE DELAWARE CODE RELATING TO THE DISPOSITION OF FEES FOR THE USE OF SCHOOL PROPERTY, FACILITIES AND EQUIPMENT NOT IN USE FOR EDUCATIONAL PURPOSES. Sponsors: Senator Adams; Representatives Minner and Clendaniel. Assigned to Education Committee.

SJR 15 - DIRECTING THE STATE BOARD OF EDUCATION TO ENCOURAGE LOCAL SCHOOL BOARDS TO CONSIDER UNNECESSARY STUDENT DRIVING IN PLANNING FOR THE SCHOOL YEAR 1979-1980. Sponsor: Senator Martin. Assigned to Education Committee.

SA 1 to HB 333. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 4 to SB 134. Sponsor: Senator Adams. Placed with the Bill.

At 5:59 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 23, 1979.

The Senate reconvened at 2:20 p.m. May 23, 1979, Lt. Governor McGinnis presiding.

The following legislation was introduced:

HB 334 w HA 1 w HA 1 - AN ACT TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO THE REDUCTION OF EACH PERSONAL INCOME TAX RATE AND EMPLOYER'S RETURN AND PAYMENT OF TAX WITHHELD; TO AMEND CHAPTER 19, TITLE 30, DELAWARE CODE, RELATING TO THE DETERMINATION OF THE ENTIRE NET INCOME OF A CORPORATION AS IT RELATES TO THE COST OF MODIFICATION FOR HANDICAPPED PERSONS; AND TO AMEND CHAPTER 13, TITLE 30, DELAWARE CODE, PERTAINING TO THE VALUATION OF CERTAIN FARM AND SMALL BUSINESS REAL PROPERTY FOR INHERITANCE TAX. Sponsors: Representatives Cain and George. Assigned to Revenue and Taxation Committee.

SB 256 - AN ACT TO AMEND TITLE 21, DELAWARE CODE, RELATING TO SIZE AND WEIGHT OF VEHICLES AND LOADS CLARIFYING THE GRANTING OF SPECIAL PERMITS IN THE HAULING PERMIT SECTION OF THE DEPARTMENT OF TRANSPORTATION. Sponsors: Senator Martin; Representative Minner. Assigned to Public Safety Committee.

SB 257 - AN ACT TO AMEND AN ACT, BEING CHAPTER 197, VOLUME 54, LAWS OF DELAWARE, AS AMENDED, ENTITLED " AN ACT REVISING THE PRIOR CHARTER OF THE CITY OF REHOBOTH BEACH AND ESTABLISHING A NEW CHARTER THEREFOR AND PRESCRIBING THE POWERS AND DUTIES OF THE COMMISSIONERS OF REHOBOTH BEACH": TO PROVIDE FOR AN ABATEMENT OF TAXES FOR PROMPT PAYMENT. Sponsors: Senator Cordrey and Representative Vernon. Laid on the table at the request of Senator Cordrey.

SB 231 was taken up for consideration on motion of Senator Cordrey:

SB 231 - AN ACT TO AMEND CHAPTER 1 AND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS LICENSE.

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

SB 232 was taken up for consideration on motion of Senator Cordrey:

SB 232 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO A FEE FOR THE REINSTATMENT OF DRIVING PRIVILEGES FOR A NON-RESIDENT.

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

SB 234 was taken up for consideration on motion of Senator Cordrey:

SB 234 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO SUSPENSION OF DRIVERS LICENSES FOR LENDING LICENSES.

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

SB 235 was taken up for consideration on motion of Senator Cordrey:

SB 235 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF PROOF OF FINANCIAL RESPONSIBILITY.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Cicione, Hale and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 236 was taken up for consideration on motion of Senator Cordrey:

SB 236 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO TAXICABS.

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

SB 237 was taken up for consideration on motion of Senator Cordrey:

SB 237 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REISSUANCE OF LICENSE PLATES.

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

SB 238 was taken up for consideration on motion of Senator Cordrey:

SB 238 - AN ACT TO AMEND CHAPTER 30, TITLE 30 OF THE DELAWARE CODE RELATING TO CREDIT GIVEN ON VEHICLE DOCUMENT FEES.

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

On motion of Senator Cordrey, the roll call vote on SB 235 which had passed the Senate, was rescinded and the Bill laid on the table.

HB 59 was taken up for consideration on motion of Senator Cordrey:

HB 59 - AN ACT TO AMEND CHAPTERS 41 AND 45 OF TITLE 21, DELAWARE CODE, RELATING TO COMBINATION OF VEHICLES USED FOR TRANSPORTATION OF MOTOR VEHICLES.

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

At 2:54 p.m. on motion of Senator Sharp, the Senate recessed for Party caucus and reconvened at 4:46 p.m., Senator Sharp presiding.

On motion of Senator Cordrey, the necessary rules were suspended for lifting SB 257 from the table for consideration; however, before final action was taken on the Bill it was again tabled on further motion of the Senator.

SB 235 was lifted from the table for consideration on motion of Senator Cordrey.

SA 1 to the Bill was introduced by Senator Cordrey and considered for adoption on his motion.

The roll call vote was taken on the Amendment and revealed 18 Senators voting YES, 1 (McCullough) NOT VOTING, and 2 (Hale and Holloway) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 235 w SA 1 was then taken and revealed 18 Senators voting YES, 1 (McCullough) NOT VOTING, and 2 (Hale and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

Senator Cordrey moved that consideration of SB 257 be deferred and Senator Sharp who was presiding at the time ordered the Bill laid on the table.

HB 94 was taken up for consideration on motion of Senator Adams:

HB 94 - AN ACT TO AMEND CHAPTER 59, TITLE 29, DELAWARE CODE, RELATING TO THE MERIT SYSTEM OF PERSONNEL ADMINISTRATION.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES, 1 (McCullough) NOT VOTING and 2 (Hale and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

SB 257 was lifted from the table for consideration on motion of Senator Cordrey and the roll call vote taken; however, before being announced the roll call was tabled on further motion of the Senator.

SB 209 which was next on the Agenda for the day was deferred for consideration on motion of Senator Marshall.

SB 197 was taken up for consideration on motion of Senator Littleton:

SB 197 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO OLIN CONAWAY, A FORMER STATE EMPLOYEE APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND AUTHORIZED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE.

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

YES: Senators Adams, Arnold, Berndt, Cicione, Cook, Hughes, Kearns, Knox, Littleton, Marshall, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 17.

NO: Senators Cordrey and Martin - 2.

ABSENT: Senators Hale and Holloway - 2.

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 Littleton:

SB 198 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO MILDRED A TIEMAN (BLADES) A FORMER STATE EMPLOYEE; APPROPRIATING MONIES INTO THE SPECIAL PENSION FUNDS AUTHORIZED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE.

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

YES: Senators Adams, Arnold, Berndt, Cicione, Cook, Hughes, Kearns, Knox, Littleton, Marshall, McCullough, McDowell, Murphy, Sharp, Spence, Weiss - 16.

NO: Senator Martin - 1.

ABSENT: Senators Cordrey, Hale, Holloway and Zimmerman - 4.

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

The following nominations for appointment by the Governor were reported out of the Executive Committee: Vicki Ann Hagel - 1 Favorable, 4 Merits; Vivian Kleinman - 1 Favorable, 4 Merits.

At 5:17 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 35th Legislative Day.

35TH LEGISLATIVE DAY

May 23, 1979

The Senate convened at 5:17 p.m., Senator Sharp presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 19.

ABSENT: Senators Hale and Holloway - 2.

The Journal of the previous day was approved as read.

Senator Zimmerman marked PRESENT.

SB 98 was stricken at the request of Senator Martin.

Senator Martin moved that the necessary rules be suspended for consideration of SB 250. Senator Berndt objected to the motion and a 5 minute recess was called on motion of Senator Cordrey. Time: 5:22 p.m.

The Senate reconvened at 5:31 p.m., Senator Sharp presiding.

Senator Martin temporarily withdrew his motion to suspend the necessary rules for consideration of SB 250.

Senator Cicione marked PRESENT.

On motion of Senator Cordrey, the roll call vote on SB 257 was lifted and announced revealing 19 Senators voting YES and 2 (Hale and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

On motion of Senator Martin, the necessary rules were suspended for lifting SB 250 from the table for consideration:

SB 250 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO PARKING AREAS DESIGNATED FOR THE HANDICAPPED.

Consideration of the Bill was temporarily deferred on further motion of Senator Martin so that the minority leader of the United States Senate, Howard Baker from Tennessee, could be granted the personal privilege of the floor.

SB 250 was then taken up for consideration and Senator Hughes was added as co-sponsor of the Bill after which the roll call vote was taken and revealed 17 Senators voting YES and 4 (Hale, Holloway, McCullough and Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

On motion of Senator Adams, the Governor's nomination for appointment of Vivian K. Kleinman was considered and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Berndt, Cook, Cordrey, Kearns, Knox, Littleton, Marshall, Martin, McDowell, Weiss, Zimmerman - 13.

NO: Senator Sharp - 1.

NOT VOTING: Senators McCullough and Spence - 2.

ABSENT: Senators Cicione, Hale, Holloway, Hughes, Murphy - 5.

Therefore, the appointment was declared confirmed by the Senate.

On motion of Senator Adams, the Governor's nomination for appointment of Vicki Ann Hagel was considered and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Berndt, Cook, Cordrey, Kearns, Knox, Littleton, Marshall, Martin, McDowell, Spence, Weiss, Zimmerman - 14.

NOT VOTING: Senator Sharp - 1.

ABSENT: Senators Cicione, Hale, Holloway, Hughes, McCullough, Murphy - 6.

Therefore, the appointment was declared confirmed by the Senate.

The following Committee reports were announced:

From the Banking, Insurance and Elections Committee: SB 248 - 4 Merits.

From the Natural Resources and Environmental Control Committee: SB 152 - 5 Merits; HB 128 - 3 Favorable, 2 Merits; HB 283 - 5 Merits; HB 348 w HA 1, 2 - 4 Favorable, 1 Merits.

At 6:22 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m. May 24, 1979.

The Senate reconvened at 2:14 p.m. May 24, 1979, Lt. Governor McGinnis presiding.

The following legislation was introduced:

HB 366 - AN ACT TO AMEND CHAPTER 273, VOLUME 46, LAWS OF DELAWARE, ALSO KNOWN AS "AN ACT TO REINCORPORATE THE TOWN OF ODESSA IN NEW CASTLE COUNTY" BY CHANGING THE HOURS OF ELECTION WHERE THERE IS NO CONTEST. Sponsors: Representative Brady and Senator Spence. Assigned to Community Affairs Committee.

SB 258 - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE, TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS WHO RETIRE PRIOR TO 1978 AND PROVIDING A SUPPLEMENTAL APPROPRIATION THEREFOR. Sponsors: Senator Cook and Representative Gordy. Assigned to Finance Committee.

SB 259 - AN ACT TO AMEND CHAPTER 1, TITLE 23 OF THE DELAWARE CODE, RELATING TO DELAWARE BAY AND RIVER PILOTS. Sponsor: Senator Cordrey. Assigned to Natural Resources and Environmental Control Committee.

SB 260 - AN ACT TO AMEND TITLE 18, CHAPTER 39, DELAWARE CODE RELATING TO CASUALTY INSURANCE CONTRACTS. Sponsor: Senator Murphy. Assigned to Banking, Insurance and Elections Committee.

SB 261 - AN ACT TO AMEND TITLE 8, SECTION 391, DELAWARE CODE REGARDING TAXES AND FEES PAYABLE TO THE SECRETARY OF STATE FOR CERTAIN NON-PROFIT CORPORATIONS. Sponsor: Senator Hughes. Assigned to Executive Committee.

SS 1 for SB 109. Sponsor: Senator Murphy. Placed in the Public Safety Committee in the absence of the sponsor.

SA 2 to SB 184. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 1 to SB 252. Sponsors: Senators Weiss and Arnold; Representative Oberle. Placed with the Bill.

SA 1 to HB 335. Sponsor: Senator Cicione. Placed with the Bill.

HB 334 w HA 1 as amended by HA 1 was reported out of the Revenue and Taxation Committee: 1 Favorable, 4 Merits.

HCR 64 - COMMENDING STATE TROOPER THOMAS W. ROBBINS FOR OUTSTANDING POLICE WORK IN CATCHING AND SUBDUING THE SUSPECT IN THE CHESWOLD MURDERS. Sponsor: Representative Darling.

On motion of Senator Cook, the Resolution was considered for adoption and the roll call vote taken which revealed 17 Senators voting YES and 4 (Cicione, Hale, Holloway and Murphy) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 65 - MOURNING THE DEATHS OF CLARA AND GILBERT LAMBERTSON OF KENT COUNTY. Sponsors: Representative Riddagh and Senator Cook.

On motion of Senator Cook, the Resolution was considered for adoption and the roll call vote taken which revealed 18 Senators voting YES and 3 (Cicione, Hale and Holloway) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

At 2:22 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 36th Legislative Day.

36TH LEGISLATIVE DAY

May 24, 1979

The Senate convened at 2:22 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 20.

ABSENT: Senator Hale - 1.

The Journal of the previous day was approved as read.

At the request of Senator Murphy, SS 1 for SB 109 which had been introduced in his absence was adopted in lieu of the Original and placed with the Original.

HB 237 w HA 1 was taken up for consideration on motion of Senator Adams:

HB 237 w HA 1 - AN ACT TO AMEND CHAPTER 58A, PART V, TITLE 29 OF THE DELAWARE CODE, RELATING TO THE CONDUCT OF OFFICERS AND EMPLOYEES OF THE STATE.

The roll call vote on the Bill was taken and revealed 17 Senators voting YES and 4 (Cicione, Hale, Holloway, Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

Senator Adams marked PRESENT.

SB 97 which was next on the Agenda for the day was deferred on motion of Senator Adams.

SB 227 was taken up for consideration on motion of Senator Adams:

SB 227 - AN ACT TO AMEND 37 DELAWARE LAWS, CHAPTER 167, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF SLAUGHTER BEACH", AS AMENDED BY 52 DELAWARE LAWS, CHAPTER 44 AND 60 DELAWARE LAWS, CHAPTER 300.

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

Senators Zimmerman and Cicione marked PRESENT.

At 2:33 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:04 p.m., Senator Cordrey presiding.

The following Committee reports were announced from the Finance Committee: SB 220 - 7 Merits; HB 123 - 7 Merits; HB 174 - 1 Favorable, 6 Merits; HB 261 - 7 Merits; HB 271 - 7 Merits; HB 336 - 6 Merits.

The following legislation was introduced:

SB 262 - AN ACT TO AMEND CHAPTER 31, TITLE 18 OF THE DELAWARE CODE RELATING TO GROUP LIFE INSURANCE. Sponsor: Senator Murphy. Assigned to Banking, Insurance and Elections Committee.

SB 263 - AN ACT TO AMEND CHAPTER 32, TITLE 18 OF THE DELAWARE CODE RELATING TO GROUP LIFE INSURANCE FOR STATE EMPLOYEES. Sponsor: Senator Murphy. Assigned to Banking, Insurance and Elections Committee.

SB 264 - AN ACT TO AMEND PART IV, TITLE 12 OF THE DELAWARE CODE BY STRIKING THE PRESENT CHAPTER 45 ENTITLED "UNIFORM GIFTS TO MINORS ACT" AND BY SUBSTITUTING A NEW CHAPTER 45 ENTITLED "UNIFORM GIFTS TO MINORS ACT" IN LIEU THEREOF. Sponsors: Senators Berndt and Cordrey; Representatives Maxwell and T. Brady. Assigned to Judiciary Committee.

The Secretary announced that a message from the House informed the Senate that it had adopted SCR 28.

The following legislation was introduced:

HB 120 - AN ACT TO AMEND CHAPTER 9, TITLE 29, DELAWARE CODE RELATING TO VOTE REQUIREMENT FOR RATIFICATION OF AMENDMENTS TO THE UNITED STATES CONSTITUTION. Sponsors: Representatives Sincok, Minner, Burris, Hebner, Ambrosino, Smith, Powell, Roy, Free, Neal. Assigned to Executive Committee.

SA 1, SA 2, SA 3 to HB 334. Sponsor: Senator McDowell.
Placed with the Bill.

SA 2 to HB 333. Sponsor: Senator Zimmerman. Placed with the Bill.

SB 103 was reported out of the Natural Resources and Environmental Control Committee: 1 Favorable, 5 Merits.

Senator Holloway marked PRESENT.

SB 212 was stricken at the request of the sponsor, Senator Kearns.

SB 120 was taken up for consideration on motion of Senator Murphy:

SB 120 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, RELATING TO STATE GOVERNMENT, BY REQUIRING THAT RULES AND REGULATIONS PROMULGATED BY STATE AGENCIES BE SUBMITTED TO THE GENERAL ASSEMBLY.

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

YES: Senators Adams, Cicione, Cook, Cordrey, Holloway, Kearns, Marshall, McCullough, McDowell, Murphy, Sharp, Spence, Zimmerman - 13.

NO: Senators Arnold, Berndt, Hughes, Knox, Littleton, Martin, Weiss - 7.

ABSENT: Senator Hale - 1.

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

HB 230 w HA 1 was taken up for consideration on motion of Senator McCullough:

HB 230 w HA 1 - AN ACT TO AMEND CHAPTER 41, TITLE 14 OF THE DELAWARE CODE, TO PROVIDE SUPERINTENDENTS OF SCHOOLS WITH SUBPOENA POWER IN DEALING WITH UNCOOPERATIVE PARENTS.

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

The roll call vote on HB 230 w HA 1, SA 1 was then taken and revealed 20 Senators voting YES and 1 (Hale) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

HB 128 which was next on the Agenda for the day was deferred on motion of Senator Zimmerman.

HB 283 was taken up for consideration on motion of Senator Zimmerman:

HB 283 - AN ACT TO AMEND CHAPTER 7, SUBCHAPTER 1, TITLE 7, OF THE DELAWARE CODE, RELATING TO METHODS OF HUNTING FOR DISABLED PERSONS.

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

YES: Senators Adams, Arnold, Cicione, Cook, Cordrey, Holloway, Kearns, Knox, Littleton, Marshall, McCullough, Murphy, Spence, Weiss, Zimmerman - 15.

NO: Senators Berndt and McDowell - 2.

NOT VOTING: Senators Hughes and Sharp - 2.

ABSENT: Senators Hale and Martin - 2.

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

HB 348 w HA 1, 2 was taken up for consideration on motion of Senator Zimmerman:

HB 348 w HA 1, 2 - AN ACT TO AMEND SUBCHAPTER 1, CHAPTER 5, TITLE 7, DELAWARE CODE, RELATING TO THE ISSUANCE OF A MIGRATORY WATERFOWL STAMP.

The privilege of the floor was extended to Chester Lee Carroll (Ducks Unlimited) and Wayne Holden after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McDowell, Murphy, Weiss, Zimmerman - 17.

NO: Senator Sharp - 1.

NOT VOTING: Senators McCullough and Spence - 2.

ABSENT: Senator Hale - 1.

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

The following legislation was introduced:

SA 1 and SA 2 to HB 128. Sponsor: Senator Zimmerman. Placed with the Bill.

SB 265 - AN ACT TO AMEND TITLE 29, DELAWARE CODE BY PROVIDING FOR THE REPEAL OF SECTION 6917, BY CREATING A NEW CHAPTER 73, DEALING WITH HANDICAPPED PERSONS AND PROMOTING ACCESSIBILITY TO AND USE OF CERTAIN BUILDINGS AND FACILITIES BY SUCH PERSONS, AND PROVIDING A SUPPLEMENTAL APPROPRIATION THEREFOR. Sponsors: Senators Martin, Knox, Holloway, Arnold; Representatives Anderson, Oberle, Connor, Maxwell, Ambrosino, Hebner, Sincok, Cathcart, Harrington. Assigned to Finance Committee.

SB 266 - AN ACT TO AMEND CHAPTER 25, TITLE 6, DELAWARE CODE RELATING TO PROHIBITED TRADE PRACTICES. Sponsor: Senator Holloway. Assigned to Agriculture Committee.

SB 267 - AN ACT TO AMEND SECTIONS 4302 AND 4305, TITLE 30, DELAWARE CODE, BY EXCLUDING MANUFACTURING EQUIPMENT ON LEVERAGED LEASES GUARANTEED BY THE ECONOMIC DEVELOPMENT ADMINISTRATION FROM THE LEASE TAX. Sponsors: Senators Holloway and Hughes; Representatives Loughney and Hebner. Assigned to Revenue and Taxation Committee.

SB 268 - AN ACT TO AMEND SUBCHAPTER 1, CHAPTER 7, TITLE 7, DELAWARE CODE RELATING TO THE SIZE OF SHOT. Sponsor: Senator Kearns. Assigned to Natural Resources and Environmental Control Committee.

SB 269 - AN ACT TO AMEND CHAPTER 45 OF TITLE 25 OF THE DELAWARE CODE TO ESTABLISH THE PRIORITY OF ALL MUNICIPAL WATER RENT LIENS. Sponsors: Senators Martin and Hale; Representatives Anderson, Oberle, Neal and Powell. Assigned to Judiciary Committee.

SA 1 to SB 42. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 4 to HB 334. Sponsor: Senator McDowell. Placed with the Bill.

SA 5 to HB 334.. Sponsors: Senators Zimmerman and Marshall. Placed with the Bill.

HB 21 w HA 1 - AN ACT MAKING A SUPPLEMENTARY APPROPRIATION TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO BE USED FOR THE DELAWARE ADOLESCENT PROGRAM. Sponsor: Representative Plant. Assigned to Finance Committee.

SCR 30 - CONGRATULATING THE CLAYMONT HIGH SCHOOL FLAMING ARROW BAND FOR AN OUTSTANDING PERFORMANCE IN THE NATIONAL/INTERNATIONAL MUSIC FESTIVAL AT TORONTO, CANADA. Sponsors: Senator Hughes; Representatives Hebner and Loughney.

On motion of Senator Hughes, the Resolution was considered for adoption and the roll call vote taken which revealed 18 Senators voting YES and 3 (Hale, Sharp and Spence) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

On motion of Senator Holloway, the necessary rules were suspended for consideration of HB 473:

HB 473 - AN ACT TO AMEND CHAPTER 47, PART V, TITLE 7 OF THE DELAWARE CODE, RELATING TO STATE PARKS; AND EXTENDING PARK USE PRIVILEGES FOR PURCHASERS OF CERTAIN ANNUAL PERMITS.

The privilege of the floor was extended to Representative Anderson.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (McCullough) NOT VOTING and 1 (Hale) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

At 6:18 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. May 29, 1979.

The Senate reconvened at 2:14 p.m. May 29, 1979, Lt. Governor McGinnis presiding.

The following legislation was introduced:

SA 1 to SB 18. Sponsor: Senator Berndt. Placed with the Bill.

HB 266 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO "PC" LICENSE PLATES. Sponsor: Representative Minner. Assigned to Public Safety Committee.

HB 268 - AN ACT TO AMEND CHAPTER 29, TITLE 6, DELAWARE CODE, TRANSFERRING THE OFFICE OF RETAIL GASOLINE SALES FROM THE DIVISION OF CONSUMER AFFAIRS OF THE DEPARTMENT OF COMMUNITY AFFAIRS AND ECONOMIC DEVELOPMENT TO THE DIVISION OF MOTOR FUEL TAX OF THE DEPARTMENT OF PUBLIC SAFETY. Sponsors: Representatives George and Sincock. Assigned to Executive Committee.

HB 269 w HA 1 - AN ACT TO AMEND CHAPTER 21, TITLE 21, OF THE DELAWARE CODE, TO GIVE OFFICIAL RECOGNITION TO THE HISTORICAL VINTAGE CAR CLUB OF DELAWARE, INCORPORATED IN THE REGISTRATION OF ANTIQUE MOTOR VEHICLES. Sponsor: Representative Minner. Assigned to Public Safety Committee.

At 2:17 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 37th Legislative Day.

37TH LEGISLATIVE DAY
May 29, 1979

The Senate convened at 2:17 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 20.

ABSENT: Senator Hale - 1.

The Journal of the previous day was approved as read.

At 2:20 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:10 p.m., Lt. Governor McGinnis presiding.

Senators Holloway and McCullough marked PRESENT.

The following Committee reports were announced:

From the Energy Committee: SB 4 - 1 Favorable, 1 Merits, 1 Unfavorable; SB 217 - 1 Favorable, 3 Merits.

From the Highways and Transportation Committee: SB 119 - 4 Merits, 2 Unfavorable; SB 211 - 3 Merits, 3 Unfavorable; SB 242 - 2 Favorable, 4 Merits.

From the Education Committee: SB 255 - 1 Favorable, 4 Merits; SJR 15 - 1 Favorable, 4 Merits.

HB 334 w HA 1 as amended by HA 1 was taken up for consideration on motion of Senator Cordrey:

HB 334 w HA 1 as amended by HA 1 - AN ACT TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO THE REDUCTION OF EACH PERSONAL INCOME TAX RATE AND EMPLOYER'S RETURN AND PAYMENT OF TAX WITHHELD; TO AMEND CHAPTER 19, TITLE 30, DELAWARE CODE, RELATING TO THE DETERMINATION OF THE ENTIRE NET INCOME OF A CORPORATION AS IT RELATES TO THE COST OF MODIFICATION FOR HANDICAPPED PERSONS; AND TO AMEND CHAPTER 13, TITLE 30, DELAWARE CODE, PERTAINING TO THE VALUATION OF CERTAIN FARM AND SMALL BUSINESS REAL PROPERTY FOR INHERITANCE TAX.

During the discussion of the Bill and the various Amendments which were offered to it, the privilege of the floor was extended to the following: Jack Russell, Tom Sandbach (Senate Attorney), Weston E. Nellius (Secretary of Finance), Thomas R. Carper (State Treasurer) and Harry Terry (Senate Attorney).

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

YES: Senators Cook, Holloway, Kearns, Marshall, Martin, McCullough, McDowell, Sharp, Zimmerman - 9.

NO: Senators Adams, Arnold, Berndt, Cordrey, Hughes, Knox, Littleton, Weiss - 8.

NOT VOTING: Senators Cicione, Murphy, Spence - 3.

ABSENT: Senator Hale - 1.

Therefore, the Amendment was declared lost.

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

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

YES: Senators Cook, Holloway, Kearns, Marshall, McCullough, McDowell, Murphy, Sharp, Zimmerman - 9.

NO: Senators Adams, Arnold, Berndt, Cordrey, Hughes, Knox, Littleton, Martin, Weiss - 9.

NOT VOTING: Senators Cicione and Spence - 2.

ABSENT: Senator Hale - 1.

Therefore, the Amendment was declared lost.

SA 4 to the Bill which had been placed with the Bill was laid on the table at the request of the sponsor, Senator McDowell.

SA 5 (sponsored by Senators Marshall and Zimmerman) was introduced and considered for adoption on motion of Senator Marshall. The roll call vote on the Amendment was taken and revealed:

YES: Senators Cook, Holloway, Kearns, Marshall, McCullough, McDowell, Sharp, Zimmerman - 8.

NO: Senators Adams, Arnold, Berndt, Cordrey, Hughes, Knox, Littleton, Martin, Murphy, Spence, Weiss - 11.

NOT VOTING: Senator Cicione - 1.

ABSENT: Senator Hale - 1.

Therefore, the Amendment was declared lost.

SA 6 to the Bill was introduced by Senator Holloway and immediately stricken at his request.

SA 7 to the Bill was introduced by Senator McDowell and immediately stricken at his request.

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

YES: Senators Adams, Cicione, Cook, Holloway, Kearns, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Zimmerman - 13.

NO: Senators Arnold, Berndt, Cordrey, Hughes, Knox, Littleton, Weiss - 7.

ABSENT: Senator Hale - 1.

Therefore, the Amendment was declared adopted.

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

YES: Senators Cook, Holloway, Kearns, Marshall, McCullough, McDowell, Zimmerman - 7.

NO: Senators Adams, Arnold, Berndt, Cordrey, Hughes, Knox, Littleton, Murphy, Sharp, Spence, Weiss - 11.

NOT VOTING: Senator Cicione - 1.

ABSENT: Senators Hale and Martin - 2.

Therefore, the Amendment was declared lost.

Senator Spence moved that the roll call vote on SA 8 to the Bill be rescinded; however, Senator McDowell objected and the Senator withdrew her motion.

Senator Holloway moved that HB 334 w HA 1 as amended by HA 1, SA 8 be laid on the table; however, Senator Sharp objected and the Senator withdrew his motion.

At 7:15 p.m. on motion of Senator Cordrey, the Senate recessed for a short period and reconvened at 7:24 p.m., Lt. Governor McGinnis presiding.

On motion of Senator Cordrey, the roll call vote on HB 334 w HA 1 as amended by HA 1, SA 8 was taken; however, the roll call was laid on the table before being announced on further motion of the Senator.

At 7:26 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m. May 30, 1979.

The Senate reconvened at 2:13 p.m., May 30, 1979, Senator Adams presiding.

The following legislation was introduced:

SB 270 - AN ACT MAKING A SUPPLEMENTARY APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF PROVIDING FOR THE RECONSTRUCTION OF SOUTH PARK PLACE IN GWYNNHURST. Sponsors: Senator Hughes and Representative Loughney. Assigned to Highways and Transportation Committee.

SB 271 - AN ACT MAKING A SUPPLEMENTARY APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF PROVIDING FOR STREET RECONSTRUCTION IN HOLLY OAK TERRACE. Sponsors: Senator Hughes and Representative Smith. Assigned to Highways and Transportation Committee.

SB 272 - AN ACT MAKING A SUPPLEMENTARY APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF PROVIDING FOR THE RECONSTRUCTION OF BROOKSIDE PLACE IN HOLLY OAK TO IMPROVE DRAINAGE. Sponsors: Senator Hughes and Representative Smith. Assigned to Highways and Transportation Committee.

SB 273 - AN ACT TO AMEND CHAPTER 663, VOLUME 60, LAWS OF DELAWARE, AS AMENDED BY CHAPTER 531, VOLUME 61 RELATING TO PENSION BENEFITS OF CORRECTIONS OFFICERS. Sponsors: Senators Adams and Berndt; Representatives Powell and Matushefske. Assigned to Executive Committee.

SA 1 to SB 26. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 193. Sponsor: Senator Cicione. Placed with the Bill.

SA 1 to SB 248. Sponsor: Senator Cicione. Placed with the Bill.

SCR 31 - URGING THE GOVERNOR TO PROCLAIM JUNE 16, 1979 AS RONNY HOLDREN DAY. Sponsor: Senator Sharp. Laid on the table at the request of the sponsor.

SJR 16 - SETTING FORTH THE PROCEDURES FOR REGISTERING MEDICAL PRACTITIONERS TO PRESCRIBE MARIJUANA TO PATIENTS FOR MEDICINAL PURPOSES. Sponsor: Senator Holloway. Assigned to Health and Social Services Committee.

HB 332 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. Sponsor: Representative Hebner. Assigned to Public Safety Committee.

HB 360 - AN ACT TO AMEND CHAPTER 1, TITLE 21, OF THE DELAWARE CODE RELATING TO THE ISSUANCE OF "RV" LICENSE PLATES ON VANS. Sponsors: Representatives Roy, Gilligan and Petrilli. Assigned to Public Safety Committee.

At 2:20 p.m. on motion of Senator Sharp, the Senate recessed for a short period and reconvened at 2:22 p.m., Lt. Governor McGinnis presiding.

At 2:23 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 38th Legislative Day.

38TH LEGISLATIVE DAY

May 30, 1979

The Senate convened at 2:22 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 20.

ABSENT: Senator Hale - 1.

The Journal of the previous day was approved as read.

SCR 31 which had been laid on the table was lifted for consideration on motion of Senator Sharp and the roll call vote taken which revealed 17 Senators voting YES and 4 (Cordrey, Hale, Martin and McCullough) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

Senator McCullough and Holloway marked PRESENT.

At 2:32 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:17 p.m., Lt. Governor McGinnis presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted SCR 31.

The following legislation was introduced:

SA 1 to SB 130. Sponsor: Senator Martin. Placed with the Bill.

SA 10 to HB 334. Sponsor: Senator McDowell. Placed with the Bill.

SB 274 - AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO THE REDUCTION OF EACH PERSONAL INCOME TAX RATE AND EMPLOYER'S RETURN AND PAYMENT OF TAX WITHHELD; TO AMEND CHAPTER 19, TITLE 30, DELAWARE CODE, RELATING TO THE DETERMINATION OF THE ENTIRE NET INCOME OF A CORPORATION AS IT RELATES TO THE COST OF

MODIFICATION FOR HANDICAPPED PERSONS; AND TO AMEND CHAPTER 13, TITLE 30, DELAWARE CODE, PERTAINING TO THE VALUATION OF CERTAIN FARM AND SMALL BUSINESS REAL PROPERTY FOR INHERITANCE TAX", FORMERLY KNOWN AS HOUSE BILL NO. 334 OF THE 130TH GENERAL ASSEMBLY. Sponsor: Senator Holloway. Assigned to Revenue and Taxation Committee.

HB 377 w HA 1 - AN ACT TO AMEND CHAPTER 3, TITLE 1 OF THE DELAWARE CODE RELATING TO LIMITATION OF INTEREST AND FINANCE CHARGES. Sponsor: Representative Matushefske. Assigned to Banking, Insurance and Elections Committee.

HB 301 - AN ACT TO AMEND CHAPTER 1, TITLE 31, DELAWARE CODE RELATING TO THE BURIAL OF THE REMAINS OF AN INDIGENT PERSON BY THE STATE. Sponsors: Representative Gilligan and Senator Holloway. Assigned to Health and Social Services Committee.

SA 1 to SA 8 to HB 334. Sponsor: Senator McDowell. Placed with the Bill.

HCR 67 - EXTENDING AN INVITATION TO THE MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION, UNITED STATES SENATOR WILLIAM V. ROTH, UNITED STATES SENATOR JOSEPH R. BIDEN, JR., AND UNITED STATES REPRESENTATIVE THOMAS B. EVANS, JR., TO VISIT THE GENERAL ASSEMBLY FROM TIME TO TIME FOR THE PURPOSE OF MAKING REPORTS OR EXPRESSING THEIR VIEWS ON MATTERS OF SUBSTANTIAL PUBLIC INTEREST. Sponsors: Representatives Gordy and Burris.

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

Senator Cordrey marked PRESENT.

The following Committee reports were announced:

From the Executive Committee: SB 67 - 5 Merits.

From the Health and Social Services Committee: SB 20 - 2 Merits, 3 Unfavorable.

SJR 16 - SETTING FORTH THE PROCEDURES FOR REGISTERING MEDICAL PRACTITIONERS TO PRESCRIBE MARIJUANA TO PATIENTS FOR MEDICINAL PURPOSES. Sponsor: Senator Holloway.

On motion of Senator Holloway, the necessary rules were suspended for consideration of the Resolution and the roll call vote taken which revealed:

YES: Senators Berndt, Cicione, Cook, Cordrey, Holloway, Kearns, Knox, Littleton, Marshall, Martin, McDowell, Murphy, Spence, Weiss - 14.

NO: Senators Adams, Arnold, Hughes, McCullough - 4.

NOT VOTING: Senator Sharp - 1.

ABSENT: Senators Hale and Zimmerman - 2.

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

SB 167 w SA 2 was lifted from the table for consideration on motion of Senator Cicione and the roll call vote taken which revealed 19 Senators voting YES and 2 (Hale and Marshall) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 168 was taken up for consideration on motion of Senator Cicione:

SB 168 - AN ACT TO AMEND CHAPTER 41, PART II, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL PROCEDURE; AND PERMITTING A COURT, IN ITS DISCRETION, TO CANCEL CERTAIN FINES AND COSTS.

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

The roll call vote on SB 168 w SA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Weiss, Zimmerman - 18.

NO: Senators Sharp and Spence - 2.

ABSENT: Senator Hale - 1.

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

SB 193 was taken up for consideration on motion of Senator Cordrey:

SB 193 - AN ACT TO AMEND CHAPTER 27, TITLE 5, DELAWARE CODE, RELATING TO CASHING OF CHECKS, DRAFTS OR MONEY ORDERS.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cicione and the roll call vote taken which revealed 17 Senators voting YES, 1 (Berndt) voting NO, 1 (Arnold) NOT VOTING and 2 (Hale and Holloway) ABSENT; therefore, the Amendment was declared adopted.

On motion of Senator Cordrey, the roll call vote on SB 193 w SA 1 was then taken; however, the roll call was laid on the table before being announced on further motion of the Senator.

At 4:54 p.m., Senator Sharp presiding.

SB 187 was taken up for consideration on motion of Senator Cordrey:

SB 187 - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, DIVISION OF SOIL AND WATER CONSERVATION, FOR THE PURPOSE OF DREDGING WILSON CREEK.

The privilege of the floor was extended to Tom Sandbach, Senate Attorney after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Cicione, Cook, Cordrey, Holloway, Kearns, Littleton, Martin, McCullough, McDowell, Murphy, Sharp, Zimmerman - 13.

NO: Senators Arnold, Marshall, Weiss - 3.

NOT VOTING: Senators Berndt, Hughes, Knox, Spence - 4.

ABSENT: Senator Hale - 1.

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 CHAPTER 5, TITLE 7, DELAWARE CODE, RELATING TO HUNTING AND FISHING LICENSES BY ALLOWING AUTHORIZED AGENTS TO CHARGE A FEE OF NO MORE THAN FIFTY CENTS.

The privilege of the floor was extended to Harry Terry, Senate Attorney, after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (Zimmerman) voting NO and 1 (Hale) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 261 was taken up for consideration on motion of Senator Cook:

HB 261 - AN ACT TO PROVIDE A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF COMMUNITY AFFAIRS AND ECONOMIC DEVELOPMENT TO MAINTAIN AN ADEQUATE SERVICE LEVEL.

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

HB 174 was taken up for consideration on motion of Senator Cook:

HB 174 - AN ACT AUTHORIZING THE DEPARTMENT OF AGRICULTURE AND AN AD HOC COMMITTEE HEREIN ESTABLISHED TO CONTINUE THE PILOT PROJECT ON THE CONCEPTS OF DYNAMIC SEEDING (WEATHER MODIFICATION); AND FURTHER PROVIDING A SUPPLEMENTARY APPROPRIATION THEREFOR.

Senator Arnold requested that his name be removed as co-sponsor of the Bill after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Hollway, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Spence, Weiss - 15.

NO: Senators Arnold, Hughes, Murphy, Sharp, Zimmerman - 5.

ABSENT: Senator Hale - 1.

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

On motion of Senator McDowell, the necessary rules were suspended for the introduction and consideration of SB 275:

SB 275 - AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO THE REDUCTION OF EACH PERSONAL INCOME TAX RATE AND EMPLOYER'S RETURN AND PAYMENT OF TAX WITHHELD; TO AMEND CHAPTER 19, TITLE 30, DELAWARE CODE, RELATING TO THE DETERMINATION OF THE ENTIRE NET INCOME OF A CORPORATION AS IT RELATES TO THE COST OF MODIFICATION FOR HANDICAPPED PERSONS; AND TO AMEND CHAPTER 13, TITLE 30, DELAWARE CODE, PERTAINING TO THE VALUATION OF CERTAIN FARM AND SMALL BUSINESS REAL PROPERTY FOR INHERITANCE TAX", FORMERLY KNOWN AS HOUSE BILL NO. 334 OF THE 130TH GENERAL ASSEMBLY. Sponsors: Senators McDowell, Holloway, Marshall, Murphy, Zimmerman and Cicione.

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

SB 126 was reported out of the Administrative Services Committee: 4 Merits, 1 Unfavorable.

At 6:18 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., May 31, 1979.

The Senate reconvened at 2:19 p.m., May 31, 1979, Lt. Governor McGinnis presiding.

The following Committee reports were reported from the Executive Committee: Keith Dorman - 3 Favorable, 2 Merits; SB 273 - 5 Merits; HB 167 - 1 Favorable, 4 Merits; HB 268 - 6 Merits.

At 2:20 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 39th Legislative Day.

39TH LEGISLATIVE DAY

May 31, 1979

The Senate convened at 2:20 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Martin.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 21.

The Journal of the previous day was approved as read.

The Secretary announced that a message from the House informed the Senate that it had passed SB 257.

Legislative Advisory #15 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor approved SJR 11 on May 24, 1979; SJR 14 on May 26 and SB 118 on May 29.

On motion of Senator Cordrey, the roll call vote on HB 334 w HA 1 as amended by HA 1, SA 8 was lifted and rescinded.

Senators Marshall, Littleton, McDowell and Spence marked PRESENT.

Senator Cordrey moved that the roll call vote on SA 8 to the Bill be rescinded.

The roll call vote on the motion to rescind the roll call vote on SA 8 to HB 334 w HA 1 as amended by HA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, Murphy, Sharp, Spence, Weiss, Zimmerman - 18.

NO: Senator McDowell - 1.

ABSENT: Senators Hale and McCullough - 2.

Therefore, the motion prevailed and the roll call vote on the Amendment was declared rescinded.

On motion of Senator McDowell, SA 8 to the Bill was laid on the table.

On motion of Senator McDowell SA 1 to SA 8 to HB 334 w HA 1 as amended by HA 1 was stricken.

On motion of Senator McDowell SA 10 to HB 334 w HA 1 as amended by HA 1 was stricken.

On motion of Senator Cordrey, the roll call vote on HB 334 w HA 1 as amended by HA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cicione, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Murphy, Sharp, Spence, Weiss, Zimmerman - 15.

NO: Senators Cook, Kearns, Martin, McCullough, McDowell - 5.

ABSENT: Senator Hale - 1.

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

The following Committee reports were announced:

From the Executive Committee: SB 224 - 5 Merits.

From the Banking, Insurance and Elections Committee: SB 36 - 4 Merits; SB 260 - 4 Merits; SB 262 - 1 Favorable, 3 Merits; SB 263 - 1 Favorable, 3 Merits.

The following legislation was introduced:

SB 276 - AN ACT TO AMEND CHAPTERS 7 AND 9 OF TITLE 5, DELAWARE CODE, RELATING TO BANK BRANCHES. Sponsors: Senator Murphy and Representative Matushefske. Assigned to Banking, Insurance and Elections Committee.

SA 1 to SB 274. Sponsor: Senator Holloway. Placed with the Bill.

SA 3 to HB 333. Sponsor: Senator Zimmerman. Placed with the Bill.

Senator Arnold marked PRESENT.

SR 47 - EXPRESSING CONDOLENCES UPON LEARNING OF THE DEATH OF DR. JOSEPH F. JASTAK, A REKNOWN PSYCHOLOGIST. Sponsor: Senator Marshall.

On motion of Senator Marshall the roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Hale and McCullough) ABSENT; therefore, the Resolution was declared adopted.

SR 48 - IN PRAISE OF MONSIGNOR THOMAS J. REESE, FOR HIS MANY YEARS OF UNWAVERING SOCIAL CONCERN AND CONTRIBUTIONS TO THE POOR AND DISADVANTAGED OF ALL RACES AND CREEDS. Sponsors: Senators Holloway, McDowell, Marshall, Kearns, Knox, Weiss and Berndt.

On motion of Senator Holloway, the Resolution was considered for adoption and the roll call vote taken which revealed 17 Senators voting YES, 1 (Sharp) voting NO and 3 (Hale, McCullough and Spence) ABSENT; therefore, the Resolution was declared adopted.

The following message from the Governor was read:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
May 31, 1979

To the Senate of the 130th General Assembly of the
State of Delaware

The nomination of John A. Campanelli for New Castle County Board of Elections, submitted to you on January 10, 1979, is hereby formally withdrawn.

Sincerely,
Pierre S. duPont, Governor

* * * * *

The Secretary announced that a message from the House informed the Senate that it had passed SB 275.

At 2:45 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:05 p.m., Lt. Governor McGinnis presiding.

The following Committee reports were announced:

From the Highways and Transportation Committee: SB 32 - 6 Merits; SB 244 - 1 Favorable, 5 Merits; HB 158 - 6 Merits; HB 166 - 6 Merits; HB 187 w HA 1 - 6 Merits.

From the Labor Committee: SB 162 - 4 Merits; SB 218 - 4 Merits.

The following legislation was introduced:

HB 24 w HA 1 - AN ACT TO AMEND CHAPTER 5, TITLE 1, DELAWARE CODE, RELATING TO LEGAL HOLIDAYS. Sponsor: Representative Holloway. Assigned to Executive Committee.

HCR 68 - REQUESTING THE DEPARTMENT OF CORRECTIONS TO SUPPLY COST ESTIMATES TO THE HOUSE AND SENATE STANDING COMMITTEES FOR THE CONSTRUCTION AND/OR INSTALLATION OF A SECURITY SYSTEM AT THE PLUMMER HOUSE WORK RELEASE CENTER. Sponsor: Representative Holloway. Laid on the table at the request of Senator Sharp.

The following Committee reports were announced:

From the Administrative Services Committee: SB 96 - 5 Merits.

From the Health and Social Services Committee: SB 183 - 5 Merits; HB 335 w HA 1, 2 - 5 Merits; HB 345 w HA 1 - 5 Merits.

At 4:33 p.m. Senator Adams presiding.

SB 20 was taken up for consideration on motion of Senator Murphy:

SB 20 - AN ACT TO AMEND TITLES 24 AND 31, DELAWARE CODE, RELATING TO THE ELIGIBILITY OF CHIROPRACTIC PHYSICIANS FOR COMPENSATION FROM INSURANCE, GROUP HOSPITAL SERVICES AND RELATED PLANS; AND FURTHER PROVIDING MEDICAL CARE TO THE INDIGENT AND MEDICALLY INDIGENT.

The privilege of the floor was extended to Anthony L. Cucuzzella, M.D. (Medical Society of Delaware), Edward J. Dugan (Blue Cross and Blue Shield of Delaware) and Dr. Rooney (Delaware Association of Chiropractic Physicians).

On motion of Senator Murphy, the roll call vote on the Bill was taken; however, the roll call was tabled before being announced on further motion of the Senator.

HB 271 was taken up for consideration on motion of Senator Cook:

HB 271 - AN ACT TO MAKE AN APPROPRIATION TO THE DIVISION OF SOIL AND WATER CONSERVATION OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL FOR MAINTENANCE DREDGING OF CEDAR CREEK IN SUSSEX COUNTY.

The roll call vote on the Bill was taken and revealed 17 Senators voting YES, 1 (McCullough) voting NO and 3 (Hale, Martin and Sharp) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

SB 220 was taken up for consideration on motion of Senator Cordrey:

SB 220 - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF FINANCE FOR PAYMENT OF A BONA FIDE VETERAN'S CLAIM.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Hale, Sharp and Weiss) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 248 was taken up for consideration on motion of Senator Cicione:

SB 248 - AN ACT TO AMEND CHAPTER 35, PART IV, TITLE 12 OF THE DELAWARE CODE RELATING TO TRUSTS.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cicione and the roll call vote taken which revealed 16 Senators voting YES and 5 (Hale, Martin, Murphy, Sharp and Weiss) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Wheeler K. Neff after which the roll call vote on SB 248 w SA 1 was taken and revealed 18 Senators voting YES and 3 (Hale, Sharp and Weiss) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 277 (sponsored by Senator Murphy and Representative Matushefske) was introduced and assigned to Banking, Insurance and Elections Committee:

SB 277 - AN ACT TO AMEND CHAPTER 1, TITLE 5, DELAWARE CODE, RELATING TO RESERVE REQUIREMENTS.

HB 322 w HA 1 was taken up for consideration on motion of Senator Cicione:

HB 322 w HA 1 - AN ACT TO AMEND CHAPTERS 43 AND 45, TITLE 10, AND CHAPTER 5, TITLE 11, MAKING IT A CRIMINAL OFFENSE FOR AN EMPLOYER TO SUBJECT AN EMPLOYEE TO DISCHARGE OR PENALTY ON ACCOUNT OF ABSENCE FROM EMPLOYMENT TO ATTEND JUDICIAL OR ADMINISTRATIVE PROCEEDINGS AS A WITNESS OR JUROR.

The privilege of the floor was extended to Representative Plant after which the Bill was laid on the table on further motion of Senator Cicione.

The following legislation was introduced:

SB 278 - AN ACT TO AMEND CHAPTER 9, TITLE 5, DELAWARE CODE, PERTAINING TO REGULATIONS GOVERNING BUSINESS OF BANKS AND TRUST COMPANIES. Sponsors: Senator Murphy and Representative Matushefske. Assigned to Banking, Insurance and Elections Committee.

SB 279 - AN ACT TO AMEND CHAPTER 5, TITLE 31 OF THE DELAWARE CODE RELATING TO AID TO FAMILIES WITH DEPENDENT CHILDREN. Sponsor: Senator Hughes. Assigned to Banking, Insurance and Elections Committee.

SB 280 - AN ACT TO AMEND CHAPTER 9, TITLE 5, DELAWARE CODE, RELATING TO RESERVE REQUIREMENTS. Sponsors: Senator Murphy and Representative Matushefske. Assigned to Banking, Insurance and Elections Committee.

SB 281 - AN ACT TO AMEND SECTION 6503, CHAPTER 65, TITLE 25, OF THE DELAWARE CODE WITH REFERENCE TO LANDLORD-TENANT RELATIONSHIPS; PROVIDING FOR THE CREATION OF RENTAL UNITS FOR THE EXCLUSIVE USE OF SENIOR CITIZENS. Sponsor: Senator Berndt. Assigned to Judiciary Committee.

SB 282 - AN ACT TO AMEND SECTION 5307, CHAPTER 53, TITLE 25 OF THE DELAWARE CODE, WITH REFERENCE TO LANDLORD-TENANT RELATIONSHIPS; INCREASING THE ABATEMENT OF RENT FOR PERIODS IN WHICH HEAT OR WATER OR HOT WATER IS NOT PROVIDED BY A LANDLORD. Sponsor: Senator Berndt. Assigned to Judiciary Committee.

SB 279 which had been assigned to the Banking, Insurance and Elections Committee was reassigned to the Health and Social Services Committee at the request of Senator Holloway.

SB 283 - AN ACT TO AMEND CHAPTER 57, TITLE 25, DELAWARE CODE, WITH REFERENCE TO LANDLORD-TENANT RELATIONSHIPS; PROVIDING FOR AN APPEAL FROM A SUMMARY PROCEEDING FOR POSSESSION. Sponsor: Senator Berndt. Assigned to Judiciary Committee.

SB 284 - AN ACT TO AMEND CHAPTER 19, TITLE 10, DELAWARE CODE TO PROVIDE FOR A CENTRAL LOCATION FOR THE CONDUCT OF PRELIMINARY HEARINGS. Sponsors: Senator Cicione and Representative T. Brady. Assigned to Judiciary Committee.

SB 285 - AN ACT TO AMEND CHAPTER 7, TITLE 7, OF THE DELAWARE CODE RELATING TO LAWFUL HUNTING DEVICES. Sponsors: Senators Kearns and Zimmerman. Assigned to Natural Resources and Environmental Control Committee.

SB 286 - AN ACT TO AMEND SECTION 5107, CHAPTER 51, TITLE 25 OF THE DELAWARE CODE, WITH REFERENCE TO LANDLORD-TENANT RELATIONSHIPS; PROVIDING CLARIFICATION OF THE NOTICE REQUIREMENT UPON TERMINATION OF A RENTAL AGREEMENT. Sponsor: Senator Berndt. Assigned to Judiciary Committee.

SB 287 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE BY PROVIDING A UNIT FOR GIFTED AND TALENTED PUPILS AND AUTHORIZING STAFF OR SERVICES OR MATERIALS FOR SUCH UNITS IN PUBLIC SCHOOLS; AND FURTHER PROVIDING A SUPPLEMENTARY APPROPRIATION THEREFOR. Sponsors: Senators Holloway, Zimmerman, Berndt,

Knox, Murphy, Cicione, Arnold, Spence, Hughes, Marshall, Kearns, Martin; Representatives Oberle, Harrington, Neal, Powell, Cathcart, T. Brady, Sincok, Morris, Matushefske, Hebner, Kelly, Holloway, Maxwell, Connor, Burris, Petrilli. Assigned to Education Committee.

SS 1 for SB 139 (same title as original). Sponsors: Senators Marshall and Berndt; Representatives Maxwell, Sincok and Petrilli. In lieu of the Original and placed with the Bill.

SA 2 to HB 335. Sponsor: Senator Cicione. Placed with the Bill.

SA 1 to SB 217. Sponsor: Senator McDowell. Placed with the Bill.

HB 258 - AN ACT TO AMEND CHAPTER 1 OF TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION OF VEHICLES WHICH DO NOT MEET MINIMUM INSPECTION STANDARDS. Sponsor: Representative Vernon. Assigned to Public Safety Committee.

HB 259 - AN ACT TO AMEND CHAPTER 1 OF TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION OF TRIPEDS. Sponsor: Representative Vernon. Assigned to Public Safety Committee.

HB 357 - AN ACT TO AMEND CHAPTER 5, TITLE 4, OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM ALCOHOL TAX. Sponsor: Representative Powell. Assigned to Administrative Services Committee.

HB 383 w HA 2 - AN ACT TO AMEND CHAPTER 55, PART V, TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEES' PENSION PLAN; AND PROVIDING PENSION RIGHTS FOR CERTAIN OLDER STATE EMPLOYEES. Sponsors: Representatives Connor, Morris, Kelly, T. Brady, Ambrosino. Assigned to Executive Committee.

HB 505 w HA 1 - AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF OBTAINING PARTICIPATING FUNDS FROM THE FEDERAL HIGHWAY ADMINISTRATION TO ERECT A VISUAL BARRIER ALONG A PORTION OF INTERSTATE ROUTES 95 AND 495. Sponsors: Representatives Hebner and Loughney; Senator Hughes. Assigned to Highways and Transportation Committee.

At 6:02 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., June 5, 1979.

The Senate reconvened at 2:21 p.m., June 5, 1979, Lt. Governor McGinnis presiding.

Senator Hale marked PRESENT.

The Secretary announced that a message from the House informed the Senate that the House passed SB 44.

SCR 32 was introduced by Senator Cordrey and considered for adoption on his motion:

SCR 32 - CONGRATULATING CAROL SOOTS, OF THE BEEBE HOSPITAL AT LEWES, ON HER SELECTION AS DELAWARE'S NURSE OF THE YEAR.

The roll call vote on the Resolution was taken and revealed 14 Senators voting YES and 7 (Arnold, Holloway, Hughes, Knox, Murphy, Spence, Weiss) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

At 2:24 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 40th Legislative Day.

40TH LEGISLATIVE DAY

June 5, 1979

The Senate convened at 2:24 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Zimmerman - 20.

ABSENT: Senator Weiss - 1.

The Journal of the previous day was approved as read.

A letter was read at the request of Senator Cicione, the following portion of which is made part of this record at the Senator's request:

NEW CASTLE COUNTY SCHOOL DISTRICT

May 11, 1979

MEMORANDUM

TO: ALL JUNIOR HIGH AND MIDDLE SCHOOL PRINCIPALS
FROM: Joseph E. Johnson
SUBJECT: Promotion and Retention Procedure For Junior High Schools

2. Ninth grade students are to be promoted if they pass any subjects earning a total of two (2) or more credits. If a ninth grade student fails English, he or she is to be encouraged to enroll in summer school to satisfy the English credit.

* * * * *

Senators Murphy and Kearns marked PRESENT.

At 2:33 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 3:39 p.m., Lt. Governor McGinnis presiding.

Legislative Advisory #16 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed SB 257 and SB 33 on May 31, 1979 and SB 93 w SA 1 on June 1.

The following legislation was introduced:

HB 50 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO JAI-ALAI. Sponsors: Representatives Matushefske, Cain Ambrosino; Senators Holloway, Sharp, Knox and Hughes. Assigned to Executive Committee.

HB 419 - AN ACT TO AMEND CHAPTER 31, TITLE 16 OF THE DELAWARE CODE RELATING TO THE ISSUANCE OF BIRTH CERTIFICATES. Sponsors: Representatives Burris and T. Brady. Assigned to Health and Social Services Committee.

HB 428 w HA 1 - AN ACT TO AMEND CHAPTER 11, TITLE 16 OF THE DELAWARE CODE RELATING TO THE PUBLIC HEALTH AND SAFETY, AND PROVIDING FOR A UNIFORM ALCOHOLISM AND INTOXICATION TREATMENT ACT. Sponsors: Representatives Gilligan, Kelly, Ambrosino, Connor, Maxwell; Matushefske, McBride; Senators Holloway and Berndt. Assigned to Health and Social Services Committee.

HJR 17 - DIRECTING THE DEPARTMENT OF CORRECTIONS TO REFUSE THE AVAILABILITY OF WORK RELEASE PROGRAMS, LEAVES AND THE LIKE TO CONVICTED PERSONS WHO ARE UNDER JUDICIALLY IMPOSED MANDATORY SENTENCES. Sponsors: Representatives Riddagh, Morris, W. Brady, Oberle, T. Brady, Holloway, Darling, Harrington; Senators Sharp, Cook, Hughes and Spence. Assigned to Corrections Committee.

SA 2 to SB 36. Sponsor: Senator Murphy. Placed with the Bill.

SA 1 to SS 1 for SB 139. Sponsor: Senator Marshall. Placed with the Bill.

SA 1 to SB 209. Sponsor: Senator Marshall. Placed with the Bill.

On motion of Senator Marshall, SB 209 was taken up for consideration:

SB 209 - AN ACT TO AMEND CHAPTER 11, PART II, TITLE 30, OF THE DELAWARE CODE TO PROVIDE FOR PERSONAL EDUCATIONAL EXEMPTION FROM TAXABLE INCOME.

At his request the name of Senator Murphy was removed as a co-sponsor of the Bill.

At his request, the name of Senator Hughes was added as a 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 Marshall and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Berndt, Cook, Cordrey, Hughes, Kearns, Knox, Littleton, Marshall, Martin, Murphy, Sharp, Zimmerman - 14

NO: Senators Hale and Spence - 2.

NOT VOTING: Senator McCullough - 1.

ABSENT: Senators Cicione, Holloway, McDowell and Weiss - 4.

Therefore, the Amendment was declared adopted.

During the discussion of SB 209 w SA 1 the privilege of the floor was extended to the following: John P. Zebley (representing himself), Lorraine Phillips (U.S. Association of Evening Students), Edna Edelstein (U.S. Association of Evening Students), Anneva L. Smith (U.S. Association of Evening Students), Peter O'Donnell (U.S. Association of Evening Students), Louise DeFranco (U. S. Association of Evening Students), Thomas P. Little (U.S. Association of Evening Students), Tom Sandbach (Senate Attorney).

Before final action was taken on the Bill, it was laid on the table on further motion of Senator Marshall.

HB 128 was taken up for consideration on motion of Senator Zimmerman:

HB 128 - AN ACT TO AMEND SUBCHAPTER VII OF CHAPTER 5, TITLE 11, DELAWARE CODE, RELATING TO CRUELTY TO ANIMALS.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Zimmerman and the roll call vote taken which revealed 18 Senators voting YES and 3 (Cicione, Hale and Weiss) 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 Zimmerman and the roll call vote taken; however, before being announced, the roll call was tabled on further motion of the Senator.

The privilege of the floor was extended to Harry Terry (Senate Attorney) after which the Bill was laid on the table on further motion of Senator Zimmerman.

SB 217 was taken up for consideration on motion of Senator McDowell:

SB 217 - AN ACT TO AMEND PART VII, TITLE 7 OF THE DELAWARE CODE RELATING TO THE UTILIZATION OF SOLAR ENERGY; AND PROVIDING FOR THE CREATION OF SOLAR EASEMENTS.

SA 1 to the Bill was introduced by Senator McDowell and laid on the table at his request.

Before final consideration of the Bill was taken, it was laid on the table on further motion of Senator McDowell.

SB 209 w SA 1 was lifted from the table on motion of Senator Marshall.

On motion of Senator Marshall, the Senate recessed for a short period at 5:31 and reconvened at 5:43 p.m., Lt. Governor McGinnis presiding.

On further motion of Senator Marshall, SB 209 w SA 1 was again laid on the table.

HB 128 w SA 1 was lifted from the table on motion of Senator Zimmerman.

The roll call vote on SA 2 to the Bill was then lifted on motion of Senator Zimmerman and announced:

YES: Senators Adams, Arnold, Cicione, Cook, Cordrey, Hughes, Kearns, Knox, Littleton, Marshall, McDowell, Murphy, Spence, Zimmerman - 14.

NO: Senators Berndt, Hale, Martin, McCullough and Sharp - 5.

NOT VOTING: Senator Holloway - 1.

ABSENT: Senator Weiss - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on HB 128 w SA 1, 2 was then taken and revealed 18 Senators voting YES and 3 (Holloway, McCullough and Weiss) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendments.

The following legislation was introduced:

SB 288 - AN ACT TO AUTHORIZE "THE CITY OF HARRINGTON" TO PURCHASE CERTAIN REAL ESTATE, WITH IMPROVEMENTS, KNOWN AS 27 CLARK STREET, HARRINGTON, DELAWARE, TO BE USED AS A CITY HALL AND TO AUTHORIZE THE CITY TO BORROW \$40,000 FROM THE FARMERS HOME ADMINISTRATION IN ORDER TO FINANCE SAID PURCHASE. Sponsors: Senator Cook and Representative Darling. Laid on the table.

SB 289 - AN ACT TO AMEND SECTION 1321, CHAPTER 13, TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL LUNCH SUPERVISORS. Sponsor: Senator Cicione. Assigned to Education Committee.

SB 290 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE, RELATING TO INCREASED FINES FOR PASSING STOPPED SCHOOL BUSES. Sponsors: Senator Sharp and Representative Oberle. Assigned to Public Safety Committee.

SA 1 to SB 224. Sponsors: Senator Kearns and Representative Gilligan. Placed with the Bill.

SA 4 to HB 333. Sponsor: Senator Cicione. Placed with the Bill.

SJR 17 - REQUESTING THE INSURANCE COMMISSIONER TO DENY THE WORKMEN'S COMPENSATION RATE INCREASE PRESENTLY PENDING BEFORE HIS OFFICE BECAUSE OF FACTORS HEREIN MENTIONED. Sponsors: Senator Murphy and Representative Anderson. Laid on the table.

SCR 33 - URGING SECRETARY OF THE TREASURY BLUMENTHAL AND TRANSPORTATION SECRETARY ADAMS TO CONFER ON FEDERAL AID TO CONSTRUCT A NEW AUGUSTINE BRIDGE. Sponsor: Senator McDowell. Laid on the table.

On motion of Senator Adams, the Governor's nomination for appointment of Keith Dorman was taken up for consideration and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Holloway, Kearns, Knox, Littleton, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Zimmerman - 17.

NO: Senator Hale - 1.

ABSENT: Senators Hughes, Marshall and Weiss - 3.

Therefore, the appointment was declared confirmed.

At 5:54 p.m. on motion of Senator Cordrey, the Senate adjourned until 2:00 p.m., June 6, 1979.

41ST LEGISLATIVE DAY

June 6, 1979

The Senate convened at 2:34 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Sharp.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 21.

The Journal of the previous day was approved as read.
The following message from the Governor was read:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 6, 1979

TO THE MEMBERS OF THE STATE SENATE STATE OF DELAWARE
130TH GENERAL ASSEMBLY

Today I signed both House Bill 334 and Senate Bill 275. Those bills have the effect of cutting state personal income taxes by \$21.5 million and for providing a safeguard against the enactment of a state sales tax.

As I said in my Budget Address last January, a bi-partisan effort was needed to reduce the personal income taxes. Passage of this legislation in the State Senate was the result of cooperation on both sides of the aisle and proved to the people of our great state that we could work together to provide a reduction in taxes for each taxpayer. As well, this legislation sends a clear signal to the business community in Delaware and around the nation that the state wants to strengthen its economy and provide jobs for all citizens.

This chamber will long be remembered in Delaware history as the body which enacted the first cut in personal income taxes in recent memory. It is something for which we can all be proud.

On behalf of the people of the State of Delaware, thank you for your support and cooperation.

Sincerely yours,
Pierre S. duPont, Governor

* * * * *

Senators Arnold, Holloway, Martin, McDowell, Spence marked PRESENT.

The following Committee reports were announced:

From the Education Committee: SB 45 - 1 Favorable, 4 Merits; SB 86 - 1 Favorable, 4 Merits; SB 287 - 1 Favorable, 4 Merits.

The following legislation was introduced:

HB 387 - AN ACT TO AMEND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE BY ADDING DEFINITIONS OF GOVERNMENT UNIT, PUBLIC WORKS CONTRACT, PUBLIC FUNDS, PUBLIC BUILDING AND SUBCONTRACTOR, AND BY ADDING REQUIREMENTS FOR ADVERTISING, PREPARATION AND SUBMISSION OF BID INVITATIONS AND AWARDING OF CONTRACTS AND LISTING OF SUBCONTRACTORS. Sponsors: Representatives Gordy, Cain, Maxwell, Burris, Hebner, Sincok, Oberle, Petrilli, Powell. Assigned to Executive Committee.

SB 291 - AN ACT TO AMEND CHAPTER 31, TITLE 7, OF THE DELAWARE CODE RELATING TO THE SETTING OF WOODLAND ON FIRE AND UNSEASONABLE MARSH BURNING. Sponsors: Senators Adams and Arnold; Representatives Clendaniel and Vernon. Assigned to Natural Resources and Environmental Control Committee.

SJR 18 - REESTABLISHING A WORKMEN'S COMPENSATION COMMISSION TO STUDY WORKMEN'S COMPENSATION INSURANCE IN THE STATE OF DELAWARE AND ELSEWHERE FOR THE PURPOSE OF MAKING RECOMMENDATIONS TO THE GENERAL ASSEMBLY AS TO A SUGGESTED TOTAL REVISION OF DELAWARE'S WORKMEN'S COMPENSATION LAW AND IMPROVEMENT IN THE ADMINISTRATION OF SAID LAW, AND PROVIDING A SUPPLEMENTAL APPROPRIATION THEREFOR. Sponsors: Senator Murphy and Representative Anderson. Assigned to Banking, Insurance and Elections Committee.

SCR 34 - CONVENING A SPECIAL JOINT SESSION OF THE SENATE AND HOUSE ENERGY COMMITTEES TO INVESTIGATE REPORTS OF PRICE-GOUGING AND MONOPOLISTIC PRACTICES IN THE HOME HEATING FUEL OIL BUSINESS. Sponsors: Senators McDowell and Holloway; Representative W. Brady.

On motion of Senator McDowell, the Resolution was considered for adoption and the roll call vote taken which revealed 17 Senators voting YES, 2 (Hale and Knox) NOT VOTING, and 2 (Marshall and Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

Senators McCullough and Murphy marked PRESENT.

On motion of Senator Murphy, the necessary rules were suspended for lifting SJR 17 from the table for consideration:

SJR 17 - REQUESTING THE INSURANCE COMMISSIONER TO DENY THE WORKMEN'S COMPENSATION RATE INCREASE PRESENTLY PENDING BEFORE HIS OFFICE BECAUSE OF FACTORS HEREIN MENTIONED.

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 217 was taken up for consideration on motion of Senator McDowell:

SB 217 - AN ACT TO AMEND PART VII, TITLE 7 OF THE DELAWARE CODE RELATING TO THE UTILIZATION OF SOLAR ENERGY; AND PROVIDING FOR THE CREATION OF SOLAR EASEMENTS.

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 (McCullough and Murphy) ABSENT; therefore, the Amendment was declared adopted.

Senator Cicione presiding at 3:35 p.m.

The roll call vote on SB 217 w SA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Cicione, Cook, Cordrey, Hale, Holloway, Kearns, Knox, Marshall, Martin, McDowell, Sharp, Spence, Weiss, Zimmerman - 16.

NO: Senators Berndt, Hughes, Littleton - 3.

ABSENT: Senators McCullough and Murphy - 2.

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

SB 255 was taken up for consideration on motion of Senator Adams:

SB 255 - AN ACT TO AMEND SECTION 1056, TITLE 14 OF THE DELAWARE CODE RELATING TO THE DISPOSITION OF FEES FOR THE USE OF SCHOOL PROPERTY, FACILITIES AND EQUIPMENT NOT IN USE FOR EDUCATIONAL PURPOSES.

Senator Hale was added as co-sponsor of the Bill after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (McCullough and Murphy) 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 Adams:

SB 211 - AN ACT TO AMEND CHAPTER 1, TITLE 17 OF THE DELAWARE CODE RELATING TO HIGHWAYS.

The privilege of the floor was extended to James C. Eberly, Sr., Esq., after which the roll call vote on the Bill was taken; however, before being announced, Senator Adams moved that the roll call be tabled. The roll call vote on the tabling motion was taken and revealed:

YES: Senators Adams, Cicione, Cook, Cordrey, Holloway, Kearns, Littleton, Marshall, Martin, McDowell, Murphy, Sharp, Spence, Zimmerman - 14

NO: Senators Arnold, Berndt, Hale, Hughes, Knox, McCullough, Weiss - 7.

Therefore, the motion prevailed and the roll call vote on SB 211 was tabled.

At 4:18 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:28 p.m., Senator Cordrey presiding.

HB 495 (sponsored by Representatives Morris, T. Brady and Riddagh) was introduced:

HB 495 - AN ACT TO AMEND CHAPTER 65, TITLE 11, DELAWARE CODE TO BETTER PROVIDE FOR THE CUSTODY OF INMATES.

On motion of Senator Sharp, the necessary rules were suspended for consideration of HB 495 and the roll call vote on the Bill taken which revealed 17 Senators voting YES and 4 (Cicione, Cook, Hale and McDowell) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

SB 209 w SA 1 was lifted from the table for consideration on motion of Senator Marshall.

At 5:38 p.m., Senator Sharp presiding.

SA 2 to SB 209 w SA 1 was introduced by Senator Marshall and considered for adoption.

During the discussion of the Amendment and the Bill as amended the privilege of the floor was extended to Tom Little and Tom Sandbach (Senate Attorney.)

The roll call vote on SA 2 to SB 209 w SA 1 was taken and revealed:

YES: Senators Adams, Arnold, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, Littleton, Marshall, Martin, McDowell, Sharp, Spence, Zimmerman - 15.

NO: Senators Knox and Weiss - 2.

NOT VOTING: Senators Berndt and Hale - 2.

ABSENT: Senators McCullough and Murphy - 2.

Therefore, the Amendment was declared adopted.

At his request, the name of Senator Holloway was removed as co-sponsor of the Bill after which the roll call vote on SB 209 w SA 1, 2 was taken on motion of Senator Marshall; however, before being announced, the roll call was laid on the table on further motion of Senator Marshall.

SB 245 was reported out of the Health and Social Services Committee: 5 Merits.

At 7:05 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m. June 7, 1979.

The Senate reconvened at 2:27 p.m., June 7, 1979, Lt. Governor McGinnis presiding.

The Secretary announced that a message from the House informed the Senate that it had passed SB 110 and SB 41 w SA 1

The following legislation was introduced:

SB 292 - AN ACT TO AMEND CHAPTER 27, TITLE 21, DELAWARE CODE RELATING TO SUSPENSION OF DRIVER'S LICENSES. Sponsor: Senator Murphy. Assigned to Public Safety Committee.

SB 293 - AN ACT TO PROVIDE A SALARY INCREASE TO CERTAIN EMPLOYEES WITHIN THE BUREAU OF ADULT CORRECTIONS OF THE DEPARTMENT OF CORRECTION; AND FURTHER PROVIDING A SUPPLEMENTARY APPROPRIATION THEREFOR. Sponsor: Senator Sharp (by request). Assigned to Finance Committee.

SB 294 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO JOHN LONGOBARDI, A FORMER STATE EMPLOYEE, APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND AUTHORIZED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE, AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE MADE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE. Sponsor: Senator Cordrey. Assigned to Finance Committee.

SB 295 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE VIII, SECTION 10 OF THE CONSTITUTION OF THE STATE OF DELAWARE PLACING A LIMITATION ON NEW TAXES. Sponsors: Senators Zimmerman and Weiss. Assigned to Executive Committee.

SB 296 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 11, TITLE 30 OF THE DELAWARE CODE RELATING TO AN INCOME TAX CREDIT FOR ACTIVE VOLUNTEER FIREMEN. Sponsors: Senator Cicione; Representatives Gilligan, Matushefske, Anderson, Minner, Neal and Roy. Assigned to Revenue and Taxation Committee.

SS 1 for SB 147 (same title as Original). Sponsor: Senator Kearns. Adopted in lieu of the Original.

SA 1 to SS 1 for SB 109. Sponsor: Senator Berndt. Placed with the Bill.

SA 1 to SB 194. Sponsor: Senator Murphy. Laid on the table.

SA 1, SA 2, SA 3, SA 4, SA 5 to HB 24. Sponsor: Senator Hughes. Placed with the Bill.

SA 1 to HB 377. Sponsor: Senator Murphy. Placed with the Bill.

The following Committee reports were announced:

From the Banking, Insurance and Elections Committee: SB 276 - 1 Favorable, 3 Merits; SB 277 - 1 Favorable, 3 Merits; SB 278 - 1 Favorable, 3 Merits; SB 280 - 1 Favorable, 3 Merits; SJR 18 - 1 Favorable, 3 Merits; HB 377 w HA 1 - 1 Favorable, 3 Merits.

The following legislation was introduced:

HB 217 w HA 1 - AN ACT TO AMEND CHAPTER 15, TITLE 24 OF THE DELAWARE CODE RELATING TO HOTELS, RESTAURANTS AND PLACES OF ENTERTAINMENT; AND PROVIDING FOR THE INSPECTION OF FOOD PREPARATION AREAS. Sponsor: Representative Smith. Assigned to Health and Social Services Committee.

HB 390 - AN ACT TO AMEND CHAPTER 23, TITLE 10 OF THE DELAWARE CODE, RELATING TO THE DEPOSIT OF MONIES BY THE PROTHONOTARY. Sponsors: Representatives Gordy, Clendaniel, West, Burris, Fallon and Vernon; Senators Cordrey, Adams and Littleton. Assigned to Judiciary Committee.

HB 406 - AN ACT TO AMEND CHAPTER 1, TITLE 1, DELAWARE CODE, BY PROVIDING FREE COPIES OF THE CODE TO PUBLIC LIBRARIES. Sponsors: Representatives Petrilli and Minner. Assigned to Executive Committee.

HB 420 - AN ACT TO AMEND CHAPTER 71, TITLE 16 OF THE DELAWARE CODE RELATING TO SPORTING GRADE OF PROPELLANT TYPE BLACK POWDER. Sponsor: Representative Minner. Assigned to Health and Social Services Committee.

HB 435 w HA 1, 2 - AN ACT TO AMEND CHAPTER 52, TITLE 29, OF THE DELAWARE CODE TO PROVIDE FOR THE PAYMENT OF PREMIUM OR SUBSCRIPTION CHARGES FOR HEALTH CARE INSURANCE FOR STATE EMPLOYEES AND THEIR DEPENDENTS. Sponsor: Representative Matushefske. Assigned to Finance Committee.

HCR 70 - JOINING IN THE CONGRATULATIONS FOR THE SUSSEX CENTRAL JUNIOR HIGH SCHOOL INDOOR DRILL TEAM FOR ITS OUTSTANDING RECORD DURING 1979. Sponsors: Representatives Clendaniel and West; Senators Adams and Cordrey.

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

SCR 33 was lifted from the table for consideration on motion of Senator McDowell and the roll call vote taken which revealed 20 Senators voting YES and 1 (Zimmerman) voting NO; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 35 (sponsored by Senators Adams and Berndt; Representatives Matushefske and Powell) was introduced and considered for adoption on motion of Senator Adams:

SCR 35 - EXTENDING THE EXISTENCE AND MANDATE OF THE STATE POLICE PENSION REFORM COMMITTEE.

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

At 2:55 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 42nd Legislative Day.

42ND LEGISLATIVE DAY
June 7, 1979

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

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 21.

The Journal of the previous day was approved as read.

Legislative Advisory #17 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed SB 275 on June 6, 1979.

The following newspaper article from the Wilmington Morning News of June 7, 1979 was read and made part of this record at the request of Senator Cicione:

Orchids to Cicione

Hats off to Rep. Orlando J. George, Jr., chairman of the Joint Legislative Finance Committee, and Secretary Weston E. Nellius of the Department of Finance for their selections for good-government citations by the Committee of 39. The awards certainly were merited. But since the matter of Budget Committee procedure was at least mentioned with respect to Mr. George it is only fair to say that the opening of the Budget Committee's work to its present goldfish-bowl status was undertaken by Sen. Anthony J. Cicione during his years as chairman, with the assistance of former Sen. J. Donald Isaacs. Mr. Cicione not only made the hearings fully public but he also invited the press into the mark-up sessions, a basic innovation.

Another orchid goes to Mr. Cicione for his contribution to the formation of the Clearing House Committee, a budget unit that analyzes federal grants. This had been overdue for years when Mr. Cicione studied the need and established the

committee. The result is that it is possible today for all members of the General Assembly to know what grants are incoming from Washington, how they are used and what policies should be adopted for their continuance. Basically, under the leadership of Sen. Cicione, Rep. George and former Sen. Isaacs, the Joint Legislative Committee on Finance (Budget Committee for short) has broken away entirely from the old rules of silence and misdirection and, with Sen. Cicione as the pioneer, performs its services in full view. Perhaps the Committee of 39 will take that into consideration another year.

Dover JOHN A. GIBBONS

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At 3:03 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:57 p.m., Senator Cordrey presiding.

SB 289 was reported out of the Education Committee: 1 Favorable, 5 Merits.

The following legislation was introduced:

SA 1 to SB 94. Sponsor: Senator Murphy. Placed with the Bill.

SA 1 to SB 261. Sponsor: Senator Hughes. Placed with the Bill.

SA 1 to SB 269. Sponsor: Senator Adams. Placed with the Bill.

SA 1 to HA 1 to HB 269. Sponsor: Senator Zimmerman. Placed with the Bill.

HB 72 w HA 1 - AN ACT TO AMEND CHAPTER 41, TITLE 11, DELAWARE CODE RELATING TO THE MINIMUM WAGE FOR EMPLOYEES IN DEFAULT OF PAYMENT OF FINES. Sponsor: Representative Holloway. Assigned to Labor Committee.

HCR 71 - THANKING VICE PRESIDENT WALTER MONDALE AND ASSISTANT SECRETARY OF LABOR ERNEST GREEN, REPRESENTING THE FEDERAL GOVERNMENT, FOR MAKING \$2.5 MILLION AVAILABLE FOR THE JOBS FOR DELAWARE GRADUATES INC. PROGRAM. Sponsors: Representatives Burris, Free, Harrington, Hebner, Ferguson, Sincok, Cain, Powell, Fallon, Ambrosino, T. Brady, Petrilli; Senators Knox and Arnold.

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

YES: Senators Adams, Arnold, Berndt, Cook, Cordrey, Hughes, Kearns, Knox, Littleton, Marshall, Murphy, Sharp, Spence - 13.

ABSENT: Senators Cicione, Hale, Holloway, Martin, McCullough, McDowell, Weiss, Zimmerman - 8.

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

SCR 36 - CONGRATULATING THE LAKE FOREST SPARTANS ON THEIR VICTORY IN THE STATE SOFTBALL TOURNAMENT. Sponsors: Senator Cook; Representatives Darling and Minner.

The Resolution was considered for adoption on motion of Senator Cook and the roll call vote taken which revealed 16 Senators voting YES and 5 (Cicione, Holloway, McCullough, McDowell and Weiss) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SB 297 - AN ACT TO AMEND CHAPTER 47, TITLE 7, DELAWARE CODE RELATING TO PENALTIES FOR VIOLATIONS OF STATE PARK RULES AND REGULATIONS. Sponsor: Senator Zimmerman. Assigned to Natural Resources and Environmental Control Committee.

SJR 19 - URGING THE BOARD OF DIRECTORS OF THE WILMINGTON MEDICAL CENTER INC. TO MOVE AHEAD WITH PLAN OMEGA, PROVIDING A MAJOR NEW HOSPITAL FOR DELAWARE, DESPITE AN ADVERSE OPINION BY THE UNITED STATES CIRCUIT COURT. Sponsors: Senators Sharp, Hughes, Martin, Arnold, Hale, Kearns; Representatives Connor, Petrilli, Anderson, Powell, Roy, Neal, Ferguson, Cain, Oberle and Gilligan. The Resolution was laid on the table on motion of Senator Sharp.

On motion of Senator Cook, the necessary rules were suspended for lifting SB 288 from the table for consideration.

SB 288 - AN ACT TO AUTHORIZE "THE CITY OF HARRINGTON TO PURCHASE CERTAIN REAL ESTATE, WITH IMPROVEMENTS, KNOWN, AS 27 CLARK STREET, HARRINGTON, DELAWARE, TO BE USED AS A CITY HALL AND TO AUTHORIZE THE CITY TO BORROW \$40,000 FROM THE FARMERS HOME ADMINISTRATION IN ORDER TO FINANCE SAID PURCHASE.

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

On motion of Senator Murphy, the necessary rules were suspended for lifting the roll call vote on SB 194 and rescinding the roll call. There was no objection.

On further motion of the Senator, the roll call vote was rescinded.

SA 1 to the Bill was then introduced by Senator Murphy and considered for adoption on his motion.

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

The roll call vote on SB 194 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Cicione and Martin) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

On motion of Senator Sharp, the necessary rules were suspended for lifting SJR 19 from the table for consideration:

SJR 19 - URGING THE BOARD OF DIRECTORS OF THE WILMINGTON MEDICAL CENTER INC. TO MOVE AHEAD WITH PLAN OMEGA, PROVIDING A MAJOR NEW HOSPITAL FOR DELAWARE, DESPITE AN ADVERSE OPINION BY THE UNITED STATES CIRCUIT COURT.

Senators McCullough and Spence were added as co-sponsors of the Resolution after which the roll call vote was taken and revealed:

YES: Senators Adams, Arnold, Cicione, Cook, Cordrey, Hale, Hughc Kearns, Littleton, Martin, McCullough, Murphy, Sharp, Spence - 14.

NO: Senator Weiss - 1.

NOT VOTING: Senators Berndt, Holloway, Knox, Marshall, McDowell, Zimmerman - 6.

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

The following legislation was introduced:

SB 298 - AN ACT TO AMEND CHAPTER 25, TITLE 18 OF THE DELAWARE CODE RELATING TO THE EFFECTIVENESS OF RATE FILINGS. Sponsor: Senator Murphy. Assigned to Banking, Insurance and Elections Committee.

SB 299 - AN ACT TO AMEND CHAPTER 6, TITLE 31, DELAWARE CODE, TO PERMIT USE OF FOOD STAMPS IN CERTAIN RESTAURANTS. Sponsor: Senator Holloway. Assigned to Health and Social Services Committee.

SB 300 - AN ACT MAKING A SUPPLEMENTARY APPROPRIATION TO THE DIVISION OF HISTORICAL AND CULTURAL AFFAIRS FOR THE PURPOSE OF PURCHASING A PLAQUE IN MEMORY OF RICHARD ALLEN. Sponsor: Senator Holloway. Assigned to Health and Social Services Committee.

SA 1 to SA 1 to SB 245. Sponsor: Senator McDowell. Placed with the Bill.

SA 2, 3, 4 to SB 245. Sponsor: Senator Holloway. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had passed SB 288 and SB 81.

HB 403 (sponsored by Representative Sincock) was introduced and assigned to Public Safety Committee:

HB 403 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO IMPOSING FEES FOR LATE RENEWALS OF VEHICLE REGISTRATION FEES.

At 5:55 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 12, 1979.

The Senate reconvened at 2:27 p.m. June 12, 1979, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted SCR 36.

Legislative Advisory #18 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed SB 288 on June 8, 1979.

The following legislation was reported out of the Natural Resources and Environmental Control Committee: SB 259 - 5 Merits; SB 268 - 5 Merits; SB 285 - 5 Merits; SB 291 - 5 Merits.

The following legislation was introduced:

HB 329 - AN ACT TO AMEND CHAPTER 31, TITLE 19, OF THE DELAWARE CODE, RELATING TO EMPLOYMENT RECORDS. Sponsor: Representative Matushefske. Assigned to Labor Committee.

HB 396 w HA 1 - AN ACT TO AMEND CHAPTER 43, TITLE 21, OF THE DELAWARE CODE RELATING TO EMERGENCY VEHICLES. Sponsors: Representatives T. Brady, Jonkiert, George, Free, Holloway and Plant; Senators Holloway, McDowell, and Marshall. Assigned to Public Safety Committee.

HB 410 w HA 2 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE BY ADDING A NEW CHAPTER RELATING TO AGRICULTURAL COMMODITIES DEVELOPMENT. Sponsors: Representatives Clendaniel and Gordy; Senator Adams. Assigned to Agriculture Committee.

HB 422 - AN ACT TO AMEND CHAPTERS 3, 21 AND 23, TITLE 21, DELAWARE CODE TO DELETE CERTAIN OUTDATED REQUIREMENTS AND PROCEDURES PERTAINING TO THE DIVISION OF MOTOR VEHICLES. Sponsor: Representative Minner. Assigned to Public Safety Committee.

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

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 12, 1979

To the Senate of the 130th 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: Susan E. Wheeler, 912 Janeka Lane, Dover, Delaware, to be Chairman of the Commission on Massage Establishments and Adult Bookstores to serve during the pleasure of the Governor to succeed Joseph R. Petrilli, resigned.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 12, 1979

To the Senate of the 130th General Assembly of the
State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Kathryn S. Anderson, 7 Perth Drive, Wilmington, Delaware, to be a member of the State Board of Education for a term of six (6) years to succeed Raymond E. Tomasetti, term expired.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 12, 1979

To the Senate of the 130th General Assembly of the
State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Joseph S. Fortunato, 409 North DuPont Road, Wilmington, Delaware, to be a member of the Wetlands Appeals Board for a term of three (3) years to succeed Joseph Reagon, term expired.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 12, 1979

To the Senate of the 130th General Assembly of the
State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: James R. McNinch, M.D., Foxhall Road, Dover, Delaware, to be reappointed as a member of the Trustees, Delaware Institute of Medical Education and Research for a term of three (3) years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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HB 333 (SA 1, 2, 3, 4) was reported out of the Finance Committee: 2 Favorable, 5 Merits.

Senator Cordrey introduced to the Senate Saudi Arabian students from the Traffic Institute of Northwestern University studying with the Delaware State Police for two weeks who were present in the chamber.

The following legislation was introduced:

SCR 37 - REQUESTING THE GOVERNOR, THE CHIEF JUSTICE, AND THE CHIEF JUDGE OF THE FAMILY COURT TO ARRANGE FOR THE NEW FAMILY COURT BUILDING IN NEW CASTLE COUNTY TO BE NAMED THE MELSON BUILDING. Sponsor: Senator Cicione. Laid on the table.

SA 1 to SB 35. Sponsor: Senator Murphy. Placed with the Bill.

SA 1 to SA 1 to SB 94. Sponsor: Senator Murphy. Placed with the Bill.

At 2:45 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 43rd Legislative Day.

43RD LEGISLATIVE DAY
June 12, 1979

The Senate convened at 2:45 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Sharp.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 21.

The Journal of the previous day was approved as read.

SB 163 was taken up for consideration on motion of Senator Holloway:

SB 163 - AN ACT TO AMEND CHAPTER 51, TITLE 16, DELAWARE CODE, RELATING TO THE PROCEDURE FOR VOLUNTARY ADMISSION OF MENTALLY ILL PERSONS TO THE DELAWARE STATE HOSPITAL AND OTHER HOSPITALS AND DISCHARGE THEREFROM.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Kearns, Sharp and Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 172 was taken up for consideration on motion of Senator Holloway:

SB 172 - AN ACT TO AMEND CHAPTER 53, TITLE 16, DELAWARE CODE, RELATING TO DEPARTMENTS WITHIN THE GOVERNOR BACON HEALTH CENTER.

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

SB 175 was taken up for consideration on motion of Senator Holloway:

SB 175 - AN ACT TO AMEND CHAPTER 1, TITLE 31, DELAWARE CODE, RELATING TO THE BURIAL OF THE REMAINS OF AN INDIGENT PERSON BY THE STATE.

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

SB 184 was taken up for consideration on motion of Senator Holloway:

SB 184 - AN ACT TO AMEND CHAPTER 57, TITLE 16, DELAWARE CODE, RELATING TO VOLUNTARY AND INVOLUNTARY STERILIZATION, AND MAKING A SUPPLEMENTARY APPROPRIATION THEREFOR.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Berndt and the roll call vote taken which revealed 19 Senators voting YES and 2 (Kearns and McDowell) 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 Zimmerman and the roll vote taken; however, Senator Zimmerman moved that the roll call be tabled before it was announced. The roll call vote on the tabling motion was taken and revealed:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Holloway, Marshall, McDowell, Murphy, Sharp, Zimmerman - 11.

NO: Senators Arnold, Hale, Hughes, Knox, Littleton, McCullough, Weiss - 7.

NOT VOTING: Senator Spence - 1.

ABSENT: Senators Kearns and Martin - 2.

Therefore, the motion prevailed and the roll call was tabled.

On motion of Senator Holloway, SB 184 w SA 1 was then laid on the table.

At 3:44 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:03 p.m., Senator Cordrey presiding.

The following Committee reports were announced from the Finance Committee: SB 258 - 2 Favorable, 4 Merits; SB 294 - 7 Merits.

The following legislation was introduced:

SB 301 - AN ACT REQUIRING THE BOARD OF EDUCATION OF THE NEW CASTLE COUNTY SCHOOL DISTRICT TO CLOSE SCHOOL BUILDINGS IN THE DISTRICT UNDER CERTAIN CIRCUMSTANCES. Sponsor: Senator McCullough. Assigned to Education Committee.

SB 302 - AN ACT TO AMEND TITLE 7, DELAWARE CODE RELATING TO THE ESTABLISHMENT OF MAIL-IN FINES FOR VIOLATIONS OF STATE PARK REGULATIONS. Sponsor: Senator Zimmerman. Assigned to Natural Resources and Environmental Control Committee.

SB 303 - AN ACT EXEMPTING ALL PERSONS DULY REGISTERED AS AN APPRENTICE PRIOR TO JUNE 23, 1955 FROM THE REQUIREMENTS OF GRADUATION FROM A REGULAR RECOGNIZED COLLEGE OF EMBALMING AND PASSING AN EXAMINATION BY THE BOARD OF FUNERAL SERVICE PRACTITIONERS, PRIOR TO ENGAGING IN THE FUNERAL SERVICE PROFESSION. Sponsors: Senators Murphy, Holloway, Spence; Representatives Riddagh, Sincock, Powell, Matushefske, Holloway. Assigned to Executive Committee.

SA 2 to SS 1 for SB 109. Sponsor: Senator Murphy. Placed with the Bill.

SA 1 to SB 243. Sponsor: Senator Cook. Placed with the Bill.

SA 1 to SB 289. Sponsor: Senator Cicione. Placed with the Bill.

SB 246 was reported out of the Finance Committee: 3 Merits, 4 Unfavorable.

SCR 38 (Sponsored by Senator Sharp and Representative Morris) was introduced and considered for adoption on motion of Senator Sharp:

SCR 38 - REQUESTING THE UNITED STATES BUREAU OF PRISONS TO PROVIDE EXPERT ASSISTANCE TO THE GENERAL ASSEMBLY FOR THE PURPOSE OF REORGANIZING DELAWARE'S CORRECTIONAL SYSTEM.

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

YES: Senators Adams, Cook, Cordrey, Holloway, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Zimmerman - 13

NO: Senators Arnold, Hale, Knox, Weiss - 4.

NOT VOTING: Senators Berndt and Hughes - 2.

ABSENT: Senators Cicione and Kearns - 2.

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

SB 184 w SA 1 was lifted from the table for consideration on motion of Senator Holloway.

The roll call vote on SA 2 to the Bill was lifted on motion of Senator Zimmerman and announced:

YES: Senators Adams, Berndt, Cook, Cordrey, Holloway, Marshall, Martin, McDowell, Murphy, Sharp, Spence, Zimmerman - 12.

NO: Senators Arnold, Hale, Hughes, Knox, Littleton, McCullough, Weiss - 7.

NOT VOTING: Senator Cicione - 1.

ABSENT: Senator Kearns - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 184 w SA 1, 2 was then taken on motion of Senator Holloway and revealed 18 Senators voting YES and 3 (Cicione, Kearns and Marshall) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 97 was taken up for consideration on motion of Senator Sharp:

SB 97 - AN ACT TO AMEND CHAPTER 65, TITLE 11, OF THE DELAWARE CODE, RELATING TO WORK BY INMATES OF DELAWARE PRISONS.

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

At 5:30 p.m., Senator Adams presiding.

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

Senators Holloway, Marshall, McDowell, Adams, Berndt and Martin were added as co-sponsors to the Bill after which the roll call vote on SB 97 w SA 1, 2 was then taken and revealed 19 Senators voting YES and 2 (Cicione and Kearns) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

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

SB 94 - AN ACT TO AMEND CHAPTER 59, OF TITLE 18, OF THE DELAWARE CODE, RELATING TO REHABILITATION AND LIQUIDATION OF INSURERS AND PROVIDING FOR SUMMARY PROCEEDINGS.

SA 1 to SA 1 to the Bill was introduced by Senator Murphy and considered for adoption on his motion. The roll call vote on the Amendment to the Amendment was taken and revealed 17 Senators voting YES and 4 (Hale, Kearns, Martin and Sharp) ABSENT; therefore, the Amendment to the Amendment was declared adopted.

SA 1 as amended by SA 1 to the Bill was taken up for consideration on motion of Senator Murphy and the roll call vote taken which revealed 19 Senators voting YES and 2 (Hale and Kearns) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Robert Graham (Insurance Company of North America) after which SB 94 w SA 1 as amended by SA 1 was deferred for final consideration on motion of Senator Murphy.

SB 267 was reported out of the Revenue and Taxation Committee: 5 Merits.

The following legislation was introduced:

SB 304 - AN ACT TO AMEND CHAPTER 11, PART II, TITLE 30, OF THE DELAWARE CODE RELATING TO THE DELAWARE PERSONAL INCOME TAX; AND PROVIDING A MODIFICATION IN SUCH TAX WITH REGARD TO PAYMENTS RECEIVED FOR SERVICE IN THE NATIONAL GUARD. Sponsor: Senator Martin. Assigned to Revenue and Taxation Committee.

SJR 20 - EXPRESSING CONCERN AT ACTION BY THE REPUBLICAN PARTY OF DELAWARE INTENDED TO SUBVERT THE STATE DIRECT PRIMARY LAW. Sponsors: Senators Sharp, Cordrey, McCullough; Representatives Minner, Gordy, Ferguson. Laid on the table at the request of Senator Sharp.

The Secretary announced that a message from the House informed the Senate that it had adopted SCR 35.

At 6:23 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., June 13, 1979.

The Senate reconvened at 4:02 p.m., June 13, 1979, Senator Cordrey presiding.

Senator Kearns marked PRESENT.

The following Bills were reported out of the Executive Committee: HB 84 - 1 Favorable, 4 Merits; HB 387 - 4 Merits.

The following legislation was introduced:

SB 305 - AN ACT TO AUTHORIZE THE CAPITAL SCHOOL DISTRICT TO TRANSFER FUNDS FROM ITS MINOR CAPITAL IMPROVEMENTS ACCOUNT TO ITS OPERATING ACCOUNT. Sponsor: Senator Zimmerman. Assigned to Finance Committee.

SA 3 to HB 335. Sponsor: Senator Cicione. Placed with the Bill.

HB 363 - AN ACT TO AMEND CHAPTER 21, TITLE 21, OF THE DELAWARE CODE, TO PROVIDE FOR THE ISSUANCE OF SPECIAL LICENSE PLATES TO FORMER PRISONERS OF WAR. Sponsor: Representative Gordy. Assigned to Public Safety Committee.

HS 1 for HB 137 w HA 1, 2 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES AND PROVIDING FOR AN UNDERGROUND UTILITY DAMAGE PREVENTION AND SAFETY ACT. Sponsors: Representatives Bennett and Maxwell. Assigned to Administrative Services Committee.

SJR 21 - ENDORSING INCREASED MEDICAID ELIGIBILITY FOR NURSING HOME CARE IN DELAWARE. Sponsor: Senator Holloway. Laid on the table at the sponsor's request.

Senator Sharp introduced former Senator Dean Steele to the Senate.

SJR 22 was introduced and considered for adoption on suspension of necessary rules on motion of Senator Martin:

SJR 22 - A RESOLUTION COMMENDING AND HONORING FORMER SENATOR DEAN C. STEELE FOR HIS DEDICATED LEGISLATIVE EFFORTS AND NAMING THE FORENSIC CHEMISTRY LABORATORY IN HIS HONOR. Joint Sponsors: Senators Martin, Cicione and Cordrey. Co-sponsors: Senators Adams, Arnold, Berndt, Cook, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, McCullough, McDowell, Murphy, Sharp, Spence, Weiss and Zimmerman; Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Morris, Petrilli, Powell, Riddagh, Roy, Sincock and Smith. All the Representatives were added as co-sponsors of the Resolution.

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 4:18 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 44th Legislative Day.

44TH LEGISLATIVE DAY
June 13, 1979

The Senate convened at 4:18 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 21.

The Journal of the previous day was approved as read.

SJR 9 was reported out of the Executive Committee - 6 Merits.

On motion of Senator Murphy, SB 94 w SA 1 as amended by SA 1, final consideration of which had been deferred, was taken up for consideration.

The privilege of the floor was extended to J. Patrick McCann (representing David Elliott, Insurance Commissioner) after which the roll call vote on the Bill was taken and revealed 18 Senators voting YES, 1 (Zimmerman) NOT VOTING, and 2 (Holloway and Marshall) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 4:28 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:32 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SB 307 - AN ACT TO AMEND CHAPTER 4, TITLE 24 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE STATE BOARD OF EXAMINERS OF BARBERS. Sponsor: Senator Marshall. Assigned to Administrative Services Committee.

SB 308 - AN ACT TO AMEND CHAPTER 409, VOLUME 61, LAWS OF DELAWARE, ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1979; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS" BEING HOUSE BILL NO. 888 OF THE 129TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE. Sponsor: Senator Cook. Assigned to Finance Committee.

SB 309 - AN ACT TO AMEND CHAPTER 9, TITLE 24, OF THE DELAWARE CODE RELATING TO DEADLY WEAPONS DEALERS. Sponsor: Senator Weiss. Assigned to Administrative Services Committee.

SB 310 - AN ACT TO AMEND CHAPTER 23, TITLE 24 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE DELAWARE STATE BOARD OF LANDSCAPE ARCHITECTURE. Sponsors: Senator Marshall and Representative McBride. Assigned to Administrative Services Committee.

SA 4 to HB 335. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to HB 435. Sponsor: Senator Cook. Placed with the Bill.

SA 1 to SB 38. Sponsor: Senator Weiss. Placed with the Bill.

The following Committee reports were announced from the Public Safety Committee: SB 225 - 1 Favorable, 3 Merits; SB 253 - 6 Merits; SB 254 - 5 Merits; SB 256 - 6 Merits; SB 290 - 6 Merits; SB 292 - 1 Favorable, 5 Merits. HB 269 w HA 1 - 4 Merits; HB 396 w HA 1 - 6 Merits; HB 422 - 6 Merits.

SB 119 was taken up for consideration on motion of Senator Murphy:

SB 119 - AN ACT TO AMEND SUBCHAPTER III OF CHAPTER 1, TITLE 17, DELAWARE CODE RELATING TO POWERS OF THE DEPARTMENT OF TRANSPORTATION.

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

YES: Senators Adams, Berndt, Cook, Cordrey, Hale, Hughes, Kearns, Knox, Marshall, McCullough, McDowell, Murphy, Spence, Weiss, Zimmerman - 15.

NO: Senator Sharp - 1.

ABSENT: Senators Arnold, Cicione, Holloway, Littleton, Martin - 5.

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

SS 1 for SB 109 was taken up for consideration on motion of Senator Murphy:

SS 1 for SB 109 - AN ACT TO AMEND TITLE 21, DELAWARE CODE, RELATING TO ODOMETER REQUIREMENTS.

At 5:50 p.m., Senator Martin presiding.

During discussion of the Bill and the Amendments offered to it, the privilege of the floor was extended to Harry Terry (Senate Attorney), Tom Sandbach (Senate Attorney) and Robert J. Voshell (Division of Motor Vehicles).

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

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

SA 3 to the Bill was introduced by Senator Spence and considered for adoption. The roll call vote on the Amendment was taken and revealed:

YES: Senators Arnold, Berndt, Holloway, Hughes, Knox, Littleton, Marshall, McDowell, Sharp, Spence, Weiss, Zimmerman - 12.

NO: Senators Adams, Cook, Cordrey, Kearns, Martin, Murphy - 6.

ABSENT: Senators Cicione, Hale and McCullough - 3.

Therefore, the Amendment was declared adopted.

Before final action was taken, however, SS 1 for SB 109 w SA 2, 3 was laid on the table on further motion of Senator Murphy.

SB 254 was reported out of the Public Safety Committee - 6 Merits. (Corrected report).

At 7:10 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., June 14, 1979.

The Senate reconvened at 2:26 p.m., June 14, 1979, Lt. Governor McGinnis presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted SJR 22.

The following legislation was introduced:

SB 306 - AN ACT TO AMEND CHAPTER 9, TITLE 22 OF THE DELAWARE CODE RELATING TO THE MUNICIPAL USER TAX. Sponsors: Senators Arnold, Cicione, Hale, Hughes, Kearns, Littleton, Martin, McCullough, Sharp, Spence; Representatives Gilligan, Cain, Anderson, Petrilli, Cathcart, W. Brady, Loughney, Vernon, Roy, Powell, Neal, Oberle, Hebner, Harrington, Riddagh, Sincok, Fallon, Clendaniel. Assigned to Community Affairs Committee.

SB 311 - AN ACT TO AMEND CHAPTER 17, TITLE 24 OF THE DELAWARE CODE RELATING TO CONSENT FOR TERMINATION OF HUMAN PREGNANCY. Sponsors: Senators Marshall and Spence; Representatives Jonkiert, Ambrosino and Connor. Assigned to Health and Social Services Committee.

SB 312 - AN ACT TO AMEND CHAPTER 7, TITLE 13, AND CHAPTER 17, TITLE 24 OF THE DELAWARE CODE RELATING TO PARENTAL AND SPOUSAL CONSULTATION PRIOR TO ABORTION. Sponsors: Senators Marshall and Spence; Representatives Jonkiert, Ambrosino and Connor. Assigned to Health and Social Services Committee.

SB 313 - AN ACT TO AMEND SECTION 2118, CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REQUIREMENT OF INSURANCE FOR UNREGISTERED MOTOR VEHICLES. Sponsor: Senator Hughes. Assigned to Public Safety Committee.

SB 314 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. Sponsor: Senator Weiss. Assigned to Public Safety Committee.

SA 1 to SB 255. Sponsor: Senator Hughes. Placed with the Bill.

SA 5 to HB 333. Sponsor: Senator Cicione. Placed with the Bill.

SA 6 to HB 333. Sponsor: Senator Sharp. Placed with the Bill.

SJR 23 - REVISING THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR THE FISCAL YEAR ENDING JUNE 30, 1979. Sponsors: Senators Cordrey and Berndt; Representatives Cain and George. Laid on the table at the request of Senator Cordrey.

SJR 24 - ESTABLISHING THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR THE FISCAL YEAR ENDING JUNE 30, 1980, AND UNENCUMBERED FUNDS ON JUNE 30, 1979. Sponsors: Senators Cordrey and Berndt; Representatives Cain and George. Laid on the table at the request of Senator Cordrey.

HB 395 - AN ACT TO AMEND CHAPTER 13, TITLE 14 OF THE DELAWARE CODE, RELATING TO ABSENCE OF TEACHERS AND OTHER SCHOOL EMPLOYEES FROM EMPLOYMENT BECAUSE OF DEATH IN THE IMMEDIATE FAMILY. Sponsor: Representative Kelly. Assigned to Education Committee.

HJR 19 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Adams:

HJR 19 - ESTABLISHING PRINCIPLES GOVERNING ALL PENSION PLANS COVERING STATE EMPLOYEES. Sponsors: Representatives Matushefske and Powell; Senators Adams and Berndt.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES, 1 (Spence) NOT VOTING, and 1 (Knox) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HJR 20 was introduced and assigned to Community Affairs Committee:

HJR 20 - DIRECTING THE DEPARTMENT OF COMMUNITY AFFAIRS AND ECONOMIC DEVELOPMENT TO STUDY THE WAYS IN WHICH THE STATE OF DELAWARE MAY ENCOURAGE AND PROMOTE THE ESTABLISHMENT OF GENERAL STOCK OWNERSHIP PLANS AND EMPLOYEE STOCK OWNERSHIP PLANS. Sponsors: Representatives Free, Ambrosino, T. Brady, Burris, Cathcart, Connor, Fallon, Harrington, Hebner, Maroney, McKay, Neal, Oberle, Petrilli, Powell, Riddagh, Roy, Sincok, Smith, Vernon, Anderson, Cain, Ferguson, Gordy, Loughney, Maxwell, Minner; Senators Arnold, Knox, Weiss, Cicione, Kearns, Marshall and McDowell.

HB 410 w HA 2 was reported out of the Agriculture Committee: 5 Merits.

At 2:40 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 45th Legislative Day.

45TH LEGISLATIVE DAY June 14, 1979

The Senate convened at 2:40 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 21.

The Journal of the previous day was approved as read.

SB 303 was reported out of the Executive Committee: 4 Merits, 1 Unfavorable.

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

SB 4 - AN ACT TO AMEND CHAPTER 1, TITLE 26 OF THE DELAWARE CODE RELATING TO NUCLEAR POWER PLANTS; AND PROVIDING FOR A MORATORIUM ON ANY FURTHER CONSTRUCTION UNTIL CERTAIN CONDITIONS ARE MET.

SA 1 to the Bill was introduced by Senator Murphy.

Senator McDowell moved that the Amendment be laid on the table; however, on motion of Senator Murphy, the Amendment was stricken.

The privilege of the floor was extended to Paul T. Mullins and W. Hallam Bonner after which the Roll Call vote on SB 4 was taken; however, the roll call was laid on the table before being announced on motion of Senator McDowell.

At 5:07 p.m. on motion of Senator Sharp, the Senate recessed for a short period and reconvened at 5:24 p.m., Lt. Governor McGinnis presiding.

SB 264 was reported out of the Judiciary Committee - 4 Merits.

The following legislation was introduced:

SB 315 - AN ACT TO DEFINE THE WARNER GRANT TRUST LANDS; AND TO APPROPRIATE FUNDS TO SURVEY AND MONUMENT THOSE LANDS. Sponsors: Senators Cordrey and Adams; Representatives Vernon and McKay. Assigned to Natural Resources and Environmental Control Committee.

SB 316 - AN ACT TO AMEND CHAPTER 11, TITLE 30 OF THE DELAWARE CODE TO PERMIT A DEDUCTION FOR CERTAIN HOUSEHOLD AND DEPENDENT CARE EXPENSES. Sponsors: Senator Holloway and Representative McKay. Assigned to Revenue and Taxation Committee.

SB 317 - AN ACT TO AMEND PART I, TITLE 19 DELAWARE CODE, BY ADDING A NEW CHAPTER AUTHORIZING COLLECTIVE BARGAINING BETWEEN FIRE FIGHTING OFFICERS AND THEIR PUBLIC EMPLOYERS; PROVIDING FOR ARBITRATION IN ORDER TO SETTLE DISPUTES; AND REQUIRING COMPLIANCE WITH COLLECTIVE BARGAINING AGREEMENTS AND FINDINGS OF ARBITRATORS. Sponsors: Senators Cicione and Hughes; Representatives Matushefske, Gilligan, McBride and Oberle. Assigned to Labor Committee.

SA 1 to SB 50. Sponsor: Senator Murphy. Placed with the Bill.

SA 1 to SB 225. Sponsor: Senator Hughes. Placed with the Bill.

On motion of Senator Hughes SA 1 to SB 255 was stricken since the Amendment had been placed with this Bill in error.

SA 1 to SB 242. Sponsor: Senator Martin. Placed with the Bill.

SA 2 to SB 246. Sponsor: Senator Martin. Placed with the Bill.

SA 3 to SB 246. Sponsor: Senator Martin. Placed with the Bill.

SA 1 to SB 296. Sponsor: Senator Cicione. Placed with the Bill.

HB 333 was taken up for consideration on motion of Senator Cook:

HB 333 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1980; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

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

SA 2 to the Bill which had been placed with the Bill was laid on the table at the request of the sponsor, Senator Zimmerman.

SA 3 to the Bill which had been placed with the Bill was laid on the table at the request of the sponsor, Senator Zimmerman.

SA 4 to the Bill which had been placed with the Bill was stricken at the request of the sponsor, Senator Cicione.

SA 5 to the Bill was laid on the table at the request of Senator Cicione.

SA 6 to the Bill was considered for adoption on motion of Senator Sharp. The roll call vote on the Amendment was taken and revealed:

YES: Senators Cook, Cordrey, Marshall, McCullough, Sharp - 5.

NO: Senators Adams, Arnold, Berndt, Cicione, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Martin, McDowell, Murphy, Weiss, Zimmerman - 15.

NOT VOTING: Senator Spence - 1.

Therefore, the Amendment was declared lost.

At the request of Senator Sharp, his name was removed as co-sponsor of the Bill.

SA 5 to the Bill which had been laid on the table was stricken at the request of the sponsor, Senator Cicione.

The roll call vote on HB 333 was then taken and revealed 19 Senators voting YES and 2 (McCullough and Sharp) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House.

SB 35 was taken up for consideration on motion of Senator Murphy:

SB 35 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE TO AUTHORIZE LEGAL EXPENSE INSURANCE.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Murphy and the roll call vote taken which revealed 18 Senators voting YES, 1 (Sharp) NOT VOTING, and 2 (Cicione and Hale) ABSENT; therefore, the Amendment was declared adopted.

SB 35 w SA 1 was then laid on the table on further motion of Senator Murphy.

SB 130 was taken up for consideration on motion of Senator Martin:

SB 130 - AN ACT TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE RELATING TO PERSONAL INCOME TAX DEDUCTIONS.

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

YES: Senators Adams, Arnold, Cook, Cordrey, Holloway, Kearns, Littleton, Marshall, Martin, McDowell - 11.

NO: Senators Sharp and Zimmerman - 2.

NOT VOTING: Senators Berndt, Hale, Hughes, Knox, McCullough, Murphy - 6.

ABSENT: Senators Cicione and Spence - 2.

Therefore, the Amendment was declared adopted.

SB 130 w SA 1 was then laid on the table on further motion of Senator Martin.

HCR 75 was introduced and considered for adoption on motion of Senator Cordrey:

HCR 75 - RECOGNIZING AND COMMENDING MARION EVANS, SECRETARY-RECEPTIONIST TO GOVERNOR PIERRE S. DUPONT IV, AND WISHING HER LUCK AND BEST WISHES IN HER NEW CAREER. Sponsors: All members of the House and Senate.

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

At 6:15 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., June 19, 1979.

The Senate reconvened at 2:24 p.m., June 19, 1979, Lt. Governor McGinnis presiding.

The Secretary announced that a message from the House informed the Senate that it had passed SB 144, SB 129, SB 180 w SA 1, and defeated SCR 38.

Legislative Advisory #19 from the Office of Counsel to the Governor was read which indicated that the Governor signed SJR 22 on June 13, 1979.

The following legislation was introduced:

SB 318 - AN ACT TO AMEND CHAPTER 87, PART V, TITLE 14 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE BOARD OF TRUSTEES OF THE DELAWARE INSTITUTE OF VETERINARY MEDICAL EDUCATION. Sponsors: Senator Marshall and Representative McBride. Assigned to Education Committee.

SB 319 - AN ACT TO AMEND CHAPTER 20, PART II, TITLE 16 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE ADVISORY COUNCIL ON HEARING AIDS. Sponsors: Senator Marshall and Representative McBride. Assigned to Health and Social Services Committee.

HB 380 - AN ACT TO AMEND CHAPTER 64, TITLE 9 OF THE DELAWARE CODE RELATING TO SUSSEX COUNTY EMPLOYEES' RETIREMENT BENEFITS. Sponsors: Representatives Gordy, Clendaniel, West, Burris, Fallon, Vernon; Senators Cordrey, Adams and Littleton. Assigned to Community Affairs Committee.

HB 381 - AN ACT TO AMEND CHAPTER 81, TITLE 9 OF THE DELAWARE CODE RELATING TO THE APPLICATION OR TAX EXEMPTIONS FOR PERSONS OVER 65 YEARS OF AGE. Sponsors: Representatives Gordy, Clendaniel, West, Burris, Fallon, Vernon; Senators Cordrey, Adams and Littleton. Assigned to Community Affairs Committee.

HB 382 - AN ACT TO AMEND CHAPTER 70, TITLE 9 OF THE DELAWARE CODE RELATING TO THE ACQUISITION OF INSURANCE BY THE DEPARTMENT OF FINANCE OF SUSSEX COUNTY. Sponsors: Representatives Gordy, Clendaniel, West, Burris, Fallon, Vernon; Senators Cordrey, Adams and Littleton. Assigned to Community Affairs Committee.

HB 389 - AN ACT TO AMEND CHAPTER 61, TITLE 9 OF THE DELAWARE CODE RELATING TO AID FOR MAINTENANCE OF PUBLIC DUMPING AREAS. Sponsors: Representatives Gordy, Clendaniel, West, Burris, Fallon and Vernon; Senators Cordrey, Adams and Littleton. Assigned to Community Affairs Committee.

HB 423 - AN ACT TO AMEND CHAPTER 1, TITLE 14, DELAWARE CODE TO PROVIDE FOR A LICENSING OF NON-DELAWARE INSTITUTIONS OF HIGHER EDUCATION THAT OFFER COURSES, PROGRAMS OF COURSES, OR DEGREES WITHIN THE STATE OF DELAWARE. Sponsor: Representative Bennett. Assigned to Education Committee.

HB 441 - AN ACT TO AMEND TITLE 19, DELAWARE CODE, BY CREATING A PUBLIC WORK PROGRAM AND PROVIDING A SUPPLEMENTARY APPROPRIATION THEREFOR. Sponsors: Representatives Plant and Matushefske. Assigned to Finance Committee.

HB 447 - AN ACT TO AMEND CHAPTER 70, TITLE 7, DELAWARE CODE RELATING TO PIPELINES IN THE COASTAL ZONE. Sponsors: Representatives Gordy, Ferguson, Clendaniel, Plant, West, Holloway, Darling, Maxwell, Loughney, Sincock, Riddagh, Roy, Powell, Maroney, McKay. Assigned to Natural Resources and Environmental Control Committee.

HB 448 - AN ACT TO AMEND CHAPTER 70, TITLE 7, DELAWARE CODE, RELATING TO THE DEFINITION OF "HEAVY INDUSTRY" IN THE COASTAL ZONE ACT. Sponsors: Representatives Gordy, Ferguson, McKay, Clendaniel, Plant, West, Holloway, Darling, Maxwell, Loughney, Sincock, Riddagh, Roy, Powell, Maroney. Assigned to Natural Resources and Environmental Control Committee.

Senator Berndt moved to over-rule the Chair and that HB 448 be laid on the table. The roll call vote on the motion was taken; however, before being announced, Senator Zimmerman moved that the roll call vote on the motion be tabled. The roll call vote on the tabling motion was taken and revealed:

YES: Senators Cicione, Cook, Cordrey, Marshall, Martin, McDowell, Murphy, Zimmerman - 8.

NO: Senators Adams, Arnold, Berndt, Hale, Hughes, Kearns, Knox, Littleton, McCullough, Sharp, Spence - 11.

ABSENT: Senators Holloway and Weiss - 2.

Therefore, the motion failed and the roll call vote on the motion to lay HB 448 on the table was announced:

YES: Senators Adams, Arnold, Berndt, Hale, Holloway, Hughes, Kearns, Knox, Littleton, McCullough, Sharp, Spence - 12.

NO: Senators Cook, Cordrey, Marshall, Martin, McDowell, Murphy, Zimmerman - 7.

NOT VOTING: Senator Cicione - 1.

ABSENT: Senator Weiss - 1.

Therefore, the motion prevailed and HB 448 was laid on the table.

HB 476 - AN ACT TO DIRECT THE BOARD OF PENSION TRUSTEES TO INCLUDE FOR THE PURPOSE OF COMPUTING A PENSION FOR HORACE WILKINSON 76 DAYS OF SICK LEAVE INCURRED WHEN HORACE WILKINSON SUFFERED THE LOSS OF AN EYE WHILE IN THE EMPLOY OF THE STATE. Sponsor: Representative Morris. Assigned to Finance Committee.

HB 445 w HA 1 - AN ACT TO AMEND CHAPTER 68, TITLE 18 OF THE DELAWARE CODE RELATING TO MEDICAL EXPERT WITNESSES. Sponsor: Representative Hebner. Assigned to Banking, Insurance and Elections Committee.

HCR 72 - STRONGLY URGING THE NEW CASTLE COUNTY BOARD OF EDUCATION TO RESTORE ADVANCED AND SPECIAL COURSES OF INSTRUCTION IN CERTAIN NEW CASTLE COUNTY SCHOOLS. Sponsors: Representatives Anderson, W. Brady, Oberle, Petrilli, Neal; Senators Martin, Hale and Spence.

On motion of Senator Hale, the Resolution was considered for adoption and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Berndt, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McDowell, Sharp, Spence - 14.

NO: Senators Cook, Cordrey, Murphy, Zimmerman - 4.

NOT VOTING: Senator McCullough - 1.

ABSENT: Senators Cicione and Weiss - 2.

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

HCR 73 - REQUESTING THE UNITED STATES CONGRESS TO PERMANENTLY SUSPEND THE CARRYOVER BASIS RULES ENACTED UNDER THE 1976 TAX REFORM ACT AND TO RESTORE THE STEPPED-UP BASIS RULES APPLICABLE TO THE BASIS OF PROPERTY ACQUIRED FROM A DECEDENT DYING AFTER 1976 TO APPLY THE SAME BASIS RULES WHICH WERE APPLICABLE PRIOR TO THE 1976 TAX REFORM ACT. Sponsors: Representatives Minner and Gordy. Laid on the table at the request of Senator Sharp.

HCR 76 - REQUESTING THE JUDGES OF THE SUPERIOR COURT TO AMEND RULE 6 (d) OF THE SUPERIOR COURT CRIMINAL RULES TO PERMIT THE ATTENDANCE OF AN ATTORNEY FOR A WITNESS DURING A GRAND JURY PROCEEDING EXCEPT WHEN THE GRAND JURY IS DELIBERATING OR VOTING. Sponsor: Representative Holloway.

Senator Holloway moved that the Resolution be laid on the table; however, the Senator withdrew his motion and the Resolution was before the Senate for consideration.

The privilege of the floor was extended to Tom Sandbach, Senate Attorney, after which the Resolution was laid on the table on further motion of Senator Holloway.

HCR 77 - SALUTING THE UNIVERSITY OF DELAWARE BASEBALL TEAM AND ITS COACH BOB HANNAH FOR ATTAINING GREAT SUCCESS DURING THE 1979 SEASON. Sponsors: Representatives Gilligan, Hebner, Sincok, Ambrosino, Anderson, Cain, W. Brady, Connor, Ferguson, Fallon, George, Kelly, Maxwell, McBride, Neal, Oberle, Petrilli, Powell, Roy; Senators Adams, Berndt, Cook, Hale, Hughes, Kearns, Marshall, Martin, McCullough, McDowell, Sharp.

The Resolution was considered for adoption on motion of Senator Sharp and the roll call vote taken which revealed 17 Senators voting YES, 1 (Zimmerman) voting NO and 3 (Arnold, Marshall and Weiss) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HJR 15 - DIRECTING THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION TO DIRECT ALL SCHOOL DISTRICTS TO ADMINISTER THE STATE CERTIFICATION RULES CONCERNING READING AND MATHEMATICS PERSONNEL AUTHORIZED BY DELAWARE CODE, TITLE 14, SECTION 1716 OR OTHER PERSONNEL ASSIGNED SPECIFICALLY TO FULFILL A COURT ORDER INCLUDING GUIDANCE AND COUNSELING PERSONNEL WITHOUT ANY LOWERING OF STANDARDS. Sponsors: Representatives Bennett, Connor, Ambrosino and Gilligan. Assigned to Education Committee.

HJR 21 - CONGRATULATING ANN LORRAINE HARRINGTON, OF MILFORD, UPON HER SELECTION AS MISS DELAWARE AT THE ANNUAL PAGEANT ON JUNE 16, 1979. Sponsors: Representatives Burris, Harrington, McKay, Riddagh, Sincok, Powell, Smith Gordy, Minner, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Jonkiert, Kelly, Matushefske, Maxwell, Morris, Ambrosino, Plant, Connor, Hebner, T. Brady, Roy. Assigned to Executive Committee.

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

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

June 14, 1979

To the Senate of the 130th 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: Vincent M. White, 1228 Pearl Street, Wilmington, Delaware, to be appointed a Justice of the Peace for a term of four (4) years to succeed Doris E. Harris.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 14, 1979

To the Senate of the 130th 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 Niedzielski, 1007 Piper Road, Wilmington, Delaware, to be appointed a Justice of the Peace for a term of four (4) years to succeed Alan Trachten, resigned.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 14, 1979

To the Senate of the 130th 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: Wayne R. Hanby, 3120 Naamans Road, Wilmington, Delaware, to be appointed a Justice of the Peace for a term of four (4) years to succeed William T. Garfinkel, resigned.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

June 14, 1979

To the Senate of the 130th General Assembly of the
State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Louise T. Brothers, 95 Park Place, Newark, Delaware, to be reappointed a Justice of the Peace for a term of four (4) years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

June 14, 1979

To the Senate of the 130th 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 M. English, 12 Aldershot Drive, Newark, Delaware, to be reappointed a Justice of the Peace for a term of four (4) years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

June 14, 1979

To the Senate of the 130th 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: Paul Neeman, P.O. Box 35, Harrington, Delaware, to be reappointed a Justice of the Peace for a term of four (4) years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 14, 1979

To the Senate of the 130th General Assembly of the
State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Joseph A. Knussman, 211 Washington Avenue, Clayton, Delaware, to be reappointed a Justice of the Peace for a term of four (4) years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 14, 1979

To the Senate of the 130th 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 A. McWilliam, 108 Lakeside Drive, Laurel, Delaware, to be appointed a Justice of the Peace for a term of four (4) years to succeed Walter G. Dill, Jr., term expired.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 14, 1979

To the Senate of the 130th 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: Gail Truitt, 24 Clayton Street, Dewey Beach, Delaware, to be appointed a Justice of the Peace for a term of four (4) years to succeed Norman D. Baker, resigned.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 14, 1979

To the Senate of the 130th General Assembly of the
State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: William L. Jones, 419 East Market Street, Georgetown, Delaware, to be reappointed a Justice of the Peace for a term of four (4) years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 14, 1979

To the Senate of the 130th General Assembly of the
State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Edward G. Davis, 205 Eighth Street, Laurel, Delaware, to be reappointed a Justice of the Peace for a term of four (4) years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 14, 1979

To the Senate of the 130th General Assembly of the
State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Donald F. Yerkes, 35 North Shore Drive, Seaford, Delaware, to be reappointed a Justice of the Peace for a term of four (4) years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 14, 1979

To the Senate of the 130th General Assembly of the
State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Emory R. West, Sr., 510 Chestnut Drive, Milton, Delaware, to be reappointed a Justice of the Peace for a term of four (4) years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 14, 1979

To the Senate of the 130th 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: Aubrey T. Hudson, Rd 4, Box 206, Georgetown, Delaware, to be reappointed a Justice of the Peace for a term of four (4) years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 14, 1979

To the Senate of the 130th General Assembly of the
State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Thomas W. Hutson, Jr., P.O. Box P-241, Millsboro, Delaware, to be reappointed a Justice of the Peace for a term of four (4) years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 14, 1979

To the Senate of the 130th 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: Carroll B. Farlow, Gumboro Road, Selbyville, Delaware, to be appointed a Justice of the Peace for a term of four (4) years to succeed William J. Hopkins, term expired.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 14, 1979

To the Senate of the 130th General Assembly of the
State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: John M. Maiorano, 720 Douglas Street, Wilmington, Delaware, to be reappointed as a member of the Board of Trustees of Delaware Technical and Community College for a three (3) year term.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 14, 1979

To the Senate of the 130th 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: Fred Dewey, Jr., 620 Carriage Lane, Dover, Delaware, to be appointed a Justice of the Peace for a term of four (4) years to succeed Russel T. Rash, term expired.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 14, 1979

To the Senate of the 130th 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: Ellis B. Parrott, Rd. 2, Box 280-11, Felton, Delaware, to be appointed a Justice of the Peace for a term of four (4) years to succeed Wallace B. Wooten, term expired.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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The following legislation was introduced:

SB 320 - AN ACT TO AMEND CHAPTER 15, TITLE 15, DELAWARE CODE RELATING TO REGISTRATION OFFICERS. Sponsors: Senators Holloway and McDowell; Representatives Holloway and Gilligan. Assigned to Banking, Insurance and Elections Committee.

SB 321 - AN ACT TO AMEND CHAPTER 76, PART VII, TITLE 16 OF THE DELAWARE CODE RELATING TO COUNTY AND MUNICIPAL BUILDING, PLUMBING, ELECTRICAL AND OTHER CODES. Sponsor: Senator McDowell. Assigned to Energy Committee.

SB 322 - AN ACT TO AMEND TITLE 7, DELAWARE CODE RELATING TO ENERGY CONSERVATION, ENERGY SAVINGS DEVICES, AND ENERGY EFFICIENCY STANDARDS. Sponsor: Senator McDowell. Assigned to Energy Committee.

SB 323 - AN ACT TO CHANGE THE NAME OF THE DELAWARE HOSPITAL FOR THE MENTALLY RETARDED, A FACILITY OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, TO THE STOCKLEY CENTER. Sponsors: Senators Holloway and Cordrey. Assigned to Health and Social Services Committee.

SS 1 for SB 130 - AN ACT TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE RELATING TO PERSONAL INCOME TAX DEDUCTIONS. Sponsor: Senator Martin. Adopted in lieu of the Original.

SA 1 to SA 1 to SB 35. Sponsor: Senator Murphy. Placed with the Bill.

On motion of Senator Murphy, the necessary rules were suspended for lifting SB 35 w SA 1 from the table for consideration.

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

On further motion of Senator Murphy, the roll call vote on SA 1 to SA 1 to SB 35 was then rescinded.

On motion of Senator Murphy, the roll call vote on SA 1 to SB 35 was then rescinded.

SA 1 to SA 1 to SB 35 was then again taken up for consideration on motion of Senator Murphy and the roll call vote taken which revealed 18 Senators voting YES and 3 (Cicione, Sharp and Weiss) ABSENT; therefore, the Amendment to the Amendment was declared adopted.

SA 1 as amended by SA 1 to the Bill was then taken up for consideration on motion of Senator Murphy and the roll call vote taken which revealed 19 Senators voting YES and 2 (Cicione and Weiss) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 35 w SA 1 as amended by SA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cook, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Martin, McCullough, McDowell, Murphy - 14.

NO: Senators Cordrey, Marshall, Sharp, Spence, Zimmerman - 5.

ABSENT: Senators Cicione and Weiss - 2.

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

HB 177 w HA 1 was reported out of the Administrative Services Committee: 1 Favorable, 2 Merits, 1 Unfavorable.

At 3:40 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 46th Legislative Day.

46TH LEGISLATIVE DAY

June 19, 1979

The Senate convened at 3:40 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Adams.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Zimmerman - 20.

ABSENT: Senator Weiss - 1.

The Journal of the previous day was approved as read.

SB 246 was taken up for consideration on motion of Senator Holloway:

SB 246 - AN ACT AUTHORIZING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES FOR THE PURPOSE OF RAISING GENERAL ASSISTANCE AND AID TO FAMILIES WITH DEPENDENT CHILDREN PAYMENTS AND AMENDING CHAPTER 5, TITLE 31 DELAWARE CODE, BY REQUIRING THAT AID TO FAMILIES WITH DEPENDENT CHILDREN BE AT 100% OF THE 1969 STANDARD OF NEED.

During the discussion of the Bill and the Amendments that were offered to it, the privilege of the floor was extended to Patricia C. Schramm (Department of Health and Social Services) and Earl McGinnes (Director, Legislative Council).

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

YES: Senators Adams, Cicione, Cook, Cordrey, Holloway, Kearns, Marshall, Martin, McDowell, Murphy, Sharp - 11.

NO: Senators Arnold, Berndt, Hale, Hughes, Knox, Littleton, McCullough, Spence - 8.

ABSENT: Senators Weiss and Zimmerman - 2.

Therefore, the Amendment was declared adopted.

At 4:11 p.m., Senator Sharp presiding.

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Martin and the roll call vote taken; however, before being announced, the roll call was laid on the table on further motion of Senator Martin.

SA 3 to the Bill which had been placed with the Bill was stricken at the request of the sponsor, Senator Martin.

Senator Martin moved that the roll call vote on SA 2 to SB 246 be lifted from the table. The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Arnold, Cook, Cordrey, Hughes, Martin, McCullough, Murphy, Sharp, Spence, Zimmerman - 11.

NO: Senators Berndt, Cicione, Hale, Holloway, Kearns, Knox, Littleton, Marshall, McDowell - 9.

ABSENT: Senator Weiss - 1.

Therefore, the motion prevailed and the roll call was lifted and announced:

YES: Senators Adams, Arnold, Cook, Cordrey, Hughes, Martin, McCullough, Murphy, Sharp, Spence, Zimmerman - 11.

NO: Senators Berndt, Cicione, Hale, Holloway, Kearns, Knox, Littleton, Marshall, McDowell - 9.

ABSENT: Senator Weiss - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 246 w SA 1, 2 was then taken and revealed:

YES: Senators Berndt, Cicione, Hale, Holloway, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell - 11.

NO: Senators Adams, Arnold, Cook, Cordrey, Hughes, Murphy, Sharp, Spence - 8

ABSENT: Senators Weiss and Zimmerman - 2.

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

At 5:29 p.m. the Senate recessed on motion of Senator Cordrey and reconvened at 6:17 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SB 324 - AN ACT TO AMEND CHAPTER 13, PART I, TITLE 19 OF THE DELAWARE CODE RELATING TO THE RIGHT OF PUBLIC EMPLOYEES TO ORGANIZE FOR THE PURPOSE OF COLLECTIVE BARGAINING. Sponsors: Senators Cicione and Kearns; Representatives Cain, Gilligan, Maxwell, Loughney, Anderson, Cathcart, Roy. Assigned to Labor Committee.

SB 325 - AN ACT TO AMEND SUBTITLE IV, CHAPTER 70, TITLE 6, DELAWARE CODE BY REPEALING SAID CHAPTER 70 AND ESTABLISHING A NEW CHAPTER 70 AUTHORIZING THE CREATION OF THE DELAWARE DEPARTMENT OF COMMUNITY AFFAIRS AND ECONOMIC DEVELOPMENT AUTHORITY; AUTHORIZING SUCH AUTHORITY TO ISSUE BONDS FOR INDUSTRIAL, COMMERCIAL AND AGRICULTURAL PROJECTS; FURTHER AUTHORIZING THE AUTHORITY TO PLEDGE THE FULL FAITH AND CREDIT OF THE STATE TO THE PAYMENT OF CERTAIN BONDS OF THE AUTHORITY AND FURTHER GRANTING CERTAIN ADDITIONAL POWERS TO THE AUTHORITY. Sponsors: Senators Cordrey, Holloway, McDowell, Kearns, Marshall, Knox, Arnold, Hale; Representatives Gordy, George, Cain, Bennett, Plant, Holloway, Hebner, Sincok, McKay, T. Brady, Vernon, Free, Petrilli. Assigned to Federal, State Relations Committee.

SB 326 - AN ACT TO AMEND CHAPTER 40, TITLE 31, DELAWARE CODE, BY INCREASING THE AMOUNT OF BONDS AND NOTES THE DELAWARE STATE HOUSING AUTHORITY CAN ISSUE. Sponsors: Senators Holloway, Marshall, Knox, Hale, Berndt; Representatives Minner, Burris, Plant, Oberle. Assigned to Health and Social Services Committee.

SB 327 - AN ACT AWARDING SPECIAL PENSION BENEFITS TO JEANNETTE V. G. LEGATES AND APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND AUTHORIZED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE. Sponsor: Senator Cook. Assigned to Finance Committee.

SA 1 to HB 158. Sponsors: Senators Martin, Holloway, Hughes; Representatives Jonkiert and Sincock. Placed with the Bill.

SA 2 to SB 243. Sponsor: Senator Cook. Placed with the Bill.

HB 89 w HA 1 - AN ACT TO AMEND CHAPTERS 27 OF TITLE 14, CHAPTER 9 OF TITLE 10 AND CHAPTER 5 OF TITLE 11, DELAWARE CODE RELATING TO THE DEFINITION OF TRUANCY OR TRUANT. Sponsor: Representative Loughney. Assigned to Education Committee.

HB 310 w HA 2 as amended by HA 1 - AN ACT TO AMEND CHAPTER 39, PART I, TITLE 18 OF THE DELAWARE CODE RELATING TO CASUALTY INSURANCE CONTRACTS; AND PROVIDING A LIMITATION ON PREMIUM INCREASES AND POLICY CANCELLATIONS. Sponsor: Representative Ambrosino. Assigned to Banking, Insurance and Elections Committee.

SB 214 was reported out of the Revenue and Taxation Committee: 2 Merits, 1 Unfavorable.

Senator Zimmerman marked PRESENT.

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

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

June 19, 1979

To the Senate of the 130th 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: Laurence L. Fitchett, Jr. 1305 North Broom Street, Wilmington, Delaware, to be a Court Commissioner for the Municipal Court of the City of Wilmington for a term of 4 years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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On motion of Senator Martin, the necessary rules were suspended for lifting SS 1 for SB 130 from the table for consideration; however, before final action was taken on the Bill, it was again tabled on further motion of the Senator.

SJR 15 was taken up for consideration on motion of Senator Martin:

SJR 15 - DIRECTING THE STATE BOARD OF EDUCATION TO ENCOURAGE LOCAL SCHOOL BOARDS TO CONSIDER UNNECESSARY STUDENT DRIVING IN PLANNING FOR THE SCHOOL YEAR 1979-1980.

The roll call vote on the Resolution was taken; however, before being announced, the roll call was tabled on further motion of Senator Martin.

Under suspension of the necessary rules, SJR 21 was lifted from the table for consideration on motion of Senator Holloway:

SJR 21 - ENDORSING INCREASED MEDICAID ELIGIBILITY FOR NURSING HOME CARE IN DELAWARE.

The privilege of the floor was extended to Robert E. Rieman (United Way of Delaware) after which the Resolution was again laid on the table on further motion of Senator Holloway.

At 6:48 p.m. on motion of Senator Sharp, the Senate adjourned until 2:00 p.m., June 20, 1979

47TH LEGISLATIVE DAY
June 20, 1979

The Senate convened at 2:22 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Sharp.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 21.

The Journal of the previous day was approved as read.

The Secretary announced that a message from the House informed the Senate that it had Passed SB 37 w HA 3 and SB 47.

The following Committee reports were announced:

From the Education Committee: SB 46 - 3 Favorable, 3 Merits; SB 301 - 1 Favorable, 6 Merits; SB 318 - 1 Favorable, 5 Merits; SB 321 - 2 Favorable, 3 Merits; SB 322 - 2 Favorable, 3 Merits; HB 395 - 6 Merits; HB 423 - 1 Favorable, 4 Merits; HJR 15 - 1 Favorable, 4 Merits.

From the Administrative Services Committee: HS 1 for HB 137 w HA 1, 2 - 3 Favorable, 2 Merits; SB 66 - 1 Favorable, 4 Merits.

SB 37 w SA 1 which had been returned from the House as further amended by HA 3 was laid on the table at the request of the sponsor, Senator Kearns.

The following legislation was introduced:

SB 328 - AN ACT MAKING A SUPPLEMENTARY APPROPRIATION TO THE FAMILY COURT OF THE STATE OF DELAWARE FOR THE PURPOSE OF CORRECTING OMISSIONS IN CHAPTER 12, VOLUME 62, LAWS OF DELAWARE. Sponsors: Senators McDowell and Kearns. Assigned to Finance Committee.

SA 1 to SS 1 for SB 130. Sponsor: Senator Martin. Placed with the Bill.

SA 1 to SB 326. Sponsor: Senator Holloway. Placed with the Bill.

Senators Kearns, Weiss, McCullough and Zimmerman marked PRESENT.

Lt. Governor McGinnis introduced the members of the Boys' State who were present in the Chamber.

SB 205 was reported out of the Judiciary Committee: 5 Merits. Senators Cicione and Holloway marked PRESENT.

On motion of Senator Cordrey, the roll call vote on SB 193 w SA 1 was lifted and announced:

YES: Senators Adams, Arnold, Cicione, Cordrey, Holloway, Hughes, Kearns, Knox, Littleton, Murphy, Spence, Weiss, Zimmerman - 13.

NO: Senators Berndt, Cook, Marshall, McCullough, McDowell, Sharp - 6.

ABSENT: Senators Hale and Martin - 2.

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

SB 242 was taken up for consideration on motion of Senator Martin:

SB 242 - AN ACT TO AMEND CHAPTER 7, TITLE 17, DELAWARE CODE RELATING TO RAILROAD CROSSINGS OVER HIGHWAYS.

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

Senators Littleton and Berndt marked PRESENT.

The privilege of the floor was extended to John T. Davis (Department of Transportation) after which the roll call vote on SB 242 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.

Lt. Governor McGinnis introduced the Soap Box Derby Queen, Carolyn Batey, to the Senate and Senator Knox introduced the Parents of the Soap Box Derby Queen.

SB 126 was taken up for consideration on motion of Senator Holloway:

SB 126 - AN ACT TO AMEND CHAPTER 3, TITLE 24, DELAWARE CODE, REGULATING THE PRACTICE OF ARCHITECTURE.

Senator Murphy was added as co-sponsor of the Bill at his request.

On further motion of Senator Holloway, the Bill was then laid on the table.

HB 336 was taken up for consideration on motion of Senator Cook:

HB 336 - AN ACT TO AMEND TITLE 10 AND TITLE 29, DELAWARE CODE RELATING TO JUSTICE OF PEACE COMPENSATION AND MAKING AN APPROPRIATION THEREFOR.

Before final action was taken on the Bill, however, it was laid on the table on further motion of Senator Cook.

At 3:17 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:27 p.m., Lt. Governor McGinnis presiding.

The following Committee reports were announced from the Natural Resources and Environmental Control Committee: SB 297 - 5 Merits; SB 302 - 5 Merits; SB 315 - 5 Merits.

The following legislation was introduced:

SB 329 - AN ACT TO AMEND TITLE 9 AND TITLE 22 OF THE DELAWARE CODE RELATING TO ZONING REQUIREMENTS FOR FACILITIES FOR DEVELOPMENTALLY DISABLED PERSONS. Sponsors: Senators Holloway and Berndt. Assigned to Community Affairs Committee.

SB 330 - AN ACT TO AMEND CHAPTER 65, PART IV, TITLE 11 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF CORRECTION; AND PROVIDING CERTAIN LIMITATIONS UPON INMATE CONTACTS WITH PERSONS OUTSIDE THE INSTITUTION. Sponsors: Senators Sharp and Hughes; Representative Morris. Assigned to Corrections Committee.

SA 1 to HB 336. Sponsor: Senator Sharp. Placed with the Bill.

SA 1 to SB 183. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 30. Sponsor: Senator Holloway. Placed with the Bill.

SJR 25 - PROVIDING FOR A FINE FOR ANY GASOLINE SERVICE STATION THAT CHARGES MORE THAN ITS POSTED PRICE FOR A GALLON OF GASOLINE. Sponsors: Senators Holloway, Kearns, Hughes and McCullough.

On motion of Senator Holloway, the necessary rules were suspended for consideration of SJR 25 and the roll call vote taken which revealed 20 Senators voting YES and 1 (Sharp) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SR 49 - URGING THE DELAWARE AUTHORITY FOR REGIONAL TRANSIT TO DEVELOP A PLAN FOR PROVIDING ADDITIONAL SERVICE AFTER NORMAL WORKING HOURS AND ON WEEKENDS. Sponsor: Senator Holloway.

On motion of Senator Holloway, the Resolution was considered for adoption and the roll call vote taken which revealed 20 Senators voting YES and 1 (Cicione) ABSENT; therefore, the Resolution was declared adopted.

HB 268 was taken up for consideration on motion of Senator Adams:

HB 268 - AN ACT TO AMEND CHAPTER 29, TITLE 6, DELAWARE CODE, TRANSFERRING THE OFFICE OF RETAIL GASOLINE SALES FROM THE DIVISION OF CONSUMER AFFAIRS OF THE DEPARTMENT OF COMMUNITY AFFAIRS AND ECONOMIC DEVELOPMENT TO THE DIVISION OF MOTOR FUEL TAX OF THE DEPARTMENT OF PUBLIC SAFETY.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES, 1 (McCullough) NOT VOTING, and 2 (Holloway and Martin) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

SB 273 was taken up for consideration on motion of Senator Adams:

SB 273 - AN ACT TO AMEND CHAPTER 663, VOLUME 60, LAWS OF DELAWARE, AS AMENDED BY CHAPTER 531 VOLUME 61 RELATING TO PENSION BENEFITS OF CORRECTIONS OFFICERS.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Hughes and McCullough) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 167 was taken up for consideration on motion of Senator Adams:

HB 167 - AN ACT TO AMEND CHAPTER 65, TITLE 29 AND CHAPTER 17, TITLE 2, DELAWARE CODE RELATING TO REIMBURSEMENT FOR COSTS OF GOODS AND SERVICES PROVIDED BY SPECIALIZED TRANSPORTATION AUTHORITIES TO STATE AGENCIES AND DEPARTMENTS.

The privilege of the floor was extened to John T. Davis (Department of Transportation after which the roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 118 w HA 1 was taken up for consideration on motion of Senator Adams:

HB 118 w HA 1 - AN ACT TO APPROPRIATE MONIES TO MADALYN SEEGER, A FORMER STATE EMPLOYEE IN SETTLEMENT OF HER CLAIM AGAINST THE STATE.

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

HB 336 was taken up for consideration on motion of Senator Cook:

HB 336 - AN ACT TO AMEND TITLE 10 AND TITLE 29, DELAWARE CODE RELATING TO JUSTICE OF PEACE COMPENSATION AND MAKING AN APPROPRIATION THEREFOR.

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:

YES: Senators Adams, Cook, Cordrey, Sharp - 4.

NO: Senators Arnold, Berndt, Cicione, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Weiss, Zimmerman - 16.

NOT VOTING: Senator Spence - 1.

Therefore, the Amendment was declared lost.

The roll call vote on HB 336 was then taken and revealed 17 Senators voting YES and 4 (Adams, Cook, Sharp, Spence) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House.

SB 126 was taken up for consideration on motion of Senator Holloway:

SB 126 - AN ACT TO AMEND CHAPTER 3, TITLE 24, DELAWARE CODE, REGULATING THE PRACTICE OF ARCHITECTURE.

SA 1 to the Bill was introduced by Senator Marshall and laid on the table at his request.

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

YES: Senators Adams, Arnold, Cook, Hale, Hughes, Littleton, Marshall, Martin, McDowell, Sharp, Spence, Zimmerman - 12.

NO: Senators Berndt, Cicione, Cordrey, Holloway, Kearns, Knox, McCullough, Murphy, Weiss - 9.

Therefore, the Amendment was declared adopted.

SA 3 to the Bill was introduced by Senator Marshall and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McDowell, Sharp, Spence, Weiss - 17.

NO: Senators Holloway, McCullough, Murphy - 3.

ABSENT: Senator Zimmerman - 1.

Therefore, the Amendment was declared adopted.

SB 126 w SA 2, 3 was then laid on the table on further motion of Senator Holloway.

HB 335 w HA 1, 2 was taken up for consideration on motion of Senator Holloway:

HB 335 w HA 1, 2 - AN ACT TO AMEND CHAPTER 68, TITLE 16, DELAWARE CODE RELATING TO THE EXEMPTION OF PERSONS FROM LIABILITY WHEN RENDERING EMERGENCY CARE.

SA 1, SA 2 and SA 3 to the Bill which had been placed with the Bill were stricken at the request of the sponsor of the Amendments, Senator Cicione.

SA 4 to the Bill which had been placed with the Bill was stricken at the request of the sponsor, Senator Holloway.

The privilege of the floor was extended to Harry Terry, Senate Attorney, after which the roll call vote on HB 335 w HA 1, 2 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House.

At 5:55 p.m., Senator Adams presiding.

On motion of Senator Martin, the roll call vote on SJR 15 was lifted and announced:

YES: Senators Adams, Cicione, Cook, Cordrey, Kearns, Knox, Martin, McDowell, Murphy, Weiss, Zimmerman - 11.

NO: Senators Arnold, Berndt, Hale, Hughes, Littleton, Marshall, Spence - 7.

NOT VOTING: Senators Holloway and Sharp - 2.

ABSENT: Senator McCullough - 1.

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

At 6:08 p.m., on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., June 21, 1979.

The Senate reconvened at 2:19 p.m., June 21, 1979, Lt. Governor McGinnis presiding.

The following Committee reports were announced:

From the Community Affairs Committee: HB 366 - 5 Merits.

From the Executive Committee Governor's nominations for appointment: Louise T. Brothers - 1 Favorable, 5 Merits; Edward G. Davis - 6 Merits; Mabel M. English - 2 Favorable, 4 Merits; Laurence L. Fitchett, Jr. - 6 Merits; Aubrey T. Hudson - 1 Favorable, 5 Merits; Thomas W. Hutson, Jr. - 1 Favorable, 5 Merits; William L. Jones - 5 Merits, 1 Unfavorable; Joseph A. Knussman - 1 Favorable, 5 Merits; John M. Maiorano - 2 Favorable, 4 Merits; James R. McNinch, M.D. - 1 Favorable, 5 Merits; Paul Neeman - 6 Merits; Emory R. West, Sr. - 1 Favorable, 5 Merits.

The following legislation was introduced:

SB 331 - AN ACT TO AMEND CHAPTER 87, PART V, TITLE 14 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE BOARD OF TRUSTEES OF THE DELAWARE INSTITUTE OF VETERINARY MEDICAL EDUCATION. Sponsors: Senator Marshall and Representative McBride. Assigned to Education Committee.

SB 332 - AN ACT TO AMEND CHAPTER 1, TITLE 22 OF THE DELAWARE CODE RELATING TO THE AUTHORIZATION FOR MUNICIPALITIES TO ACQUIRE, THROUGH EMINENT DOMAIN, PROPERTIES TO BE REHABILITATED USING FEDERAL COMMUNITY DEVELOPMENT FUNDS FOR BOTH ACQUISITION AND REHABILITATION. Sponsors: Senators Marshall, McDowell, Holloway, Cicione, Kearns; Representatives Matushefske, Maxwell, Cain, Oberle, McBride, Jonkiert, Holloway, Plant, George, Free. Assigned to Community Affairs Committee.

SB 333 - AN ACT TO AMEND CHAPTER 94, TITLE 29, DELAWARE CODE RELATING TO GASOLINE MANUFACTURED AND/OR REFINED WITHIN THE STATE OF DELAWARE. Sponsors: Senators Sharp and Holloway. Laid on the table.

SB 334 - AN ACT TO AMEND CHAPTER 500, VOLUME 61, LAWS OF DELAWARE, RELATING TO A CONTAINER LEGISLATION COMMISSION. Sponsor: Senator Berndt. Assigned to Executive Committee.

SB 335 - AN ACT TO AMEND TITLE 17, CHAPTER 1, SUBCHAPTER 3, OF THE DELAWARE CODE RELATING TO HIGHWAYS BY PROVIDING FOR RESTRICTIONS ON UNDEVELOPED LANDS ADJACENT TO STATE HIGHWAYS WITHIN THIS STATE AND ESTABLISHING MINIMUM DEDICATED RIGHTS-OF-WAY REQUIREMENTS. Sponsors: Senators Martin and Berndt. Assigned to Highways and Transportation Committee.

SB 336 - AN ACT TO PROVIDE A SUPPLEMENTARY APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION TO BE USED TO PAY AN OBLIGATION INCURRED IN A PRIOR FISCAL YEAR. Sponsors: Senator Martin and Representative Kelly. Assigned to Highways and Transportation Committee.

SB 337 - AN ACT TO AMEND CHAPTER 55, PART V, TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEES' PENSION PLAN; AND PROVIDING PENSION RIGHTS FOR CERTAIN OLDER STATE EMPLOYEES. Sponsor: Senator McCullough. Assigned to Finance Committee.

SB 338 - AN ACT TO AMEND CHAPTER 5, PART I, TITLE 11 OF THE DELAWARE CODE RELATING TO VIOLATION OF PRIVACY; AND PROVIDING AN EXCEPTION FOR CERTAIN ACTS BY EMPLOYEES OF THE DEPARTMENT OF CORRECTION. Sponsors: Senators Sharp and Hughes; Representative Morris. Assigned to Correction Committee.

SB 339 - AN ACT TO PROVIDE A SUPPLEMENTAL APPROPRIATION TO DEPARTMENTS AND AGENCIES TO BE USED TO PAY OBLIGATIONS INCURRED IN A PRIOR FISCAL YEAR. Sponsor: Senator Cicione. Laid on the table.

SB 340 - AN ACT AUTHORIZING THE STATE OF DELAWARE TO CONVEY TO THE TOWN OF BETHANY BEACH PROPERTY TO BE USED FOR WATER STORAGE FACILITIES AND EQUIPMENT. Sponsor: Senator Cordrey. Assigned to Community Affairs Committee.

SB 341 - AN ACT TO AMEND CHAPTER 424, VOLUME 61, LAWS OF DELAWARE, RELATING TO THE CONSTRUCTION OVERVIEW COMMITTEE. Sponsor: Senator Sharp. The Bill was immediately stricken at the request of the sponsor.

SB 342 - AN ACT TO AMEND CHAPTER 17, TITLE 18, DELAWARE CODE, RELATING TO THE QUALIFICATIONS FOR A HOLDER OF A CERTIFICATE OF AUTHORITY. Sponsor: Senator Murphy. Assigned to Banking, Insurance and Elections Committee.

SA 1 and SA 2 to HB 84. Sponsor: Senator Zimmerman. Placed with the Bill.

HB 341 - AN ACT TO AMEND CHAPTER 51, PART V, TITLE 16 OF THE DELAWARE CODE RELATING TO MENTAL HEALTH; AND PROVIDING FOR THE EXPUNGEMENT OR NULLIFICATION OF CERTAIN RECORDS. Sponsor: Representative Ambrosino. Assigned to Health and Social Services Committee.

HB 379 w HA 1 - AN ACT AGREEING TO A PROPOSED AMENDMENT TO ARTICLE III OF THE DELAWARE CONSTITUTION RELATING TO THE ELECTION AND TERM OF OFFICE FOR CERTAIN STATE OFFICERS. Sponsors: Representatives T. Brady, Gordy, W. Brady. Assigned to Executive Committee.

HB 507 - AN ACT AWARDED PENSION BENEFITS TO LAWRENCE C. POND, A FORMER STATE EMPLOYEE; APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND AUTHORIZED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE; AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF IT WERE AWARDED PURSUANT TO CHAPTER 55, TITLE 29 OF THE DELAWARE CODE. Sponsor: W. Brady. Assigned to Finance Committee.

HB 555 - AN ACT TO AMEND CHAPTER 6, TITLE 14 OF THE DELAWARE CODE RELATING TO TUITION CHARGES UNDER CERTAIN CIRCUMSTANCES FOR HANDICAPPED PERSONS. Sponsors: Representatives Bennett, Anderson, Darling, Maxwell, Gilligan, Clendaniel, Gordy, Minner, Burris, Neal. Assigned to Education Committee.

SB 343 - AN ACT TO AMEND CHAPTER 40, TITLE 31, DELAWARE CODE, RELATING TO TECHNICAL CHANGES FOR OPERATIONAL EFFICIENCY. Sponsors: Senator Holloway and Berndt. Assigned to Health and Social Services Committee.

SA 1 to SB 321. Sponsor: Senator McDowell. Placed with the Bill.

The following Committee reports were announced:

From the Labor Committee: SB 170 - 6 Merits; SB 317 - 6 Merits; SB 324 - 6 Merits; HB 72 w HA 1 - 6 Merits; HB 329 - 6 Merits.

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

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

June 20, 1979

To the Senate of the 130th General Assembly of the
State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Charles H. West, R.D. 2, Box 88, Milford, Delaware, to be reappointed a member of the Wetlands Appeals Board for a term of three (3) years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

June 20, 1979

To the Senate of the 130th 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: Alfred A. Stango, 48 De Vries Circle, Lewes, Delaware, to be a member of the Commission on Massage Establishment and Adult Bookstores to serve until 10/13/80 to fill the unexpired term of Philip Kaye, deceased.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 20, 1979

To the Senate of the 130th 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: David S. Howard, M.D., Central and Woodland Avenues, Ocean View, Delaware, to be a member of the Board of Trustees of the Delaware Institute of Medical Education and Research for a term of three (3) years to succeed W. Pierce Ellis, term expired.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 20, 1979

To the Senate of the 130th General Assembly of the
State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: William C. Holden, 215 Wyoming Avenue, Dover, Delaware, to be reappointed a member of the Wetlands Appeals Board for a term of three (3) years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 20, 1979

To the Senate of the 130th General Assembly of the
State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Henry P. Cannon, II, The Dale Farm, Bridgeville, Delaware, to be reappointed as a member of the Board of Trustees, University of Delaware for a term of six (6) years to expire 6/10/85.

The above name is not a gubernatorial appointment.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 20, 1979

To the Senate of the 130th 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: Jacqueline Ann Richter, 733 Oak Drive, Dover, Delaware, to be appointed as a member of the Board of Trustees, University of Delaware for a term of one (1) year ending 6/30/80 to succeed Ralph D. Cope, term expired.

The above name is not a gubernatorial appointment.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 20, 1979

To the Senate of the 130th 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: Harold C. Schmittinger, 35 Turnberry, Dover, Delaware, to be reappointed as a member of the Board of Trustees, University of Delaware for a term of six (6) years to expire 5/19/85.

The above name is not a gubernatorial appointment.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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The following Committee reports were announced:

From the Banking, Insurance and Elections Committee: SB 298
- 4 Merits.

From the Administrative Services Committee: HB 357 - 2
Favorable, 4 Merits.

SJR 26 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Weiss:

SJR 26 - DESIGNATING THE WEEK OF NOVEMBER 4 THROUGH NOVEMBER 10, 1979 AS ALBERT EINSTEIN WEEK. Sponsor: Senator Weiss.

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

SJR 27 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Holloway:

SJR 27 - DIRECTING THE DELAWARE AUTHORITY FOR REGIONAL TRANSIT TO STUDY THE FEASIBILITY OF INITIATING SHUTTLE SERVICE BETWEEN THE WILMINGTON AND STANTON CAMPUSES OF DELAWARE TECHNICAL COMMUNITY COLLEGE. Sponsors: Senator Holloway and Representative Holloway.

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

Senator Arnold moved that the necessary rules be suspended to take SB 306 out of the Community Affairs Committee and be placed on the Agenda.

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

YES: Senators Arnold, Berndt, Hale, Hughes, Knox, Littleton, Martin, Sharp, Spence, Weiss - 10.

NO: Senators Adams, Cicione, Cook, Cordrey, Holloway, Kearns, Marshall, McCullough, McDowell, Murphy, Zimmerman - 11.

Therefore, the motion failed and the Bill remained in the Committee.

SJR 28 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Hughes:

SJR 28 - DESIGNATING JULY 25, 1979 AS EDWARD "PORKY" OLIVER DAY. Sponsors: Senators Hughes and Marshall; Representatives Ferguson, Burris, Sincok.

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

On motion of Senator Martin, the necessary rules were suspended for lifting SS 1 for SB 130 from the table for consideration.

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

YES: Senators Arnold, Kearns, Marshall, Martin, McDowell, Sharp - 6.

NO: Senators Adams, Berndt, Cook, Cordrey, Hale, Hughes, Littleton, Murphy, Spence, Weiss, Zimmerman - 11.

NOT VOTING: Senators Cicione and McCullough - 2.

ABSENT: Senators Holloway and Knox - 2.

Therefore, the Amendment was declared lost.

The roll call vote on SS 1 for SB 130 was then taken and revealed:

YES: Senators Adams, Kearns, Marshall, Martin, McDowell, Sharp - 6.

NO: Senators Arnold, Berndt, Cook, Cordrey, Hale, Hughes, Knox, Littleton, McCullough, Murphy, Spence, Weiss, Zimmerman - 13.

NOT VOTING: Senator Cicione - 1.

ABSENT: Senator Holloway - 1.

Therefore, the Bill was declared lost.

At 3:03 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 48th Legislative Day.

48TH LEGISLATIVE DAY
June 21, 1979

The Senate convened at 3:03 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 21.

The Journal of the previous day was approved as read.

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

Senator Murphy marked PRESENT.

On motion of Senator Adams, the Governor's nomination for appointment of Joseph A. Knussman was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Murphy) NOT VOTING; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Aubrey T. Hudson was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the appointment was declared confirmed.

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

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

On motion of Senator Adams, the Governor's nomination for appointment of Louise T. Brothers was taken up for consideration and the roll call vote taken which revealed 16 Senators voting YES, 1 (McCullough) voting NO, and 4 (Holloway, Kearns, Littleton and McDowell) ABSENT; therefore, the appointment was declared confirmed.

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

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

At 3:25 p.m., on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:23 p.m., Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed SB 150.

Legislative Advisory #20 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed SB 44 on June 15, 1979; SB 110 on June 18; and SB 81 and SB 41 w SA 1 on June 19, 1979.

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The following legislation was introduced:

SB 344 - AN ACT TO AMEND CHAPTER 5, TITLE 4, DELAWARE CODE, RELATING TO THE LICENSING OF ESTABLISHMENT TO SELL ALCOHOLIC BEVERAGES. Sponsor: Senator Cordrey. Assigned to Administrative Services Committee.

SA 1 to HB 448. Sponsor: Senator Zimmerman. Placed with the Bill.

HB 280 - AN ACT TO AMEND CHAPTER 27, TITLE 25 OF THE DELAWARE CODE RELATING TO MECHANICS' LIENS AGAINST STRUCTURES USED SOLELY AS A RESIDENCE; PAYMENT OF CONTRACTOR BY OWNER OR RESIDENCE AS A DEFENSE; AND PAYMENT FOR LABOR AND MATERIALS AND RELEASE OF LIEN BY CONTRACTOR. Sponsors: Representative Morris and Senator Kearns. Assigned to Judiciary Committee.

HB 326 - AN ACT TO PERMIT THE DELMAR SCHOOL DISTRICT TO TRANSFER CERTAIN FUNDS FROM ITS DEBT SERVICE ACCOUNT TO ITS CAPITAL IMPROVEMENT ACCOUNT. Sponsors: Representative Gordy and Senator Littleton. Assigned to Education Committee.

HB 372 - AN ACT TO AMEND CHAPTER 1, TITLE 16 OF THE DELAWARE CODE TO EMPOWER THE STATE BOARD OF HEALTH TO POST NOTICES AGAINST SMOKING IN CERTAIN PUBLIC PLACES. Sponsors: Representatives Connor, Petrilli and Smith. Assigned to Health and Social Services Committee.

HB 401 - AN ACT MAKING A SUPPLEMENTARY APPROPRIATION TO THE STATE BOARD OF EDUCATION FOR THE PURPOSE OR REIMBURSING PARENTS OR GUARDIANS OF STUDENTS FOR PUPIL TRANSPORTATION COST. Sponsors: Representatives Cathcart and Ferguson (Joint Sponsors); Representative Matushefske and Senator Arnold. Assigned to Education Committee.

HB 407 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO THE ISSUANCE OF TEMPORARY INSTRUCTION PERMITS PRIOR TO AGE 16. Sponsors: Representatives Fallon and Hebner. Assigned to Public Safety Committee.

HB 413 - AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION TO TRANSFER FUNDS FROM THE PUBLIC TO THE NONPUBLIC PUPIL TRANSPORTATION ALLOCATIONS FOR FISCAL YEAR 1979. Sponsors: Representative Gilligan and Senator Cicione. Assigned to Finance Committee.

HB 484 - AN ACT TO AMEND AN ACT ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF GEORGETOWN", BEING CHAPTER 166, VOLUME 43, LAWS OF DELAWARE, AS AMENDED, TO PERMIT INTERIM FINANCING FOR BOND ISSUES. Sponsors: Representative Clendaniel and Senator Adams. Assigned to Community Affairs Committee.

HB 503 w HA 1 - AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF AGRICULTURE FOR THE PURPOSE OF PAYING SICK LEAVE TO J. NOBLE CARROLL OF FELTON, WHO WAS NOT ELIGIBLE FOR A PENSION AT THE TIME OF HIS JOB TERMINATION IN 1977. Sponsor: Representative Darling. Assigned to Finance Committee.

HB 470 - AN ACT AUTHORIZING THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO PAY PRIOR YEARS' OBLIGATIONS FROM BUDGETARY APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 1979. Sponsors: Representatives George and Gilligan; Senators Cook and Holloway.

On motion of Senator Holloway, the necessary rules were suspended for consideration of HB 470 and the roll call vote taken which revealed 19 Senators voting YES and 2 (Cicione and Marshall) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

On motion of Senator Kearns, SB 37 w SA 1 which had passed the Senate and returned by the House as further amended by HA 3, was lifted from the table for consideration.

The privilege of the floor was extended to George Tyler Carlson (Delaware Department of Justice) after which the roll call vote on SB 37 w SA 1, HA 3 was taken and revealed 19 Senators voting YES and 2 (Littleton and Sharp) voting NO; therefore, the Bill was declared passed by the Senate.

On motion of Senator Murphy, the necessary rules were suspended for consideration of SJR 18:

SJR 18 - REESTABLISHING A WORKMEN'S COMPENSATION COMMISSION TO STUDY WORKMEN'S COMPENSATION INSURANCE IN THE STATE OF DELAWARE AND ELSEWHERE FOR THE PURPOSE OF MAKING RECOMMENDATIONS TO THE GENERAL ASSEMBLY AS TO A SUGGESTED TOTAL REVISION OF DELAWARE'S WORKMEN'S COMPENSATION LAW AND IMPROVEMENT IN THE ADMINISTRATION OF SAID LAW AND PROVIDING A SUPPLEMENTAL APPROPRIATION THEREFOR.

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

At 4:49 p.m., Senator McDowell presiding.

HB 345 w HA 1 was taken up for consideration on motion of Senator Holloway:

HB 345 w HA 1 - AN ACT TO AMEND CHAPTER 17, TITLE 24 OF THE DELAWARE CODE, WITH REFERENCE TO IMMUNITY WHEN PARTICIPATING WITH THE BOARD OF MEDICAL PRACTICE.

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

SB 103 was taken up for consideration on motion of Senator Weiss:

SB 103 - AN ACT TO AMEND SUBCHAPTER 11, CHAPTER 7, TITLE 19 OF THE DELAWARE CODE RELATING TO DISCRIMINATION IN EMPLOYMENT BECAUSE OF AGE.

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 46 was taken up for consideration on motion of Senator Adams:

HB 46 - AN ACT AGREEING TO A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE SALARIES AND EMOLUMENTS OF PUBLIC OFFICERS.

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 244 was taken up for consideration on motion of Senator Martin:

SB 244 - AN ACT TO AMEND CHAPTER 14, TITLE 24 OF THE DELAWARE CODE, PROVIDING FOR AN EXEMPTION FROM ELECTRICAL INSPECTION TO THE DEPARTMENT OF TRANSPORTATION.

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

Senator Holloway moved that the necessary rules be suspended for lifting HB 448 from the table for consideration:

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

YES: Senators Adams, Arnold, Berndt, Cicione, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Sharp, Spence, Weiss - 13.

NO: Senators Cook, Cordrey, Marshall, Martin, McCullough, McDowell, Murphy, Zimmerman - 8.

Therefore, the motion prevailed and the Bill was before the Senate:

HB 448 - AN ACT TO AMEND CHAPTER 70, TITLE 7, DELAWARE CODE, RELATING TO THE DEFINITION OF "HEAVY INDUSTRY" IN THE COASTAL ZONE ACT.

Senator Cordrey moved that the Bill be laid on the table.

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

YES: Senators Adams, Cook, Cordrey, Marshall, Martin, McDowell, Murphy, Zimmerman - 8.

NO: Senators Arnold, Berndt, Cicione, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Sharp, Spence, Weiss - 12.

NOT VOTING: Senator McCullough - 1.

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

Senator Holloway moved that Senator Berndt be appointed to floor manage the Bill.

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

YES: Senators Adams, Arnold, Berndt, Cicione, Hale, Holloway, Hughes, Kearns, Knox, Littleton, McCullough, Sharp, Spence, Weiss - 14.

NO: Senators Cook, Cordrey, Marshall, Martin, McDowell, Murphy, Zimmerman - 7.

Therefore, the motion prevailed and Senator Berndt was appointed to floor manage the Bill.

Senator Martin moved that HB 448 be assigned to Committee.

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

YES: Senators Cook, Cordrey, Marshall, Martin, McDowell, Murphy, Zimmerman - 7.

NO: Senators Adams, Arnold, Berndt, Hale, Holloway, Hughes, Kearns, Knox, Littleton, McCullough, Sharp, Spence, Weiss - 13.

NOT VOTING: Senator Cicione - 1.

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

The privilege of the floor was extended to D. S. Swayze (Office of the Governor).

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

On motion of Senator Cicione, the necessary rules were suspended for consideration of SB 347:

SB 347 - AN ACT TO MAKE A SUPPLEMENTARY APPROPRIATION FOR CERTAIN GRANTS-IN-AID.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES, 1 (Berndt) NOT VOTING and 2 (Hale and Sharp) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

On motion of Senator Cicione, the necessary rules were suspended for consideration of SB 348:

SB 348 - AN ACT TO MAKE A SUPPLEMENTARY APPROPRIATION FOR CERTAIN GRANTS-IN-AID.

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

On motion of Senator Cicione, the necessary rules were suspended for consideration of SB 349:

SB 349 - AN ACT MAKING A SUPPLEMENTARY APPROPRIATION TO THE DIVISION OF AGING AND THE LEGAL AID SOCIETY.

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

On motion of Senator Cicione, the necessary rules were suspended for consideration of SB 350:

SB 350 - AN ACT TO AID WHY?, INC. ENGAGED IN EDUCATING THE PEOPLE OF THIS STATE BY MAKING AN APPROPRIATION THEREFOR.

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

On motion of Senator Kearns, the necessary rules were suspended for consideration of SB 346:

SB 346 - AN ACT TO AID WILMINGTON MANOR VOLUNTEER FIRE COMPANY, INC., BY MAKING AN APPROPRIATION THEREFOR.

The privilege of the floor was extended to Representative Matushefske and Nathan Haywood (Director, Office of Management, Budget and Planning) after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Holloway, Kearns, Knox, Littleton, Marshall, Martin, Murphy, Sharp, Spence, Weiss, Zimmerman - 17.

NO: Senators Hughes and McCullough - 2.

NOT VOTING: Senator McDowell - 1.

ABSENT: Senator Hale - 1.

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

Senator Berndt moved that HB 448 be lifted from the table for consideration.

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

YES: Senators Adams, Arnold, Berndt, Cicione, Holloway, Hughes, Knox, Littleton, McCullough, Sharp, Spence, Weiss - 12.

NO: Senators Cook, Cordrey, Marshall, Martin, McDowell, Murphy, Zimmerman - 7.

ABSENT: Senators Hale and Kearns - 2.

Therefore, the motion prevailed and the Bill was before the Senate.

Senator Murphy moved that the Senate recess until Monday, June 25.

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

YES: Senators Cook, Cordrey, Marshall, Martin, McDowell, Murphy, Zimmerman - 7.

NO: Senators Adams, Arnold, Berndt, Holloway, Hughes, Kearns, Littleton, McCullough, Sharp, Spence, Weiss - 12.

ABSENT: Senators Cicione and Hale - 2.

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

Senator Holloway moved that a roll call vote on the Bill be taken.

At 7:57 p.m. on motion of Senator Cordrey, the Senate recessed for Party Caucus and reconvened at 8:16 p.m., Senator McDowell presiding.

HB 448 was still before the Senate.

Senator Holloway withdrew his motion which was before the Senate for a roll call vote on HB 448.

During the discussion of the Bill and the various Amendments which were offered to it, the privilege of the floor was extended to Dr. Jerry A. Shields (Watch Our Waterways) and F. Michael Parkowski.

SA 1 to the Bill was introduced by Senator Zimmerman and considered for adoption on his motion.

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

YES: Senators Adams, Cook, Cordrey, Knox, Littleton, Marshall, Martin, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 13.

NO: Senators Arnold, Cicione, Kearns, McCullough - 4.

NOT VOTING: Senators Berndt and Hughes - 2.

ABSENT: Senators Hale and Holloway - 2.

Therefore, the Amendment was declared adopted.

SA 4 to the Bill was introduced by Senator Zimmerman and considered for adoption on his motion.

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

YES: Senators Cook, Cordrey, Martin, McDowell, Murphy, Weiss, Zimmerman - 7.

NO: Senators Adams, Arnold, Cicione, Hughes, Kearns, Knox, Sharp, Spence - 8.

NOT VOTING: Senators Berndt and Marshall - 2.

ABSENT: Senators Hale, Holloway, Littleton, McCullough - 4.

Therefore, the Amendment was declared lost.

The roll call vote on HB 448 w SA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cicione, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, McCullough, McDowell, Sharp, Spence - 14.

NO: Senators Cook, Cordrey, Martin, Murphy, Weiss, Zimmerman - 6.

ABSENT: Senator Hale - 1.

Therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment..

At 9:18 p.m. on motion of Senator Cordrey, the Senate recessed until Monday, June 25, 1979 at 2:00 p.m.

The Senate reconvened at 2:35 p.m., June 25, 1979, Lt. Governor McGinnis presiding.

The Secretary announced that a message from the House informed the Senate that it had passed: SB 346, SB 347, SB 348 and adopted SJR 18.

The following Committee reports were announced from the Public Safety Committee: SB 313 - 1 Favorable, 5 Merits; HB 256 - 6 Merits; HB 258 - 6 Merits; HB 259 - 6 Merits; HB 360 - 6 Merits; HB 403 - 6 Merits; HB 407 - 5 Merits.

The following legislation was introduced:

HB 85 w HA 1 as amended by HA 1 - AN ACT TO AMEND CHAPTER 43, PART II, TITLE 21 OF THE DELAWARE CODE RELATING TO THE EQUIPMENT AND CONSTRUCTION OF VEHICLES; AND PROVIDING CERTAIN BUMPER HEIGHT RESTRICTIONS. Sponsors: Representatives Oberle, Cathcart, Roy and Harrington. Assigned to Public Safety Committee.

HB 219 - AN ACT TO AMEND CHAPTER 9, TITLE 4, DELAWARE CODE RELATING TO EMPLOYMENT OF PERSONS WHERE ALCOHOLIC LIQUOR IS SERVED. Sponsor: Representative Vernon. Assigned to Administrative Services Committee.

HB 303 w HA 1, 2, 3 - AN ACT TO AMEND CHAPTER 5, PART 1, TITLE 11 OF THE DELAWARE CODE RELATING TO UNLAWFUL SUBSTANCES; AND PROHIBITING THE INHALING OF CERTAIN DRUGS OR OTHER NOXIOUS CHEMICAL SUBSTANCES AND/OR CAUSING OTHERS TO DO SO. Sponsor: Representative Riddagh. Assigned to Judiciary Committee.

HB 402 w HA 1 - AN ACT TO AMEND CHAPTER 20, TITLE 30, DELAWARE CODE TO PROVIDE TAX CREDITS AGAINST CORPORATION INCOME TAXES AND A REDUCTION IN MANUFACTURERS AND WHOLESALERS GROSS RECEIPTS TAXES TO PERSONS DEVELOPING NEW BUSINESS FACILITIES AND CREATING ADDITIONAL JOBS WITHIN DELAWARE. Sponsors: Representatives Gilligan, Cain, Burris and Maxwell. Assigned to Revenue and Taxation Committee.

HB 440 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 21, TITLE 21, DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES FOR JUSTICES OF THE PEACE. Sponsor: Representative Holloway. Assigned to Public Safety Committee.

HB 477 - AN ACT TO AMEND CHAPTER 15, TITLE 13 OF THE DELAWARE CODE RELATING TO AN AWARD OF ALIMONY IN DIVORCE AND ANNULMENT ACTIONS. Sponsor: Representative Maxwell. Assigned to Judiciary Committee.

HB 479 - AN ACT TO AMEND CHAPTER 39, TITLE 10 OF THE DELAWARE CODE RELATING TO PARENTAL LIABILITIES. Sponsors: Representatives Oberle, Cathcart, Connor, Gilligan, Hebner, Roy, Vernon, Harrington, Petrilli, Riddagh, Matushefske, Loughney, Powell, Jonkiert; Senators Cicione, Martin, Spence, Sharp. Assigned to Judiciary Committee.

HB 486 - AN ACT TO AMEND CHAPTER 25, TITLE 24 OF THE DELAWARE CODE RELATING TO THE SUBSTITUTION OF DRUGS, NONEQUIVALENT LIST PREPARATION. Sponsor: Representative Hebner. Assigned to Health and Social Services Committee.

HB 514 w HA 1, 2 - AN ACT TO AMEND CHAPTER 82, TITLE 29, DELAWARE CODE, RELATING TO REGULATION AND TRANSPORTATION OF HAZARDOUS MATERIALS WITHIN THIS STATE; PROVIDING FOR THE IMPOSITION OF DUTIES UPON THE DEPARTMENT OF PUBLIC SAFETY, THE STATE POLICE AND OTHER DEPARTMENTS AND DIVISIONS OF STATE GOVERNMENT; PRESCRIBING PENALTIES AND FURTHER PROVIDING FOR ENFORCEMENT OF THIS ACT. Sponsor: Representative Minner. Assigned to Highways and Transportation Committee.

HB 523 - AN ACT TO AMEND TITLE 10, CHAPTER 40 OF THE DELAWARE CODE BY ADDING NEW PROVISIONS TO THE TORT CLAIMS ACT REESTABLISHING THE PRINCIPLE OF SOVERIGN IMMUNITY FOR COUNTIES AND MUNICIPALITIES THROUGHOUT THE STATE OF DELAWARE. Sponsors: Representatives Jonkiert, Anderson, Bennett, W. Brady, Cain, Clendaniel, Darling, Ferguson, George, Gordy, Gilligan, Holloway, West, Loughney, McBride, Plant, Matushefske, Maxwell, Minner, Morris, Ambrosino, T. Brady, Burris, Cathcart, Connor, Fallon, Free, Harrington, Hebner, Neal, Maroney, McKay, Oberle, Petrilli, Powell, Vernon, Riddagh, Roy, Sincock; Senators Cicione, Adams, Cook, Holloway, Kearns, Marshall, McDowell, Murphy, Zimmerman, Berndt, Hughes, Knox, Weiss. Assigned to Judiciary Committee.

HB 468 - AN ACT TO AMEND AN ACT ENTITLED: "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1980; SPECIFYING CERTAIN PROCEDURES, CONDITIONS, AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS: AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS", BEING HOUSE BILL NO. 333 OF THE 130TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE. Sponsors: Representatives Maxwell, George, Connor, Ambrosino, West, Sincock, Anderson, T. Brady, W. Brady, Roy, Gilligan, Oberle, Plant; Senators Holloway, McCullough, Adams, Martin, Cicione, Weiss, Littleton, Hughes and Berndt. Assigned to Finance Committee.

HB 524 w HA 1, 2 - AN ACT TO AMEND CHAPTER 26, PART I, TITLE 14 OF THE DELAWARE CODE, RELATING TO THE POWER OF COUNTY VOCATIONAL HIGH SCHOOL DISTRICTS AND COUNTY VOCATIONAL-TECHNICAL SCHOOL DISTRICTS TO LEVY TAXES FOR SCHOOL PURPOSES. Sponsor: Representative Matushefske. Assigned to Education Committee.

HJR 18 - SUPPORTING THE NATIONAL RIFLE ASSOCIATION OF AMERICA IN ITS CONDEMNATION OF FEDERAL AGENCY POLICIES SEEKING TO CURB THE CONSTITUTIONAL RIGHT TO POSSESS FIREARMS. Sponsors: Representatives Maxwell and Ferguson. Assigned to Natural Resources and Environmental Control Committee.

SB 345 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES AGAINST CHILDREN AND PROVIDING A SUPPLEMENTAL APPROPRIATION THEREFOR. Sponsors: Senators Hughes, Spence, Littleton, Sharp, McCullough, Adams, Cicione; Representatives Riddagh, Vernon, Oberle. Assigned to Judiciary Committee.

SB 351 - AN ACT TO AMEND CHAPTER 41, TITLE 14 OF THE DELAWARE CODE RELATING TO INSURANCE REQUIREMENTS FOR STUDENTS PARTICIPATING IN SCHOLASTIC ATHLETIC PROGRAMS. Sponsors: Senator Littleton and Representative Gordy. Assigned to Education Committee.

SB 352 - AN ACT TO AMEND CHAPTER 19, TITLE 24 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE DELAWARE BOARD OF NURSING. Sponsors: Senator Marshall and Representative McBride. Assigned to Administrative Services Committee.

SS 1 for SB 298 (same Title as Original). Sponsor: Senator Murphy. In lieu of the Original and placed with the Original.

SA 1 to SB 315. Sponsors: Senators Cordrey and Adams; Representatives Vernon and McKay. Placed with the Bill.

SB 2 to SB 321. Sponsor: Senator McDowell. Placed with the Bill.

SA 2 and SA 3 to SB 30. Sponsor: Senator Holloway. Placed with the Original.

The following Governor's nominations for appointment were reported out of the Executive Committee: Joseph S. Fortunato - 6 Merits; Alfred A. Stango - 5 Favorable, 1 Merits; Susan E. Wheeler - 5 Merits; Daniel F. Wolcott, Jr. - 3 Favorable, 3 Merits.

SB 342 was reported out of the Banking, Insurance and Elections Committee - 4 Merits.

At 2:51 on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 49th Legislative Day.

49TH LEGISLATIVE DAY
June 25, 1979

The Senate convened at 2:51 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 21.

The Journal of the previous day was approved as read.

SB 332 was reported out of the Community Affairs Committee: 1 Favorable, 3 Merits.

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

Senator Cicione marked PRESENT.

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

On motion of Senator Adams, the Governor's nomination for appointment of Joseph S. Fortunato was taken up for consideration and the roll call vote taken which revealed 19 Senators voting YES and 2 (Cook and Knox) ABSENT; therefore, the appointment was declared confirmed.

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

SB 315 was taken up for consideration on motion of Senator Cordrey:

SB 315 - AN ACT TO DEFINE THE WARNER GRANT TRUST LANDS; AND TO APPROPRIATE FUNDS TO SURVEY AND MONUMENT THOSE LANDS.

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 315 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 290 was taken up for consideration on motion of Senator Sharp:

SB 290 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE, RELATING TO INCREASED FINES FOR PASSING STOPPED SCHOOL BUSES.

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

SB 301 was taken up for consideration on motion of Senator McCullough:

SB 301 - AN ACT REQUIRING THE BOARD OF EDUCATION OF THE NEW CASTLE COUNTY SCHOOL DISTRICT TO CLOSE SCHOOL BUILDINGS IN THE DISTRICT UNDER CERTAIN CIRCUMSTANCES.

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

YES: Senators Adams, Cicone, Cook, Cordrey, Kearns, McCullough, Murphy, Spence, Zimmerman - 9.

NO: Senators Arnold, Knox, Martin, Weiss - 4.

NOT VOTING: Senators Berndt, Hale, Holloway, Hughes, Littleton, Marshall, McDowell - 7.

ABSENT: Senator Sharp - 1.

Therefore, the Bill was declared lost.

SB 285 was taken up for consideration on motion of Senator Kearns:

SB 285 - AN ACT TO AMEND CHAPTER 7, TITLE 7 OF THE DELAWARE CODE RELATING TO LAWFUL HUNTING DEVICES.

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

SB 162 was taken up for consideration on motion of Senator Cicone:

SB 162 - AN ACT TO AMEND PART I, TITLE 19, DELAWARE CODE, BY ADDING A NEW CHAPTER AUTHORIZING COLLECTIVE BARGAINING BETWEEN LAW ENFORCEMENT OFFICERS AND THEIR PUBLIC EMPLOYERS; PROVIDING FOR ARBITRATION IN ORDER TO SETTLE DISPUTES; AND REQUIRING COMPLIANCE WITH COLLECTIVE BARGAINING AGREEMENT AND FIND OF ARBITRATORS.

During the discussion of the Bill and the several Amendments which were offered to it, the privilege of the floor was extended to Timothy P. Mullaney (Delaware State Fraternal Order of Police), Antoinette G. Neville (City of Newark, Delaware) and Michael Patrick Reynolds, Esq. (City of Wilmington).

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

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cicione and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

At 4:30 p.m., Senator Sharp presiding.

At 4:38 p.m., Lt. Governor McGinnis presiding.

SA 3 to the Bill was introduced by Senator Cicione and immediately stricken at his request.

SA 4 to the Bill was introduced by Senator Cicione and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 18 Senators voting YES, 1 (Cordrey) voting NO, and 2 (Holloway and McCullough) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 162 w SA 2, 4 was then taken; however, the roll call was tabled before being announced on motion of Senator Cicione.

SB 332 was taken up for consideration on motion of Senator Marshall:

SB 332 - AN ACT TO AMEND CHAPTER 1, TITLE 22 OF THE DELAWARE CODE RELATING TO THE AUTHORIZATION FOR MUNICIPALITIES TO ACQUIRE, THROUGH EMINENT DOMAIN, PROPERTIES TO BE REHABILITATED USING FEDERAL COMMUNITY DEVELOPMENT FUNDS FOR BOTH ACQUISITION AND REHABILITATION.

SA 1 to the Bill was introduced by Senator Marshall and considered for adoption on his motion.

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

YES: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Kearns, Knox, Littleton, Marshall, Martin, McDowell, Murphy, Sharp, Spence, Weiss - 16.

NOT VOTING: Senator McCullough - 1.

ABSENT: Senators Hale, Holloway, Hughes, Zimmerman - 4.

Therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Senate attorneys, Tom Sandbach and Harry Terry, after which SB 332 w SA 1 was laid on the table on further motion of Senator Marshall.

SB 214 was taken up for consideration on motion of Senator McDowell:

SB 214 - AN ACT TO AMEND SUBCHAPTER IV, CHAPTER 3, TITLE 28 OF THE DELAWARE CODE, RELATING TO SPORTS AND AMUSEMENTS BY DIRECTING THAT A PORTION OF THE MONIES FROM UNCLAIMED PARI-MUTUEL TICKETS BE USED IN THE TREATMENT OF COMPULSIVE GAMBLING.

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

YES: Senators Berndt, Cicione, Holloway, Marshall, McDowell - 5.

NO: Senators Adams, Cook, Cordrey, Littleton, Martin, McCullough, Sharp, Spence, Zimmerman - 9.

NOT VOTING: Senators Arnold, Hale, Kearns, Knox, Murphy, Weiss - 6.

ABSENT: Senator Hughes - 1.

Therefore, the Bill was declared lost.

SB 254 was taken up for consideration on motion of Senator Adams:

SB 254 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO VEHICLES BEING TOWED BY TOW TRUCKS.

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

SB 258 was taken up for consideration on motion of Senator Cook:

SB 258 - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE, TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS WHO RETIRED PRIOR TO 1978 AND PROVIDING A SUPPLEMENTAL APPROPRIATION THEREFOR.

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

On motion of Senator Zimmerman, the necessary rules were suspended for consideration of SB 305:

SB 305 - AN ACT TO AUTHORIZE THE CAPITAL SCHOOL DISTRICT TO TRANSFER FUNDS FROM ITS MINOR CAPITAL IMPROVEMENTS ACCOUNT TO ITS OPERATING ACCOUNT.

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

YES: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Kearns, Knox, Littleton, Marshall, Martin, Murphy, Sharp, Spence, Zimmerman - 17.

NO: Senator McDowell - 1.

NOT VOTING: Senator McCullough - 1.

ABSENT: Senators Hughes and Weiss - 2.

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

SB 303 was taken up for consideration on motion of Senator Murphy:

SB 303 - AN ACT EXEMPTING ALL PERSONS DULY REGISTERED AS AN APPRENTICE PRIOR TO JUNE 23, 1955 FROM THE REQUIREMENTS OF GRADUATION FROM A REGULAR RECOGNIZED COLLEGE OF EMBALMING AND PASSING AN EXAMINATION BY THE BOARD OF FUNERAL SERVICE PRACTITIONERS, PRIOR TO ENGAGING IN THE FUNERAL SERVICE PROFESSION.

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

YES: Senators Arnold, Berndt, Cook, Holloway, Kearns, Knox, Littleton, McCullough, McDowell, Murphy, Sharp, Spence, Weiss - 13.

NO: Senators Cicione, Cordrey, Hale, Martin - 4.

NOT VOTING: Senators Adams, Marshall, Zimmerman - 3.

ABSENT: Senator Hughes.

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

SR 51 (Sponsored by Senator Hughes and all the Senators) was introduced and considered for adoption on motion of Senator Knox in the absence of the prime sponsor, Senator Hughes:

SR 51 - CONGRATULATING SENATOR LEE LITTLETON AND HIS WIFE, HILDA, UPON THEIR FORTIETH WEDDING ANNIVERSARY.

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

At 6:56 p.m. on motion of Senator Cordrey, the Senate recessed until 1:00 p.m., June 26, 1979.

The Senate reconvened at 1:14 p.m., June 26, 1979, Lt. Governor McGinnis presiding.

The following Committee reports were announced:

From the Executive Committee: Edward G. Davis - 6 Merits; Thomas W. Hutson, Jr., 5 Merits, 1 Unfavorable; William L. Jones - 5 Merits, 1 Unfavorable; Paul Neeman - 6 Merits.

From the Health and Social Services Committee: HB 217 w HA 1 as amended by HA 1 - 5 Merits; HB 220 - 5 Merits; HB 341 - 5 Merits; HB 372 4 Merits; HB 419 - 5 Merits; HB 420 - 4 Merits; SB 173 - 5 Merits; SB 251 - 5 Merits; SB 299 - 5 Merits; SB 300 - 5 Merits; SB 323 - 5 Merits.

From the Federal State Relations Committee: SB 325 - 5 Merits.

From the Health and Social Services Committee: SB 326 - 5 Merits; SB 311 - 5 Merits; SB 343 - 5 Merits.

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

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

June 25, 1979

To the Senate of the 130th General Assembly of the
State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Louise M. Lamberta, Brenford Road, Smyrna, Delaware, to be reappointed a member of the Board of Trustees of Delaware Technical and Community College for a term of three years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 25, 1979

To the Senate of the 130th General Assembly of the
State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Edward J. Steiner, 704 Lakeview Avenue, Milford, Delaware, to be a member of the Board of Trustees of Delaware Technical and Community College for a term of three years to replace Annabel E. Moore, term expired.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 25, 1979

To the Senate of the 130th 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: Victor F. Battaglia, Esq., 910 DuPont Road, Wilmington, Delaware, Chairman, Delaware Technical and Community College to serve during the pleasure of the Governor to succeed William Carter, term expired.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 25, 1979

To the Senate of the 130th General Assembly of the
State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Charles D. Broll, 112 Haywood Road, Wilmington, Delaware, to be appointed a member of the Board of Trustees, DT&CC for a 3 year term to succeed Thurman Adams, resigned.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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The following legislation was introduced:

SB 353 - AN ACT TO AMEND CHAPTER 37, TITLE 31, DELAWARE CODE, RELATING TO LICENSING OF NON-CLINICAL SOCIAL WORKERS. Sponsor: Senator Holloway. Assigned to Health and Social Services Committee.

SB 354 - AN ACT TO AMEND CHAPTER 1, TITLE 14 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE STATE BOARD OF ACCOUNTANCY. Sponsors: Senator Marshall and Representative McBride. Assigned to Administrative Services Committee.

SB 355 - AN ACT TO AMEND CHAPTER 3, TITLE 24 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE BOARD OF EXAMINERS AND THE REGISTRATION OF ARCHITECTS. Sponsors: Senator Marshall and Representative McBride. Assigned to Administrative Services Committee.

SB 356 - AN ACT TO AMEND CHAPTER 11, TITLE 24 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE STATE BOARD OF DENTAL EXAMINERS. Sponsors: Senator Marshall and Representative McBride. Assigned to Administrative Services Committee.

SB 357 - AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO MAKE A SUPPLEMENTARY APPROPRIATION FOR CERTAIN GRANTS-IN-AID", BEING SENATE BILL NO. 347 OF THE 129TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE. Sponsors: Senators Cicione and Berndt; Representatives George and Ambrosino.

On motion of Senator Cicione, the necessary rules were suspended for consideration of SB 357 and the roll call vote taken which revealed 18 Senators voting YES and 3 (Hughes, McCullough and McDowell) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 358 - AN ACT TO AMEND CHAPTER 76, PART VII, TITLE 16 OF THE DELAWARE CODE RELATING TO COUNTY AND MUNICIPAL BUILDING AND PLUMBING CODES. Sponsor: Senator McDowell. Assigned to Health and Social Services Committee.

HB 606 w HA 1 - AN ACT TO AMEND CHAPTER 17, TITLE 24 OF THE DELAWARE CODE RELATING TO ABORTIONS; THE DEGREE OF MEDICAL CARE TO BE RENDERED TO INFANTS BORN ALIVE FOLLOWING AN ABORTION OR ATTEMPTED ABORTION AND PROHIBITING THE USE OF ANY FETUS OR INFANT BORN PREMATURELY FOR SCIENTIFIC RESEARCH OR EXPERIMENTAL PURPOSES. Sponsors: Representatives Ambrosino, Kelly, Connor, T. Brady, Loughney, Petrilli, Roy, Matushefske, Jonkiert, Cathcart, Maxwell, Gilligan, Sincock, Free, Oberle and Powell. Assigned to Health and Social Services Committee.

SA 1 to SB 96. Sponsor: Senator Holloway. Placed with the Bill.

SA 2 to SB 225. Sponsor: Senator Hughes. Placed with the Bill.

SA 5 to SB 245. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SA 5 to SB 245. Sponsor: Senator Holloway. Placed with the Bill.

SA 6 to SB 245. Sponsors: Senators Knox and Berndt. Placed with the Bill.

SA 1 to SB 265. Sponsor: Senator Cook. Placed with the Bill.

SA 2 to SB 265. Sponsor: Senator Martin. Placed with the Bill.

SA 3 to SB 265. Sponsor: Senator Martin. Placed with the Bill.

SA 1 to HB 269. Sponsor: Senator Adams. Placed with the Bill.

SA 2 to SB 269. Sponsor: Senator Martin. Placed with the Bill.

SA 1 to SB 325. Sponsor: Senator Cordrey. Placed with the Bill.

SA 1 to SA 1 to SB 332. Sponsor: Senator Marshall. Placed with the Bill.

SA 1 to SB 339. Sponsor: Senator Cicione. Placed with the Bill.

SA 1 to SB 345. Sponsor: Senator Hughes. Placed with the Bill.

SR 50 - IN REFERENCE TO THE TEMPORARY RULES OF THE DELAWARE STATE SENATE. Sponsor: Senator Weiss.

Senator Cordrey moved that the Resolution be assigned to Executive Committee and the roll call vote on the motion was taken which revealed:

YES: Senators Adams, Cicione, Cordrey, Holloway, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Zimmerman - 11.

NO: Senators Arnold, Berndt, Knox, Spence, Weiss - 5.

ABSENT: Senators Cook, Hale, Hughes, Kearns, Littleton - 5.