

The following Committee reports were announced:
From the Insurance and Election Committee: HB 444 w HA 1, 4 - 3 Merits; HB 497 w HA 1, 2 - 3 Merits.

At 2:25 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 22nd Legislative Day.

22ND LEGISLATIVE DAY

April 23, 1986

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

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

LEGISLATIVE ADVISORY #31 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed the following legislation on April 21, 1986: HB 390 (Volume 65, Chapter 257, Laws of Delaware), HB 411 w HA 1, 2, SA 1 (Volume 65, Chapter 258, Laws of Delaware), HJR 22 w HA 1.

Senators Knox and Zimmerman marked PRESENT.

SS 1 for SB 402 was taken up for consideration on motion of Senator Holloway:

SS 1 for SB 402 - AN ACT TO AMEND CHAPTER 5, TITLE 22, DELAWARE CODE, RELATING TO ACQUISITION OF PROPERTY OR PROPERTY RIGHTS BY MUNICIPAL PARKING AUTHORITIES.

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

SB 432 was taken up for consideration on motion of Senator Holloway:

SB 432 - AN ACT TO AMEND CHAPTER 38, TITLE 31 OF THE DELAWARE CODE RELATING TO THE FOSTER CARE REVIEW BOARD.

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

SB 223 w SA 1 was lifted from the table for consideration on motion of Senator McDowell; however, before final action was taken on the Bill, it was again laid on the table on further motion of the Senator.

SB 267 was taken up for consideration on motion of Senator McDowell:

SB 267 - AN ACT TO AMEND SUBCHAPTER III, CHAPTER 20, TITLE 15, DELAWARE CODE, RELATING TO REGISTRATION BY MAIL.

The privilege of the floor was extended to John Frazer (Controller General's Office) after which the roll call vote on the Bill was taken and revealed:

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

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

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

At the request of Senator Sharp, the privilege of the floor was extended to Heather Latham (YMCA Youth in Government Program) who addressed the Senate.

At 3:35 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:32 p.m., Senator Cordrey presiding.

SB 426 was reported out of the Revenue and Taxation Committee: 1 Favorable, 4 Merits.

SB 436 was introduced and assigned to Education Committee:

SB 436 - AN ACT TO AMEND CHAPTER 13, TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL LUNCH MANAGERS. Sponsors: Senator Cook, Representative Corrozi; Senators Berndt, Holloway, McBride, Slatcher, Vaughn; Representatives Bennett, Davis, Quillen, Smith, Soles.

At 4:33 p.m., Lt. Governor Woo presiding.

The following legislation was introduced:

SB 438 - AN ACT TO AMEND CHAPTER 29, TITLE 30, DELAWARE CODE RELATING TO MERCHANTS' LICENSE REQUIREMENTS AND TAXES. Sponsor: Senator Martin. Assigned to Revenue and Taxation Committee.

SA 2 to SB 223. Sponsor: Senator McDowell. Placed with the Bill.

SA 1 to SB 266. Sponsor: Senator McDowell. Placed with the Bill.

SA 1 to SB 284. Sponsor: Senator Berndt. Placed with the Bill.

SA 2 to SB 284. Sponsor: Senator Berndt. Placed with the Bill.

SCR 117 - SALUTING THE MANY PROFESSIONAL SECRETARIES IN LEGISLATIVE HALL, STATE GOVERNMENT, AND THROUGHOUT DELAWARE, JOINING IN THE CELEBRATION OF PROFESSIONAL SECRETARIES WEEK APRIL 21 TO 25, 1986, AND MARKING APRIL 23 AS SECRETARIES DAY. Sponsors: Senator Minner, Representative B. Ennis, all Senators, all Representatives. The roll call vote on the Resolution was taken; however, the roll call was laid on the table on motion of Senator Minner before being announced.

SB 268 was taken up for consideration on motion of Senator McDowell:
SB 268 – AN ACT TO AMEND CHAPTER 23, TITLE 15 OF THE DELAWARE CODE RELATING TO PENALTIES FOR VIOLATIONS OF THE STATE ELECTION LAWS.

At his request, Senator Knox was added as co-sponsor of the Bill 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.

The roll call vote on **SCR 117** was lifted from the table on motion of Senator Minner and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

HB 430 was taken up for consideration on motion of Senator Sharp:

HB 430 – AN ACT TO AMEND CHAPTER 8, TITLE 22 OF THE DELAWARE CODE RELATING TO MUNICIPAL REGULATION OF FIREARMS.

The Bill was then laid on the table on further motion of the Senator. No objection.

Senator Bair introduced to the Senate John and Roxanne Harris.

At 4:58 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., April 24, 1986.

The Senate reconvened at 2:30 p.m., April 24, 1986, Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted **SCR 117, HCR 126, HCR 127, HCR 128, SCR 116.**

The following Committee reports were announced:

From the Banking Committee: **SB 410 – 4 Merits; SB 420 – 4 Merits.**

The following legislation was introduced:

SB 439 – AN ACT TO AMEND SECTION 1109, TITLE 30, DELAWARE CODE, RELATING TO A TAX DEDUCTION FOR HEALTH INSURANCE PREMIUMS PAID BY SELF-EMPLOYED TAXPAYER. Sponsors: Senators Adams, Cook, Vaughn, Slatcher, Cordrey, Holloway; Representatives Barnes, Caulk, Carey, Clark, West. Assigned to Revenue and Taxation Committee.

SB 440 – AN ACT TO AMEND CHAPTER 93, TITLE 29, DELAWARE CODE, RELATING TO RELOCATION ASSISTANCE FOR PERSONS AND BUSINESSES DISPLACED BY A STATE AGENCY PROGRAM OR PROJECT. Sponsors: Senators Martin, Neal; Representative Anderson. Assigned to Finance Committee.

SA 2 to SB 361. Sponsor: Senator Citro. Placed with the Bill.

At 2:35 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 23rd Legislative Day.

23RD LEGISLATIVE DAY April 24, 1986

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

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

SCR 114 was lifted from the table for consideration on motion of Senator Minner:

SCR 114 – CONGRATULATING SCOTT DICKERSON, A STUDENT AT MILFORD HIGH SCHOOL, FOR WINNING THE 1986 AMERICAN LEGION ORATORICAL CONTEST IN DELAWARE.

Pursuant to **SCR 114**, the privilege of the floor was extended to Scott Dickerson who in turn introduced the following members of the American Legion: Jack Simmons, Chuck Smithers and Bill Melville.

Senators Martin and Zimmerman marked **PRESENT**.

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

Senator McBride requested the privilege of the floor for Doris G. Stevenson (State Teacher of the Year) who in turn introduced to the Senate Dr. Frank Furgate (Superintendent of Brandywine School District), Dr. Louise Maslin (Assistant Superintendent of Brandywine School District) and Mrs. Diane Young (Principal of Brandywood Elementary School).

Senator McBride introduced Dr. William Keene and Mary Ann Gallo.

SCR 115 was introduced and considered for adoption on motion of Senator McBride:

SCR 115 – COMMENDING MRS. DORIS STEVENSON OF BRANDYWINE SCHOOL DISTRICT FOR BEING SELECTED AS DELAWARE TEACHER OF THE YEAR FOR 1986. Sponsors: Senator McBride, Representative Fallon, all Senators, all Representatives.

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

SR 113 was introduced and considered for adoption on motion of Senator Holloway:

SR 113 - COMMENDING ANNA CHANY, DOROTHY WILSON, AND MARGARET BRISCOE FOR A LIFETIME OF DEDICATED CIVIC, SOCIAL, AND CHRISTIAN SERVICE IN THE CITY OF WILMINGTON AS THEY ARE HONORED BY THE GRAND UNITED ORDER OF TENTS, J. R. GIDDINGS AND JOLLIFEE UNION. Sponsors: Senators Holloway, McDowell.

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

HB 329 was laid on the table on motion of Senator Sharp.

SB 398 was taken up for consideration on motion of Senator Vaughn:

SB 398 - AN ACT TO AMEND CHAPTER 66, TITLE 16, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A FIRE MARSHALL'S ADVISORY BOARD AND A FIRE SCHOOL ADVISORY BOARD.

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

At 3:20 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:16 p.m., Lt. Governor Woo presiding.

Senator Cook marked PRESENT.

SB 284 was taken up for consideration on motion of Senator McBride:

SB 284 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE; AND PROVIDING FOR THE REGULATION OF CERTAIN ELECTRONIC WEAPONS.

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

The privilege of the floor was extended to Gary Dalton (Senate Attorney) after which the roll call vote on **SB 284 w SA 2** was taken and revealed:

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

NO: Senator Slatcher - 1.

NOT VOTING: Senators Bane, Knox, Neal - 3.

ABSENT: Senators Citro and Holloway - 2.

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

SB 266 was taken up for consideration on motion of Senator McDowell:

SB 266 - AN ACT TO AMEND CHAPTER 20, TITLE 15, DELAWARE CODE, RELATING TO REGISTRATION OF VOTERS.

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

YES: Senators Adams, Berndt, Citro, Cook, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 15.

NO: Senators Bair, Bane, Connor, Cordrey, Minner - 5.

ABSENT: Senator Holloway - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on **SB 266 w SA 1** was then taken; however, the roll call was laid on the table before being announced on motion of Senator McDowell.

SB 375 was taken up for consideration on motion of Senator Zimmerman:

SB 375 - AN ACT TO AMEND TITLE 9, TITLE 22 AND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE AND COUNTY, MUNICIPAL, PARKING AUTHORITY AND MUNICIPAL ELECTRIC COMPANY BONDS; AND PROVIDING FOR NOTICE OF EARLY REDEMPTION.

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

Senator Cook was added as co-sponsor of the Bill at her request.

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

Senator Bair moved that the roll call vote on **SJR 16** be lifted; however, there was objection to the motion and before action was taken the Senate recessed on motion of Senator Sharp until 2:00 p.m., April 29, 1986. Time: 5:15 p.m.

In deference to the funeral of Senator Zimmerman's son, Tom, on Tuesday April 29, 1986, the Senate did not convene.

The Senate reconvened at 2:10 p.m., April 30, 1986, Senator Cordrey presiding.

On motion of Senator Sharp, all the motions before the Senate at the time of the recess on April 24 were laid on the table.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 498**; **HB 428 w HA 1**; **HB 508 w HA 1**; **HB 510**; **SB 343**; **HB 394 w HA 1**.

The following legislation was introduced:

SB 441 - AN ACT TO AMEND CHAPTER 320, VOLUME 63, LAWS OF DELAWARE, ENTITLED "AN ACT TO AMEND CHAPTER 63, VOLUME 12, LAWS OF DELAWARE, ENTITLED 'AN ACT TO INCORPORATE THE ARTISANS' SAVINGS BANK' AS AMENDED, TO PERMIT THE BANK TO MAKE CERTAIN LOANS", TO REMOVE CERTAIN LIMITATIONS WHICH NOW PREVENT ARTISANS' SAVINGS BANK FROM MAKING CERTAIN LOANS. Sponsors: Senator Cordrey, Representative D. Ennis. Assigned to Banking Committee.

At 2:12 p.m., Lt. Governor Woo presiding.

SB 442 - AN ACT TO AMEND CHAPTER 65, TITLE 29, DELAWARE CODE, RELATING TO THE PROCEDURE FOR FILING OF THE ORIGINAL PAYMENT VOUCHER. Sponsors: Senator Marshall, Representative Petrilli. Assigned to Finance committee.

SA 1 to SB 417. Sponsor: Senator Cook. Placed with the Bill.

SA 1 to HB 312 w HA 1, 2. Sponsor: Senator Torbert. Placed with the Bill.

SA 1 to HB 329. Sponsor: Senator Bane. Stricken at the request of the sponsor.

SA 2 to HB 329. Sponsor: Senator Bane. Placed with the Bill.

HB 394 w HA 1 - AN ACT TO AMEND CHAPTER 86, PART VIII, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF COMMUNITY AFFAIRS; AND PROVIDING FOR A DIVISION OF LIBRARIES. Sponsors: Representative Soles, Senator Neal. Assigned to Community Affairs Committee.

HB 428 w HA 1 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES FOR VETERANS FORMERLY MISSING-IN-ACTION. Sponsors: Representatives Jester, Mack, Senator Vaughn. Assigned to Public Safety Committee.

HB 498 - AN ACT TO AMEND CHAPTER 5, TITLE 4 DELAWARE CODE RELATING TO THE INTEREST OF AN ALCOHOLIC BEVERAGE MANUFACTURER OR SUPPLIER IN AN ESTABLISHMENT WHICH SELLS ALCOHOLIC LIQUORS. Sponsors: Representative Roy, Senator Adams. Assigned to Administrative Services/Energy Committee.

HB 508 w HA 1 - AN ACT TO AMEND CHAPTER 47, TITLE 16 OF THE DELAWARE CODE RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT OFFENSES AND PENALTIES. Sponsors: Representatives Taylor, VanSant; Senators Bair, Holloway. Assigned to Health-Social Services/Aging Committee.

HB 510 - AN ACT TO AMEND CHAPTER 47, TITLE 16, OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF PERSONS INVOLVED IN THE MANUFACTURE, DISTRIBUTION OR DISPENSING OF CONTROLLED SUBSTANCES. Sponsors: Representatives Taylor, VanSant; Senators Bair, Holloway. Assigned to Health-Social Services/Aging Committee.

At 2:21 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 24th Legislative Day.

24TH LEGISLATIVE DAY April 30, 1986

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

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

HB 444 w HA 1, 4 was taken up for consideration on motion of Senator Sharp:

HB 444 w HA 1, 4 - AN ACT TO AMEND CHAPTER 5, TITLE 18, DELAWARE CODE RELATING TO EMERGENCY POWERS OF THE INSURANCE COMMISSIONER TO REGULATE CANCELLATION AND NONRENEWALS OF COMMERCIAL, MUNICIPAL AND PROFESSIONAL LIABILITY INSURANCE POLICIES.

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

HB 497 w HA 1, 2 was laid on the table on motion of Senator Sharp.

SB 336 w SA 1 which had previously passed the Senate was taken up for reconsideration as now further amended by **HA 1** on motion of Senator Torbert. The roll call vote on **SB 336 w SA 1, HA 1** was then taken and revealed 19 Senators voting YES and 2 (Martin and Minner) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

On motion of Senator Bair and without objection, the roll call vote on **SJR 16** was lifted.

Senator Citro marked PRESENT.

Senator Bair moved that the roll call be rescinded. The roll call vote on the rescinding motion was taken and revealed:

YES: Senators Adams, Bair, Bane, Connor, Cook, Holloway, Knox, Neal - 8.

NO: Senators Berndt, Citro, Cordrey, Marshall, McBride, McDowell, Slatcher, Vaughn, Zimmerman - 9.

NOT VOTING: Senators Sharp, Torbert - 2.

ABSENT: Senators Martin and Minner - 2.

Therefore, the motion failed.

The Secretary then announced the roll call vote on **SJR 16**:

YES: Senators Bair, Bane, Berndt, Connor, Knox, Martin, McDowell - 7.

NO: Senators Adams, Citro, Cook, Cordrey, Holloway, Marshall, McBride, Minner, Neal, Slater, Torbert, Vaughn, Zimmerman - 13.

NOT VOTING: Senator Sharp - 1.

Before the Chair announced the decision of the vote, Senator Bair moved that the roll call be rescinded. The roll call vote to rescind the vote on SJR 16 was taken and announced:

YES: Senators Adams, Bair, Bane, Berndt, Citro, Connor, Cook, Knox, McDowell, Neal, Slater, Torbert - 12.

NO: Senators McBride, Vaughn, Zimmerman - 3.

NOT VOTING: Senators Cordrey, Holloway, Marshall, Sharp - 4.

ABSENT: Senators Martin and Minner - 2.

Therefore, the Chair declared the roll call vote on SJR 16 rescinded.

SJR 16 was then stricken on motion of Senator Bair.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 130.

HCR 130 was introduced and considered for adoption on motion of Senator Bair:

HCR 130 - SUPPORTING THE HANDS ACROSS AMERICA PROJECT AND ENCOURAGING DELAWAREANS TO PARTICIPATE. Sponsors: Representative Oberle and all Representatives; Senator Bair and all Senators.

Senators Martin and Minner marked PRESENT.

Senator Bair yielded to Senator McDowell who introduced Peter Tovar and Vicki Ferguson (Hands Across America) to the Senate.

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

Senator Berndt introduced former Senator Pete Hughes to the Senate.

HB 444 w HA 1, 4 was lifted from the table for consideration on motion of Senator Sharp:

HB 444 w HA 1, 4 - AN ACT TO AMEND CHAPTER 5, TITLE 18, DELAWARE CODE RELATING TO EMERGENCY POWERS OF THE INSURANCE COMMISSIONER TO REGULATE CANCELLATION AND NONRENEWALS OF COMMERCIAL, MUNICIPAL AND PROFESSIONAL LIABILITY INSURANCE POLICIES.

The privilege of the floor was extended to David Levinson (Insurance Commissioner).

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 497 w HA 1, 2 was lifted from the table for consideration on motion of Senator Sharp:

HB 497 w HA 1, 2 - AN ACT TO AMEND CHAPTER 4, VOLUME 65, LAWS OF DELAWARE, (ALSO BEING HOUSE BILL NO. 99) RELATING TO THE TRANSFER OF \$70,000 TO FUND AN ACTUARIAL ANALYSIS FOR "POOLING" OF INSUREDS IN DELAWARE TO ANALYZE WHETHER MUNICIPALITIES, COUNTIES, AND VARIOUS COMMERCIAL INSUREDS CAN REDUCE THEIR COSTS AND ASSURE CONTINUED AVAILABILITY OF LIABILITY INSURANCE, AND TO CREATE SUCH A "POOL".

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

At 3:32 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:35 p.m., Lt. Governor Woo presiding.

SB 366 was stricken at the request of the sponsor, Senator Cordrey.

The following legislation was introduced:

SB 443 - AN ACT RELATING TO THE DELAWARE DEVELOPMENT OFFICE AND THE RECRUITMENT OF PUBLIC SCHOOL TEACHERS. Sponsors: Senators Connor, Berndt, Cook; Representatives Bennett, Davis, Corrozi. Assigned to Finance Committee.

SA 1 to SB 352. Sponsor: Senator McBride. Placed with the Bill.

SA 1 to SB 425. Sponsor: Senator Martin. Placed with the Bill.

SA 1 to SB 324. Sponsor: Senator Cordrey. Placed with the Bill.

SR 112 was introduced and considered for adoption on motion of Senator Cook:

SR 112 - CONGRATULATING SEN. RUTH ANN MINNER, NEWS-JOURNAL REPORTER NANCY KESSLER, AND DELAWARE WILD LANDS INC. ON THEIR SELECTION AS 1986 AWARD WINNERS BY DELAWARE NATURE EDUCATION SOCIETY. Sponsors: Senator Cook and all Senators.

The roll call vote on the Resolution was taken and revealed 20 Senators voting YES and 1 (Minner) NOT VOTING; therefore, the Resolution was declared adopted.

On behalf of himself and his family, Senator Zimmerman thanked the members of the Senate and Senate staff for their expressions of sympathy. Senator Zimmerman introduced to the Senate his daughter Claudia and his son Jamie.

SCR 118 was introduced and considered for adoption on motion of Senator Bair:

SCR 118 - HONORING DELAWARE'S SENIOR CITIZENS DURING OLDER AMERICANS MONTH. Sponsors: Senators Bair, Holloway; Representative Maroney.

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

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cordrey and the roll call vote taken which revealed 20 Senators voting YES and 1 (Holloway) NOT VOTING; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Representative Richard Davis and Lawrence J. Krone (Division of Public Health) after which SB 324 w SA 1 was laid on the table on motion of Senator Cordrey.

SR 115 was introduced and considered for adoption on motion of Senator McBride:

SR 115 - CONGRATULATING THE BOSTON ATHLETIC ASSOCIATION FOR ORGANIZING ANOTHER SUCCESSFUL BOSTON MARATHON AND URGING THAT ORGANIZATION TO CONSIDER SUPPORTING THE "BUY AMERICAN" EFFORT BY AWARDED AN AMERICAN MADE AUTOMOBILE AS PART OF NEXT YEAR'S PRIZE PACKAGE. Sponsors: Senator McBride and Marshall.

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

A messenger from the Governor was announced and admitted.

At 5:37 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 1, 1986.

The Senate reconvened at 2:03 p.m., May 1, 1986, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 129; HCR 131; HCR 132; SCR 114 and passed HS 1 for HB 169; HB 504 w HA 1; HB 519 w HA 1.

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

STATE OF DELAWARE
Office of the Governor
April 30, 1986

To the Senate of the 133rd 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: Daniel F. Wolcott, Jr., 4th and Delaware Streets, New Castle, DE 19720, to be reappointed as a Delaware Code Revisor to serve a four year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

STATE OF DELAWARE
Office of the Governor
April 24, 1986

To the Senate of the 133rd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: George B. Cole, Box 207, Cedar Neck Road, Ocean View, DE 19970, to be appointed as a member of the State Coastal Zone Industrial Control Board to serve the unexpired term of Charles W. Cole ending February 1, 1988.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

STATE OF DELAWARE
Office of the Governor
April 30, 1986

To the Senate of the 133rd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Harry M. Freedman, M.D., P.O. Box 90, Bethel, DE 19931, to be appointed as a member of the Board of Trustees of Delaware Institute of Medical Education and Research for a three year term, to replace David S. Howard, M.D., term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
April 29, 1986

To the Senate of the 133rd 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 Whitmore Maybee, 10 South Bradford Street, Dover, DE 19901, to be reappointed as a Delaware Code Revisor to serve a four-year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
April 23, 1986

To the Senate of the 133rd 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: Eva W. Adams, 420 Wyoming Avenue, Dover, DE 19901, to be appointed as a member of the Commission on Adult Entertainment Establishments to serve a three-year term to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
April 29, 1986

To the Senate of the 133rd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Joshua M. Twilley, 124 Meadow Glen Drive, Dover, DE 19901, to be reappointed as a member of the Public Service Commission to serve a five-year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
April 22, 1986

To the Senate of the 133rd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Theodore W. Ryan, 2411 Greenleaf Road, Wilmington, DE 19803, to be reappointed as a Director of the Delaware Solid Waste Authority to serve a three-year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

STATE OF DELAWARE
Office of the Governor
April 22, 1986

To the Senate of the 133rd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Ronald G. McCabe, Route 1, Box 32, Millville, DE 19970, to be reappointed as a Director of the Delaware Solid Waste Authority to serve a three-year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

STATE OF DELAWARE
Office of the Governor
April 22, 1986

To the Senate of the 133rd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Jeffrey S. Goddess, 1417 Hamilton Street, Wilmington, DE 19806, to be reappointed as a Director of the Delaware Solid Waste Authority to serve a three-year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

STATE OF DELAWARE
Office of the Governor
April 22, 1986

To the Senate of the 133rd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Ronald D. Smith, Esq., 75 Old Forge Drive, Dover, DE 19901, to be appointed as a member of the Consumer Affairs Board to serve a four-year term to replace Myron T. Steele, Esq., term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

The following legislation was introduced:

HS 1 for HB 169 - AN ACT TO AMEND TITLES 24 AND 29 OF THE DELAWARE CODE RELATING TO OCCUPATIONS AND PROFESSIONS; AND PROVIDING FOR THE REGULATION OF PERSONS PRACTICING NUTRITION. Sponsors: Representative Maroney, Senator Holloway; Representatives VanSant, Soles, West, C. Cordrey, Corrozi, Jester, Roy; Senators Knox, Neal, Berndt, Torbert, Citro, Connor. Assigned to Sunset Committee.

HB 504 w HA 1 - AN ACT TO AMEND SECTIONS 1742 AND 1748, TITLE 15, DELAWARE CODE RELATING TO VOTER REGISTRATION OF A PERSON CHANGING HIS OR HER NAME OR ADDRESS. Sponsors: Representatives Smith, Hebner; Senators Berndt, Neal. Assigned to Administrative Services/Energy Committee.

HB 519 w HA 1 - AN ACT TO AMEND CHAPTER 3, TITLE 25 OF THE DELAWARE CODE RELATING TO CONTRACTS OF SALE OF UNIMPROVED REAL ESTATE AND REQUIRING NOTICE AND A CONTINGENCY PROVISION AS TO SEWERAGE AND WATER FACILITIES. Sponsors: Representatives Carey, Caulk, Quillen, Barnes, Bennett, Boykin, Brady, Buckworth, Clark, B. Ennis, D. Ennis, Fallon, Houghton, Jester, Jonkiert, Mack, Maroney, Plant, Roy, Sills, Soles, Smith, Spence, VanSant, West; Senators Bane, Cook, Knox, Neal, Slatcher, Torbert, Zimmerman. Assigned to Natural Resources and Environmental Control Committee.

Senator Cook introduced Chris McCann to the Senate.

The following Committee reports were announced:

From the Revenue and Taxation Committee: SB 439 - 1 Favorable, 3 Merits.

From the Community Affairs Committee: SB 427 - 4 Merits; HB 394 w HA 1 - 4 Merits; HB 505 w HA 1 - 4 Merits; HB 455 - 4 Merits.

At 2:12 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 25th Legislative Day.

25TH LEGISLATIVE DAY

May 1, 1986

The Senate convened at 2:12 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

At 2:14 p.m., Lt. Governor Woo presiding.

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

The following communication was read:

OFFICE OF THE CHIEF CLERK
DELAWARE STATE HOUSE OF REPRESENTATIVES
LEGISLATIVE HALL
DOVER, DELAWARE 19901
May 1, 1986

Betty Jean Caniford
Secretary of the Senate
Legislative Hall
Dover, DE 19901

RE: Senate Bill No. 158

Dear B. J.:

Speaker Charles L. Hebner has forwarded your letter of April 24, 1986 to me. Per your request, please find attached Senate Bill No. 158.

Very truly Yours,
JoAnn M. Hedrick
Chief Clerk

cc: Senator James T. Vaughn

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LEGISLATIVE ADVISORY #32 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed the following legislation on April 28, 1986: SB 344 (Volume 65, Chapter 259, Laws of Delaware), SB 345 (Volume 65, Chapter 260, Laws of Delaware), HJR 21 w HA 1.

* * * * *

HB 430 was lifted from the table for consideration on motion of Senator Sharp.
Senator Zimmerman marked PRESENT.

The privilege of the floor was extended to John J. Thompson (Delaware State Sportsmen's Association), Loretta Walsh (Wilmington City Council), John E. Babiarz (former Mayor of Wilmington) and Gary Dalton (Senate Attorney).

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

At 3:25 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:10 p.m., Lt. Governor Woo presiding.

HS 1 for HB 169 which had been assigned to the Sunset Committee was reassigned to Administrative Services/Energy Committee.

SJR 17 was introduced and laid on the table on motion of Senator McDowell:

SJR 17 - AUTHORIZING THE GOVERNOR OF THE STATE OF DELAWARE TO DESIGNATE AND DECLARE THE DATE ON WHICH MEMORIAL DAY WILL BE OBSERVED IN DELAWARE IN 1986.
Sponsor: Senator McDowell.

The following legislation was introduced:

SA 1 to SB 426. Sponsor: Senator Marshall. Placed with the Bill.

SR 114 - AMENDING SENATE RESOLUTION NO. 4 TO PROHIBIT SMOKING IN THE SENATE CHAMBER AT CERTAIN TIMES. Sponsors: Senators Sharp, Berndt. Laid on the table.

The following Committee reports were announced:

From the Executive Committee: SB 434 - 5 Merits; SB 437 - 5 Merits.

HB 329 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 329 w HA 1 - AN ACT TO AMEND CHAPTER 45, TITLE 10, DELAWARE CODE, RELATING TO JURY SELECTION AND SERVICE.

SA 2 to the Bill which had been placed with the Bill was laid on the table on motion of Senator Bane.

HB 329 w HA 1 was then laid on the table on motion of Senator Sharp.

SB 286 was taken up for consideration on motion of Senator McDowell:

SB 286 - AN ACT TO AMEND VOLUME 63, CHAPTER 286, LAWS OF DELAWARE, RELATING TO THE EMPLOYEE SUGGESTION AWARDS COMMITTEE.

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

SB 255 was taken up for consideration on motion of Senator McDowell:

SB 255 - AN ACT TO AMEND CHAPTER 1, TITLE 13, DELAWARE CODE, RELATING TO PROHIBITIONS ON INTER-RACIAL MARRIAGES AND MARRIAGES BETWEEN PAUPERS.

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

SB 439 was taken up for consideration on motion of Senator Adams:

SB 439 - AN ACT TO AMEND SECTION 1109, TITLE 30, DELAWARE CODE, RELATING TO A TAX DEDUCTION FOR HEALTH INSURANCE PREMIUMS PAID BY SELF-EMPLOYED TAXPAYER.

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

SJR 17 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator McDowell:

SJR 17 - AUTHORIZING THE GOVERNOR OF THE STATE OF DELAWARE TO DESIGNATE AND DECLARE THE DATE ON WHICH MEMORIAL DAY WILL BE OBSERVED IN DELAWARE IN 1986.

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

SR 116 was introduced and considered for adoption on motion of Senator Cordrey:

SR 116 - EXPRESSING THE SENATE'S SINCEREST CONDOLENCES TO SENATOR AND MRS. JACOB W. ZIMMERMAN, AND MEMBERS OF THEIR FAMILY, ON THE DEATH OF THEIR SON, THOMAS J. ZIMMERMAN OF DOVER. Sponsors: Senators Cordrey, Sharp, McDowell, Bair, Connor, Adams, Bane, Berndt, Citro, Cook, Holloway, Knox, Marshall, Martin, McBride, Minner, Neal, Slater, Torbert, Vaughn.

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

Pursuant to the above Resolution, the Senate stood for a moment of silence at the request of Senator Martin.

SENATE CONSENT CALENDAR #22 was introduced and considered for adoption on motion of Senator Minner. The Calendar was comprised of the following House Concurrent Resolutions:

HCR 126 - COMMEMORATING APRIL 1986, AS HARDWARE DO-IT-YOURSELF MONTH IN DELAWARE. Sponsors: Representatives Barnes, Boykin, Outten; Senators Connor, Knox, McDowell, Zimmerman.

HCR 127 - COMMENDING HEATHER LATHAM, GOVERNOR OF THE 1986 YMCA SPECIAL LEGISLATIVE SESSION FOR HER PRESENTATION TO THE HOUSE OF REPRESENTATIVES AND COMMENDING ALL THOSE PARTICIPATING IN THE YMCA YOUTH IN GOVERNMENT PROGRAM OF 1986. Sponsors: Representative Maroney, Senator Holloway; All Representatives, All Senators.

HCR 128 - DECLARING THE WEEK OF MAY 4-10, 1986 WORKING WOMEN'S AWARENESS WEEK IN DELAWARE. Sponsors: Representatives Anderson, B. Ennis, Jester, VanSant; Senators Martin, Vaughn.

HCR 129 - COMMENDING THE STUDENTS SELECTED AS STATE SUPERINTENDENT'S SCHOLARS OF 1986. Sponsors: Representative Fallon; Senator McBride; Representatives Corrozi, Jester, Sills, Wingate, Anderson, Plant, Buckworth, Quillen.

HCR 131 - RECOGNIZING MAY 1986 AS "FOOT HEALTH CARE" MONTH IN THE STATE OF DELAWARE. Sponsors: Representative Roy, Senator McDowell.

HCR 132 - CONGRATULATING THE CLAYMONT HIGH SCHOOL MARCHING BAND FOR THEIR RECENT SUCCESS IN THE FESTIVAL OF MUSIC CONTEST. Sponsors: Representatives Brady, Heber; Senators Bair, Berndt.

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The roll call vote on SENATE CONSENT CALENDAR #22 was then taken and revealed 19 Senators voting YES and 2 (Holloway and Zimmerman) ABSENT; therefore, the Resolutions were declared adopted by the Senate and returned to the House.

SB 158 was stricken at the request of the sponsor, Senator Vaughn.

Senator Holloway marked PRESENT.

SA 1 to HB 329 which had been stricken was restored on motion of Senator Bane. No objection.

At 5:05 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 6, 1986.

The Senate reconvened at 2:20 p.m., May 6, 1986, Senator Cordrey presiding.

The following Committee reports were announced:

From the Labor and Industrial Relations Committee: **SB 424** - 5 Merits.

From the Banking Committee: **SB 441** - 4 Merits. -

The Secretary announced that a message from the House informed the Senate that it had passed **HB 470 w HA 1, 2, 3; HB 523; HB 242; HB 368 w HA 1.**

SR 117 was introduced and considered for adoption on motion of Senator Holloway:

SR 117 - COMMENDING BARBARA Y. WASHAM, WILMINGTON CENTER DIRECTOR OF THE NEW CASTLE COUNTY YWCA, FOR 33 YEARS OF DEDICATED SERVICE AS SHE PREPARES TO RETIRE. Sponsor: Senator Holloway.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Martin, McBride, Neal) ABSENT; therefore, the Resolution was declared adopted.

The following legislation was introduced:

SB 444 - AN ACT TO AMEND CHAPTER 35, TITLE 12 OF THE DELAWARE CODE RELATING TO PERPETUAL CARE BURIAL LOTS. Sponsor: Senator Connor. Assigned to Judiciary Committee.

SB 445 - AN ACT TO AMEND CHAPTER 5, TITLE 4, DELAWARE CODE RELATING TO THE GRANTING OF LICENSE FOR THE SALE OF ALCOHOLIC LIQUOR TO ESTABLISHMENTS LOCATED WITHIN UNINCORPORATED OR RURAL AREA OF THE STATE. Sponsor: Senator Cordrey. Assigned to Administrative Services/Energy Committee.

SA 3 to SB 223. Sponsor: Senator McDowell. Placed with the Bill.

The following Committee reports were announced:

From the Judiciary Committee: **SB 435** - 1 Favorable, 3 Merits; **SB 414** - 4 Merits.

The following legislation was introduced:

SA 2 to SB 410. Sponsor: Senator Cordrey. Placed with the Bill.

HB 242 - AN ACT TO AMEND SECTION 501, CHAPTER 5, TITLE 1 OF THE DELAWARE CODE RELATING TO LEGAL HOLIDAYS. Sponsors: Representatives Jonkiert, Roy, VanSant, West. Assigned to Administrative Services/Energy Committee.

HB 368 w HA 1 - AN ACT TO AMEND CHAPTER 19, TITLE 24 OF THE DELAWARE CODE RELATING TO THE LICENSING OF NURSES. Sponsors: Representatives Maroney, Boykin, Oberle, Houghton, B. Ennis; Senators McDowell, Neal, Marshall, Arnold. Assigned to Administrative Services/Energy Committee.

HB 470 w HA 1, 2, 3, - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO REPORTING REQUIREMENTS AND FINANCIAL DISCLOSURE OF PROPERTY OR CASUALTY INSURERS. Sponsors: Representative D. Ennis, Senator McDowell; Representatives Petrilli, Gilligan; Senator Berndt. Assigned to Insurance and Elections Committee.

HB 523 - AN ACT TO AMEND CHAPTER 1, TITLE 13, DELAWARE CODE RELATING TO MARRIAGE. Sponsors: Representatives Free, Smith, Maroney, Barnes, Sills, Plant; Senators Berndt, Holloway. Assigned to Judiciary Committee.

At 2:27 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 26th Legislative Day.

26TH LEGISLATIVE DAY
May 6, 1986

The Senate convened at 2:27 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

At 2:29 p.m., Senator McDowell presiding.

Call of the roll revealed the following attendance:

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

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

SB 420 was taken up for consideration on motion of Senator Cordrey:

SB 420 - AN ACT AMENDING TITLE 5, CHAPTER 9, TITLE 12, CHAPTERS 2, 13, 15, 33 AND 35, AND TITLE 25, CHAPTER 5; AND INSERTING A NEW CHAPTER 34 OF TITLE 12 OF THE DELAWARE CODE BY REVISING AND ENACTING CERTAIN LAWS RELATING TO BANKS AND TRUST COMPANIES AS FIDUCIARIES, AND TO THE ADMINISTRATION OF ESTATES AND TRUSTS.

Senator Martin marked PRESENT.

The privilege of the floor was extended to Joseph M. Moran (Delaware Bankers Association) after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Bair, Berndt, Cordrey, Holloway, Knox, Marshall, McBride, Minner, Neal, Slatcher, Torbert, Zimmerman - 13.

NOT VOTING: Senators Bane, Citro, Connor, Cook, Martin, McDowell, Sharp, Vaughn - 8.

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

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 133.

HCR 133 was introduced and considered for adoption on motion of Senator Bair:

HCR 133 - URGING ALL CITIZENS OF DELAWARE TO SUPPORT THE "THANKS TO SCANDINAVIA" ORGANIZATION. Sponsors: Representatives Hebner, George; Senator Bair.

The privilege of the floor was extended to Richard Netter (President, THANKS TO SCANDINAVIA) after which the roll call vote on the Resolution was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and returned to the House.

At 3:15 p.m. Senator Cordrey presiding.

SB 223 w SA 1 was lifted from the table for consideration on motion of Senator McDowell.

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 (Sharp) ABSENT; therefore, the Amendment was declared adopted.

SA 3 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator McDowell.

The privilege of the floor was extended to J. Benjamin Roy, Jr. (State Fire Marshall) after which the roll call vote was taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Richard Dillard (Senate Attorney) after which the roll call vote on SB 223 w SA 1, 2, 3 was taken and revealed:

YES: Senators Adams, Cook, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn - 9.

NO: Senators Bair, Bane, Citro, Cordrey, Knox, Minner, Neal, Slatcher - 8.

NOT VOTING: Senators Berndt, Connor - 2.

ABSENT: Senators Holloway and Zimmerman - 2.

Therefore, the Bill was declared defeated.

SB 426 was taken up for consideration on motion of Senator Marshall:

SB 426 - AN ACT TO AMEND CHAPTER II, SUBCHAPTER II, TITLE 30, OF THE DELAWARE CODE TO PROVIDE AN EDUCATIONAL EXEMPTION FROM TAXABLE INCOME.

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

The privilege of the floor was extended to Steve Kubico (Controller General's Office) and John J. Ryan (Department of Public Instruction).

The roll call vote on SB 426 w SA 1 was taken and revealed:

YES: Senators Adams, Berndt, Citro, Connor, Holloway, Marshall, McBride, McDowell, Sharp, Slatcher, Torbert - 11.

NO: Senators Bair, Bane, Cook, Cordrey, Knox, Martin, Minner, Neal, Vaughn - 9.

NOT VOTING: Senator Zimmerman - 1.

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

A messenger from the Governor was announced and admitted.

The following Committee reports were announced:

From the Public Safety Committee: SB 365 - 1 Favorable, 3 Merits; SB 393 - 3 Merits, 1 Unfavorable; SB 394 - 4 Merits; SB 396 - 4 Merits; SB 425 - 4 Merits; SB 433 - 4 Merits; HB 369 w HA 1 - 4 Merits; HB 428 w HA 1 - 4 Merits.

Senator Cordrey introduced to the Senate Rita Justice (County Executive of New Castle County).

At 5:40 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., May 7, 1986.

The Senate reconvened at 2:12 p.m., May 7, 1986, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 503 w HA 1; HB 336; HB 452 w HA 1; HS 1 for HB 14 w HA 1; HB 454.

The following Committee reports were announced:

From the Executive Committee: Nancy M. Norling - 2 Favorable, 3 Merits; Joshua M. Twilley - 4 Merits; Joseph W. Maybee - 4 Merits; Daniel F. Wolcott, Jr. - 4 Merits; Theodore W. Ryan - 4 Merits; Ronald G. McCabe - 4 Merits; Harry M. Freedman, M.D. - 4 Merits; Jeffrey S. Goddess - 4 Merits.

The following communication from the Governor was read:

STATE OF DELAWARE
Office of the Governor
May 2, 1986

To the Delaware State Senate of the 133rd General Assembly of the State of Delaware

On April 22, 1986, I received Senate Bill No. 412, which is entitled: "AN ACT TO AMEND CHAPTER 60, TITLE 7, DELAWARE CODE, RELATING TO THE DISPOSITION OF SOLID WASTE."

This bill would prohibit the Secretary of Natural Resources and Environmental Control from issuing "any permit which would empower a person to transport solid waste into the State of Delaware from without for the purpose of storing, processing or disposing of such solid waste in the State of Delaware". Because this legislation is blatantly unconstitutional, and because there is an alternative, constitutional solution to the problem this legislation addresses, I am returning Senate Bill No. 412 without my signature.

No one in this State, particularly the Governor and the Secretary of Natural Resources and Environmental Control, wants trash imported into Delaware from other states. Unfortunately, there are legal limits on what any individual state may do to limit the importation of solid waste. The people of New Jersey did not want the City of Philadelphia's garbage, but in 1978 the United States Supreme Court struck down as unconstitutional a law which effectively prevented the dumping of out-of-state trash in New Jersey. City of Philadelphia v. New Jersey, 437 U.S. 617 (1978). In that case the United States Supreme Court ruled that the New Jersey statute was a protectionist measure, and thus was per se invalid under the Commerce Clause of the U. S. Constitution. Since the New Jersey legislation discriminated against "articles of commerce" coming from outside the state, the law violated the Commerce Clause since there was no reason, apart from its origin, to treat such garbage differently. Despite New Jersey's legitimate environmental concern, the Supreme Court concluded that the state could not attempt to isolate itself from a problem common to many by erecting a barrier against the movement of interstate trade.

The Supreme Court decision in City of Philadelphia v. New Jersey applies with even greater force to Senate Bill No. 412, which actually is far more restrictive, and therefore, far more flawed, than the unconstitutional New Jersey statute. Senate Bill No. 412 not only bans the deposit of out-of-state solid waste in Delaware, which by itself is impermissible under the Supreme Court's decision, the legislation also bans even the processing of such waste for deposit outside the state, which is an even clearer intrusion on interstate commerce than the New Jersey statute. In exercising my constitutional power to approve or disapprove legislation, I cannot simply ignore the constitutional defect in Senate Bill No. 412, as apparently the General Assembly did in passing this legislation without a dissenting vote.

Although a state may not simply ban the importation of solid waste, there may be other ways to address this problem. Without question the State may regulate the storing, processing, or disposing of solid waste in Delaware and require those who seek to engage in such activity to adhere to certain conditions set forth in a permit or license. An amendment to Senate Bill No. 412 clarifying this power regarding out-of-state solid waste was prepared but not introduced in the House of Representatives. Furthermore, consistent with the Constitution, the State of Delaware may be able to restrict to State residents access to State-owned landfills. I am prepared to work with the General Assembly to explore both options and enact appropriate legislation.

In addition to the bill's unconstitutionality I must express my concern about the manner in which it was introduced and passed. The legislation was rushed through the General Assembly with just cursory committee review. It passed despite its constitutional defects, which were attempted to be corrected by way of the unintroduced amendment. With legislation of this importance and legal complexity, the General Assembly should engage in more meaningful deliberation.

Regardless of the manner in which it was introduced and passed, however, Senate Bill No. 412 remains unconstitutional. For this reason I am returning it without my signature.

Respectfully submitted,
Michael N. Castle, Governor

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

STATE OF DELAWARE
Office of the Governor
April 30, 1986

To the Senate of the 133rd 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: Karen W. Wright, 4501 Channing Road, Wilmington, DE 19802, to be appointed as a member of the Industrial Accident Board to serve a six-year term to replace Ellsworth Jackson.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
April 30, 1986

To the Senate of the 133rd 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: Haile L. Alford, 809 West 10th St., Wilmington, DE 19801, to be appointed as a member of the Delaware Alcoholic Beverage Control Commission to serve a three-year term to replace Watson Kennedy Ayers, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
April 30, 1986

To the Senate of the 133rd 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 John Shopa, 4521 Weldin Road, Wilmington, DE, 19803, to be appointed Chairman of the Delaware Alcoholic Beverage Control Commission to serve a term during the pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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The following legislation was introduced:

SB 446 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 43, TITLE 21, DELAWARE CODE, RELATING TO THE USE OF FLASHING LIGHTS ON NON-EMERGENCY VEHICLES FOR THE PURPOSE OF OVERTAKING OR PASSING. Sponsor: Senator Martin. Assigned to Public Safety Committee.

SB 447 - AN ACT TO AMEND CHAPTER 54, TITLE 7, DELAWARE CODE RELATING TO ARCHAEOLOGICAL EXCAVATIONS. Sponsor: Senator Cordrey. Assigned to Executive Committee.

SB 448 - AN ACT TO REINCORPORATE THE TOWN OF BETHANY BEACH. Sponsors: Senator Cordrey; Representative Steele. Assigned to Community Affairs Committee.

SB 449 - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE, RELATING TO THE STATE EMPLOYEES' PENSION PLAN. Sponsors: Senators Adams, Cook, Connor, Berndt, Slatcher; Representatives Fallon, Gilligan, Barnes. Assigned to Finance Committee.

SB 450 - AN ACT TO AMEND TITLE 10, SECTION 921, DELAWARE CODE RELATING TO DISPOSITION OF FORMER MARITAL PROPERTY. Sponsors: Senator Zimmerman, Representative Spence. Assigned to Judiciary Committee.

SB 451 - AN ACT TO AMEND CHAPTER 43, SUBCHAPTER I, TITLE 29, OF THE DELAWARE CODE RELATING TO NOTARIES PUBLIC. Sponsor: Senator McDowell. Assigned to Judiciary Committee.

SA 1 to SB 434. Sponsor: Senator Adams. Placed with the Bill.

SA 1 to SB 433. Sponsor: Senator Slatcher. Placed with the Bill.

SA 1 to HB 394. Sponsors: Senator Neal, Representative Soles. Placed with the Bill.

HS 1 for HB 14 w HA 1 - AN ACT TO AMEND CHAPTER 1, PART 1, TITLE 16 OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE STATE BOARD OF HEALTH AND PROVIDING FOR THE REGULATION OF FREE STANDING SURGICAL CENTERS, FREE STANDING EMERGENCY CENTERS, AND FREE STANDING BIRTHING CENTERS. Sponsor: Representative Davis. Assigned to Health-Social Services/Aging Committee.

HB 336 - AN ACT TO AMEND CHAPTER 9, TITLE 7, DELAWARE CODE, RELATING TO THE FEE FOR FYKE NETTING. Sponsors: Representatives West, Carey, Quillen, D. Ennis, Steele, Barnes, Houghton, Plant, B. Ennis, VanSant, C. Cordrey, Jonkiert, Clark, Sills, Fallon, Mack, Jester, Buckworth. Assigned to Natural Resources and Environmental Control Committee.

HB 452 w HA 1 - AN ACT TO AMEND CHAPTER 5, TITLE II, DELAWARE CODE RELATING TO MINIMUM MANDATORY SENTENCES FOR CERTAIN CRIMINAL ACTS WHICH CAUSE DEATH. Sponsors: Representatives Spence, Houghton, Caulk, Carey, Roy, Hebner, Oberle, Davis, Reynolds, B. Ennis, VanSant, Taylor, Steele, D. Ennis; Senators McBride, Sharp, Connor. Assigned to Judiciary Committee.

HB 454 - AN ACT TO AMEND CHAPTER 23, TITLE 19 OF THE DELAWARE CODE RELATING TO MEDICAL SUPPLIES AS FURNISHED BY THE EMPLOYER. Sponsor: Representative Oberle. Assigned to Labor and Industrial Relations Committee.

HB 503 w HA 1 - AN ACT TO AMEND CHAPTER 13, TITLE 19 DELAWARE CODE, PERTAINING TO EMPLOYEE RELATIONS. Sponsors: Representative Oberle, Senator Marshall. Assigned to Labor and Industrial Relations Committee.

SCR 119 was introduced and considered for adoption on motion of Senator Holloway:

SCR 119 - CONGRATULATING WILLIAM PENN FRANK, INDEFATIGABLE NEWS-JOURNAL REPORTER AND COLUMNIST, ON HIS SELECTION AS THE 1986 RECIPIENT OF THE DELAWARE BAR ASSOCIATION'S PRESTIGIOUS LIBERTY BELL AWARD. Sponsors: Senator Holloway; Representatives Plant, Sills, Free.

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

SCR 120 was introduced and considered for adoption on motion of Senator Minner:

SCR 120 - EXPRESSING BEST WISHES TO BEATRICE M. CLIFTON, WIFE OF FORMER STATE REPRESENTATIVE W. CARLTON CLIFTON, AS SHE CELEBRATES HER 80TH BIRTHDAY. Sponsors: Senator Minner, Representative Carey.

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

At 2:30 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 27th Legislative Day.

27TH LEGISLATIVE DAY
May 7, 1986

The Senate convened at 2:30 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Adams.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

HB 470 w HA 1, 2, 3, was reported out of the Insurance and Elections Committee: 3 Merits.

LEGISLATIVE ADVISORY #33 received from the Office of Counsel to the Governor was read which informed the Senate that on May 2, 1986, the Governor signed HB 495 (Volume 65, Chapter 261, Laws of Delaware) and on May 2, 1986, the Governor vetoed SB 412.

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SB 427 was taken up for consideration on motion of Senator Adams:

SB 427 - AN ACT TO REINCORPORATE THE TOWN OF GEORGETOWN.

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.

HB 394 w HA 1 was taken up for consideration on motion of Senator Minner:

HB 394 w HA 1 - AN ACT TO AMEND CHAPTER 86, PART VIII, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF COMMUNITY AFFAIRS; AND PROVIDING FOR A DIVISION OF LIBRARIES.

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

The roll call vote on HB 394 w HA 1, SA 1 was then taken and revealed 18 Senators voting YES and 3 (Martin, McBride, Sharp) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

HB 455 was taken up for consideration on motion of Senator Minner:

HB 455 - AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF MILTON" BEING CHAPTER 501, VOLUME 61, LAWS OF DELAWARE AS AMENDED BY CHAPTER 265, VOLUME 64, LAWS OF DELAWARE, BY INCREASING THE AMOUNT OF MONEY WHICH MAY BE BORROWED IN ANTICIPATION OF REVENUES ON THE FULL FAITH AND CREDIT OF THE TOWN.

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

HB 505 w HA 1 was taken up for consideration on motion of Senator Minner:

HB 505 w HA 1 - AN ACT TO AMEND CHAPTER 5, TITLE 28, DELAWARE CODE RELATING TO HARNESS RACING COMMISSIONS ON PARI-MUTUEL AND TOTALIZATOR POOLS.

Senator Martin marked PRESENT.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Adams) NOT VOTING; therefore, the Bill was declared passed by the Senate and returned to the House.

At 2:58 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 3:55 p.m., Senator Cordrey presiding.

The following legislation was introduced:

HCR 124 - SUPPORTING PRESIDENT REAGAN'S HANDLING OF LIBYAN-SPONSORED TERRORISM DIRECTED AT THE UNITED STATES OF AMERICA AND HER CITIZENS. Sponsors: Representatives Campanelli, Hebner, Oberle, Barnes, George, Gilligan, Brady, Clark, Anderson, Boykin, Maroney, Quillen; Senators Knox, Citro, Vaughn. Assigned to Executive Committee.

SB 452 - AN ACT PROPOSING AN AMENDMENT TO §19, ARTICLE III, CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO THE SALARY OF THE LIEUTENANT-GOVERNOR. Sponsor: Senator Cordrey. Assigned to Executive Committee.

SB 437 was stricken at the request of the sponsor, Senator Cordrey.

HB 329 w HA 1 was lifted from the table for consideration on motion of Senator Sharp.

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

The roll call vote on HB 329 w HA 1, SA 1 was then taken and revealed:

YES: Senators Adams, Bair, Bane, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Martin, Minner, Neal, Sharp, Slatcher, Torbert, Vaughn - 17.

NOT VOTING: Senators Marshall, McBride, McDowell, Zimmerman - 4.

Therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

SJR 17 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator McDowell.

The roll call vote on the Resolution was taken and revealed:
YES: Senators Marshall, McDowell, Sharp, Zimmerman - 4.
NO: Senators Adams, Bair, Bane, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Martin, McBride, Minner, Neal, Slatcher, Torbert, Vaughn - 17.

Therefore, the Resolution was declared defeated.

SB 435 was taken up for consideration on motion of Senator Vaughn:

SB 435 - AN ACT TO AMEND CHAPTER 85, TITLE II, DELAWARE CODE, RELATING TO THE STATE BUREAU OF IDENTIFICATION.

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

SB 435 was taken up for consideration on motion of Senator Slatcher:

SB 433 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO CONDITIONAL LICENSES.

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

The roll call vote on SB 433 w SA 1 was then taken and revealed:

YES: Senators Adams, Berndt, Citro, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McDowell, Minner, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 16.

NO: Senators Bair, McBride, Neal - 3.

NOT VOTING: Senators Bane and Connor - 2.

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

HB 242 was introduced and taken up for consideration under suspension of the necessary rules on motion of Senator McDowell:

HB 242 - AN ACT TO AMEND SECTION 501, CHAPTER 5, TITLE 1 OF THE DELAWARE CODE RELATING TO LEGAL HOLIDAYS. Sponsors: Representatives Jonkiert, Roy, VanSant, West.

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

YES: Senators Bair, Bane, Berndt, Citro, Connor, Knox - 6.

NO: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 15.

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

At 4:52 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 8, 1986.

The Senate reconvened at 2:28 p.m., May 8, 1986, Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 134; HCR 135; HCR 136; HCR 137; SCR 118; SCR 119; SCR 120.

The following legislation was introduced:

SB 453 - AN ACT PROPOSING AN AMENDMENT TO THE DELAWARE CONSTITUTION RELATING TO THE GRANTING OF CRIMINAL JURISDICTION BY THE GENERAL ASSEMBLY TO INFERIOR COURTS. Sponsor: Senator McDowell. Assigned to Judiciary Committee.

SB 454 - AN ACT TO AMEND CHAPTER 39 OF TITLE 12, DELAWARE CODE, TO PROVIDE IN LIMITED CIRCUMSTANCES FOR THE APPOINTMENT BY THE COURT OF CHANCERY OF AN INTERIM GUARDIAN WHEN AN IMMINENT THREAT OF SERIOUS PHYSICAL HARM IS PRESENT. Sponsor: Senator Sharp. Assigned to Judiciary Committee.

At 2:30 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 28th Legislative Day.

28TH LEGISLATIVE DAY May 8, 1986

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

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

Senator Minner marked PRESENT.

SJR 18 was introduced and assigned to Executive Committee:

SJR 18 - ESTABLISHING A BLUE RIBBON COMMITTEE TO STUDY THE LIABILITY INSURANCE CRISIS IN DELAWARE. Sponsors: Senator Sharp, Representative D. Ennis; Senator Berndt, Representative Oberle; Senators McDowell, Holloway, Marshall, Citro, Bane, Neal, Martin, Connor, McBride, Vaughn, Cook, Torbert, Zimmerman, Minner, Adams, Slatcher; Representatives Outten Campanelli, George, Plant, Sills, Jonkiert, Brady, VanSant, Houghton, Gilligan, Soles, Anderson, Jester, B. Ennis, Clark, Wingate, C. Cordrey, West, Barnes, Buckworth, Carey, Free, Mack, Maroney, Reynolds, Roy, Steele, Taylor, Spence, Hebner, Caulk, Corrozi.

Senators McBride, Bair, Torbert marked PRESENT.
HB 470 w HA 1, 2, 3 was taken up for consideration on motion of Senator Sharp:
HB 470 w HA 1, 2, 3 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO REPORTING REQUIREMENTS AND FINANCIAL DISCLOSURE OF PROPERTY OR CASUALTY INSURERS.

SA 1 to the Bill (Sponsor: Senator McDowell) was introduced and laid on the table at the sponsor's request.

Senators Zimmerman and Citro marked PRESENT.

The roll call vote on HB 470 w HA 1, 2, 3 was then taken and revealed 19 Senators voting YES and 2 (Holloway and Martin) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

Senator Connor introduced to the Senate students and teachers from William Penn Social Studies class.

At 2:45 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 3:53 p.m., Lt. Governor Woo presiding.

Senator Martin marked PRESENT.

SB 455 was introduced and assigned to Judiciary Committee:

SB 455 - AN ACT TO AMEND CHAPTERS 5, 6, 7, 15, TITLE 13 OF THE DELAWARE CODE AND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO DOMESTIC RELATIONS -- SUCH AS DIVORCE, SUPPORT, ATTORNEYS' FEES, GUARDIANS, CUSTODY, ALIMONY, DIVISION OF PROPERTY AND APPEALS FROM COURT DECISIONS. Sponsors: Senator Vaughn, Representative Jester; Senators Bair, Berndt, Holloway, Knox; Representatives Buckworth, Maroney, Sills, Steele.

SR 118 was introduced and considered for adoption on motion of Senator Holloway:

SR 118 - COMMENDING RIVERSIDE HOSPITAL ON THE DEDICATION OF ITS NEW OPHTHALMOLOGY SERVICE FACILITY. Sponsors: Senators Holloway and Berndt.

Senator Holloway marked PRESENT.

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.

SENATE CONSENT CALENDAR #23 was introduced and considered for adoption on motion of Senator Minner. The Calendar consisted of the following:

SCR 121 - RECOGNIZING JUNE 1-7, 1986, AS NATIONAL GARDEN WEEK IN THE STATE OF DELAWARE. Sponsors: Senators Bair and Adams; Representatives Jester and Smith.

HCR 134 - COMMENDING WILLIAM THOMAS BOWERS OF CLAYTON, DELAWARE, WHO RECENTLY RETIRED AS CHIEF OF THE CLAYTON POLICE DEPARTMENT AFTER SERVING SIXTEEN YEARS. Sponsors: Representatives B. Ennis, Bennett; Senator Vaughn.

HCR 135 - COMMENDING JOHN H. HICKMAN, JR. OF WILMINGTON, DELAWARE FOR HAVING BEEN SELECTED FOR INDUCTION IN THE DELAWARE SPORTS HALL OF FAME. Sponsors: Representatives Taylor, Free, VanSant; Senator Marshall.

HCR 137 - COMMENDING MRS. MARIE K. REED OF SMYRNA, DELAWARE FOR 31 YEARS OF DEDICATED SERVICE WITH DELAWARE HOSPITAL FOR THE CHRONICALLY ILL. Sponsors: Representative B. Ennis; Senators Vaughn and Cook; Representative Clark.

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The roll call vote on SENATE CONSENT CALENDAR #23 was then taken and revealed 21 Senators voting YES; therefore, the Resolutions were declared adopted. The Senate Resolution was sent to the House for consideration and the House Resolutions were returned to the House.

On motion of Senator Adams, the Governor's nomination for appointment of Harry M. Freedman, 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.

On motion of Senator Adams, the Governor's nomination for appointment of Joseph Whitmore Maybee 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 Daniel F. Wolcott, Jr., 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 Nancy M. Norling was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Zimmerman) voting NO; therefore, the appointment was declared confirmed.

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

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

On motion of Senator Adams, the Governor's nomination for appointment of Ronald G. McCabe was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Sharp) voting NO; therefore, the appointment was declared confirmed.

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

SCR 122 was introduced and laid on the table on motion of Senator McBride:

SCR 122 - OBSERVING FLAG DAY, JUNE 14, 1986, IN DELAWARE AND CALLING ON ALL DELAWAREANS TO JOIN IN THE CELEBRATION BY DISPLAYING THE COLORS OF OUR COUNTRY AND HONORING THE AMERICAN FLAG ON THIS SPECIAL HOLIDAY. Sponsors: Senator McBride, Representative B. Ennis, all Senators and all Representatives.

Senator McDowell moved that the roll call vote on SB 223 w SA 1, 2, 3 be rescinded and the Bill be restored to the Calendar. No objection, so ordered by the Chair.

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

SCR 136 - OBSERVING SUNDAY, MAY 11, 1986 AS MOTHERS DAY IN THE STATE OF DELAWARE. Sponsors: Representatives Oberle, Hebner, Barnes, George, Gilligan; Senators Cordrey, Sharp, Bair, Connor; all Representatives; all Senators.

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

Due to the fact that there was objection raised as to the parliamentary procedure by which SB 223 w SA 1, 2, 3 had been restored, Senator McDowell rescinded his motion since he had not voted against the Bill in the original roll call; however, Senator Berndt who had been recorded as NOT VOTING on the original roll call moved that SB 223 w SA 1, 2, 3 be restored to the Calendar. So ordered by the Chair.

On motion of Senator McDowell (and without objection) the roll call vote on SB 223 w SA 1, 2, 3 was then rescinded and the Bill laid on the table.

At the request of Senator Cordrey, the members of the Senate rose and sang "Happy Birthday" to Senator Cook.

At 4:35 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 13, 1986.

The Senate reconvened at 2:15 p.m. May 13, 1986, Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Executive Committee: SB 447 - 1 Favorable, 4 Merits; SB 452 - 5 Merits; SJR 18 - 5 Merits.

The following legislation was introduced:

SB 456 - AN ACT TO AMEND CHAPTER 55, TITLE 30, DELAWARE CODE, RELATING TO PUBLIC UTILITIES TAX. Sponsors: Senators Cook, Marshall; Representative Petrilli; Senators Minner, Holloway, Torbert, Martin, Cordrey, Sharp, Vaughn, Neal, Bane, Knox, Connor; Representatives Bennett, Clark, Cordrey, B. Ennis, George, Gilligan, Houghton, Jester, Jonkiert, Outten, Plant, Soles, VanSant, Wingate, Barnes, Boykin, Buckworth, Carey, Caulk, Corrozi, Davis, Fallon, Free, Hebner, Mack, Maroney, Oberle, Quillen, Reynolds, Roy, Smith, Spence, Steele, Taylor. Assigned to Revenue and Taxation Committee.

SB 458 - AN ACT TO AMEND CHAPTER 27, TITLE 30, DELAWARE CODE, RELATING TO MANUFACTURERS' LICENSE TAX. Sponsors: Senator Marshall, Representative Petrilli; Senators Minner, Holloway, Torbert, Martin, Neal, Bane, Knox, Connor; Representatives Barnes, Bennett, Boykin, Brady, Buckworth, Carey, Caulk, Clark, Cordrey, Corrozi, Davis, B. Ennis, Fallon, Free, George, Gilligan, Hebner, Houghton, Jester, Jonkiert, Mack, Maroney, Oberle, Outten, Plant, Quillen, Reynolds, Roy, Sills, Smith, Soles, Spence, Steele, Taylor, VanSant, West, Wingate. Assigned to Revenue and Taxation Committee.

SB 457 - AN ACT TO AMEND CHAPTERS 11, 23, 25, 27, AND 29, TITLE 30, DELAWARE CODE, RELATING TO FILING REQUIREMENTS OF BUSINESS AND EMPLOYER TAXES. Sponsors: Senators Zimmerman, Marshall; Representative Petrilli; Senators Minner, Holloway, Torbert, Martin, Cordrey, Sharp, Cook, Vaughn, Neal, Bane, Knox, Connor; Representatives Anderson, Barnes, Bennett, Boykin, Brady, Buckworth, Carey, Caulk, Clark, Cordrey, Corrozi, Davis, B. Ennis, Fallon, Free, George, Gilligan, Hebner, Houghton, Jester, Jonkiert, Mack, Maroney, Oberle, Outten, Plant, Quillen, Reynolds, Roy, Sills, Smith, Soles, Spence, Steele, Taylor, VanSant, West, Wingate. Assigned to Revenue and Taxation Committee.

SB 459 - AN ACT TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO DEDUCTIONS FOR CHARITABLE CONTRIBUTIONS IN CALCULATION OF THE PERSONAL INCOME TAX. Sponsors: Senator Marshall, Representative Petrilli; Senators Minner, Holloway, Torbert, Martin, Cordrey, Sharp, Cook, Vaughn, Neal, Bane, Knox, Connor; Representatives Anderson, Barnes, Bennett, Boykin, Brady, Buckworth, Carey, Caulk, Clark, Cordrey, Corrozi, Davis, B. Ennis, Fallon, Free, George, Gilligan, Hebner, Houghton, Jester, Jonkiert, Mack, Maroney, Oberle, Outten, Plant, Quillen, Reynolds, Roy, Sills, Smith, Soles, Spence, Steele, Taylor, VanSant, West, Wingate. Assigned to Revenue and Taxation Committee.

SB 460 - AN ACT TO AMEND CHAPTER 83, TITLE 29, DELAWARE CODE, RELATING TO MEETING FEES AND INDEMNIFICATION OF MEMBERS OF THE BOARD OF PENSION TRUSTEES. Sponsors: Senator Adams, Representative Davis. Assigned to Executive Committee.

SB 461 - AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE, RELATING TO FAILURE OF PETITIONER OR COMPLAINANT TO APPEAR. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SA 2 to SB 351. Sponsor: Senator Cook. Placed with the Bill.

SA 1 to SB 414. Sponsor: Senator Bair. Placed with the Bill.

SR 119 was introduced and considered for adoption on motion of Senator Cordrey:

SR 119 - CONGRATULATING THE SUSSEX CENTRAL JUNIOR HIGH SCHOOL BAND UPON WINNING THE TOP HONORS IN THE JUNIOR HIGH SCHOOL DIVISION AT THE 27TH ANNUAL INTERNATIONAL BLOSSUM FESTIVAL PARADE. Sponsor: Senator Cordrey.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Berndt, Minner, Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

Senator Marshall requested personal privilege of the floor.

Senator McBride introduced Girl Scout Troop 580 and leaders Sheila Koiv, Pat Ferguson and Pat Newman.

SR 120 was introduced and laid on the table at the request of Senator Martin:

SR 120 - INVITING PRESIDENT RONALD REAGAN TO KICK OFF NATIONAL FIRE PREVENTION WEEK IN DELAWARE BY ATTENDING DELAWARE VOLUNTEER FIREMEN'S ASSOCIATION CEREMONIES AT THE DELAWARE STATE FIRE SCHOOL ON OCT. 5, 1986, AND URGING MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO USE THEIR GOOD OFFICES TO SEEK THE PRESIDENT'S ACCEPTANCE OF THE INVITATION. Sponsor: Senator Martin.

SR 121 was introduced and considered for adoption on motion of Senator Martin:

SR 121 - CONGRATULATING NEAL PAYNE, SUNDAY DISC JOCKEY ON THE UNIVERSITY OF DELAWARE'S WXDR-FM RADIO STATION, AS HE CELEBRATES HIS 7TH ANNIVERSARY ON THE AIR. Sponsor: Senator Martin.

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.

SR 122 was introduced and considered for adoption on motion of Senator Holloway:

SR 122 - COMMENDING PHILADELPHIA 76ER FORWARD BOBBY JONES AS HE RETIRES FROM AN EXEMPLARY PROFESSIONAL BASKETBALL CAREER AND EXPRESSING THANKS AND APPRECIATION FOR THE UNFORGETTABLE MOMENTS HE HAS SHARED WITH HIS SENATE AND DELAWARE FANS. Sponsor: Senator Holloway.

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

At the request of Senator Martin, Senator Neal was added as co-sponsor of **SR 121**.

At 2:35 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 29th Legislative Day.

29TH LEGISLATIVE DAY May 13, 1986

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

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

LEGISLATIVE ADVISORY #34 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed the following legislation: on May 8, 1986: SB 336 w SA 1, HA 1 (Volume 65, Chapter 262, Laws of Delaware; on May 9, 1986: SB 343 (Volume 65, Chapter 263, Laws of Delaware), HB 444 w HA 1, 4 (Volume 65, Chapter 264, Laws of Delaware), HB 497 w HA 1, 2 (Volume 65, Chapter 265, Laws of Delaware).

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SB 441 was taken up for consideration on motion of Senator Cordrey:

SB 441 - AN ACT TO AMEND CHAPTER 320, VOLUME 63, LAWS OF DELAWARE, ENTITLED "AN ACT TO AMEND CHAPTER 63, VOLUME 12, LAWS OF DELAWARE, ENTITLED 'AN ACT TO INCORPORATE THE ARTISANS' SAVINGS BANK' AS AMENDED, TO PERMIT THE BANK TO MAKE CERTAIN LOANS", TO REMOVE CERTAIN LIMITATIONS WHICH NOW PREVENT ARTISANS' SAVINGS BANK FROM MAKING CERTAIN LOANS.

The privilege of the floor was extended to Stephen C. Nelson, representing Artisans' Savings Bank.

Senators Slatcher and Zimmerman marked PRESENT.

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

SB 413 was taken up for consideration on motion of Senator Holloway:

SB 413 - AN ACT TO AMEND CHAPTER 5, TITLE II OF THE DELAWARE CODE RELATING TO THE RELEASE OF TOXIC VAPORS AND FUMES.

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

At 2:55 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:12 p.m., Lt. Governor Woo presiding.

SB 448 was reported out of the Community Affairs committee: 3 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 447 w HA 1, 2, 3.

The following legislation was introduced:

SB 462 - AN ACT TO AMEND SECTION 36, CHAPTER 237, VOLUME 51 AND SECTION 1, CHAPTER 212, VOLUME 56, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" RELATING TO THE EXTENSION OF WATER AND SEWER FACILITIES OUTSIDE THE LIMITS OF THE TOWN OF BRIDGEVILLE. Sponsors: Senator Adams, Representative Barnes. Assigned to Executive Committee.

SB 463 - AN ACT TO AMEND CHAPTER II, TITLE 16, OF THE DELAWARE CODE RELATING TO THE TREATMENT AND CARE OF PATIENTS AND RESIDENTS IN MEDICAL OR LONG TERM CARE FACILITIES. Sponsors: Senator Holloway, Representative Maroney; Senators Marshall, Bair, McDowell, McBride, Bane, Berndt; Representatives Sills, Plant, West. Assigned to Health-Social Services/Aging Committee.

SB 464 - AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE BY ELIMINATING THE POSITION OF DIRECTOR OF TREATMENT SERVICES AND RECREATING AND RECODIFYING IN ITS STEAD A JUDICIAL COUNCIL TO ADMINISTER AFFAIRS OF THE COURT. Sponsor: Senator Sharp. Assigned to Judiciary Committee.

SB 465 - AN ACT TO AMEND TITLE 10, CHAPTER 9 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT. Sponsor: Senator Sharp. Assigned to Judiciary Committee.

SA 1 to SB 415. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 365. Sponsor: Senator Cordrey. Placed with the Bill.

SB 466 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Cordrey:

SB 466 - AN ACT TO AMEND TITLE 21, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF LICENSURE PROVISIONS FOR AUTOMOBILE RECYCLERS, TO INCLUDE DEFINITIONS, LOCATION REQUIREMENTS, APPLICATION FOR LICENSES AND RENEWAL OF SAME, RENOVATION OR SUSPENSION, HEARING NOTICE AND JUDICIAL REVIEW, PROCEDURES FOR THE NOTIFICATION AND TRANSFER OF RECORDS, AND PENALTY PROVISIONS. Sponsors: Senators Cordrey, Citro, Vaughn; Representatives Spence, VanSant, Davis, B. Ennis, D. Ennis.

The privilege of the floor was extended to Charles Pfaff (D.A.T.R.A.) after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Bair, Bane, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, Sharp, Slatcher, Torbert, Vaughn - 17.

NO: Senators McDowell, Neal - 2.

NOT VOTING: Senators Minner, Zimmerman - 2.

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

Lt. Governor Woo recognized and introduced to the Senate Senator Cordrey's wife.

Senator Cordrey introduced to the Senate Liz Taylor of Millsboro, Delaware.

The following Committee reports were announced:

From the Small Business Committee: **SB 407** - 3 Merits.

From the Administrative Services/Energy Committee: **SB 51** - 4 Merits; **SB 276** - 6 Merits; **SB 331** - 6 Merits; **SB 372** - 6 Merits; **SB 377** - 6 Merits; **SB 401** - 6 Merits; **HB 145** - 6 Merits.

From the Natural Resources and Environmental Control Committee: **HB 356 w HA 1, 2** - 6 Merits; **HB 519 w HA 1** - 6 Merits; **HJR 20** - 6 Merits.

From the Health- Social Services/Aging Committee: **SB 463** - 5 Merits.

The following legislation was introduced:

SB 469 - AN ACT TO AMEND CHAPTER 29, TITLE 30, DELAWARE CODE RELATING TO RETAIL AND WHOLESALE MERCHANTS' LICENSE REQUIREMENTS AND TAXES. Sponsors: Senator McBride, Representative Petrilli; Senators Torbert, Marshall, Neal, Bane, Knox, Connor; Representatives Anderson, Bennett, Brady, Campanelli, Clark, Cordrey, B. Ennis, George, Gilligan, Houghton, Jester, Jonkiert, Outten, Plant, Sills, Soles, VanSant, West, Wingate. Assigned to Revenue and Taxation Committee.

SB 468 - AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE BY PERMITTING PEREMPTORY CHALLENGE TO A JUDGE. Sponsor: Senator Sharp. Assigned to Judiciary Committee.

SB 467 - AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE BY REDEFINING THE DUTIES OF MASTERS OF THE COURT, BY EMPOWERING MASTERS TO ENTER DECREES OF DIVORCE IN UNCONTESTED DIVORCE ACTIONS AND BY EMPOWERING MASTERS TO COMMIT PERSONS TO CUSTODY AND PUNISH FOR CONTEMPT IN CERTAIN CASES. Sponsor: Senator Sharp. Assigned to Judiciary Committee.

HB 447 w HA 1, 2, 3 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO MANDATORY SAFETY BELT USAGE IN CERTAIN MOTOR VEHICLES AND THE EFFECT OF SAFETY BELT USE UPON INSURANCE RATES. Sponsors: Representatives Spence, Petrilli; Senator Holloway; Representatives Maroney, Free, Roy; Senators Neal, Zimmerman. Assigned to Public Safety Committee.

SA 1 to SB 445. Sponsor: Senator Cordrey. Placed with the Bill.

SA 1 to HB 447 w HA 1, 2, 3. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 2 to HB 447 w HA 1, 2, 3. Sponsor: Senator Sharp. Placed with the Bill.

SR 123 was introduced and considered for adoption on motion of Senator Cordrey:

SR 123 - CONGRATULATING SARAH JANNIE JACKSON, A MEMBER OF THE PROUD NANTICOKE INDIAN TRIBE, AS SHE CELEBRATES HER 100TH BIRTHDAY ON MAY 15, 1986. Sponsor: Senator Cordrey.

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

SB 365 was stricken at the request of the sponsor, Senator Cordrey.

SB 348 was stricken at the request of the sponsor, Senator Vaughn.

At 5:06 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 14, 1986.

The Senate reconvened at 2:30 p.m., May 14, 1986, Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 249 and SB 423 w SA 1.

The following legislation was introduced:

SB 470 - AN ACT TO AMEND CHAPTER 215, VOLUME 64, LAWS OF DELAWARE ENTITLED "AN ACT TO RE-INCORPORATE THE CITY OF HARRINGTON", AS AMENDED, RELATING TO COMPETITIVE PUBLIC BIDDING. Sponsors: Senator Minner, Representative Quillen. Assigned to Community Affairs Committee.

SA 1 to SB 421. Sponsor: Senator Holloway. Placed with the Bill.

SA 3 to HB 447. Sponsor: Senator Sharp. Placed with the Bill.

SA 4 to HB 447. Sponsor: Senator Zimmerman. Placed with the Bill.

HB 249 - AN ACT TO AMEND CHAPTER 5, TITLE 11, DELAWARE CODE, RELATING TO DEADLY WEAPONS AND DANGEROUS INSTRUMENTS. Sponsor: Representative Quillen. Assigned to Judiciary Committee.

At 2:34 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 30th Legislative Day.

30TH LEGISLATIVE DAY

May 14, 1986

The Senate convened at 2:34 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

At the request of Senator McDowell, the privilege of the floor was extended to Michael Begatto representing the Association of State Employees.

SB 413 was lifted from the table for consideration on motion of Senator Holloway.

Senator Zimmerman marked PRESENT.

The privilege of the floor was extended to Martin Golden (Pharmaceutical Control Office, Division of Public Health) after which the roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 414 was taken up for consideration on motion of Senator Bair:

SB 414 - AN ACT TO AMEND CHAPTER 47, TITLE 16, OF THE DELAWARE CODE RELATING TO THE DEFINITION OF CERTAIN ILLEGAL DRUGS.

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

The privilege of the floor was extended to Martin Golden (Pharmaceutical Control Office, Division of Public Health) after which the roll call vote on SB 414 w SA 1 was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 415 was taken up for consideration on motion of Senator Holloway:

SB 415 - AN ACT TO AMEND CHAPTER 47, TITLE 16, OF THE DELAWARE CODE RELATING TO THE CRIMINALIZATION OF TRAFFICKING IN L.S.D. AND DESIGNER DRUGS.

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

The privilege of the floor was extended to Martin Golden (Pharmaceutical Control Office, Division of Public Health) after which the roll call vote on SB 415 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.

SCR 123 was introduced and considered for adoption on motion of Senator Bair:

SCR 123 - COMMENDING THE GIRLS CLUBS OF DELAWARE FOR THEIR OUTSTANDING WORK AND MARKING THE WEEK OF MAY 11-17, 1986, AS GIRLS CLUB WEEK. Sponsors: Senator Bair; Representatives Hebner, Brady.

Senator Bair introduced a group of girls from the Girls Club of Delaware who were present in the Chamber after which the roll call vote on the Resolution was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

At 3:53: p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:45 p.m., Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Executive Committee: SB 462 - 1 Favorable, 3 Merits.

From the Health-Social Services/Aging Committee: HB 508 w HA 1 - 5 Merits; HB 510 - 5 Merits.

The following legislation was introduced:

SB 471 - AN ACT TO AMEND CHAPTER 5, TITLE 9 OF THE DELAWARE CODE, RELATING TO FIXING A DATE FOR AN ELECTION TO AUTHORIZE THE ISSUANCE OF A BOND FOR SUBURBAN COMMUNITY IMPROVEMENTS. Sponsors: Senators Cordrey, Adams, Minner, Slatcher; Representatives Barnes, Carey, Wingate, Steele, Fallon, Cordrey, West. Assigned to Community Affairs Committee.

SB 472 - AN ACT TO AMEND CHAPTER 5, TITLE 9 OF THE DELAWARE CODE, RELATING TO THE PERSONS ENTITLED TO VOTE IN SUBURBAN COMMUNITY IMPROVEMENTS ELECTIONS. Sponsors: Senators Minner, Adams, Cordrey, Slatcher; Representatives Barnes, Carey, Wingate, Steele, Fallon, Cordrey, West. Assigned to Community Affairs Committee.

SB 473 - AN ACT TO AMEND CHAPTER 62, TITLE 7, DELAWARE CODE RELATING TO LIABILITY AND FINANCIAL RESPONSIBILITY OF VESSELS AND FACILITIES INVOLVED IN THE TRANSPORTATION, STORAGE OR TRANSFER OF OIL AND RELATED PETROLEUM PRODUCTS. Sponsors: Senators Zimmerman, Berndt, Cordrey, Knox, Martin, Minner. Assigned to Natural Resources and Environmental Control Committee.

SB 474 - AN ACT TO AMEND CHAPTER 60, TITLE 7, OF DELAWARE CODE RELATING TO THE COMPOSITION OF THE ENVIRONMENTAL APPEALS BOARD. Sponsors: Senators Zimmerman, Berndt, Cordrey, Knox, Martin, Minner. Assigned to Natural Resources and Environmental Control Committee.

SB 475 - AN ACT TO AMEND CHAPTER 63, TITLE 7, DELAWARE CODE, RELATING TO HAZARDOUS WASTE MANAGEMENT. Sponsors: Senators Zimmerman, Berndt, Cordrey, Knox, Martin, Minner. Assigned to Natural Resources and Environmental Control Committee.

HB 508 w HA 1 was taken up for consideration under suspension of the necessary rules on motion of Senator Holloway:

HB 508 w HA 1 - AN ACT TO AMEND CHAPTER 47, TITLE 16 OF THE DELAWARE CODE RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT OFFENSES AND PENALTIES.

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

The following legislation was introduced:

SB 476 - AN ACT TO AMEND CHAPTER 62, TITLE 7 DELAWARE CODE RELATING TO CIVIL PENALTIES FOR THE UNLAWFUL DISCHARGE OF OIL. Sponsors: Senator Zimmerman; Representative Mack; Senators Berndt, Cordrey, Knox, Martin, Minner. Assigned to Natural Resources and Environmental Control Committee.

SB 477 - AN ACT TO AMEND CHAPTER 63, TITLE 7, DELAWARE CODE, RELATING TO THE MANAGEMENT OF HAZARDOUS WASTE AND TO PROVIDE FOR DIRECT ACTION AGAINST GUARANTORS OF BANKRUPT OWNERS AND OPERATORS. Sponsors: Senators Zimmerman, Berndt, Cordrey, Knox, Martin, Minner. Natural Resources and Environmental Control Committee.

SB 478 - AN ACT TO AMEND CHAPTER 70, TITLE 9 OF THE DELAWARE CODE, RELATING TO SUSSEX COUNTY COMPETITIVE BID LEVEL OF THE DEPARTMENT OF FINANCE FOR THE SUSSEX COUNTY GOVERNMENT. Sponsors: Senators Adams, Minner, Cordrey, Slatcher; Representatives Barnes, Carey, Wingate, Steele, Fallon, Cordrey, West. Assigned to Community Affairs Committee.

SA 2 to HB 32. Sponsor: Senator Vaughn. Placed with the Bill.

SS 1 for SB 351 - AN ACT TO AMEND CHAPTER 32, TITLE 18 OF THE DELAWARE CODE RELATING TO GROUP LIFE INSURANCE FOR STATE EMPLOYEES. Sponsors: Senator Cook, Representative Gilligan; Senators Vaughn, Berndt; Representatives Petrilli, George. Adopted in lieu of the Original.

The following Committee reports were announced:

From the Revenue and Taxation Committee: SB 378 - 5 Merits; SB 379 - 5 Merits; SB 395 - 5 Merits; HB 312 w HA 1, 2 - 5 Merits; HB 314 - 5 Merits.

At 5:04 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 15, 1986.

The Senate reconvened at 2:26 p.m., May 15, 1986, Lt. Governor Woo presiding.

SB 460 was reported out of the Executive Committee: 4 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 476 w HA 1, 2; HB 183 w HA 3, 4; SB 354 w SA 2 and adopted HCR 139; SCR 123; SCR 121.

The following legislation was introduced:

SA 2 to SB 407. Sponsor: Senator Adams. Placed with the Bill.

SA 2 to SB 425. Sponsor: Senator Martin. Placed with the Bill.

SB 479 - AN ACT TO AMEND CHAPTERS 60 AND 64, TITLE 7 OF THE DELAWARE CODE RELATING TO THE STORAGE, PROCESSING OR DISPOSITION OF SOLID WASTE. Sponsors: Senator Sharp; Representatives Mack, VanSant; Senator Neal. Assigned to Natural Resources and Environmental Control Committee.

SB 480 - AN ACT TO AMEND PART X, TITLE 29, DELAWARE CODE, TO ESTABLISH A BILL OF RIGHTS FOR PROPERTY OWNERS AND LESSEES. Sponsors: Senators Martin, Adams, Holloway, Marshall, Minner, Sharp, Torbert, Vaughn, Zimmerman, Neal; Representatives Anderson, C. Cordrey, Clark, Campanelli, Brady, Jester, Houghton, B. Ennis, Sills, VanSant, West, Plant, Petrilli, Boykin, Davis, Gilligan. Assigned to Administrative Services/Energy Committee.

SB 481 - AN ACT TO AMEND CHAPTER 83, TITLE 29, DELAWARE CODE, RELATING TO THE CONFIDENTIALITY OF PENSIONS BEING RECEIVED BY FORMER STATE EMPLOYEES. Sponsors: Senator Adams, Representative Davis. Assigned to Executive Committee.

HB 183 w HA 3, 4 - AN ACT TO AMEND CHAPTER 29, TITLE 6, DELAWARE CODE RELATING TO THE RETAIL SALES OF GASOLINE. Sponsors: Representative Roy; Senators Arnold, Holloway. Assigned to Community Affairs Committee.

HB 476 w HA 1, 2 - AN ACT TO AMEND CHAPTER 23, TITLE 19, DELAWARE CODE RELATING TO WORKMEN'S COMPENSATION AND CERTAIN REAL ESTATE SALESPERSONS AND BROKERS. Sponsors: Representatives Oberle, George; Senators Adams, Bair. Assigned to Labor and Industrial Relations Committee.

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

SCR 125 - COMMENDING THE MEMBERS OF THE CAESAR RODNEY HIGH SCHOOL MARCHING BAND AND BAND DIRECTOR DAVID DELONG FOR THEIR OUTSTANDING PERFORMANCE AT THE VIRGINIA BEACH DIXIE CLASSIC, VIRGINIA BEACH, VA., ON MAY 9-11. Sponsors: Senator Torbert, Representative Buckworth; Senators Cook, Minner, Vaughn, Zimmerman; Representatives B. Ennis, Clark, Quillen, Outten, Bennett, Caulk.

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

At 2:35 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 31st Legislative Day.

31ST LEGISLATIVE DAY

May 15, 1986

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

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

At the request of Senator Holloway the privilege of the floor was extended to Bertha Mae Carrow and Marie L. Virdin to speak on behalf of Child Protective Services.

Senator Zimmerman marked PRESENT.

SS 1 for SB 351 was taken up for consideration on motion of Senator Cook:

SS 1 for SB 351 - AN ACT TO AMEND CHAPTER 32, TITLE 18 OF THE DELAWARE CODE RELATING TO GROUP LIFE INSURANCE FOR STATE EMPLOYEES.

Senator Martin marked PRESENT.

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

SJR 19 was introduced and considered for adoption on motion of Senator Bair under suspension of the necessary rules:

SJR 19 - DESIGNATING MONDAY, MAY 26, 1986, AS MEMORIAL DAY AND DECLARING IT A LEGAL HOLIDAY IN THE STATE OF DELAWARE FOR THE YEAR 1986 IN LIEU OF FRIDAY, MAY 30, 1986. Sponsor: Senator Bair.

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

YES: Senators Bair, Bane, Berndt, Connor, Holloway, Knox, Marshall, Martin, McDowell, Slatcher, Torbert - 11.

NO: Senators Adams, Citro, Cook, Cordrey, McBride, Minner, Neal, Sharp, Vaughn, Zimmerman - 10.

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

At 3:00 p.m. on motion of Senator Sharp, the Senate recessed for a short period and reconvened at 3:14 p.m., Lt. Governor Woo presiding.

SB 452 was taken up for consideration on motion of Senator Cordrey:

SB 452 - AN ACT PROPOSING AN AMENDMENT TO §19, ARTICLE III, CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO THE SALARY OF THE LIEUTENANT GOVERNOR.

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

SB 448 was taken up for consideration on motion of Senator Cordrey:

SB 448 - AN ACT TO REINCORPORATE THE TOWN OF BETHANY BEACH.

The privilege of the floor was extended to Gary Dalton (Senate Attorney).
The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Zimmerman) NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 407 was taken up for consideration on motion of Senator Adams:

SB 407 - AN ACT TO AMEND CHAPTER 6, TITLE 29 OF THE DELAWARE CODE PROVIDING FOR ATTORNEYS' FEES FOR SMALL BUSINESSES IN ACTIONS INVOLVING A STATE AGENCY.

SA 1 and SA 2 to the Bill which had been placed with the Bill were laid on the table on motion of Senator Adams.

SA 3 to the Bill (sponsored by Senator Adams) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 407 w SA 3 was then taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 331 was taken up for consideration on motion of Senator Adams:

SB 331 - AN ACT TO AMEND CHAPTER 28, TITLE 24, DELAWARE CODE RELATING TO PROFESSIONAL ENGINEERS AND THE PRACTICE OF ENGINEERING.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (McDowell) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SA 1 and SA 2 to SB 407 were stricken at the request of the sponsor, Senator Adams.

HB 145 was taken up for consideration on motion of Senator McDowell:

HB 145 - AN ACT TO AMEND CHAPTER 66, TITLE 18, DELAWARE CODE RELATING TO LINE-OF-DUTY DEATH BENEFITS.

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

HJR 20 was taken up for consideration on motion of Senator Zimmerman who then yielded to Senator Cordrey to floor-manage the Resolution:

HJR 20 - DIRECTING THE DIRECTOR OF THE DIVISION OF HISTORICAL AND CULTURAL AFFAIRS AND THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO COMMEMORATE THE DELAWARE BREAKWATER QUARANTINE STATION 1884-1926 BY THE ERECTION OF A STATE HISTORICAL MARKER IN THE CAPE HENLOPEN STATE PARK ON OR NEAR OCTOBER 20, 1986, THE ONE HUNDRED AND SECOND ANNIVERSARY OF THE OPENING OF THE STATION.

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

HB 32 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 32 w HA 1 - AN ACT TO AMEND CHAPTER 42, SECTION 4209, TITLE II OF THE DELAWARE CODE, RELATING TO THE METHOD OF PUNISHMENT FOR FIRST DEGREE MURDER.

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

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

The privilege of the floor was extended to Eugene M. Hall (Department of Justice) after which the roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Bair, Bane, Berndt, Citro, Connor, Cook, Cordrey, Marshall, Martin, McBride, McDowell, Minner, Sharp, Slatcher, Torbert, Vaughn - 17.

NO: Senators Holloway, Knox, Neal - 3.

ABSENT: Senator Zimmerman - 1.

Therefore, the Amendment was declared adopted.

SA 1 to the Bill was lifted and stricken on motion of Senator Vaughn.

The roll call vote on HB 32 w HA 1, SA 2 was then taken and revealed:

YES: Senators Adams, Bair, Berndt, Citro, Connor, Cook, Marshall, Martin, McDowell, Minner, Sharp, Vaughn - 12.

NO: Senators Bane, Cordrey, Holloway, Knox, McBride, Neal, Slatcher, Torbert, Zimmerman - 9.

Therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

At 4:32 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:56 p.m., Lt. Governor Woo presiding.

The following legislation was introduced:

SB 482 - AN ACT TO AMEND CHAPTER 60 OF THE DELAWARE CODE RELATING TO AIR POLLUTION CONTROL PERMIT REQUIREMENTS TO PLAN OR CONSTRUCT ANY HIGHWAY CORRIDOR WHICH MAY CAUSE OR CONTRIBUTE TO THE DISCHARGE OF AN AIR CONTAMINANT. Sponsors: Senators Minner, Berndt, Cordrey, Knox, Martin, Zimmerman. Assigned to Natural Resources and Environmental Control Committee.

SB 483 - AN ACT TO AMEND CHAPTER 60, TITLE 7, DELAWARE CODE RELATING TO THE PLANNING AND CONSTRUCTION OF PUBLICLY OR PRIVATELY OWNED WASTEWATER TREATMENT PLANTS SERVING RESIDENCES, BUILDINGS OR COMMERCIAL ESTABLISHMENTS. Sponsors: Senators Minner, Berndt, Cordrey, Knox, Martin, Zimmerman. Assigned to Natural Resources and Environmental Control Committee.

SB 484 – AN ACT TO AMEND CHAPTER 17, TITLE 14 OF THE DELAWARE CODE TO PROVIDE THE PAYMENT OF LOCAL EMPLOYMENT COSTS. Sponsors: Senator Minner, Cook, Adams, Slatcher, Zimmerman; Representatives Bennett, Outten, Buckworth. Assigned to Finance Committee.

HCR 139 – CONGRATULATING THE TEAM FROM CLAYMONT HIGH SCHOOL AUTO MECHANIC CLASS UPON WINNING THE STATE PLYMOUTH TROUBLE SHOOTING CONTEST, AND WISHING THEM LUCK IN THE UPCOMING NATIONAL COMPETITION. Sponsors: Representatives Brady, Hebner; Senator Bair, Berndt. Laid on the table on motion of Senator Cordrey.

SR 124 was introduced and considered for adoption on motion of Senator Holloway:

SR 124 – COMMENDING THE FOUNDATION OF THE AMERICAN ACADEMY OF OPHTHALMOLOGY AND THE DELAWARE ACADEMY OF OPHTHALMOLOGY FOR THEIR SPONSORSHIP IN DELAWARE OF THE NATIONAL EYE CARE PROJECT TO PROVIDE QUALITY EYE CARE TO NEEDY OLDER DELAWAREANS. Sponsor: Senator Holloway.

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

At 5:02 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. May 20, 1986.

The Senate reconvened at 2:34 p.m. May 20, 1986, Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 526 w HA 1, 2; HS 1 for HB 116 w HA 1, 2, 3; HB 472 w HA 1; HB 525; HB 492; SB 400 w SA 3; SB 386 w SA 1; SB 240 w HA 1; and adopted SJR 12 and SJR 19.**

SCR 124 was introduced and laid on the table on motion of Senator Minner:

SCR 124 – MOURNING THE DEATH OF EDWARD MILLIS HURLEY, MILFORD HISTORIAN AND ARCHIVIST. Sponsors: Senators Minner, Martin; Representatives Caulk, Carey.

SA 3 to SB 410 (sponsor: Senator Cordrey) was introduced and placed with the Bill.

SB 240 which was returned from the House with **HA 1** was laid on the table on motion of Senator Minner.

SCR 124 was lifted from the table for consideration on motion of Senator Minner; however, before final action on the Resolution was taken it was again laid on the table on further motion of the Senator.

HS 1 for HB 116 w HA 1, 2, 3 was introduced and assigned to Judiciary Committee:

HS 1 for HB 116 w HA 1, 2, 3 – AN ACT TO AMEND TITLE II OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE; AND PROVIDING FOR A DELAWARE RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT. Sponsors: Representatives Barnes, Buckworth, Davis, Hebner, Jonkiert, Oberle, Reynolds, Spence, B. Ennis, Houghton; Senators Citro, Connor, McBride, Vaughn.

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

SCR 126 – CONGRATULATING MEMBERS OF THE DOVER HIGH SCHOOL BANDS AND CHORUS, UNDER THE DIRECTION OF RONALD SHOMO, FOR THEIR OUTSTANDING PERFORMANCE AT THE NORTH AMERICAN BAND FESTIVAL IN HERSHEY, PA., ON MAY 8-11. Sponsors: Senators Zimmerman, Cook; Representatives Outten, Bennett, Clark.

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

The privilege of the floor was extended to Alan V. Sokolow (Council of State Governments, Eastern Division) at the request of Senator Adams.

SCR 124 was lifted from the table for consideration on motion of Senator Minner and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

At 2:41 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 32nd Legislative Day.

32ND LEGISLATIVE DAY

May 20, 1986

The Senate convened at 2:41 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

LEGISLATIVE ADVISORY #35 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed the following legislation on May 19, 1986: **HB 455** (Volume 65, Chapter 266, Laws of Delaware), **HB 505 w HA 1** (Volume 65, Chapter 267, Laws of Delaware), **SJR 19**.

At the request of Senator Holloway, a letter from Estelle A. McKay concerning the Physical Therapy Department of the University of Delaware was read.

HB 145 was lifted from the table for consideration on motion of Senator McDowell.

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

HB 42 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 42 w HA 1 – AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE ELECTION, TERM, QUALIFICATIONS AND DUTIES OF THE LIEUTENANT-GOVERNOR.

At 3:07 p.m., Senator Cordrey presiding.

Senator Sharp yielded to Senator Bair to floor-manage the Bill as a co-sponsor.

The privilege of the floor was extended to Lt. Governor Woo to give his views of the Bill.

The roll call vote on **HB 42 w HA 1** was then taken; however, the roll call was laid on the table before being announced on motion of Senator Bair.

At 3:32 p.m., Lt. Governor Woo presiding.

SB 462 was taken up for consideration on motion of Senator Adams:

SB 462 – AN ACT TO AMEND SECTION 36, CHAPTER 237, VOLUME 51 AND SECTION 1, CHAPTER 212, VOLUME 56, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" RELATING TO THE EXTENSION OF WATER AND SEWER FACILITIES OUTSIDE THE LIMITS OF THE TOWN OF BRIDGEVILLE.

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

At 3:35 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:26 p.m., Lt. Governor Woo presiding.

The following legislation was introduced:

SB 485 – AN ACT TO AMEND CHAPTER 21, TITLE 19, OF THE DELAWARE CODE RELATING TO THE DUTIES OF THE OFFICE OF AUDITOR OF ACCOUNTS. Sponsors: Senators Marshall, Adams, Minner, Slatcher, Vaughn; Representatives Bennett, Brady, Buckworth, Campanelli, Davis, Jester, Sills, Soles, Steele, Wingate. Assigned to Labor and Industrial Relations Committee.

SB 486 – AN ACT TO AMEND CHAPTER 31, TITLE 19, OF THE DELAWARE CODE RELATING TO THE DUTIES OF THE OFFICE OF AUDITOR OF ACCOUNTS. Sponsors: Senators Marshall, Adams, Minner, Slatcher, Vaughn; Representatives Bennett, Brady, Buckworth, Campanelli, Davis, Jester, Sills, Soles, Steele, Wingate. Assigned to Labor and Industrial Relations Committee.

SB 487 – AN ACT TO AMEND CHAPTER 29, TITLE 7, OF THE DELAWARE CODE RELATING TO THE DUTIES OF THE OFFICE OF AUDITOR OF ACCOUNTS. Sponsors: Senators Adams, Marshall, Minner, Slatcher, Vaughn; Representatives Bennett, Brady, Buckworth, Campanelli, Davis, Jester, Sills, Soles, Steele, Wingate. Assigned to Natural Resources and Environmental Control Committee.

SB 488 – AN ACT TO AMEND CHAPTER 29, TITLE 30 OF THE DELAWARE CODE RELATING TO FEED AND GRAIN DEALER AND WHOLESALE LICENSE REQUIREMENTS. Sponsors: Senator Cordrey, Representative Barnes. Assigned to Revenue and Taxation Committee.

SA 5, SA 6, SA 7, SA 8 to **HB 447**. Sponsor: Senator Torbert. Placed with the Bill.

SA 1 to **SB 460**. Sponsor: Senator Adams. Placed with the Bill.

SA 1 to **SB 457**. Sponsor: Senator Zimmerman. Placed with the Bill.

HB 472 w HA 1 – AN ACT TO AMEND CHAPTER 7, TITLE 7, DELAWARE CODE RELATING TO PROHIBITING THE OBSTRUCTION OR IMPEDING OF LAWFUL HUNTING, FISHING OR TRAPPING ACTIVITIES. Sponsors: Representative VanSant, Senator Minner; Representatives Clark, Taylor, B. Ennis, Barnes, Anderson, Cordrey, Corrozi, Davis, Jonkiert, Sills, Spence, West; Senators Slatcher, Vaughn, Zimmerman. Assigned to Natural Resources and Environmental Control Committee.

HB 492 – AN ACT TO AMEND SECTIONS 8201 AND 8732, TITLE 9 OF THE DELAWARE CODE RELATING TO ASSESSMENTS AND REAL ESTATE TAXES IN KENT COUNTY. Sponsors: Representatives Bennett, Outten, Quillen, Barnes, Buckworth, Caulk, Clark, B. Ennis; Senators Cook, Minner, Torbert, Vaughn, Zimmerman. Assigned to Community Affairs Committee.

HB 525 – AN ACT TO AMEND CHAPTER 51, VOLUME 65 OF THE LAWS OF DELAWARE, RELATING TO THE SUPERIOR COURT. Sponsors: Representatives Spence, Outten; Senators Vaughn, Bair. Assigned to Judiciary Committee.

HB 526 w HA 1, 2 – AN ACT TO AMEND CHAPTERS 3, 7, 21, 23, 27, 31, 41, 42 AND 43, TITLE 21 OF THE DELAWARE CODE RELATING TO THE PENALTY PROVISIONS OF THE MOTOR VEHICLE CODE. Sponsors: Representatives Davis, Barnes, Reynolds, Spence, B. Ennis, Houghton, VanSant; Senator Torbert. Assigned to Public Safety Committee.

SB 378 was taken up for consideration on motion of Senator Minner:

SB 378 – AN ACT TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO PERSONAL INCOME TAXES BY ALLOWING A CREDIT FOR MEMBERS OF DELAWARE VOLUNTEER FIRE COMPANY AUXILIARIES.

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

SB 460 was taken up for consideration on motion of Senator Adams:

SB 460 – AN ACT TO AMEND CHAPTER 83, TITLE 29, DELAWARE CODE, RELATING TO MEETING FEES AND INDEMNIFICATION OF MEMBERS OF THE BOARD OF PENSION TRUSTEES.

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

The roll call vote on **SB 460 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.

SCR 127 was introduced and immediately stricken at the request of the sponsor, Senator Marshall:
SCR 127 - CONGRATULATING THE COUNCIL OF POLISH SOCIETIES AND THE DELAWARE DIVISION OF THE POLISH AMERICAN CONGRESS FOR COMMEMORATING THE 195TH ANNIVERSARY OF THE ADOPTION OF THE MAY 3, 1791 CONSTITUTION. Sponsors: Senator Marshall, Representative Jonkiert.

SCR 129 was introduced and considered for adoption on motion of Senator Marshall:
SCR 129 - CONGRATULATING THE COUNCIL OF POLISH SOCIETIES AND THE DELAWARE DIVISION OF THE POLISH AMERICAN CONGRESS FOR COMMEMORATING THE 195TH ANNIVERSARY OF THE ADOPTION OF THE MAY 3, 1791 CONSTITUTION. Sponsors: Senator Marshall, Representative Jonkiert.

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

SCR 128 was introduced and considered for adoption on motion of Senator Bair:
SCR 128 - CONGRATULATING REPRESENTATIVE GWYNNE SMITH FOR BEING NAMED RECIPIENT OF THE CONSERVATION ACHIEVEMENT AWARD PRESENTED BY THE DELAWARE AUDUBON SOCIETY. Sponsors: Senators Bair, Berndt, Knox; Representatives Hebner, D. Ennis, Boykin, Maroney.

The roll call vote on the Resolution was taken and 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.

SB 431 was stricken at the request of the sponsor, Senator Cordrey.
At 4:53 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 21, 1986.
The Senate reconvened at 2:47 p.m., May 21, 1986, Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 516 w HA 1; HB 533; HS 1 for HB 326 w HA 1, 2; HB 491 w HA 1; HB 513.

The following legislation was introduced:
SB 489 - AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE, RELATING TO THE POWERS AND DUTIES OF THE CHIEF JUDGE OF FAMILY COURT. Sponsor: Senator Torbert. Assigned to Judiciary Committee.

SB 490 - AN ACT TO AMEND CHAPTER 15, TITLE 25 OF THE DELAWARE CODE RELATING TO CIVIL LIABILITY FOR NEGLIGENCE RESULTING IN INJURY TO GUESTS ON THE PREMISES OWNED OR OCCUPIED BY ANOTHER PERSON. Sponsors: Senators Sharp, Berndt, Connor, Holloway, McBride, Minner, Sharp, Torbert, Vaughn, Zimmerman; Representatives Bennett, Campanelli, B. Ennis, Fallon, Gilligan, Roy, Taylor. Assigned to Judiciary Committee.

SA 1 to SB 401. Sponsor: Senator Holloway. Placed with the Bill.
SA 2 to SB 421. Sponsor: Senator Holloway. Placed with the Bill.
SA 1 to SB 424. Sponsor: Senator Holloway. Placed with the Bill.

HS 1 for HB 326 w HA 1, 2 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN SEXUAL OFFENSES. Sponsors: Representative Maroney, Senator Connor; Representatives Barnes, Steele; Senator Torbert. Assigned to Judiciary Committee.

HB 491 w HA 1 - AN ACT TO AMEND TITLE 9, CHAPTERS 44 AND 49 OF THE DELAWARE CODE RELATING TO CONSTRUCTION CODE AND ZONING CODE ENFORCEMENT BY KENT COUNTY. Sponsors: Representatives Bennett, Clark, Outten, Barnes, Buckworth, Caulk, B. Ennis, Quillen; Senators Cook, Minner, Torbert, Vaughn, Zimmerman. Assigned to Community Affairs Committee.

HB 513 - AN ACT TO AMEND CHAPTER 52, TITLE 30 OF THE DELAWARE CODE RELATING TO ANNUAL MOTOR CARRIER FUEL USE TAX REPORTING. Sponsors: Representative Davis, Senator Torbert; Representatives Spence, Plant; Senators Neal, Citro. Assigned to Revenue and Taxation Committee.

HB 516 w HA 1 - AN ACT TO AMEND CHAPTER 5, TITLE 1 OF THE DELAWARE CODE AND TO ADD A NEW CHAPTER TO TITLE 5 OF THE DELAWARE CODE RELATING TO THE ABILITY OF BANKING ORGANIZATIONS TO CLOSE ON HOLIDAYS AND DURING EMERGENCIES. Sponsors: Representatives Buckworth, Petrilli, D. Ennis; Senator Cordrey. Assigned to Banking Committee.

HB 533 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO THE ISSUANCE OF DRIVER'S LICENSES. Sponsors: Representative Davis, Senator Torbert; Representatives Carey, Corrozi, Quillen, Reynolds, Smith, Spence, Bennett, Houghton, Plant; Senators Berndt, Slatcher. Assigned to Public Safety Committee.

At 2:56 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 33rd Legislative Day.

33RD LEGISLATIVE DAY May 21, 1986

The Senate convened at 2:56 p.m., Lt. Governor Woo presiding.
A Prayer was offered by Senator Slatcher.
Pledge of Allegiance to the Flag.
Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read on motion of Senator Sharp.
SB 410 was taken up for consideration on motion of Senator Cordrey:

SB 410 - AN ACT INSERTING A NEW CHAPTER 18 OF TITLE 6 OF THE DELAWARE CODE BY ENACTING A LAW RELATING TO THE TREATMENT OF DELAWARE BUSINESS TRUSTS.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Joseph Moran representing Delaware Bankers Association.

Senator Knox marked PRESENT.

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

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

SA 3 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cordrey. The Amendment was then laid on the table on further motion of the Senator.

At 3:24 p.m., Senator Sharp presiding.

At 3:31 p.m., Lt. Governor Woo presiding.

SA 3 to the Bill was then lifted from the table for consideration on motion of Senator Cordrey and the roll call vote taken which revealed 19 Senators voting YES, 1 (McDowell) voting NO, and 1 (Sharp) NOT VOTING; therefore, the Amendment was declared adopted.

The roll call vote on **SB 410 w SA 1, 2, 3** was then taken and revealed 19 Senators voting YES and 2 (McDowell and Sharp) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 463 was taken up for consideration on motion of Senator Holloway:

SB 463 - AN ACT TO AMEND CHAPTER 11, TITLE 16, OF THE DELAWARE CODE RELATING TO THE TREATMENT AND CARE OF PATIENTS AND RESIDENTS IN MEDICAL OR LONG TERM CARE FACILITIES.

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

SB 424 was taken up for consideration on motion of Senator Holloway:

SB 424 - AN ACT TO AMEND CHAPTER 7, TITLE 19, DELAWARE CODE, RELATING TO UNLAWFUL EMPLOYMENT PRACTICES.

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

The roll call vote on **SB 424 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.

SR 125 was introduced, read in its entirety and considered for adoption on motion of Senator Martin: **SR 125** - CONGRATULATING W. SCOTT TINNEY IV OF NEWARK FOR BEING SELECTED TEENAGER OF THE YEAR BY THE NEWARK LIONS CLUB. Sponsor: Senator Martin.

Senator Martin introduced W. Scott Tinney, IV, and his parents to the Senate after which the roll call vote on the Resolution was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted.

SB 421 was taken up for consideration on motion of Senator Holloway:

SB 421 - AN ACT TO AMEND CHAPTER 17, TITLE 24 OF THE DELAWARE CODE TO EMPOWER THE BOARD OF MEDICAL PRACTICE TO REGULATE ACUPUNCTURISTS AND THE PRACTICE OF ACUPUNCTURE IN THE STATE OF DELAWARE.

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Holloway and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

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

The roll call vote on **SB 421 w SA 1, 2** was then taken and revealed 18 Senators voting YES and 3 (Marshall, McDowell, Sharp) voting NO; 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 until 2:00 p.m., May 22, 1986.

The Senate reconvened at 2:06 p.m., May 22, 1986, Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted **SCR 124, SCR 125, SCR 126, SCR 128, SCR 129.**

The following legislation was introduced:

SS 1 for SB 479 - AN ACT TO AMEND CHAPTERS 60 AND 64, TITLE 7 OF THE DELAWARE CODE RELATING TO THE STORAGE, PROCESSING OR DISPOSITION OF SOLID WASTE. Sponsors: Senator Sharp, Representatives Oberle, Mack, VanSant; Senator Neal. Placed with the Bill and assigned to Natural Resources and Environmental Control Committee.

SB 491 - AN ACT TO AMEND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE RELATING TO PROFESSIONAL SERVICE CONTRACTS. Sponsors: Senators Minner and Neal. Assigned to Executive Committee.

SB 492 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, §2, OF THE CONSTITUTION OF THE STATE OF DELAWARE PROVIDING FOR THE RESIDENCE OF THE JUSTICES OF THE SUPREME COURT, VICE CHANCELLORS AND ASSOCIATE JUDGES OF SUPERIOR COURT. Sponsors: Senators Adams, Cordrey, Cook, Slatcher; Representative Barnes. Assigned to Judiciary Committee.

SB 493 - AN ACT TO AMEND CHAPTER 9, TITLE 7, DELAWARE CODE RELATING TO UNDERSIZED FINFISH AND DISMEMBERMENT OF FINFISHES. Sponsors: Senators Berndt, Knox; Representative Carey. Assigned to Natural Resources and Environmental Control Committee.

SB 494 - AN ACT TO AMEND CHAPTER 9, TITLE 7, DELAWARE CODE RELATING TO OUT-OF-STATE FINFISH AND THE AUTHORITY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO ISSUE AQUACULTURE PERMITS FOR FINFISH. Sponsors: Senators Knox, Berndt; Representative Carey. Assigned to Natural Resources and Environmental Control Committee.

SB 495 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE BY PROVIDING FOR RULES FOR THE CONDUCT OF BUSINESS BY, AND TAXATION OF, FOREIGN BANKS IN DELAWARE. Sponsors: Senators Cordrey, Knox, Marshall, Connor; Representative Hebner, George. Assigned to Banking Committee.

SB 496 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE, RELATING TO THE LICENSE QUALIFICATIONS FOR DRIVERS' LICENSES IN THE STATE OF DELAWARE. Sponsors: Senator Slatcher, Representative Barnes; Senators Adams, Cordrey, Minner; Representatives Carey, Cordrey, Fallon, Steele, West, Wingate. Assigned to Public Safety Committee.

SB 497 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LINE-OF-DUTY DEATH BENEFITS. Sponsors: Senators Holloway, Marshall, Berndt; Representatives Maroney, Sills, West, VanSant, Plant, Davis. Assigned to Insurance and Elections Committee.

SB 498 - AN ACT TO AMEND TITLE 18, DELAWARE CODE, CHAPTER 5, TO REQUIRE INSURERS TO BEAR THE COSTS OF MAINTAINING SECURITIES ON DEPOSIT. Sponsor: Senator Sharp. Assigned to Insurance and Elections Committee.

SB 499 - AN ACT TO AMEND TITLE 18, DELAWARE CODE, CHAPTER 5, SECTION 513 TO PROVIDE THAT THE STATUTORY DEPOSIT OF INSURERS FOR WORKERS' COMPENSATION INSURANCE MAY BE USED TO PAY WORKERS' COMPENSATION CLAIMS IMMEDIATELY IF THE INSURER BECOMES FINANCIALLY IMPAIRED OR INSOLVENT. Sponsor: Senator Sharp. Assigned to Insurance and Elections Committee.

SB 500 - AN ACT TO AMEND TITLE 16, CHAPTER 91, DELAWARE CODE, SECTION 9104 BY REQUIRING THE INSURANCE DEPARTMENT TO PROVIDE SOLVENCY OVERVIEW OF HMO'S. Sponsor: Senator Sharp. Assigned to Health-Social Services/Aging Committee.

SB 501 - AN ACT TO AMEND TITLE 18, DELAWARE CODE, CHAPTER 44, TO EXCLUDE NON-RESIDENTS OF DELAWARE FROM DELAWARE LIFE AND HEALTH GUARANTY FUND PROTECTION. Sponsor: Senator Sharp. Assigned to Insurance and Elections Committee.

SB 502 - AN ACT TO AMEND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC WORKS CONTRACTS. Sponsors: Senators Minner, Neal. Assigned to Executive Committee.

SA 1 to SB 327. Sponsor: Senator Holloway. Placed with the Bill.

At 2:17 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 34th Legislative Day.

34TH LEGISLATIVE DAY May 22, 1986

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

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

LEGISLATIVE ADVISORY #36 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed the following legislation on May 21, 1986: SB 354 w SA 2 (Volume 65, Chapter 268, Laws of Delaware); SJR 12; HJR 20.

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SB 394 was taken up for consideration on motion of Senator Torbert:

SB 394 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE RULES OF THE ROAD.

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

SB 395 was taken up for consideration on motion of Senator Torbert:

SB 395 - AN ACT TO AMEND CHAPTER 51, TITLE 30, DELAWARE CODE, RELATING TO THE BONDING REQUIREMENTS FOR THE PAYMENT OF MOTOR FUEL TAXES.

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

SB 396 was taken up for consideration on motion of Senator Torbert:

SB 396 – AN ACT TO AMEND CHAPTER 1, TITLE 21, OF THE DELAWARE CODE RELATING TO THE DEFINITION OF MOTORIZED WHEELCHAIR.

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

The roll call vote on the Bill was taken and revealed 18 Senators voting YES, 2 (Berndt and Zimmerman) NOT VOTING, and 1 (Martin) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At the request of Senator Neal, the privilege of the floor was extended to Robert Voshell (Commissioner of Motor Vehicles).

HB 369 w HA 1 was taken up for consideration on motion of Senator Torbert:

HB 369 w HA 1 – AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO THE OPERATION OF MOTORCYCLES BY MINORS.

At 2:47 p.m. Lt. Governor Woo called a two minute recess for purpose of changing the tape.

The privilege of the floor was extended to Robert Voshell (Commissioner of Motor Vehicles) after which the Bill was laid on the table on motion of Senator Torbert.

At the request of Senator Berndt, the privilege of the floor was extended to the following members of the Blue/Gold All-Star Football Association: Ann Grunert, Dawn Lazarczyk (Blue All-Star Child), Kathy Lazarczyk (Dawn's mother), George Harris (Gold All-Star Child), Laverne Harris (George's mother).

At 3:12 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:03 p.m., Senator Sharp presiding.

The following legislation was introduced:

SB 503 – AN ACT TO AMEND CHAPTER 17, TITLE 24 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF PHYSICIAN'S ASSISTANTS. Sponsors: Senators Holloway, Marshall; Representatives Maroney, Sills, West, VanSant, Davis, Plant. Assigned to Health-Social Services/Aging Committee.

SA 1 to SB 394. Sponsor: Senator Torbert. Placed with the Bill.

SB 463 was lifted from the table for consideration on motion of Senator Holloway.

At 4:16 p.m., Lt. Governor Woo presiding.

The privilege of the floor was extended to Francis E. Mieczkowski, Jr. (Department of Justice) and Muriel Rusten (Department of Health and Social Services).

Senator Martin marked PRESENT.

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

SJR 20 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Cordrey:

SJR 20 – IN REFERENCE TO ELECTION OF OFFICERS. Sponsors: Senators Cordrey and Sharp.

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

At 5:05 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 27, 1986.

The Senate reconvened at 2:34 p.m., May 27, 1986, Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Health-Social Services/Aging Committee: **SB 500** – 5 Merits.

From the Administrative Services/Energy Committee: **HB 498** – 6 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 535; HB 471 w HA 2; HB 433 w HA 1; SB 251 w HA 1; HB 554; SB 193 w HA 1.**

The following legislation was introduced:

SB 504 – AN ACT PROPOSING AN AMENDMENT TO ARTICLE VIII, SECTION 6, OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE BUDGET RESERVE ACCOUNT. Sponsors: Senator Cordrey, Representative West. Assigned to Executive Committee.

SB 505 – AN ACT AWARDED SPECIAL PENSION BENEFITS TO LORETTA LECATES, APROPRIATING MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE; AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE MADE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE. Sponsors: Senators Slatcher, Adams; Representative Fallon. Assigned to Health-Social Services/Aging Committee.

SB 506 – AN ACT TO AMEND TITLE 31, OF THE DELAWARE CODE RELATING TO PUBLIC ASSISTANCE BENEFITS. Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

SA 1 to SJR 18. Sponsor: Senator Cordrey. Placed with the Bill.

SA 1 to HB 314. Sponsor: Senator Torbert. Placed with the Bill.

SA 1 to HB 430. Sponsor: Senator McDowell. Placed with the Bill.

SA 1 to SA 1 to HB 312 w HA 1, 2. Sponsor: Senator Torbert. Placed with the Bill.

SB 193 w HA 1 was laid on the table on motion of Senator Cordrey.

SB 251 w HA 1 was laid on the table on motion of Senator Marshall.

HB 433 w HA 1 – AN ACT TO AMEND SECTION 2118, CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REQUIREMENT OF INSURANCE FOR MOTOR VEHICLES REQUIRED TO BE REGISTERED IN THIS STATE. Sponsors: Representatives Clark, Buckworth, Carey, Caulk, Cordrey, B. Ennis, Houghton, Jester, Mack, Outten, Plant, Reynolds, Sills, Steele, VanSant, West, Wingate; Senators Adams, Berndt, Slatcher, Torbert, Vaughn, Zimmerman. Assigned to Public Safety Committee.

HB 471 w HA 2 - AN ACT TO AMEND CHAPTER 15, TITLE 28, DELAWARE CODE, RELATING TO THE COMPOSITION OF THE DELAWARE GAMING CONTROL BOARD. Sponsors: Representatives Oberle, B. Ennis, Anderson, Cordrey, Gilligan, Quillen, Jonkiert, Mack, Houghton, Barnes, Caulk, Fallon, VanSant, Jester, Carey, West, Campanelli, Plant, Spence, Steele, Clark; Senators Vaughn, Martin, Zimmerman, Connor, Holloway, Torbert, Citro, Minner, Berndt. Assigned to Community Affairs Committee.

HB 535 - AN ACT TO AMEND TITLE 24, SECTION 2827 OF THE DELAWARE CODE RELATING TO THE FILING OF AN ANNUAL REPORT BY THE DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS. Sponsors: Representatives Barnes, Wingate; Senators McBride, Neal. Assigned to Administrative Services/Energy Committee.

HB 554 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE 1 OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE RIGHT TO KEEP AND BEAR ARMS FOR THE DEFENSE OF SELF, FAMILY HOME AND STATE, AND FOR HUNTING AND RECREATIONAL USE. Sponsors: Representatives VanSant, Davis, Anderson, Barnes, Bennett, Boykin, Brady, Buckworth, Carey, Caulk, Clark, Cordrey, Corrozi, B. Ennis, D. Ennis, Fallon, Gilligan, Hebner, Houghton, Jester, Jonkiert, Mack, Oberle, Outten, Petrilli, Plant, Reynolds, Roy, Spence, Steele, Taylor, West, Wingate; Senators Adams, Citro, Marshall, McBride, Minner, Sharp, Slatcher, Torbert, Vaughn. Assigned to Executive Committee.

At 2:45 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 35th Legislative Day.

35TH LEGISLATIVE DAY
May 27, 1986

The Senate convened at 2:45 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

LEGISLATIVE ADVISORY #37 received from the Office of Counsel to the Governor was read which informed the Senate that on May 22, 1986, the Governor signed SB 423 w SA 1 (Volume 65, Chapter 269, Laws of Delaware) and on May 23, the Governor signed HB 470 w HA 1, 2, 3 (Volume 65, Chapter 270, Laws of Delaware).

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HB 428 w HA 1 was taken up for consideration on motion of Senator Torbert:

HB 428 w HA 1 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES FOR VETERANS FORMERLY MISSING-IN-ACTION.

Senator Torbert yielded to Senator Vaughn to floor-manage the Bill as a co-sponsor.

Senator Martin marked PRESENT.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Berndt) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House.

Senator Minner introduced two members of the Lake Forest School Board, David Welch and Earl Roberts.

SB 401 was taken up for consideration on motion of Senator Holloway:

SB 401 - AN ACT TO AMEND CHAPTER 5, TITLE 4, DELAWARE CODE, RELATING TO SALE OF ALCOHOLIC BEVERAGES TO MEMBERS OF CLUB AND MULTIPLE ACTIVITY CLUB.

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

The roll call vote on SB 401 w SA 1 was then taken and revealed:

YES: Senators Adams, Bair, Bane, Berndt, Citro, Connor, Cook, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Slatcher - 15.

NO: Senators Cordrey, Minner, Sharp, Torbert - 4.

NOT VOTING: Senators Vaughn and Zimmerman - 2.

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

SB 327 was taken up for consideration on motion of Senator Holloway:

SB 327 - AN ACT TO AMEND CHAPTER 23, TITLE 19, DELAWARE CODE, TO LIMIT POSTPONEMENTS IN WORKMEN'S COMPENSATION CASES BEFORE 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 Holloway; however, before action was taken, the Bill and the Amendment were laid on the table on further motion of the Senator.

SB 403 was stricken at the request of the sponsor, Senator Holloway.

At 3:20 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:33 p.m., Lt. Governor Woo presiding.

SB 495 was reported out of the Banking Committee: 1 Favorable, 4 Merits.

HB 430 was lifted from the table for consideration on motion of Senator Sharp.

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

YES: Senators Bair, Bane, Berndt, Connor, Holloway, Marshall, McDowell, Neal - 8.

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

ABSENT: Senators Citro, Knox - 2.

Therefore, the Amendment was declared defeated.

The roll call vote on HB 430 was then taken and revealed:

YES: Senators Adams, Bane, Citro, Cook, Cordrey, Marshall, Martin, McBride, Minner, Neal, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 15.

NO: Senators Bair, Berndt, Connor, Holloway, McDowell - 5.

ABSENT: Senator Knox - 1.

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

SB 193 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 1 on motion of Senator Cordrey under suspension of the necessary rules.

The roll call vote on SB 193 w HA 1 was then taken and revealed 20 Senators voting YES and 1 (Knox) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SB 240 which had previously passed the Senate was lifted from the table for reconsideration as now further amended by HA 1 on motion of Senator Minner.

The roll call vote on SB 240 w HA 1 was then taken and revealed 20 Senators voting YES and 1 (Knox) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SCR 130 was introduced and considered for adoption on motion of Senator Bair:

SCR 130 - CONGRATULATING EVELYN SWENSSON, THE ALDERSGATE CHANCEL CHOIR, THE PERFORMING ARTS SOCIETY CHORUS, AND OPERA DELAWARE CHILDREN'S CHORUS ON THE OCCASION OF THE 35TH ANNIVERSARY CONCERT. Sponsors: Senators Bair, Knox; Representatives Maroney, Boykin.

Senator Slatcher was added as co-sponsor of the Resolution at his request after which the roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Knox, Marshall) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

At 5:15 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 28, 1986.

The Senate reconvened at 2:20 p.m. May 28, 1986, Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 557 w HA 1; HS 1 for HB 389; HS 1 for HB 414; HB 534; SB 427.

The following legislation was introduced:

SB 507 - AN ACT TO AMEND CHAPTER 28, TITLE 10, OF THE DELAWARE CODE REGARDING JUSTICE OF THE PEACE CONSTABLES. Sponsor: Senator Torbert. Assigned to Judiciary Committee.

SB 508 - AN ACT AUTHORIZING THE TRANSFER OF GENERAL FUND POSITIONS FROM JUDICIAL AND EXECUTIVE BRANCH AGENCIES TO THE STATE PERSONNEL OFFICE FOR PURPOSES OF PROVIDING EMPLOYMENT FOR QUALIFIED MENTALLY HANDICAPPED CITIZENS. Sponsors: Senators Berndt, Holloway, McDowell; Representatives Maroney, VanSant, Sills. Assigned to Health-Social Services/Aging Committee.

SB 509 - AN ACT TO AMEND SUBCHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO EXCLUSION OF UNEARNED AND PENSION INCOME FROM DELAWARE PERSONAL INCOME TAX. Sponsors: Senators Zimmerman, Adams, McDowell, Minner, Torbert, Vaughn, Martin, Holloway, Sharp, Marshall, Berndt, Citro; Representatives Gilligan, Anderson, Wingate, Outten, West, Brady, VanSant, C. Cordrey, Jester, Clark, Soles, Jonkiert, Houghton, Plant, Bennett, Sills, Campanelli, Caulk, Carey. Assigned to Revenue and Taxation Committee.

SB 510 - AN ACT TO AMEND CHAPTER 74, TITLE 29 OF THE DELAWARE CODE RELATING TO THE AUTHORITY OF THE ISSUING OFFICERS TO ISSUE REFUNDING BONDS TO REFUND OUTSTANDING GENERAL OBLIGATION BONDS OF THE STATE OF DELAWARE. Sponsors: Senator Cordrey, Representative Oberle; Senators Sharp, McDowell, Cook, Bair, Connor; Representatives Hebner, Barnes, Corrozi, George, Gilligan. Laid on the table on motion of Senator Cordrey.

SS 1 for SB 484 - AN ACT TO AMEND CHAPTER 17, TITLE 14 OF THE DELAWARE CODE TO REGULATE THE PAYMENT OF LOCAL EMPLOYMENT COSTS. Sponsors: Senators Minner, Cook, Adams, Slatcher, Zimmerman; Representatives Bennett, Outten, Buckworth. Adopted in lieu of the Original by order of the Chair.

SA 1 to HB 249. Sponsor: Senator Torbert. Placed with the Bill.

HS 1 for HB 389 w HA 2 - AN ACT TO AMEND TITLE 28 AND TITLE 30 OF THE DELAWARE CODE, REGULATING THE SALE AND RESALE FOR PROFIT OF TICKETS OR OTHER DEVICES FOR ADMISSION TO PLACES OF AMUSEMENT. Sponsors: Representatives Campanelli, Mack; Senator Connor; Representatives Anderson, Brady, Buckworth, Corrozi, Davis, B. Ennis, Free, Houghton, Jonkiert, Oberle, Petrilli, Reynolds, Roy, Spence, Steele, Taylor, VanSant, West; Senator Citro. Assigned to Community Affairs Committee.

HS 1 for HB 414 – AN ACT TO AMEND PART II, TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY; AND PROVIDING FOR THE USE OF PUBLIC PLACES BY SMOKERS AND NON-SMOKERS. Sponsors: Representatives Free, Gilligan, Smith, Roy, Anderson, Soles; Senator Bair. Assigned to Health-Social Services/Aging Committee.

HB 534 – AN ACT TO AMEND CHAPTER 21, TITLE 21, OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF NEW VEHICLES. Sponsors: Representative Davis, Senator Torbert; Representatives Carey, Corrozi, Quillen, Reynolds, Smith, Spence, Bennett, Houghton, Plant, Soles; Senators Berndt, Slatcher. Assigned to Public Safety Committee.

HB 557 w HA 1 – AN ACT TO AMEND §203, CHAPTER 2, TITLE 29 OF THE DELAWARE CODE RELATING TO THE PENALTIES IMPOSED AGAINST DESTRUCTION, MOVING, REMOVING, DAMAGING OR OTHERWISE INJURING STATE BOUNDARY MARKERS AND THE PENALTY FOR FAILING TO SURRENDER AND DELIVER A STATE BOUNDARY MARKER. Sponsors: Representative Smith, Senator Berndt. Assigned to Judiciary Committee.

At 2:30 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 36th Legislative Day.

36TH LEGISLATIVE DAY

May 28, 1986

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

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

SB 364 was taken up for consideration on motion of Senator Cordrey:

SB 364 – AN ACT TO AMEND CHAPTER 81, TITLE 10 OF THE DELAWARE CODE RELATING TO COMPARATIVE NEGLIGENCE AND THE RECOVERY TO BE ALLOWED AGAINST EACH DEFENDANT IN A NEGLIGENCE ACTION.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to David S. Swayze (Chessie Systems Railroad), Robert R. Thompson (Department of Natural Resources and Environmental Control), James A. Erisman (Delaware Trial Lawyers Association) and Gary Dalton (Senate Attorney).

Senators Martin and Citro marked PRESENT.

SA 1 to the Bill (sponsor: Senator Sharp) was introduced and considered for adoption on motion of Senator Sharp.

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

YES: Senators Citro, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman – 10.

NO: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Knox, Neal, Slatcher – 10.

NOT VOTING: Senator Minner – 1.

Lt. Governor Woo voted NO since there was a tie; the Amendment was therefore, declared defeated.

SA 2 to the Bill (sponsor: Senator Zimmerman) was introduced and considered for adoption on motion of Senator Zimmerman.

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

SA 3 to the Bill (sponsor: Senator McDowell) was introduced and considered for adoption on motion of Senator McDowell.

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

YES: Senators Citro, Cook, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman – 12.

NO: Senators Adams, Bane, Cordrey, Knox, Neal, Slatcher – 6.

NOT VOTING: Senators Bair, Berndt, Connor – 3.

Therefore, the Amendment was declared adopted.

SA 4 to the Bill (sponsor: Senator McDowell) was introduced and laid on the table on motion of the sponsor.

SA 5 to the Bill (sponsor: Senator McDowell) was introduced and laid on the table on motion of the sponsor.

SA 6 to the Bill (sponsor: Senator McDowell) was introduced and considered for adoption on motion of Senator McDowell.

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

YES: Senators Connor, Cook, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman – 11.

NO: Senators Adams, Citro, Cordrey, Knox, Minner, Neal, Slatcher – 7.

NOT VOTING: Senators Bair, Bane, Berndt – 3.

Therefore, the Amendment was declared adopted.

SA 7 to the Bill (sponsor: Senator McDowell) was introduced and laid on the table on motion of the sponsor.

SA 8 to the Bill (sponsor: Senator Bair) was introduced. It was pointed out that the page on which the Amendment was printed had no reference marks in the left hand corner as is customary; therefore, Senator Bair moved that the Amendment be considered for adoption under suspension of the necessary rules.

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

YES: Senators Bair, Bane, Berndt, Citro, Connor, Cordrey, Knox, Minner, Neal, Slatcher – 10.

NO: Senators Adams, Cook, Holloway, Marshall, Martin, McDowell, Sharp, Torbert, Vaughn, Zimmerman – 10.

NOT VOTING: Senator McBride – 1.

Lt. Governor Woo voted YES since there was a tie.

Therefore, the motion was declared adopted.

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

YES: Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Knox, Minner, Neal, Slatcher – 11.

NO: Senators Holloway, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman – 9.

ABSENT: Senator Citro – 1.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 364 w SA 2, 3, 6, 8 was then taken; however, the roll call was laid on the table before being announced on motion of Senator Cordrey.

SJR 18 was taken up for consideration on motion of Senator Cordrey:

SJR 18 – ESTABLISHING A BLUE RIBBON COMMITTEE TO STUDY THE LIABILITY INSURANCE CRISIS IN DELAWARE.

SA 1 to the Resolution which had been placed with the Resolution was laid on the table on motion of Senator Cordrey.

SA 2 to the Resolution (sponsor: Senator Cordrey) was introduced and considered for adoption on motion of Senator Cordrey:

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

YES: Senators Adams, Bair, Bane, Berndt, Cook, Cordrey, Knox, Minner, Neal, Slatcher – 10.

NO: Senators Citro, Connor, Marshall, McBride, McDowell, Sharp, Torbert, Vaughn – 8.

NOT VOTING: Senator Martin – 1.

ABSENT: Senators Holloway and Zimmerman – 2.

Therefore, the Amendment was declared defeated.

At 5:24 p.m. on motion of Senator Sharp, the Senate recessed for a short period and reconvened at 5:32 p.m., Senator Citro presiding.

At 5:33 p.m. Lt. Governor Woo presiding.

The roll call vote on SJR 18 was taken and revealed:

YES: Senators Citro, Connor, Cook, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman – 12.

NO: Senators Adams, Bane, Berndt, Cordrey, Knox, Minner, Neal, Slatcher – 8.

ABSENT: Senator Bair – 1.

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

SB 510 was lifted from the table for consideration on motion of Senator Cordrey under suspension of the necessary rules:

SB 510 – AN ACT TO AMEND CHAPTER 74, TITLE 29 OF THE DELAWARE CODE RELATING TO THE AUTHORITY OF THE ISSUING OFFICERS TO ISSUE REFUNDING BONDS TO REFUND OUTSTANDING GENERAL OBLIGATION BONDS OF THE STATE OF DELAWARE.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Zimmerman) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 5:39 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 29, 1986.

The Senate reconvened at 2:35 p.m., May 29, 1986, Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Revenue and Taxation Committee: SB 488 – 1 Favorable, 6 Merits.

From the Banking Committee: HB 516 w HA 1 – 5 Merits.

From the Executive Committee: SB 361 – 6 Merits; SB 481 – 6 Merits; SB 491 – 6 Merits; SB 502 – 6 Merits; SB 504 – 1 Favorable, 5 Merits.

The following legislation was introduced:

SB 511 – AN ACT TO AMEND CHAPTER II, TITLE 3 OF THE DELAWARE CODE RELATING TO PLANT DISEASES AND INSECT PESTS. Sponsors: Senator Adams, Representatives Caulk, Carey, Mack, Clark, Cordrey; Senators Cook, Cordrey, Vaughn, Connor, Slatcher. Assigned to Agriculture Committee.

SB 512 - AN ACT TO AMEND CHAPTERS 9 AND 11, TITLE 13 OF THE DELAWARE CODE RELATING TO ADOPTION AND TERMINATION OF PARENTAL RIGHTS. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SB 513 - AN ACT TO AMEND CHAPTER 13, TITLE 3 OF THE DELAWARE CODE RELATING TO NURSERIES AND NURSERY STOCK. Sponsors: Senator Adams, Representative Caulk; Senators Cook, R. Cordrey, Vaughn, Connor, Slatcher; Representatives Carey, Mack, Clark, C. Cordrey. Assigned to Agriculture Committee.

SB 514 - AN ACT TO AMEND CHAPTER 55, TITLE 29 OF THE DELAWARE CODE RELATING TO UNIVERSITY OF DELAWARE EMPLOYEES AND THE STATE EMPLOYEES PENSION FUND. Sponsors: Senators Adams, Berndt, Cook; Representatives Bennett, Petrilli, Roy. Assigned to Executive Committee.

SB 515 - AN ACT TO AMEND CHAPTER 31, PART I, TITLE 18 OF THE DELAWARE CODE RELATING TO GROUP LIFE INSURANCE; AND PERMITTING AN INSURER TO ISSUE POLICIES TO CERTAIN GROUPS. Sponsor: Senator Cordrey. Assigned to Insurance and Elections Committee.

SB 516 - AN ACT TO AMEND CHAPTERS 19 AND 55, TITLE 15, DELAWARE CODE, RELATIVE TO ABSENTEE BALLOTS. Sponsor: Senator McDowell. Assigned to Elections Committee.

SA 3 to SB 361. Sponsor: Senator Torbert. Placed with the Bill.

SA 2 to HB 249. Sponsor: Senator Torbert. Placed with the Bill.

SA 1 to HB 400. Sponsor: Senator Sharp. Placed with the Bill.

At 2:40 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 37th Legislative Day.

37TH LEGISLATIVE DAY
May 29, 1986

The Senate convened at 2:40 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

At 2:45 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:20 p.m., Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Judiciary Committee: SB 242 - 4 Merits; SB 381 - 4 Merits; SB 444 - 5 Merits; SB 450 - 4 Merits; SB 454 - 5 Merits; SB 455 - 1 Favorable, 3 Merits; SB 461 - 4 Merits; SB 490 - 4 Merits; SB 492 - 4 Merits; HS 1 for HB 116 w HA 1, 2, 3 - 4 Merits; HB 122 - 4 Merits; HB 152 - 4 Merits; HB 249 - 4 Merits; HB 261 - 4 Merits; HB 295 - 4 Merits; HB 317 - 4 Merits; HS 1 for HB 326 w HA 1, 2 - 4 Merits; HB 382 w HA 1, 2 - 4 Merits; HB 400 w HA 1, 2 - 4 Merits; HB 452 w HA 1 - 4 Merits; HB 464 - 4 Merits; HB 523 - 4 Merits; HB 525 - 4 Merits.

LEGISLATIVE ADVISORY #38 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed the following legislation on May 28, 1986: SB 386 w SA 1 (Volume 65, Chapter 271, Laws of Delaware), SB 400 w SA 3 (Volume 65, Chapter 272, Laws of Delaware), SJR 20; HB 145 (Volume 65, Chapter 273, Laws of Delaware).

Senators Citro, Connor, Torbert, Martin, Marshall marked PRESENT.

HB 312 w HA 1, 2 was taken up for consideration on motion of Senator Marshall:

HB 312 w HA 1, 2 - AN ACT TO AMEND CHAPTER 51, TITLE 30 OF THE DELAWARE CODE RELATING TO THE ASSESSMENT AND COLLECTION OF MOTOR FUEL TAXES.

During discussion of the Bill and the Senate Amendment offered to it, the privilege of the floor was extended to Dale A. Shurman (Division of Motor Fuel Tax).

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

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

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

The roll call vote on HB 312 w HA 1, 2, SA 1 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 of the Senate Amendment.

HB 314 was taken up for consideration on motion of Senator Marshall:

HB 314 – AN ACT TO AMEND CHAPTER 52, TITLE 30, OF THE DELAWARE CODE RELATING TO THE MOTOR CARRIER FUEL PURCHASE LAW.

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

Senator McBride marked PRESENT.

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

The roll call vote on **HB 314 w SA 1** was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

SB 251 which had been returned from the House further amended by **HA 1** was lifted from the table for consideration on motion of Senator Marshall. The roll call vote on **SB 251 w HA 1** was then taken and revealed 19 Senators voting YES, 1 (Minner) voting NO and 1 (Zimmerman) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 575 w HA 2**.

HB 575 w HA 2 was introduced and taken up for consideration under suspension of the necessary rules on motion of Senator Sharp:

HB 575 w HA 2 – AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE PLANNING BOARD OF NEW CASTLE COUNTY. Sponsors: Representatives Roy, Taylor, Gilligan, Senators Bane, Sharp, Holloway.

The privilege of the floor was extended to Dennis Rockford, representing New Castle County after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Zimmerman) NOT VOTING; therefore, the Bill was declared passed by the Senate and returned to the House.

Senator Slatcher requested that he be added as co-sponsor of **SB 522**.

SENATE CONSENT CALENDAR #24 was introduced and considered for adoption on motion of Senator Minner.

The Calendar consisted of the following:

HCR 142 – EXTENDING CONGRATULATIONS AND BEST WISHES TO MR. AND MRS. HENRY I. SHORT OF BRIDGEVILLE, DELAWARE WHO WILL CELEBRATE THEIR FIFTIETH WEDDING ANNIVERSARY ON JUNE 10, 1986. Sponsors: Representative Carey, Barnes; Senator Adams.

HCR 143 – EXTENDING CONGRATULATIONS AND BEST WISHES TO MR. AND MRS. GEORGE STEINMETZ OF BRIDGEVILLE, DELAWARE ON THEIR FIFTIETH GOLDEN WEDDING ANNIVERSARY. Sponsors: Representative Barnes, Senator Adams.

SCR 131 – CONGRATULATING THE 1986 ST. MARK'S HIGH SCHOOL OLYMPIAD TEAM FOR WINNING FIRST PLACE IN THE ANNUAL DELAWARE SCIENCE OLYMPIAD AND FOR PLACING 21ST AT THE NATIONAL SCIENCE OLYMPIAD IN MICHIGAN. Sponsors: Senator McBride, Representative Reynolds.

SCR 132 – COMMENDING OAKLEY M. BANNING JR. AND EDWARD STANSKY FOR THEIR DEDICATED SERVICES TO THE DELAWARE VIOLENT CRIME COMPENSATION BOARD AND CONGRATULATING THEM ON THEIR ELECTION TO PROMINENT POSITIONS ON THE NATIONAL ASSOCIATION OF CRIME VICTIMS COMPENSATION BOARDS. Sponsors: Senator Vaughn, Representative Jester.

SCR 133 – CONGRATULATING THE NEWARK HIGH SCHOOL YELLOWJACKET BANDS FOR THEIR OUTSTANDING PERFORMANCE IN THE FESTIVAL OF MUSIC IN VIRGINIA BEACH. Sponsors: Senator Neal, Representative Soles.

SR 126 – CONGRATULATING LENI MARKELL, STATE DIRECTOR OF THE SUDDEN INFANT DEATH SYNDROME PROGRAM, ON BEING NAMED WOMAN OF THE YEAR BY THE UNIVERSITY OF DELAWARE WOMEN'S CLUB. Sponsor: Senator Martin.

SR 127 – CONGRATULATING THE NEWARK SENIOR CENTER UPON THEIR 20TH ANNIVERSARY. Sponsors: Senators Neal, Martin.

The roll call vote on SENATE CONSENT CALENDAR #24 was then taken and revealed 21 Senators voting YES; therefore, the Resolutions were declared adopted. The House Concurrent Resolutions were returned to the House and the Senate Concurrent Resolutions were sent to the House for consideration.

The following legislation was introduced:

SB 519 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE TO ADD A NEW SUBCHAPTER 91A ENTITLED "PRIMARY HEALTH CARE FACILITIES FOR THE MEDICALLY INDIGENT". Sponsors: Senators Holloway, McDowell; Representatives Jonkiert, Steele, VanSant. B. Ennis, Plant, West, Anderson, Sills, Campanelli. (Senator Marshall added at his request). Assigned to Health-Social Services/Aging Committee.

SB 517 – AN ACT TO AMEND TITLE 18, DELAWARE CODE, TO ADD A NEW CHAPTER 33A ENTITLED "THE COMPREHENSIVE HEALTH CARE COST CONTAINMENT AND QUALITY CONTROL ENHANCEMENT ACT OF 1986. Sponsors: Senators Holloway, McDowell, Marshall; Representative Jonkiert, Steele, VanSant, B. Ennis, Plant, West, Anderson, Sills, Campanelli. Assigned to Health-Social Services/Aging Committee.

SB 518 - AN ACT TO AMEND CHAPTER 1, TITLE 14 OF THE DELAWARE CODE TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT REGULATIONS FOR GRADES KINDERGARTEN TO GRADE 12 REQUIRING HEALTH/WEELLNESS PROGRAMS. Sponsors: Senators Holloway, McDowell; Representatives Jonkiert, Steele, VanSant, B. Ennis, Plant, West, Anderson, Sills, Campanelli. (Senator Marshall added at his request). Assigned to Health-Social Services/Aging Committee.

SB 520 - AN ACT TO AMEND TITLE 18, DELAWARE CODE, BY CREATING A NEW CHAPTER 62 TO PROVIDE CATASTROPHIC ILLNESS PROTECTION FOR DELAWARE RESIDENTS. Sponsors: Senators Holloway, McDowell; Representatives Jonkiert, Steele, VanSant, B. Ennis, Plant, West, Anderson, Sills, Campanelli. (Senator Marshall added as co-sponsor at his request). Assigned to Health-Social Services/Aging Committee.

SB 521 - AN ACT TO AMEND CHAPTER 1, TITLE 7, DELAWARE CODE, RELATING TO THE EXHIBITION OF PROTECTED WILDLIFE, FINFISH OR CERTAIN DEVICES AND PROVIDING A PENALTY FOR FAILURE TO EXHIBIT. Sponsors: Senators Knox, Berndt. Assigned to Natural Resources and Environmental Control Committee.

SB 522 - AN ACT TO AMEND CHAPTER 21, TITLE 10 OF THE DELAWARE CODE RELATING TO MILEAGE FEES FOR THE SHERIFF OF SUSSEX COUNTY. Sponsors: Senators Minner, Adams, Cordrey, Slatcher. Assigned to Judiciary Committee.

SB 523 - AN ACT TO AMEND CHAPTER 13, TITLE 2, DELAWARE CODE, RELATING TO MOTOR FUEL TAX REIMBURSEMENT FUND. Sponsors: Senators Minner, Cordrey, McDowell, Holloway, Marshall, Sharp, Martin, McBride, Vaughn, Cook, Torbert, Zimmerman, Adams; Representative West. Assigned to Highways and Transportation Committee.

Senator Sharp introduced his son-in-law, David Rabian, to the Senate.

At 5:21 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 10, 1986.

The Senate reconvened at 2:31 p.m., Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 584**; **HB 103**; **HB 583**; **SB 510**; **HB 530 w HA 1**; **HB 606 w HA 1**; **SS 1** for **SB 56 w HA 1**.

The following Committee reports were announced:

From the Natural Resources and Environmental Control Committee: **SB 475** - 5 Merits; **SB 476** - 5 Merits; **SB 477** - 5 Merits; **SS 1** for **SB 479** - 5 Merits; **SB 483** - 5 Merits; **SB 487** - 5 Merits; **SB 493** - 5 Merits; **SB 494** - 5 Merits; **SB 521** - 5 Merits; **HB 472 w HA 1** - 5 Merits.

The following legislation was introduced:

SB 524 - AN ACT TO AMEND AN ACT, BEING CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF MILLSBORO" TO INCREASE THE AMOUNT WHICH MAY BE BORROWED IN ANTICIPATION OF REVENUES. Sponsor: Senator Cordrey. Assigned to Community Affairs Committee.

SB 525 - AN ACT TO AMEND DELAWARE CODE, TITLE 9, PART II, CHAPTER 13, SUBCHAPTER 1, AUTHORIZING NEW CASTLE COUNTY TO ENACT A REAL ESTATE TRANSFER TAX. Sponsors: Senators Knox, Cordrey. Assigned to Community Affairs Committee.

SB 526 - AN ACT TO AMEND CHAPTER 302, VOLUME 49, LAWS OF DELAWARE, BEING AN "ACT TO INCORPORATE THE TOWN OF FENWICK ISLAND, DELAWARE", AS AMENDED, RELATING TO TOWN ELECTIONS. Sponsors: Senator Cordrey, Representative Steele. Assigned to Community Affairs Committee.

SB 527 - AN ACT TO AMEND CHAPTER 25, PART II, TITLE 16 OF THE DELAWARE CODE RELATING TO A PATIENT'S RIGHT TO TERMINATE TREATMENT. Sponsor: Senator McBride. Assigned to Health-Social Services/Aging Committee.

SA 1 to **SB 495**. Sponsors: Senators Cordrey and Knox. Placed with the Bill.

SA 2 to **SB 495**. Sponsor: Senator Knox. Placed with the Bill.

SS 1 for **SB 56** which had been returned from the House further amended by **HA 1** was laid on the table.

HB 103 - AN ACT TO AMEND SECTION 1318, CHAPTER 13, TITLE 14, DELAWARE CODE RELATING TO SICK LEAVE FOR TEACHERS AND OTHER SCHOOL EMPLOYEES. Sponsors: Representatives Fallon, Roy, Houghton, Wingate, Bennett, Anderson, Mack, Spence, Taylor, Outten, C. Cordrey, Caulk, Davis, Carey, Barnes, Buckworth, VanSant, Oberle, Gilligan, Reynolds, West; Senators Slatcher, Bair, McBride, Knox. Assigned to Finance Committee.

HB 530 w HA 1 - AN ACT TO AMEND CHAPTER 12, TITLE 14 OF THE DELAWARE CODE RELATING TO TEACHER CERTIFICATION. Sponsors: Representatives Fallon, Free, Maroney, Wingate, Soles, Petrilli, Buckworth, Jester, Reynolds, Bennett, Caulk, Carey; Senators Adams, Cook, Marshall, Minner, McBride. Assigned to Finance Committee.

HB 583 - AN ACT TO AMEND TITLES 15 AND 22 OF THE DELAWARE CODE RELATING TO ANNEXATIONS AND SPECIAL ELECTIONS CONCERNING ANNEXATIONS. Sponsors: Representatives George, Oberle, Free, Jonkiert, Plant, Roy, Sills; Senators Bair, Holloway, Marshall, McDowell. Assigned to Insurance and Elections Committee.

HB 584 - AN ACT TO AMEND CHAPTER 95, PART VII, TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURES; AND PROVIDING THAT THE STATE OR ITS POLITICAL SUBDIVISIONS NEED NOT POST SECURITY ON APPEAL. Sponsors: Representatives George, Oberle, Free, Jonkiert, Plant, Sills; Senators Holloway, Marshall, McDowell. Assigned to Judiciary Committee.

SB 474 was stricken at the request of the sponsor, Senator Zimmerman.

HB 606 w HA 1 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO THE OATH OF OFFICE FOR MEMBERS OF THE GENERAL ASSEMBLY AND PUBLIC OFFICERS. Sponsors: Representative Hebner, Senator Cordrey; Representatives Oberle, George, Barnes, Gilligan. Assigned to Executive Committee.

SB 482 was reported out of the Natural Resources and Environmental Control Committee: 5 Merits. At 2:45 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 38th Legislative Day.

38TH LEGISLATIVE DAY
June 10, 1986

The Senate convened at 2:45 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

LEGISLATIVE ADVISORY #39 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed the following legislation on June 4, 1986: **SB 193 w HA 1** (Volume 65, Chapter 274, Laws of Delaware), **SB 240 w HA 1** (Volume 65, Chapter 275, Laws of Delaware), **SB 427** (Volume 65, Chapter 276, Laws of Delaware), **HB 428 w HA 1** (Volume 65, Chapter 277, Laws of Delaware), **HB 430** (Volume 65, Chapter 278, Laws of Delaware).

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SS 1 for SB 56 (HA 1) was lifted from the table for consideration on motion of Senator Holloway; however, the Bill was again tabled before final action was taken on further motion of the Senator.

SB 504 was taken up for consideration on motion of Senator Cordrey:

SB 504 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE VIII, SECTION 6, OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE BUDGET RESERVE ACCOUNT.

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

YES: Senators Adams, Citro, Cook, Cordrey, Holloway, Marshall, Martin, McBride, Minner, Sharp, Torbert, Vaughn, Zimmerman - 13.

NO: Senators Bair, Connor, Knox, McDowell, Neal, Slatcher - 6.

NOT VOTING: Senators Bane, Berndt - 2.

Therefore, the Bill was declared defeated since a 2/3 vote was required for passage.

SS 1 for SB 56 which had been returned from the House as further amended by **HA 1** was lifted from the table for consideration on motion of Senator Holloway. The roll call vote on **SS 1 for SB 56 w HA 1** was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SB 502 was taken up for consideration on motion of Senator Minner:

SB 502 - AN ACT TO AMEND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC WORKS CONTRACTS.

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

SB 361 was taken up for consideration on motion of Senator Citro:

SB 361 - AN ACT TO AMEND CHAPTER 58, TITLE 29 OF THE DELAWARE CODE RELATING TO SIMULTANEOUS EMPLOYMENT.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Citro and the roll call vote taken which revealed 20 Senators voting YES and 1 (McBride) voting NO; 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 Citro and the roll call vote taken which revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Amendment was declared adopted.

SA 3 to the Bill which had been placed with the Bill was stricken at the request of the sponsor, Senator Torbert.

SA 4 (sponsor: Senator Torbert) was introduced and laid on the table on motion of the sponsor.

SA 5 (sponsor: Senator Adams) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Cook, Cordrey, Holloway, Minner, Slatcher, Vaughn, Zimmerman - 8.

NO: Senators Bair, Citro, Connor, Knox, Martin, McBride, McDowell, Neal, Sharp - 9.

NOT VOTING: Senators Bane, Berndt, Marshall, Torbert - 4.

Therefore, the Amendment was declared defeated.

SA 6 (sponsor: Senator Torbert) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed:

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

NO: Senators Bane, Berndt, Knox, Neal, Slatcher - 5.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 361 w SA 1, 2, 6 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 481 was taken up for consideration on motion of Senator Adams:

SB 481 - AN ACT TO AMEND CHAPTER 83, TITLE 29, DELAWARE CODE, RELATING TO THE CONFIDENTIALITY OF PENSIONS BEING RECEIVED BY FORMER STATE EMPLOYEES.

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

SB 381 was stricken at the request of the sponsor, Senator Adams.

At 4:35 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:13 p.m., Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Health-Social Services/Aging Committee: SB 503 - 6 Merits; SB 506 - 5 Merits; SB 517 - 6 Merits; SB 518 - 6 Merits; SB 519 - 6 Merits; SB 520 - 1 Favorable, 6 Merits; HS 1 for HB 14 w HA 1 - 6 Merits; SB 508 - 7 Merits.

From the Public Safety Committee: SB 446 - 4 Merits; HB 433 w HA 1 - 4 Merits; HB 447 w HA 1, 2, 3 - 1 Merits, 3 Unfavorable; HB 479 - 4 Merits; HB 533 - 4 Merits; HB 534 - 4 Merits.

The following legislation was introduced:

SB 528 - AN ACT TO AMEND CHAPTER 5, PART I, TITLE II OF THE DELAWARE CODE RELATING TO PROHIBITIONS AGAINST CERTAIN TYPES OF KNIVES. Sponsor: Senator Minner. Assigned to Judiciary Committee.

SB 529 - AN ACT TO AMEND TITLE 29 BY ADDING A NEW CHAPTER RELATING TO THE CREATION OF A STATE PROGRAM OF INTERGOVERNMENTAL FISCAL ASSISTANCE TO BENEFIT THE COUNTIES OF NEW CASTLE, KENT AND SUSSEX AND THE INCORPORATED AREAS CHARTERED THEREIN. Sponsor: Senator Berndt. Assigned to Executive Committee.

SB 530 - AN ACT TO AMEND CHAPTER II, TITLE 13 OF THE DELAWARE CODE RELATING TO PLACEMENT OF CHILDREN FOR ADOPTION. Sponsors: Senator Vaughn, Representative Spence. Assigned to Judiciary Committee.

SB 531 - AN ACT TO AMEND CHAPTER 55, TITLE 29 OF THE DELAWARE CODE RELATING TO UNIVERSITY OF DELAWARE EMPLOYEES AND THE STATE EMPLOYEES PENSION FUND. Sponsors: Senators Adams, Berndt, Cook; Representatives Bennett, Petrilli, Roy. Assigned to Executive Committee.

SB 532 - AN ACT TO AMEND CHAPTERS 23, 25, 27, 29 AND 43, TITLE 30 OF THE DELAWARE CODE, RELATING TO TAXES ON GROSS RECEIPTS. Sponsors: Senators Cordrey, Adams, Cook, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman, Berndt, Neal; Representatives Quillen, Barnes, Boykin, Outten, Bennett, VanSant. Assigned to Revenue and Taxation Committee.

SB 533 - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE DELAWARE GENERAL CORPORATION LAW. Sponsors: Senator Sharp, Representative Spence; Senators Bane, Berndt, Citro, Cordrey, Vaughn, Zimmerman; Representatives Hebner, Jonkiert, Reynolds, VanSant. Assigned to Judiciary Committee.

Senator Sharp introduced Judges Vincent Poppitti and Robert O'Hara who were present in the Chamber.

HB 498 was taken up for consideration on motion of Senator McDowell:

HB 498 - AN ACT TO AMEND CHAPTER 5, TITLE 4 DELAWARE CODE RELATING TO THE INTEREST OF AN ALCOHOLIC BEVERAGE MANUFACTURER OR SUPPLIER IN AN ESTABLISHMENT WHICH SELLS ALCOHOLIC LIQUORS.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Berndt) NOT VOTING; therefore, the Bill was declared passed by the Senate and returned to the House.

The following legislation was introduced:

SB 534 - AN ACT TO AMEND CHAPTER 13, TITLE 9, DELAWARE CODE, RELATING TO COUNTY DEPARTMENTS. Sponsor: Senator Holloway. Assigned to Community Affairs Committee.

SB 536 - AN ACT TO AMEND CHAPTER 65, TITLE 29 OF THE DELAWARE CODE, RELATING TO AN INVENTORY OF PROPERTY UNDER AN AGENCIES CONTROL. Sponsors: Senators McDowell, Adams, Minner, Vaughn; Representatives Anderson, Bennett, Brady, Buckworth, Campanelli, Davis, Jester, Sills, Soles, Steele, Wingate. Assigned to Executive Committee.

SB 537 - AN ACT TO AMEND TITLE 16, CHAPTER 31, DELAWARE CODE, RELATING TO VITAL STATISTICS AND PROVIDING FOR ISSUANCE OF CREMATION PERMITS. Sponsors: Senator McDowell, Representative Roy, Senator Holloway. Assigned to Revenue and Taxation Committee.

SB 535 - AN ACT TO AMEND CHAPTER 3, TITLE 4, DELAWARE CODE RELATING TO POWERS OF THE DELAWARE ALCOHOLIC BEVERAGES CONTROL COMMISSION. Sponsors: Senators Cordrey, Citro, Slatcher, Marshall, Vaughn; Representatives Outten, Quillen, Buckworth. Assigned to Administrative Services/Energy Committee.

SB 227 w SA 1 (HA 1) was laid on the table.

HB 477 - AN ACT TO AMEND CHAPTER 183, VOLUME 22, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF GREENWOOD" AS AMENDED BY CHAPTER 18, VOLUME 65, LAWS OF DELAWARE, TO AUTHORIZE THE ISSUING OF BOND ANTICIPATORY NOTES. Sponsors: Representative Barnes, Senator Adams. Assigned to Community Affairs Committee.

SJR 21 - DIRECTING COUNTIES AND MUNICIPALITIES TO COOPERATE IN THE IMPLEMENTATION OF A RECORDS MANAGEMENT PROGRAM, TO BE CALLED THE DELAWARE LOCAL RECORDS PROJECT. Sponsors: Senators Neal, Martin, Minner; Representatives Wingate, Free. Assigned to Executive Committee.

SA 1 to SB 489. Sponsor: Senator Torbert. Placed with the Bill.

SA 3 to SB 495. Sponsor: Senator Sharp. Placed with the Bill.

SA 1 to SB 516. Sponsor: Senator McDowell. Placed with the Bill.

SA 4 to SB 223. Sponsor: Senator McDowell. Placed with the Bill.

SA 9 and SA 10 to HB 447. Sponsor: Senator McDowell. Placed with the Bill.

SB 339 was stricken at the request of the sponsor, Senator Holloway.

CONSENT CALENDAR #25 was introduced and considered for adoption on motion of Senator Minner. The Calendar consisted of the following:

SR 128 - CONGRATULATING THE MILFORD HIGH SCHOOL BOYS TRACK TEAM UPON WINNING THE DIVISION II TRACK TITLE FOR THE 1986 SEASON. Sponsor: Senator Minner.

SR 129 - ESTABLISHING A RULE FOR THE VERIFIED REIMBURSEMENT OF MILEAGE. Sponsor: Senator Zimmerman.

SCR 135 - REQUESTING GOVERNOR MICHAEL N. CASTLE TO DESIGNATE JUNE 15 TO JUNE 21, 1986, AS DELAWARE JOB SAFETY IN THE WORKPLACE WEEK AND DECLARE ITS RECOGNITION IN THE STATE OF DELAWARE. Sponsor: Senator Sharp.

SCR 136 - MOURNING THE DEATH OF ALAN HUNN OF DOVER AND EXTENDING CONDOLENCES TO MEMBERS OF HIS FAMILY. Sponsors: Senators Torbert, Zimmerman; Representatives Bennett, Buckworth.

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The roll call vote on **CONSENT CALENDAR #25** was then taken and revealed 21 Senators voting YES; therefore, the Resolutions were declared adopted and the Concurrent Resolutions were sent to the House for consideration.

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

SCR 137 - COMMENDING MARGO POLLARK, DIRECTOR OF THE DIVISION OF MENTAL RETARDATION, ON HER EXEMPLARY STATE SERVICE AND WISHING HER BON VOYAGE AS SHE LEAVES STATE SERVICE TO TAKE UP RESIDENCE IN GENEVA, SWITZERLAND. Sponsors: Senators Cook, Berndt, Holloway, McBride, Slatcher, Vaughn; Representatives Corrozi, Bennett, Davis, Quillen, Smith, Soles.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Sharp and Zimmerman) voting NO; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

At 5:40 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 11, 1986.

The Senate reconvened at 2:11 p.m., June 11, 1986 Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed **SB 441**; **SB 368**; **SB 406**; **SB 448**; **HB 477**; **SB 227 w SA 1, HA 1**; **HB 566 w HA 1**; **HB 567**; **HB 536**; **HB 572 w HA 1, 2**; **HB 563 w HA 1**; **HB 574**; **HB 511 w HA 1**; **HB 395 w HA 1**; **HB 579**; **HS 1 for HB 451 w HA 1, 2**.

The following Committee reports were announced:

From the Judiciary Committee: **SB 451** - 4 Merits; **SB 522** - 4 Merits; **SB 533** - 4 Merits; **HB 584** - 4 Merits.

From the Insurance and Elections Committee: **HB 583** - 4 Merits.

The following legislation was introduced:

SB 538 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, §2, OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE RESIDENCE OF THE JUSTICES OF THE SUPREME COURT, AND THE RESIDENCE AND NUMBER OF VICE CHANCELLORS AND ASSOCIATE JUDGES OF SUPERIOR COURT. Sponsors: Senators Adams, Cordrey, Cook, Slatcher; Representative Barnes. Assigned to Executive Committee.

HB 395 w HA 1 - AN ACT TO AMEND CHAPTER 65, TITLE II OF THE DELAWARE CODE RELATING TO DIAGNOSTIC SERVICES OF THE DEPARTMENT OF CORRECTION. Sponsors: Representatives Outten, Bennett, Buckworth, Plant; Senator Torbert. Assigned to Judiciary Committee.

HS 1 for HB 451 w HA 1, 2 - AN ACT TO AMEND CHAPTER 100, TITLE 29, DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT. Sponsors: Representatives Taylor, Roy, Caulk, Gilligan, VanSant; Senators Bair, McDowell. Assigned to Administrative Services/Energy Committee.

HB 511 w HA 1 - AN ACT TO AMEND CHAPTER 69, TITLE 29, DELAWARE CODE, RELATING TO THE AWARD OF CONTRACTS. Sponsor: Representative Gilligan. Assigned to Administrative Services/Energy Committee.

HB 536 – AN ACT TO AMEND CHAPTER 47, TITLE 16 OF THE DELAWARE CODE RELATING TO CONTROLLED SUBSTANCES, AND TO THE POSSESSION OR ATTEMPTED POSSESSION OF PRESCRIPTION MEDICATIONS BY ILLEGAL OR FRAUDULENT MEANS, AND PENALTIES APPLYING THERETO. Sponsors: Representatives Taylor, VanSant; Senators Bair, Holloway. Assigned to Judiciary Committee.

HB 563 w HA 1 – AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE RELATING TO PROCEEDINGS IN THE INTEREST OF A CHILD. Sponsors: Representatives Oberle, VanSant, Plant. Assigned to Health-Social Services/Aging Committee.

At 2:17 p.m., Lt. Governor Woo presiding.

HB 566 w HA 1 – AN ACT TO AMEND CHAPTER 92, TITLE 10 OF THE DELAWARE CODE ESTABLISHING QUALIFICATIONS OF THE JUSTICES OF THE PEACE. Sponsors: Representatives Houghton, George, Brady, Davis, Reynolds, Spence, Wingate; Senator Connor. Assigned to Judiciary Committee.

HB 567 – AN ACT TO AMEND CHAPTER 92, TITLE 10 OF THE DELAWARE CODE IN REGARD TO THE COURSE OF INSTRUCTION TO BE TAKEN BY JUSTICES OF THE PEACE. Sponsors: Representatives Houghton, George, Bennett, Davis, Spence, Outten, VanSant, Wingate; Senator Connor. Assigned to Judiciary Committee.

HB 572 w HA 1, 2 – AN ACT TO AMEND CHAPTER 60, TITLE 7 OF THE DELAWARE CODE RELATING TO LICENSING OF SITE EVALUATORS, PERCOLATION TESTERS AND ON-SITE SYSTEM DESIGNERS AND CONTRACTORS. Sponsors: Representatives Carey, Caulk, Free, Mack, Smith, Steele, Outten. Assigned to Natural Resources and Environmental Control Committee.

HB 574 – AN ACT TO AMEND CHAPTER 41, TITLE 7, DELAWARE CODE, RELATING TO PAYMENT OF TAX LEVIES TO TAX DITCHES. Sponsors: Representatives Carey, Caulk, Quillen, Smith, Mack, Steele, Clark; Senator Adams. Assigned to Natural Resources and Environmental Control Committee.

HB 579 – AN ACT TO AMEND CHAPTER 55, TITLE 25 OF THE DELAWARE CODE RELATING TO SECURITY DEPOSIT REQUIREMENTS OF THE LANDLORD-TENANT CODE. Sponsors: Representatives Taylor, Davis, D. Ennis, B. Ennis, Plant; Senators Bane, Marshall. Assigned to Administrative Services/Energy Committee.

SB 492 was stricken at the request of the sponsor, Senator Adams.

SB 444 was taken up for consideration on motion of Senator Connor:

SB 444 – AN ACT TO AMEND CHAPTER 35, TITLE 12 OF THE DELAWARE CODE RELATING TO PERPETUAL CARE BURIAL LOTS.

The roll call vote on the Bill was taken and revealed 16 Senators voting YES and 5 (Citro, Holloway, Knox, Martin, Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 508 was taken up for consideration on motion of Senator Berndt:

SB 508 – AN ACT AUTHORIZING THE TRANSFER OF GENERAL FUND POSITIONS FROM JUDICIAL AND EXECUTIVE BRANCH AGENCIES TO THE STATE PERSONNEL OFFICE FOR PURPOSES OF PROVIDING EMPLOYMENT FOR QUALIFIED MENTALLY HANDICAPPED CITIZENS.

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

SB 487 was taken up for consideration on motion of Senator Adams under suspension of the necessary rules:

SB 487 – AN ACT TO AMEND CHAPTER 29, TITLE 7, OF THE DELAWARE CODE RELATING TO THE DUTIES OF THE OFFICE OF AUDITOR OF ACCOUNTS.

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.

SS 1 for SB 479 was adopted in lieu of the Original on motion of Senator Sharp and taken up for consideration under suspension of the necessary rules:

SS 1 for SB 479 – AN ACT TO AMEND CHAPTERS 60 AND 64, TITLE 7 OF THE DELAWARE CODE RELATING TO THE STORAGE, PROCESSING OR DISPOSITION OF SOLID WASTE.

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

HB 525 was taken up for consideration on motion of Senator Sharp:

HB 525 – AN ACT TO AMEND CHAPTER 51, VOLUME 65 OF THE LAWS OF DELAWARE, RELATING TO THE SUPERIOR COURT.

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 227 w SA 1 which had previously passed the Senate was lifted from the table for reconsideration as now further amended by **HA 1** on motion of Senator Vaughn.

The roll call vote on **SB 227 w SA 1, HA 1** was therefore taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

At 2:49 p.m. a messenger from the Governor was announced and admitted.

The following Committee reports were announced:

From the Labor and Industrial Relations Committee: **SB 399** – 5 Merits; **SB 485** – 4 Merits; **SB 486** – 4 Merits; **HB 472 w HA 1, 2** – 4 Merits.

From the Community Affairs Committee: HB 492 – 5 Merits; HB 491 w HA 1 – 5 Merits; HB 471 w HA 2 – 5 Merits; SB 526 – 4 Merits; SB 524 – 5 Merits; SB 478 – 5 Merits; SB 472 – 5 Merits; SB 471 – 5 Merits; SB 470 – 5 Merits.

From the Insurance and Elections Committee: HB 583 – 3 Merits; SB 516 – 3 Merits; SB 498 – 3 Merits; SB 497 – 3 Merits; SB 430 – 3 Merits; SB 501 – 3 Merits; SB 515 – 3 Merits.

From the Administrative Services/Energy Committee: HB 226 – 4 Merits; SB 445 – 4 Merits; SB 480 – 4 Merits; SB 535 – 5 Merits.

At 2:58 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 39th Legislative Day.

39TH LEGISLATIVE DAY

June 11, 1986

The Senate convened at 2:58 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

Senators Cordrey and Berndt marked PRESENT.

LEGISLATIVE ADVISORY #40 received from the Office of Counsel to the Governor was read which informed the Senate that on June 10, 1986, the Governor signed HB 575 w HA 2 (Volume 65, Chapter 279, Laws of Delaware); SB 510 (Volume 65, Chapter 280, Laws of Delaware).

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On motion of Senator Berndt (without objection), the roll call vote on SB 504 was rescinded and the Bill restored to the Calendar.

Senator Bair introduced to the Senate, Liane Sorenson, President of the Junior League.

SB 475 was taken up for consideration on motion of Senator Zimmerman:

SB 475 – AN ACT TO AMEND CHAPTER 63, TITLE 7, DELAWARE CODE, RELATING TO HAZARDOUS WASTE MANAGEMENT.

The privilege of the floor was extended to William Walls, Senate Attorney.

Senators McBride, Holloway, McDowell, Martin marked PRESENT.

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

SB 476 was taken up for consideration on motion of Senator Zimmerman:

SB 476 – AN ACT TO AMEND CHAPTER 62, TITLE 7 DELAWARE CODE RELATING TO CIVIL PENALTIES FOR THE UNLAWFUL DISCHARGE OF OIL.

The privilege of the floor was extended to Robert J. Touhey and R. Wayne Ashbee representing the Department of Natural Resources and Environmental Control.

At 3:21 p.m., Senator McDowell presiding.

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

SB 477 was taken up for consideration on motion of Senator Zimmerman:

SB 477 – AN ACT TO AMEND CHAPTER 63, TITLE 7, DELAWARE CODE, RELATING TO THE MANAGEMENT OF HAZARDOUS WASTE AND TO PROVIDE FOR DIRECT ACTION AGAINST GUARANTORS OF BANKRUPT OWNERS AND OPERATORS.

The privilege of the floor was extended to Robert J. Touhey, Department of Natural Resources and Environmental Control.

SA 1 to the Bill (sponsor: Senator Berndt) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on SB 477 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

On motion of Senator Zimmerman (without objection), the roll call vote on SB 475 was rescinded and the Bill again taken up for consideration.

At 3:35 p.m., Lt. Governor Woo presiding.

SA 1 to the Bill (sponsor: Senator Zimmerman) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on SB 475 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 506 was taken up for consideration on motion of Senator Holloway:

SB 506 – AN ACT TO AMEND TITLE 31, OF THE DELAWARE CODE RELATING TO PUBLIC ASSISTANCE BENEFITS.

The privilege of the floor was extended to Francis E. Mieczkowski, Jr. representing the Department of Justice.

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

At 3:48 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:25 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Community Affairs Committee: SB 470 - 5 Merits.

From the Labor and Industrial Relations Committee: HB 476 w HA 1, 2 - 4 Merits; SB 499 - 3 Merits.

At 4:26 p.m., Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Revenue and Taxation Committee: SB 458 - 5 Merits; HB 296 w HA 1 - 6 Merits; SB 257 - 7 Merits; HB 264 w HA 1 - 6 Merits; HB 259 w HA 1 - 6 Merits; HB 257 - 6 Merits; SB 57 - 6 Merits; SB 248 - 5 Merits; SB 438 - 6 Merits; SB 217 - 6 Merits; SB 199 - 6 Merits; SB 350 - 6 Merits; SB 469 - 6 Merits; SB 509 - 6 Merits; HB 513 - 6 Merits; SB 456 - 6 Merits; SB 457 - 6 Merits; SB 537 - 6 Merits; SB 532 - 1 Favorable, 5 Merits; SB 459 - 5 Merits.

From the Administrative Services/Energy Committee: SJR 11 - 6 Merits.

SB 518 was taken up for consideration on motion of Senator Holloway:

SB 518 - AN ACT TO AMEND CHAPTER 1, TITLE 14 OF THE DELAWARE CODE TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT REGULATIONS FOR GRADES KINDERGARTEN TO GRADE 12 REQUIRING HEALTH/WELLNESS PROGRAMS.

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

SB 504 which had been restored to the Calendar was taken up for consideration on motion of Senator Cordrey under suspension of the necessary rules.

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

YES: Senators Adams, Berndt, Citro, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 16.

NO: Senators Bair, Bane, Connor, Knox, Neal - 5.

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

SB 75 and SB 36 were stricken at the request of the sponsor, Senator Torbert.

At 4:36 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 12, 1986.

The Senate reconvened at 2:00 p.m., June 12, 1986, Senator Cordrey presiding.

The following Committee reports were announced:

From the Executive Committee: SB 538 - 4 Merits; SB 531 - 1 Favorable, 3 Merits; HB 554 - 1 Favorable, 3 Merits; HB 606 w HA 1 - 4 Merits; HB 423 - 4 Merits.

From the Revenue and Taxation Committee: SB 57 - 5 Merits; SB 458 - 5 Merits.

From the Labor and Industrial Relations Committee: HB 503 w HA 1 - 4 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 548; SB 414 w SA 1; SB 413; SB 432; HB 542; HB 489; SS 1 for SB 402 w HA 1; SB 415 w SA 1, HA 1, 2; SB 420.

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

STATE OF DELAWARE
Office of the Governor
June 11, 1986

To the Senate of the 133rd 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 E. Welch, 17 Wellington Road, Wilmington, DE 19803, to be appointed President of the State Board of Education to serve a term during the pleasure of the Governor to replace Albert H. Jones, resigned.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
June 11, 1986

To the Senate of the 133rd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Kent S. Price, 71 Sussex Drive, Lewes, DE 19958, to be appointed as a member of the State Board of Education for a term of six years to replace Robert W. Allen, Jr., resigned.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
June 11, 1986

To the Senate of the 133rd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: R. Jefferson Reed, 45 N. Prestwick Court, Dover, DE 19901, to be appointed as a member of the State Board of Education for a term of six years to replace Harry F. Camper, resigned.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
June 11, 1986

To the Senate of the 133rd 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 E. Cielewich, 3803 Ardleigh Drive, Wilmington, DE 19807, to be appointed as a member of the State Board of Education for a term of six years to replace Raymond E. Tomaseti, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
May 22, 1986

To the Senate of the 133rd 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 B. Jacobs, R.D. 1, Box 56, Seaford, DE 19973, to be reappointed as a member of the Public Service Commission to serve a five-year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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At 2:07 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 40th Legislative Day.

40TH LEGISLATIVE DAY

June 12, 1986

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

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

At 2:09 p.m., Senator Adams presiding.

SB 495 was taken up for consideration on motion of Senator Cordrey:

SB 495 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE BY PROVIDING FOR RULES FOR THE CONDUCT OF BUSINESS BY, AND TAXATION OF, FOREIGN BANKS IN DELAWARE.

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

Senators McDowell and Torbert marked PRESENT.

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

SA 2 to the Bill which had been placed with the Bill was stricken on motion of the sponsor, Senator Knox.

At 2:19 p.m., Lt. Governor Woo presiding.

SA 3 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, Cordrey, Sharp, Torbert - 4.

NO: Senators Bair, Bane, Berndt, Citro, Connor, Cook, Holloway, Knox, Marshall, McBride, McDowell, Minner, Slatcher - 13.

NOT VOTING: Senators Neal, Vaughn - 2.

ABSENT: Senators Martin, Zimmerman - 2.

Therefore, the Amendment was declared defeated.

Senators Connor, Zimmerman and Holloway marked PRESENT.

SA 4 to the Bill (sponsor: Senator Cordrey) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (Martin) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to David S. Swayze (Barclay Bank P.L.C.) after which the roll call vote on SB 495 w SA 1, 4 was taken and revealed 20 Senators voting YES and 1 (Sharp) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 533 was taken up for consideration on motion of Senator Sharp:

SB 533 - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE DELAWARE GENERAL CORPORATION LAW.

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

SB 488 was taken up for consideration on motion of Senator Cordrey:

SB 488 - AN ACT TO AMEND CHAPTER 29, TITLE 30 OF THE DELAWARE CODE RELATING TO FEED AND GRAIN DEALER AND WHOLESALE LICENSE REQUIREMENTS.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Adams) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 516 w HA 1 was taken up for consideration on motion of Senator Cordrey:

HB 516 w HA 1 - AN ACT TO AMEND CHAPTER 5, TITLE 1 OF THE DELAWARE CODE AND TO ADD A NEW CHAPTER TO TITLE 5 OF THE DELAWARE CODE RELATING TO ABILITY OF BANKING ORGANIZATIONS TO CLOSE ON HOLIDAYS AND DURING EMERGENCIES.

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

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

Senator Adams introduced George Adkins to the Senate.

HB 516 w HA 1, SA 1 was lifted from the table for consideration on motion of Senator Cordrey.

The privilege of the floor was extended to State Banking Commissioner, John E. Malarkey. The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

SB 535 was taken up for consideration on motion of Senator Cordrey:
SB 535 - AN ACT TO AMEND CHAPTER 3, TITLE 4, DELAWARE CODE RELATING TO POWERS OF THE DELAWARE ALCOHOLIC BEVERAGES CONTROL COMMISSION.

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

The roll call vote on SB 535 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Zimmerman) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HS 1 for HB 14 w HA 1 was taken up for consideration on motion of Senator Holloway:
HS 1 for HB 14 w HA 1 - AN ACT TO AMEND CHAPTER 1, PART 1, TITLE 16 OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE STATE BOARD OF HEALTH AND PROVIDING FOR THE REGULATION OF FREE STANDING SURGICAL CENTERS, FREE STANDING EMERGENCY CENTERS, AND FREE STANDING BIRTHING CENTERS.

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 503 was taken up for consideration on motion of Senator Holloway:
SB 503 - AN ACT TO AMEND CHAPTER 17, TITLE 24 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF PHYSICIAN'S ASSISTANTS.

The Bill was then laid on the table on further motion of Senator Holloway.
Senator Bair introduced guests from the Seventh District who were present in the Chamber.

SB 541 was introduced and taken up for consideration on motion of Senator Minner under suspension of the necessary rules:

SB 541 - AN ACT TO AMEND CHAPTER 60, TITLE 7, DELAWARE CODE RELATING TO AIR POLLUTION CONTROL PERMIT REQUIREMENTS TO PLAN OR CONSTRUCT ANY HIGHWAY CORRIDOR WHICH MAY CAUSE OR CONTRIBUTE TO THE DISCHARGE OF AN AIR CONTAMINANT. Sponsors: Senators Minner, Berndt, Cordrey, Knox, Martin, Zimmerman.

The privilege of the floor was extended to Robert J. Touhey (Director, Division of Air Control) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 482 was stricken at the request of the sponsor, Senator Minner.
SB 531 was taken up for consideration on motion of Senator Adams:
SB 531 - AN ACT TO AMEND CHAPTER 55, TITLE 29 OF THE DELAWARE CODE RELATING TO UNIVERSITY OF DELAWARE EMPLOYEES AND THE STATE EMPLOYEES PENSION FUND.

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

SB 526 was taken up for consideration on motion of Senator Cordrey:
SB 526 - AN ACT TO AMEND CHAPTER 302, VOLUME 49, LAWS OF DELAWARE, BEING AN "ACT TO INCORPORATE THE TOWN OF FENWICK ISLAND, DELAWARE", AS AMENDED, RELATING TO TOWN ELECTIONS.

SA 1 to the Bill (sponsor: Senator Cordrey) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Bair, Holloway) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 526 w SA 1 was then taken and revealed 19 Senators voting YES, 1 (McDowell) voting NO and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 524 was taken up for consideration on motion of Senator Cordrey:
SB 524 - AN ACT TO AMEND AN ACT, BEING CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF MILLSBORO" TO INCREASE THE AMOUNT WHICH MAY BE BORROWED IN ANTICIPATION OF REVENUES.

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

SB 516 was taken up for consideration on motion of Senator McDowell:
SB 516 - AN ACT TO AMEND CHAPTERS 19 AND 55, TITLE 15, DELAWARE CODE, RELATIVE TO ABSENTEE BALLOTS.

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

The roll call vote on SB 516 w SA 1 was then taken and revealed 18 Senators voting YES, 2 (Bair, Neal) NOT VOTING, and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SCR 139 was introduced and considered for adoption on motion of Senator Cordrey:

SCR 139 - EXPRESSING OUR SINCEREST APPRECIATION TO WILLIAM T. QUILLEN, LIFELONG DELAWARE PUBLIC SERVANT, FOR HIS UNDAUNTED EFFORTS ON BEHALF OF THE CITIZENS OF OUR STATE AND EXPRESSING OUR BEST WISHES AS HE EMBARKS ON HIS NEW RESPONSIBILITIES WITH THE HUGHES MEDICAL INSTITUTE IN MARYLAND. Sponsors: Senators Cordrey, Sharp, McDowell, Adams, Cook, Holloway, Marshall, Martin, McBride, Minner, Torbert, Vaughn, Zimmerman, Bair, Connor, Bane, Berndt, Citro, Knox, Neal, Slatcher; Representatives Gilligan, George, Anderson, Bennett, Brady, Campanelli, Clark, Cordrey, B. Ennis, Houghton, Jester, Jonkiert, Outten, Plant, Sills, Soles, VanSant, West, Wingate, Hebner, Oberle, Barnes, Boykin, Buckworth, Carey, Caulk, Corrozi, Davis, D. Ennis, Fallon, Free, Mack, Maroney, Petrilli, Quillen, Reynolds, Roy, Smith, Spence, Steele, Taylor.

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

SR 131 was introduced and considered for adoption on motion of Senator Zimmerman:

SR 131 - EXTENDING CONGRATULATIONS TO JACK K. RUSSELL, SENATE LEGISLATIVE ASSISTANT, ON HIS BIRTHDAY AND WELCOMING HIM TO THE RANKS OF SENIOR CITIZENS. Sponsors: Senator Zimmerman and all Senators.

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

SB 515 was taken up for consideration on motion of Senator Cordrey:

SB 515 - AN ACT TO AMEND CHAPTER 31, PART 1, TITLE 18 OF THE DELAWARE CODE RELATING TO GROUP LIFE INSURANCE; AND PERMITTING AN INSURER TO ISSUE POLICIES TO CERTAIN GROUPS.

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

SB 470 was taken up for consideration on motion of Senator Minner:

SB 470 - AN ACT TO AMEND CHAPTER 215, VOLUME 64, LAWS OF DELAWARE ENTITLED "AN ACT TO RE-INCORPORATE THE CITY OF HARRINGTON", AS AMENDED, RELATING TO COMPETITIVE PUBLIC BIDDING.

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

SB 199 was laid on the table on motion of Senator Minner.

SB 457 was taken up for consideration on motion of Senator Zimmerman:

SB 457 - AN ACT TO AMEND CHAPTERS 11, 23, 25, 27, AND 29, TITLE 30, DELAWARE CODE, RELATING TO FILING REQUIREMENTS OF BUSINESS AND EMPLOYER TAXES.

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

The roll call vote on **SB 457 w SA 1** was then taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 532 was taken up for consideration on motion of Senator Cordrey:

SB 532 - AN ACT TO AMEND CHAPTERS 23, 25, 26, 27, 29 AND 43, TITLE 30 OF THE DELAWARE CODE, RELATING TO TAXES ON GROSS RECEIPTS.

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

HB 519 w HA 1 was taken up for consideration on motion of Senator Zimmerman:

HB 519 w HA 1 - AN ACT TO AMEND CHAPTER 3, TITLE 25 OF THE DELAWARE CODE RELATING TO CONTRACTS OF SALE OF UNIMPROVED REAL ESTATE AND REQUIRING NOTICE AND A CONTINGENCY PROVISION AS TO SEWERAGE AND WATER FACILITIES.

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

HB 472 w HA 1 was taken up for consideration on motion of Senator Zimmerman who then yielded to Senator Minner as co-sponsor of the Bill:

HB 472 w HA 1 - AN ACT TO AMEND CHAPTER 7, TITLE 7, DELAWARE CODE RELATING TO PROHIBITING THE OBSTRUCTION OR IMPEDING OF LAWFUL HUNTING, FISHING OR TRAPPING ACTIVITIES.

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

HB 369 w HA 1 was lifted from the table for consideration on motion of Senator Torbert:

HB 369 w HA 1 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO THE OPERATION OF MOTORCYCLES BY MINORS.

The privilege of the floor was extended to Representative Bruce Ennis (sponsor of the Bill) after which the Bill was laid on the table on motion of Senator Torbert.

SB 199 was lifted from the table for consideration on motion of Senator Minner:

SB 199 - AN ACT TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO PERSONAL INCOME TAXES BY ALLOWING A CREDIT FOR MEMBERS OF DELAWARE VOLUNTEER AMBULANCE AND RESCUE SERVICES.

SA 1 to the Bill (sponsor: Senator Minner) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Berndt, Holloway) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on **SB 199 w SA 1** was then taken and revealed 19 Senators voting YES and 2 (Berndt, Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

Senator Sharp introduced to the Senate Senator Cordrey's wife, Mary Jane and her sister, Mrs. Carol Stockwell.

SB 447 was taken up for consideration on motion of Senator Cordrey:

SB 447 - AN ACT TO AMEND CHAPTER 54, TITLE 7, DELAWARE CODE RELATING TO ARCHAEOLOGICAL EXCAVATIONS.

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to Dr. John R. Kern (Director, Division of Historical and Cultural Affairs).

SA 1 to the Bill (sponsor: Senator Cordrey) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Holloway, Knox) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on **SB 447 w SA 1** was then taken and revealed:

YES: Senators Adams, Bane, Citro, Cook, Cordrey, Marshall, McBride, McDowell, Minner, Neal, Slatcher, Torbert, Vaughn, Zimmerman - 14.

NO: Senators Connor, Sharp - 2.

NOT VOTING: Senators Bair, Berndt, Knox, Martin - 4.

ABSENT: Senator Holloway - 1.

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

SCR 122 was lifted from the table for consideration on motion of Senator McBride:

SCR 122 - OBSERVING FLAG DAY, JUNE 14, 1986, IN DELAWARE AND CALLING ON ALL DELAWAREANS TO JOIN IN THE CELEBRATION BY DISPLAYING THE COLORS OF OUR COUNTRY AND HONORING THE AMERICAN FLAG ON THIS SPECIAL HOLIDAY.

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

SCR 141 was introduced and considered for adoption on motion of Senator Minner:

SCR 141 - IN RECOGNITION OF "FATHER'S DAY", ON SUNDAY, JUNE 15, 1986. Sponsors: Senators Minner, Cook, Bair, Bane; Representatives Soles, Anderson, Smith, Boykin, Maroney, Jester, Fallon.

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

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

SCR 138 - COMMENDING MEMBERS OF THE DOVER HIGH SCHOOL GOLF TEAM AND THEIR COACH, GEORGE KELLER, FOR WINNING THE DELAWARE STATE HIGH SCHOOL GOLF TITLE FOR THE SECOND CONSECUTIVE YEAR. Sponsors: Senator Zimmerman; Representatives Bennett, Outten.

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

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

SCR 140 - MOURNING THE DEATH OF BETTY JEAN OLSEN OF DOVER AND EXPRESSING CONDOLENCES TO HER HUSBAND, LYMAN J. OLSEN, AND OTHER MEMBERS OF HER FAMILY. Sponsors: Senator Torbert, Representative Buckworth.

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

The roll call vote on **HB 42 w HA 1** was lifted on motion of Senator Sharp and announced:

YES: Senators Adams, Bair, Bane, Berndt, Citro, Connor, Cordrey, Knox, Martin, McBride, Minner, Neal, Sharp, Slatcher - 14.

NO: Senators Cook, Holloway, Marshall, McDowell, Torbert, Vaughn, Zimmerman - 7.

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

SB 24 was stricken on motion of Senator McDowell.

SB 419 was stricken on motion of Senator Berndt.

At 6:05 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 17, 1986.

The Senate reconvened at 1:58 p.m., June 17, 1986, Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 562 w HA 2**; **HB 558 w HA 1** and adopted **HCR 145**; **HCR 146**; **HCR 147**; **HCR 148**; **HCR 149**; **HCR 150**; **HCR 151**; **HCR 152**; **SCR 131**; **SCR 137**; **SCR 132**; **SCR 133**; **SCR 141**; **SCR 139**.

The following legislation was introduced:

SB 539 - AN ACT TO AMEND PART VII, TITLE 16 AND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE RELATING TO ASBESTOS; AND PROVIDING FOR CERTIFICATION OF PERSONS WHO ABATE OR OTHERWISE WORK WITH ASBESTOS. Sponsors: Senators Marshall, McBride, Sharp; Representatives Oberle, Taylor, Campanelli. Assigned to Labor and Industrial Relations Committee.

SB 540 - AN ACT TO AMEND TITLE 24, CHAPTERS 31 AND 50 OF THE DELAWARE CODE RELATING TO FUNERAL SERVICES, AND PROVIDING FOR A BOARD OF FUNERAL SERVICES. Sponsors: Senator McDowell; Representatives Caulk, VanSant. Assigned to Administrative Services/Energy Committee.

SB 542 - AN ACT TO AMEND CHAPTER 84, TITLE 11, DELAWARE CODE RELATING TO THE COUNCIL ON POLICE TRAINING. Sponsors: Senators Vaughn, Adams; Representatives Spence, B. Ennis. Assigned to Judiciary Committee.

SB 543 - AN ACT TO AMEND TITLE 29, CHAPTER 8 OF THE DELAWARE CODE RELATING TO COMPOSITION AND REAPPORTIONMENT OF THE GENERAL ASSEMBLY. Sponsors: Senators Knox, Bair, Bane, Connor, McBride, Neal; Representatives Anderson, Corrozi, Soles. Assigned to Executive Committee.

SB 544 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsors: Senator Marshall, Representative Mack. Assigned to Labor and Industrial Relations Committee.

HCR 151 was introduced and considered for adoption on motion of Senator McBride:

HCR 151 - COMMENDING DELAWARE'S MERITORIOUS STUDENTS. Sponsors: Representative Fallon, Senator McBride, all Representatives, all Senators.

The privilege of the floor was extended to Dr. John F. Corrozi, Executive Director of the Delaware Postsecondary Education Commission, who in turn introduced the following students who were present in the Chamber: Linda Zollars, Terry W. Timmons, Karen Beaty, Carolyn Bartolec, Jean Heinsohn, Greg Clifton, Cindy Corbett, Cynthia L. Araff, Eric Collins, Lawrence A. Drummond, Lyn Cher, Chris Odden, David Meyer, Jim Reynolds, Ken Tolmer, Peter Vassilatos, Lisa Meier, T. R. Masino.

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

At 2:11 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 41st Legislative Day.

41ST LEGISLATIVE DAY June 17, 1986

The Senate convened at 2:11, p.m. Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

LEGISLATIVE ADVISORY #41 received from the Office of Counsel to the Governor was read which informed the Senate the Governor signed on June 13, 1986 HB 32 w HA 1, SA 2 (Volume 65, Chapter 281, Laws of Delaware).

* * * * *

The following communication was read:

THE WHITE HOUSE
WASHINGTON
June 6, 1986

Dear Miss Caniford:

It was good of you to send President Reagan Senate Concurrent Resolution No. 129 adopted by the General Assembly of the State of Delaware. Your forwarding of this statement is appreciated, and you may be sure that it has been fully noted.

With the President's best wishes to you and the members of the Assembly.

Sincerely,
Anne Higgins
Special Assistant to the President and
Director of Correspondence

The Honorable Betty Jean Caniford
Secretary of the Senate of the State of Delaware
Legislative Hall
Dover, DE 19901

* * * * *

Senator Sharp introduced Mrs. Lillian Hagu and her son, Joe, to the Senate.

Lt. Governor Woo introduced Mrs. Barbara Ryan to the Senate.

HB 447 w HA 1, 2, 3 was taken up for consideration on motion of Senator Torbert:

HB 447 w HA 1, 2, 3 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO MANDATORY SAFETY BELT USAGE IN CERTAIN MOTOR VEHICLES AND THE EFFECT OF SAFETY BELT USE UPON INSURANCE RATES.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Richard Dillard (Senate Attorney), Gary Dalton (Senate Attorney), Peter J. Kotowski (New Castle County Police), Marcene A. Gary, Dennis J. Doubet (Delaware State Police), Dr. Ali Hameli (Medical Examiner, State of Delaware), Charles Allen, M.D. (Kent General Hospital), J. A. Costello (Delaware Sentinel), Mary Elizabeth Phillips, William O. Phillips (Delaware Concerned Citizens).

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Sharp. The Amendment was then laid on the table on further motion of the Senator.

Senator Citro marked PRESENT.

SA 3 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, Berndt, Citro, Cook, Cordrey, Martin, McBride, McDowell, Minner, Sharp, Slatcher, Torbert, Vaughn - 13.

NO: Senators Bair, Bane, Connor, Holloway, Marshall, Neal - 6.

ABSENT: Senators Knox, Zimmerman - 2.

Therefore, the Amendment was declared adopted.

Senator Zimmerman marked PRESENT.

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

SA 4 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Zimmerman and the roll call vote taken which revealed 20 Senators voting YES and 1 (Knox) ABSENT; therefore, the Amendment was declared adopted.

SA 5, SA 6 and SA 7 to the Bill which had been placed with the Bill were laid on the table on motion of the sponsor, Senator Torbert.

Senator Knox marked PRESENT.

SA 8 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Torbert and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

SA 9 and SA 10 to the Bill which had been placed with the Bill were laid on the table on motion of the sponsor, Senator McDowell.

SA 9 to the Bill was then lifted from the table for consideration on motion of Senator McDowell; however, the Amendment was again laid on the table before final action was taken on further motion of the Senator.

SA 11 to the Bill (sponsor: Senator Holloway) was introduced and immediately stricken at the request of the sponsor.

SA 12 to the Bill (sponsor: Senator Sharp) was introduced and laid on the table on motion of the sponsor. Senator Citro was added as co-sponsor of the Amendment at his request.

At 3:58 p.m., a standing recess was taken for purpose of changing the tape and reconvened at 4:02 p.m., Lt. Governor Woo presiding.

At 5:21 p.m., Senator McDowell presiding.

At 5:24 p.m., Lt. Governor Woo presiding.

SA 13 to the Bill (sponsor: Senator Bair) was introduced and immediately stricken at the request of the sponsor without objection.

SA 14 to the Bill (sponsor: Senator Bair) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed:

YES: Senators Bair, Berndt, Connor, Holloway, Knox, Marshall, Neal, Zimmerman - 8.

NO: Senators Adams, Bane, Citro, Cook, Cordrey, Martin, McBride, McDowell, Minner, Sharp, Slatcher, Torbert, Vaughn - 13.

Therefore, the Amendment was declared defeated.

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

Harris B. McDowell, St. Senator
Dover, Delaware

April 25, 1986

Dear Senator:

I understand voting is to be Tuesday on H. B. 447 (the seat belt law). Please don't vote it in as mandatory. Let the people exercise their right of choice. Some people, like myself, cannot stand to be strapped down - I feel entrapped!!!

I remember years ago - you yourself were involved in an accident - the driver was killed and you were thrown clear. You had no seat belt. The driver was hanging on his seat belt and was dead. He, too, would have been thrown clear. This accident happened on Rts. 273 just below the Delaware/Maryland line. Do you recall? I believe at that time you were a student at the U. of D. My husband and I were the ones who called for help and stood by you and your friend at that time.

Please, don't be hypocritical and vote for mandatory use of seat belts. For children I agree, but not for adults. Allow adults their freedom of choice. It's part of our Constitution!!

Respectfully,
Mrs. Helen Vemarchick
New Castle, Delaware 19720

* * * * *

The roll call vote on HB 447 w HA 1, 2, 3, SA 3, 4, 8 was then taken and revealed:

YES: Senators Adams, Bair, Bane, Berndt, Holloway, Knox, Marshall, Martin, McDowell, Neal, Zimmerman - 11.

NO: Senators Citro, Connor, Cook, Cordrey, McBride, Minner, Sharp, Slatcher, Torbert, Vaughn - 10.

The Bill was, therefore, declared defeated since a 2/3 vote was required for passage.

The following Committee reports were announced:

From the Education Committee: SB 436 - 3 Merits.

From the Agriculture Committee: SB 511 - 5 Merits; SB 513 - 5 Merits.

From the Finance Committee: SB 417 - 6 Merits; SB 449 - 5 Merits.

At 6:53 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 18, 1986.

The Senate reconvened at 2:46 p.m., June 18, 1986, Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had passed SB 533; HB 402; HB 570; HB 571 w HA 1; HB 614; HB 613; HB 612; HB 717 w HA 1; HB 706; HB 573; HB 483; HB 621; HB 622; HB 488; HB 586; HB 641; HS 1 for HB 608; HB 609; HB 610; HB 611.

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

DELAWARE STATE BAR ASSOCIATION
Carvel State Office Building
Wilmington, Delaware 19801

June 11, 1986

The Honorable Jacob W. Zimmerman
Legislative Hall
Dover, DE 19901

Dear Senator Zimmerman:

In response to an inquiry by Mr. Gary Dalton I wish to advise you as follows.

There is pending SB 450 with reference to certain jurisdiction of the Court of Chancery arising out of domestic litigation. The Bill purports to be drawn by this Association. Our records do not show any endorsement by the Executive Committee of such legislation. In addition it should be noted that the Family Law Section of this Association vigorously opposes the Bill. We subscribe to the views of that Section.

I hope this information will be of assistance to you.

I remain,

Very respectfully yours,

William E. Wiggin
Executive Director

cc: Joseph M. Kwiatkowski, Esquire
Norman E. Levine, Esquire,
Gary F. Dalton, Esquire

* * * * *

SB 450 was stricken at the request of the sponsor, Senator Zimmerman.

The following legislation was introduced:

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

SA 1 to SB 493. Sponsor: Senator Berndt. Placed with the Bill.

SA 1 to SB 242. Sponsor: Senator Bair. Placed with the Bill.

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

SB 545 - AN ACT TO AMEND CHAPTER 31, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsors: Senator Marshall, Representative Mack. Assigned to Labor and Industrial Relations Committee.

SB 546 - AN ACT TO AMEND CHAPTER 101, TITLE 29 OF THE DELAWARE CODE, RELATING TO AGENCIES AFFECTED BY THE ADMINISTRATIVE PROCEDURES ACT. Sponsors: Senator Marshall, Representative Mack. Assigned to Labor and Industrial Relations Committee.

SB 547 - AN ACT TO AMEND CHAPTER 31, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsors: Senator Marshall, Representative Mack. Assigned to Labor and Industrial Relations Committee.

SB 548 - AN ACT TO AMEND CHAPTER 17, TITLE 24, DELAWARE CODE RELATING TO THE TEMPORARY SUSPENSION OF CERTIFICATES TO PRACTICE MEDICINE. Sponsors: Senators Holloway, Bane, Berndt, Bair. Assigned to Administrative Services/Energy Committee.

SB 549 - AN ACT TO AMEND PART VI, TITLE II, DELAWARE CODE, RELATING TO STATE AID TO LOCAL LAW ENFORCEMENT. Sponsors: Senators Vaughn, Adams, Bair, Cordrey, Citro, McDowell; Representatives Barnes, Boykin, Davis, B. Ennis, Gilligan, Hebner, Oberle, Reynolds, Spence, VanSant. Assigned to Judiciary Committee.

SB 550 - AN ACT TO AMEND CHAPTER 17, TITLE 18, DELAWARE CODE, RELATING TO LIMITED REPRESENTATIVES. Sponsors: Senator Adams, Representative Petrilli. Assigned to Insurance Committee.

SB 551 - AN ACT TO AMEND CHAPTER 215, VOLUME 64, LAWS OF DELAWARE ENTITLED "AN ACT TO REINCORPORATE THE CITY OF HARRINGTON", AS AMENDED, RELATING TO POLICE DEPARTMENT, BUDGETARY PROCEDURES, FIXING OF TAX RATE AND CONDEMNATION FOR WATER AND SEWER SYSTEMS. Sponsors: Senator Minner, Representative Quillen. Assigned to Community Affairs Committee.

SB 552 - AN ACT TO AMEND CHAPTER 14, TITLE 24, DELAWARE CODE, RELATING TO PROOF OF INSURANCE COVERAGE UPON ISSUANCE OF MASTER ELECTRICIAN REGISTRATION CERTIFICATES. Sponsors: Senators Adams, Bair. Assigned to Administrative Services/Energy Committee.

SA 3 to SB 425. Sponsor: Senator Martin. Placed with the Bill.

SA 1 to SB 480. Sponsor: Senator Martin. Placed with the Bill.

SA 1 to SB 538. Sponsor: Senator Adams. Placed with the Bill.

SB 548 which had been assigned to Administrative Services/Energy Committee was reassigned to Health-Social Services/Aging Committee.

SA 2 to SB 538. Sponsor: Senator Adams. Placed with the Bill.

SA 1 to SB 436. Sponsor: Senator Cook. Placed with the Bill.

SJR 22 - DIRECTING THE COMMISSIONER OF ELECTIONS AND THE DIRECTOR OF THE DIVISION OF MOTOR VEHICLES TO MATCH THE LISTING OF REGISTERED VOTERS AGAINST THE LISTING OF LICENSED DRIVERS, IN ORDER TO PRODUCE VARIOUS LISTINGS OF POTENTIAL VOTERS AND, TO DISTRIBUTE COPIES THEREOF TO BOTH MAJOR POLITICAL PARTIES. Sponsors: Senator McDowell; Representatives Bennett, Campanelli, B. Ennis, George, Mack. Laid on the table on motion of Senator McDowell.

The following Committee reports were announced:

From the Executive Committee: Charles E. Welch - 6 Favorable; Donald E. Cielewich - 3 Favorable, 3 Merits; Kent S. Price - 3 Favorable, 3 Merits; R. Jefferson Reed - 1 Favorable, 4 Merits.

SJR 23 was introduced and assigned to Natural Resources and Environmental Control Committee:

SJR 23 - DIRECTING THE SECRETARY OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO POSTPONE TRANSFER OF LAND IN BELLEVUE STATE PARK TO THE HIGHWAY DIVISION UNTIL TRAFFIC IMPACT STUDIES ON THE EFFECT OF A PROPOSED BELLEVUE CORPORATE CENTER ENTRANCE ON CARR ROAD CAN BE COMPLETED. Sponsors: Senator McDowell, Representative Brady, Senator Berndt, Representatives D. Ennis, Smith.

SENATE CONSENT CALENDAR #26 was introduced and considered for adoption on motion of Senator Minner. The Calendar consisted of the following:

HCR 145 - EXPRESSING SYMPATHY TO THE FAMILY OF MR. MORRIS W. KING OF HARTLY, DELAWARE UPON LEARNING OF THE DEATH OF HIS WIFE, MRS. BERTHA V. MELDA KING. Sponsors: Representatives Clark, B. Ennis; Senators Cook, Vaughn.

HCR 146- CONGRATULATING THE WILLIAM PENN COLONIALS GIRLS SOFTBALL TEAM UPON WINNING THE 1986 STATE HIGH SCHOOL SOFTBALL CHAMPIONSHIP. Sponsors: Representatives Mack, Reynolds, Houghton, Spence, Davis; Senators Connor, Vaughn, McBride.

HCN 147 - CONGRATULATING THE MEMBERS AND THE REVEREND J. W. RILEY OF THE PENIEL UNITED METHODIST CHURCH OF NEWPORT ON THE CELEBRATION OF THE CHURCH'S 200TH ANNIVERSARY. Sponsors: Representative VanSant, Senator Sharp.

HCN 148 - CONGRATULATING MR. AND MRS. ALDEN A. WEHDE OF NEWPORT WHO WILL BE CELEBRATING THEIR 50TH WEDDING ANNIVERSARY ON JUNE 26, 1986. Sponsors: Representative VanSant, Senator Sharp.

HCN 149 - EXPRESSING SORROW CONCERNING THE UNTIMELY DEATH OF PAMELA J. BUCKLEY, A SENIOR AT SMYRNA HIGH SCHOOL. Sponsors: Representative B. Ennis, Senator Cook.

HCN 150 - SALUTING RAYMOND TOMASETTI AS HE RETIRES FROM THIRTY-NINE YEARS OF SERVICE TO THE STATE OF DELAWARE IN THE HIGHWAY DEPARTMENT, AND EXPRESSING GRATITUDE FOR HIS SERVICE. Sponsors: Representatives Brady, Anderson, Barnes, Bennett, Boykin, Buckworth, Campanelli, Carey, Caulk, Clark, Cordrey, Corrozi, Davis, B. Ennis, D. Ennis, Fallon, Free, George, Gilligan, Hebner, Houghton, Jester, Jonkiert, Mack, Maroney, Outten, Petrilli, Plant, Quillen, Reynolds, Roy, Sills, Soles, Spence, Steele, Taylor, VanSant, West, Wingate; All Senators.

HCN 152 - COMMEMORATING THE LIFE AND DEEDS OF OLIVE F. SHOEMAKER. Sponsors: Representative Buckworth, Senator Torbert.

SCR 142 - CONGRATULATING DR. J. PAUL SLAYBAUGH OF LEWES, FORMER PRESIDENT OF WESLEY COLLEGE, ON HIS 90TH BIRTHDAY. Sponsors: Senators Torbert, Cook, Vaughn, Minner, Zimmerman, Adams, Cordrey, Slatcher, Bair; Representatives B. Ennis, Clark, Quillen, Outten, Bennett, Caulk, Buckworth, Barnes, Carey, Wingate, Steele, Fallon, Cordrey, West.

SCR 143 - RECOGNIZING JAMES SOLES FOR HIS ONE-MAN PORTRAYAL OF PRESIDENT JAMES MADISON. Sponsors: Senators Bair, Martin, Berndt, Cook, Neal; Representatives Smith, Jester.

SR 132 - EXPRESSING BEST WISHES TO MR. PAUL S. SMITH, SR., UPON LEARNING OF HIS RECENT 65TH BIRTHDAY. Sponsor: Senator Minner.

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The roll call vote on the Calendar was then taken and revealed 21 Senators voting YES; therefore, the Resolutions were declared adopted. The House Concurrent Resolutions were returned to the House and the Senate Concurrent Resolutions were sent to the House for consideration.

Senator Vaughn introduced to the Senate Bobby Nelson of Smyrna High School, Lt. Governor of the Boys State.

At 3:11 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 42nd Legislative Day.

42ND LEGISLATIVE DAY June 18, 1986

The Senate convened at 3:11 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

Senator McDowell marked PRESENT.

SR 130 was introduced and considered for adoption on motion of Senator Holloway:

SR 130 - COMMENDING ELAINE SPAIN HAITH, WIFE OF JOHN HAITH OF WILMINGTON, FOR HER 33 YEARS OF DEDICATED SERVICE TO CHILDREN AND TEACHERS OF THE PHILADELPHIA SCHOOL SYSTEM. Sponsor: Senator Holloway.

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

On motion of Senator Adams, the Governor's nomination for appointment of Charles E. Welch 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 Kent S. Price 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 R. Jefferson Reed 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 Donald E. Cielewich was taken up for consideration and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

SB 508 was taken up for consideration on motion of Senator Berndt:

SB 508 - AN ACT AUTHORIZING THE TRANSFER OF GENERAL FUND POSITIONS FROM JUDICIAL AND EXECUTIVE BRANCH AGENCIES TO THE STATE PERSONNEL OFFICE FOR PURPOSES OF PROVIDING EMPLOYMENT FOR QUALIFIED MENTALLY HANDICAPPED CITIZENS.

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

SB 242 was taken up for consideration on motion of Senator Bair:

SB 242 - AN ACT TO AMEND CHAPTER 27, TITLE 6 OF THE DELAWARE CODE RELATING TO THE USE OF LANGUAGE IN CONSUMER CONTRACTS.

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

The privilege of the floor was extended to June D. McCarter 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.

SB 494 was taken up for consideration on motion of Senator Knox:

SB 494 - AN ACT TO AMEND CHAPTER 9, TITLE 7, DELAWARE CODE RELATING TO OUT-OF-STATE FINFISH AND THE AUTHORITY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO ISSUE AQUACULTURE PERMITS FOR FINFISH.

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

The privilege of the floor was extended to William C. Wagner, II (Director, Division of Fish and Wildlife).

The roll call vote on SB 494 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Neal) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 521 was taken up for consideration on motion of Senator Knox:

SB 521 - AN ACT TO AMEND CHAPTER 1, TITLE 7, DELAWARE CODE, RELATING TO THE EXHIBITION OF PROTECTED WILDLIFE, FINFISH OR CERTAIN DEVICES AND PROVIDING A PENALTY FOR FAILURE TO EXHIBIT.

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

The privilege of the floor was extended to William C. Wagner, II (Director, Division of Fish and Wildlife).

The roll call vote on SB 521 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 493 was taken up for consideration on motion of Senator Berndt:

SB 493 - AN ACT TO AMEND CHAPTER 9, TITLE 7, DELAWARE CODE RELATING TO UNDERSIZED FINFISH AND DISMEMBERMENT OF FINFISHES.

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 21 Senators voting YES; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to William C. Wagner, II (Director, Division of Fish and Wildlife).

The roll call vote on SB 493 w SA 1 was then taken; however, the roll call was laid on the table before being announced on motion of Senator Berndt.

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

SB 538 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, §2, OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE RESIDENCE OF THE JUSTICES OF THE SUPREME COURT, AND THE RESIDENCE AND NUMBER OF VICE CHANCELLORS AND ASSOCIATE JUDGES OF SUPERIOR COURT.

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

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

The roll call vote on SB 538 w SA 2 was then taken and revealed:

YES: Senators Adams, Citro, Cook, Cordrey, Marshall, Martin, McBride, McDowell, Minner, Slater, Torbert, Vaughn, Zimmerman - 13.

NO: Senators Connor, Neal - 2.

NOT VOTING: Senators Bair, Bane, Berndt, Knox - 4.

ABSENT: Senators Holloway and Sharp - 2.

Therefore, the Bill was declared defeated since a 2/3 vote was required for passage.

SB 509 was taken up for consideration on motion of Senator Zimmerman:

SB 509 - AN ACT TO AMEND SUBCHAPTER II, TITLE 30, DELAWARE CODE, RELATING TO EXCLUSION OF UNEARNED AND PENSION INCOME FROM DELAWARE PERSONAL INCOME TAX.

SA 1 to the Bill (sponsor: Senator Zimmerman) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Steve Kubico (Office of the Controller General) and Gary Dalton.

The roll call vote on SB 509 w SA 1 was then taken and revealed:

YES: Senators Adams, Bane, Citro, Cook, Cordrey, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 16.

NOT VOTING: Senators Bair, Berndt, Connor, Knox - 4.

ABSENT: Senator Holloway - 1.

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

SB 425 was taken up for consideration on motion of Senator Martin:

SB 425 - AN ACT TO AMEND CHAPTER 43, TITLE 21 OF THE DELAWARE CODE, RELATING TO BUMPER HEIGHTS.

SA 1 and SA 2 to the Bill which had been placed with the Bill, were stricken on motion of the sponsor, Senator Martin.

SA 3 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.

The privilege of the floor was extended to Gary Dalton, Senate attorney, after which the roll call vote on SB 425 w SA 3 was taken and revealed:

YES: Senators Adams, Bair, Bane, Berndt, Citro, Connor, Holloway, Knox, Marshall, Martin, McBride, McDowell, Sharp - 13.

NO: Senators Cook, Cordrey, Minner, Neal, Slatcher, Torbert, Zimmerman - 7.

NOT VOTING: Senator Vaughn - 1.

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

SB 417 was taken up for consideration on motion of Senator Cook:

SB 417 - AN ACT TO AMEND CHAPTER 39 OF TITLE 14 AND CHAPTERS 55 AND 56, TITLE 29, DELAWARE CODE, TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS WHO RETIRED ON OR BEFORE JULY 1, 1985.

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

Senator Bane was added as co-sponsor of the Bill at her request.

At 5:21 p.m., Lt. Governor Woo presiding.

The roll call vote on SB 417 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 480 was taken up for consideration on motion of Senator Martin:

SB 480 - AN ACT TO AMEND PART X, TITLE 29, DELAWARE CODE, TO ESTABLISH A BILL OF RIGHTS FOR PROPERTY OWNERS AND LESSEES.

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 20 Senators voting YES and 1 (Zimmerman) NOT VOTING; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Gary Dalton, Senate attorney.

The roll call vote on SB 480 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Slatcher) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 436 was taken up for consideration on motion of Senator Cook:

SB 436 - AN ACT TO AMEND CHAPTER 13, TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL LUNCH MANAGERS.

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 20 Senators voting YES and 1 (Slatcher) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 436 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 485 was taken up for consideration on motion of Senator Marshall:

SB 485 - AN ACT TO AMEND CHAPTER 31, TITLE 19, OF THE DELAWARE CODE RELATING TO THE DUTIES OF THE OFFICE OF AUDITOR OF ACCOUNTS.

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

SB 486 was taken up for consideration on motion of Senator Marshall:

SB 486 - AN ACT TO AMEND CHAPTER 31, TITLE 19, OF THE DELAWARE CODE RELATING TO THE DUTIES OF THE OFFICE OF AUDITOR OF ACCOUNTS.

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

SB 456 was taken up for consideration on motion of Senator Cook:

SB 456 - AN ACT TO AMEND CHAPTER 55, TITLE 30, DELAWARE CODE, RELATING TO PUBLIC UTILITIES TAX.

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

At 5:55 p.m., the Chair declared a standing recess for changing of the tape and the Senate reconvened at 5:58 p.m., Senator McDowell presiding.

SB 454 was taken up for consideration on motion of Senator Sharp:

SB 454 - AN ACT TO AMEND CHAPTER 39 OF TITLE 12, DELAWARE CODE, TO PROVIDE IN LIMITED CIRCUMSTANCES FOR THE APPOINTMENT BY THE COURT OF CHANCERY OF AN INTERIM GUARDIAN WHEN AN IMMINENT THREAT OF SERIOUS PHYSICAL HARM IS PRESENT.

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

The roll call vote on SB 454 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Torbert) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 554 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Sharp:

SB 554 - AN ACT TO AMEND TITLE 18, DELAWARE CODE, CHAPTER 15, TO REQUIRE INSURERS TO BEAR THE COSTS OF MAINTAINING SECURITIES ON DEPOSIT. Sponsor: Senator Sharp.

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

SB 499 was taken up for consideration on motion of Senator Sharp:

SB 499 - AN ACT TO AMEND TITLE 18, DELAWARE CODE, CHAPTER 5, SECTION 513 TO PROVIDE THAT THE STATUTORY DEPOSIT OF INSURERS FOR WORKERS' COMPENSATION INSURANCE MAY BE USED TO PAY WORKERS' COMPENSATION CLAIMS IMMEDIATELY IF THE INSURER BECOMES FINANCIALLY IMPAIRED OR INSOLVENT.

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

SB 501 was taken up for consideration on motion of Senator Sharp:

SB 501 - AN ACT TO AMEND TITLE 18, DELAWARE CODE, CHAPTER 44, TO EXCLUDE NON-RESIDENTS OF DELAWARE FROM DELAWARE LIFE AND HEALTH GUARANTY FUND PROTECTION.

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

SB 498 was stricken at the request of the sponsor, Senator Sharp.

SB 451 was taken up for consideration on motion of Senator McDowell:

SB 451 - AN ACT TO AMEND CHAPTER 43, SUBCHAPTER 1, TITLE 29, OF THE DELAWARE CODE RELATING TO NOTARIES PUBLIC.

The privilege of the floor was extended to Gary Dalton, Senate attorney, after which the Bill was laid on the table on further motion of the Senator.

SS 1 for SB 402 which had previously passed the Senate, was taken up for reconsideration as further amended by HA 1 on motion of Senator Holloway. The roll call vote on SS 1 for SB 402 w HA 1 was then taken and revealed 19 Senators voting YES and 2 (Marshall and Torbert) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

From a transcript of the Senate proceedings:

"Senator Holloway: The motion that is being made, I think it would be fine if we had it in writing once it has passed.

Senator Sharp: I will ask the Secretary of the Senate to write whatever I say down please.

Mr. President: Senator Sharp.

Senator Sharp: Mr. President, I move that all necessary rules be suspended for the balance of this session for the purpose of assigning bills to committee to allow the President pro Tem to assign those bills at his convenience either before or after session and that a sheet be made up showing where those bills were assigned and distributed to members of the Senate and any other interested parties.

Senator McDowell: Second the motion.

Mr. President: We got a second anyway.

Senator Adams: Mr. President:

Mr. President: Senator Adams.

Senator Adams: Would it not be better to have it till June the 30th in case we come back for special sessions and you do not want to read in a special bill by chance.

Senator Sharp: Mr. President, to clarify my motion, that is what I meant to say. Throughout the balance of this session, anything other than that would be special session so I thought my language would have been proper but it not that's what I wanted.

Mr. President: Senator Bair.

Senator Bair: Mr. President, just to make sure we are doing this correctly, do we also need to indicate that that written list becomes part of the permanent record?

Mr. President: It will become a part of the Journal.

Senator Bair: Fine.

Mr. President: Senator Martin.

Senator Martin: Question, Mr. President, on the motion. Suppose there is an objection to a bill going to a certain committee.

Senator Sharp: If there is an objection once the sheets are distributed to the members of the Senate, that objection can be voiced here on the floor and the assignment changed or roll call taken to see how the Senate feels about it. There is no attempt whatsoever to do anything other than expedite the rest of this session.

Mr. President. Do I hear any objections to the motion? If not, so carried."

SB 538 w SA 2 which had been defeated for passage, was restored to the Calendar on motion of Senator Berndt without objection. On motion of Senator Adams and without objection, the roll call vote on SB 538 w SA 2 was rescinded.

At 6:38 p.m. on motion of Senator, Sharp, the Senate recessed until 2:00 p.m., June 19, 1986.

The Senate reconvened at 2:14 p.m. June 19, 1986, Senator Cordrey presiding.

SB 415 w SA 1 (HA 1, 2) was laid on the table on motion of Senator Holloway.

The following Committee reports were announced:

From the Community Affairs Committee: HB 477 - 3 Merits.

From the Executive Committee: SB 536 - 4 Merits.

From the Health-Social Services/Aging Committee: SB 505 - 5 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 506 w HA 1; HB 671; HB 693 w HA 1; HB 541 w HA 1.

At 2:16 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 43rd Legislative Day.

43RD LEGISLATIVE DAY

June 19, 1986

The Senate convened at 2:16 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

Sensors Connor and Marshall marked Present.

A copy of Legislation introduced and assigned was made available to each Senator and other interested parties:

PRESIDENT PRO TEMPORE'S INTRODUCTION AND COMMITTEE ASSIGNMENT LIST JUNE 19, 1986

SA 1 to SB 289. Sponsor: Senator McDowell. Placed with the Bill.

SA 9 to SB 364. Sponsors: Senators R. Cordrey, Holloway. Placed with the Bill.

SA 10 to SB 364. Sponsors: Senators R. Cordrey, Holloway. Placed with the Bill.

SA 2 to SB 372. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 455. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 519. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 520. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 534. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 549. Sponsor: Senator Vaughn. Placed with the Bill.

SA 1 to SB 550. Sponsor: Senator Adams. Placed with the Bill.

SB 553 - AN ACT TO AMEND TITLE 6, CHAPTER 50 OF THE DELAWARE CODE RELATING TO AUTOMOBILE WARRANTIES AND DISPUTE RESOLUTION OF PROCEDURES FOR DEFECTIVE AUTOMOBILES. Sponsors: Senators Bane, Sharp, Neal, Marshall; Reps. Taylor, Oberle. Assigned to the Public Safety Committee.

SB 555 - AN ACT TO AMEND CHAPTER 8, TITLE 22, DELAWARE CODE, TO EXEMPT LARGE MUNICIPAL CORPORATIONS FROM THE PROVISIONS DEALING WITH LOCATION OF ADULT ENTERTAINMENT ESTABLISHMENT. Sponsors: Senators Holloway, Marshall, McDowell, McBride; Reps. Free, Sills, Jonkiert, George, Plant. Assigned to the Community Affairs Committee.

SB 556 - AN ACT TO AMEND CHAPTER 5, TITLE 4, DELAWARE CODE, RELATING TO THE SALE OF ALCOHOLIC LIQUOR BY MANUFACTURERS AND DISTILLERIES. Sponsors: Senators McDowell, Berndt; Reps. Oberle, B. Ennis. Assigned to the Administrative Services Committee.

HB 267 w HA 1. - AN ACT TO AMEND CHAPTER 43, TITLE 21, DELAWARE CODE, RELATING TO SCHOOL BUSES. Sponsors: Rep. Caulk; Senator Slatcher. Assigned to the Public Safety Committee.

HB 402 AN ACT TO AMEND CHAPTER 43, TITLE 21 OF THE DELAWARE CODE RELATING TO FLASHING LIGHTS ON VEHICLES. Sponsor: Rep. Brady. Assigned to the Public Safety Committee.

HB 483 - AN ACT TO AMEND TITLE 9, CHAPTER 93, SECTION 9306 RELATING TO THE SALARY OF THE COMPTROLLER OF KENT COUNTY. Sponsors: Reps. Outten, B. Ennis, Clark, Barnes, Bennett, Buckworth, Caulk, Quillen; Senators Cook, Minner, Torbert, Vaughn, Zimmerman. Assigned to the Community Affairs Committee.

HB 488 - AN ACT TO AMEND TITLE 9, CHAPTER 83, SECTION 8305 OF THE DELAWARE CODE RELATING TO THE ASSESSMENT OF PROPERTY OF MEMBERS OF THE BOARD OF ASSESSMENT. Sponsors: Reps. Bennett, Outten, Clark, B. Ennis, Barnes, Buckworth, Caulk, Quillen; Senators Cook, Minner, Torbert, Vaughn, Zimmerman. Assigned to the Community Affairs Committee.

HB 489 - AN ACT TO AMEND TITLE 9, CHAPTER 93 OF THE DELAWARE CODE RELATING TO THE KENT COUNTY COMPTROLLER. Sponsors: Rep. Bennett, Quillen, Outten, Barnes, Buckworth, Caulk, Clark, B. Ennis; Senators Cook, Minner, Torbert, Vaughn, Zimmerman. Assigned to the Community Affairs Committee.

HB 520 w HA 1 - AN ACT TO AMEND TITLE 19, CHAPTER 5, DELAWARE CODE RELATING TO CHILD LABOR AND PROVIDING FOR PARENTALLY OR GUARDIAN PERMITTED EMPLOYMENT HOURS FOR CHILDREN 14 YEARS OF AGE OR OLDER. Sponsor: Rep. Oberle. Assigned to the Labor Committee.

HB 542 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT AND PROVIDING FOR THE REGISTRATION WITH THE SELECTIVE SERVICE SYSTEM OF MALES BORN AFTER JANUARY 1, 1960 IN ORDER TO BECOME AVAILABLE FOR CERTAIN STATE BENEFITS OR EMPLOYMENT. Sponsors: Rep. Roy, Senator Citro; Reps. Taylor, Spence, Oberle, Petrilli, Mack, Corrozi, Houghton, Campanelli, VanSant, B. Ennis; Senator Vaughn. Assigned to the Labor Committee.

HB 548 - AN ACT TO AMEND CHAPTER 57, TITLE 15 OF THE DELAWARE CODE RELATING TO THE CANVASS OF VOTE AND PROCLAMATION OF RESULTS OF ELECTION. Sponsors: Reps. Smith, Hebner; Senator Cook. Assigned to the Elections Committee.

HB 558 w HA 1 - AN ACT TO AMEND CHAPTERS 3 AND 25, TITLE 30 OF THE DELAWARE CODE, RELATING TO BONDING AND LICENSING REQUIREMENTS OF CONTRACTORS. Sponsors: Rep. Petrilli, Senator Marshall; Reps. Barnes, Buckworth, Carey, Boykin, Caulk, Corrozi, Davis, Fallon, Free, Hebner, Mack, Maroney, Oberle, Quillen, Reynolds, Roy, Smith, Spence, Steele, Taylor, Anderson, Bennett, Brady, Campanelli, Clark, C. Cordrey, B. Ennis, George, Gilligan, Houghton, Jester, Jonkiert, Outten, Plant, Sills, Soles, VanSant, West, Wingate; Senators Bair, Bane, Connor, Knox, Neal, Cook, Martin, Minner, Torbert, Vaughn. Assigned to the Administrative Services Committee.

HB 562 w HA 2 - AN ACT TO AMEND CHAPTER 43 OF TITLE 10 OF THE DELAWARE CODE PERTAINING TO EVIDENCE AND WITNESSES BY PERMITTING DISCLOSURE OF CONFIDENTIAL SOURCES OF REPORTERS IN DEFAMATION CASES. Sponsor: Rep. Hebner. Assigned to the Judiciary Committee.

HB 569 - AN ACT TO AMEND CHAPTER 63, TITLE 7, DELAWARE CODE RELATING TO HAZARDOUS WASTE MANAGEMENT. Sponsors: Reps. Mack, Carey, Caulk; Senator Zimmerman. Assigned to the Natural Resources Committee.

HB 570 - AN ACT TO AMEND CHAPTERS 80 AND 82, TITLE 29, DELAWARE CODE AND CHAPTER 60, TITLE 7, DELAWARE CODE TO CHANGE THE DESIGNATION OF DIVISION OF ENVIRONMENTAL CONTROL TO THE DIVISION OF AIR AND WASTE MANAGEMENT AND/OR THE DIVISION OF WATER RESOURCES. Sponsors: Reps. Mack, Carey, Caulk; Senator Zimmerman. Assigned to the Natural Resources Committee.

HB 571 w HA 1 - AN ACT TO AMEND CHAPTER 60, TITLE 7, DELAWARE CODE RELATING TO THE REPORTING OF A DISCHARGE OF A POLLUTANT OR AN AIR CONTAMINANT AND PROVIDING FOR CRIMINAL SANCTION AND JURISDICTION FOR DISCHARGE OF POLLUTANT. Sponsors: Reps. Mack, Carey, Caulk, Clark, Davis, D. Ennis, Jester; Senators Connor, Vaughn, Zimmerman. Assigned to the Natural Resources Committee.

HB 573 - AN ACT TO AMEND CHAPTER 39, TITLE 7, DELAWARE CODE RELATING TO THE COMPOSITION OF BOARD OF DISTRICT SUPERVISORS FOR SOIL AND WATER CONSERVATION DISTRICTS. Sponsors: Reps. Carey, Steele, Caulk, Mack, Bennett. Assigned to the Natural Resources Committee.

HB 586 - AN ACT TO AMEND CHAPTER 13, TITLE 10 OF THE DELAWARE CODE, RELATING TO APPEALS IN CIVIL ACTIONS FROM THE COURT OF COMMON PLEAS TO THE SUPERIOR COURT. Sponsors: Reps. Houghton, Brady, Campanelli, Davis, B. Ennis, Gilligan, George, Jonkiert, Plant, Reynolds, Sills, Spence, VanSant. Assigned to the Judiciary Committee.

HB 588 w HA 2 - AN ACT TO AMEND TITLE 23, DELAWARE CODE BY CREATING A NEW CHAPTER 22 RELATING TO BOATING SAFETY. Sponsors: Reps. Buckworth, Reynolds, Oberle, Roy, Taylor, Barnes, Carey, Spence, Petrilli, Clark, Outten. Assigned to the Natural Resources Committee.

HB 597 w HA 1,2,3,4,5 - AN ACT TO AMEND TITLE 19, DELAWARE CODE BY ADDING A NEW CHAPTER THERETO RELATING TO POLICE OFFICERS AND FIREFIGHTERS EMPLOYMENT RELATIONS. Sponsors: Reps. Oberle, Davis, Spence; Senator Marshall. Assigned to the Labor Committee.

HS 1 for HB 608 - AN ACT TO AMEND CHAPTER 43, TITLE 11 OF THE DELAWARE CODE RELATING TO LENGTH OF PROBATION, SUSPENSIONS OF SENTENCE, PERIODS OF SUPERVISION AND TERMINATION OF SENTENCE. Sponsors: Reps. Spence, Houghton; Senator Bair. Assigned to the Judiciary Committee.

HB 609 - AN ACT TO AMEND CHAPTER 43, TITLE 11 OF THE DELAWARE CODE RELATING TO AUTHORIZING THE DEPARTMENT OF CORRECTION TO ADMINISTRATIVELY HANDLE TECHNICAL AND MINOR VIOLATIONS OF CONDITIONS OF PARTIAL CONFINEMENT, PROBATION, OR SUSPENSION OF SENTENCE. Sponsors: Reps. Spence, Houghton; Senators Bair, Vaughn; Reps. Davis, Corrozi, Boykin, Hebner, Smith, Reynolds, B. Ennis, Jester, Jonkiert, Outten, Plant; Senators Berndt, Connor, Neal. Assigned to the Judiciary Committee.

HB 610 - AN ACT TO AMEND CHAPTER 43, TITLE 11 OF THE DELAWARE CODE RELATING TO DIMINUTION OF PARTIAL CONFINEMENT OR PROBATION. Sponsors: Reps. Spence, Houghton; Senators Bair, Vaughn; Reps. Boykin, Corrozi, Davis, Hebner, Reynolds, Smith, B. Ennis, Jester, Jonkiert, Outten, Plant; Senators Berndt, Connor, Neal. Assigned to the Judiciary Committee.

HB 611 - AN ACT TO AMEND CHAPTER 42, TITLE 11 OF THE DELAWARE CODE RELATING TO THE AUTHORIZED DISPOSITIONS OF CONVICTED OFFENDERS AND SUBSTITUTING THE DEPARTMENT OF CORRECTION FOR THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES IN SUCH MATTERS. Sponsors: Reps. Spence, Houghton; Senators Bair, Vaughn; Reps. Davis, Corrozi, Boykin, Hebner, Smith, Reynolds, Jester, B. Ennis, Jonkiert, Outten, Plant; Senators Berndt, Connor, Neal. Assigned to the Corrections Committee.

HB 612 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV OF THE DELAWARE CONSTITUTION TO AUTHORIZE THE DESIGNATION OF CONSTITUTIONAL AND STATUTORY JUDGES TO ANOTHER COURT. Sponsors: Reps. Spence, Outten; Senators Bair, Vaughn. Assigned to the Judiciary Committee.

HB 613 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV OF THE DELAWARE CONSTITUTION TO DESIGNATE JUDGES OF THE FAMILY COURT AND COURT OF COMMON PLEAS AS JUDGES OF THE SUPERIOR COURT OF THE STATE OF DELAWARE. Sponsors: Reps. Spence, Outten; Senators Bair, Vaughn. Assigned to the Judiciary Committee.

HB 614 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV OF THE DELAWARE CONSTITUTION TO DESIGNATE JUDGES OF THE MUNICIPAL COURT OF THE CITY OF WILMINGTON AS JUDGES OF THE SUPERIOR COURT OF THE STATE OF DELAWARE. Sponsors: Reps. Spence, Outten; Senators Bair, Vaughn. Assigned to the Judiciary Committee.

HB 621 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO RUTH M. PARKER: APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE, AND DIRECTING THE BOARD OF PENSION TRUSTEES, TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE. Sponsors: Reps. Hebner, Oberle, George, Barnes, Gilligan. Assigned to the Finance Committee.

HB 622 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO ANNA REDDING; APPROPRIATING MONIES INTO THE SPECIAL FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE, AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29 OF THE DELAWARE CODE. Sponsors: Reps. Hebner, Oberle, Barnes, George, Gilligan. Assigned to the Finance Committee.

HB 641 - AN ACT TO AMEND CHAPTER 3, TITLE 3 OF THE DELAWARE CODE RELATING TO MARKETING. Sponsors: Rep. Caulk, Senator Adams; Reps. Carey, Mack, Clark, C. Cordrey; Senators Cook, R. Cordrey, Vaughn, Connor, Slatcher. Assigned to the Agriculture Committee.

HB 677 w HA 1 - AN ACT TO AMEND VOLUME 43, CHAPTER 189, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE TOWN OF WYOMING. Sponsors: Rep. Buckworth, Senator Torbert. Assigned to the Community Affairs Committee.

HB 680 w HA 1 - AN ACT TO AMEND CHAPTER 86, PART VIII, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF CONSUMER AFFAIRS; AND PROVIDING FOR AN ADVISORY COUNCIL ON MANUFACTURED HOUSING. Sponsors: Reps. Wingate, Steele, West; Senators Minner, Slatcher. Assigned to the Community Affairs Committee.

HB 695 w HA 1,2 - AN ACT TO AMEND CHAPTER 70, PART IV, TITLE 25 OF THE DELAWARE CODE RELATING TO MOBILE HOMES AND MOBILE HOME PARKS. Sponsors: Reps. Wingate, Steele; Senators Minner, Slatcher. Assigned to the Community Affairs Committee.

HB 706 - AN ACT TO AMEND CHAPTER 67, TITLE 9 OF THE DELAWARE CODE RELATING TO POWERS OF SUSSEX COUNTY WITH RESPECT TO SEWERAGE SYSTEMS. Sponsors: Reps. Barnes, Carey, Caulk, Mack, Clark, C. Cordrey; Senators Berndt, Knox, R. Cordrey, Martin, Minner, Zimmerman. Assigned to the Community Affairs Committee.

HB 707 - AN ACT TO AMEND CHAPTER 34, TITLE 14 OF THE DELAWARE CODE ESTABLISHING THE DELAWARE TEACHER INCENTIVE PROGRAM. Sponsors: Reps. Soles, Fallon, Smith, Wingate. Assigned to the Education Committee.

HB 715 - AN ACT TO AMEND CHAPTER 5, TITLE 28 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE DELAWARE HARNESS RACING COMMISSION. Sponsors: Rep. Quillen, Jester. Assigned to the Community Affairs.

HB 717 w HA 1 - AN ACT ENTITLED "THE TAX REDUCTION ACT OF 1986", WHICH AMENDS CHAPTER 11, TITLE 30 OF THE DELAWARE CODE RELATING TO THE REDUCTION OF PERSONAL INCOME TAX RATES. Sponsors: Reps. Petrilli, Taylor, Carey, Reynolds, Caulk, Steele, Anderson, Bennett, Boykin, Brady, Barnes, Buckworth, Clark, Corrozi, Davis, D. Ennis, Fallon, Free, George, Gilligan, Hebner, Houghton, Jester, Mack, Maroney, Oberle, Outten, Plant, Quillen, Roy, Sills, Smith, Soles, Spence, VanSant, West, Wingate; Senators Bair, Bane, Knox, Neal. Assigned to the Finance Committee.

Senator Cordrey introduced Ellen Mitchell to the Senate.

SB 471 was taken up for consideration on motion of Senator Adams, acting at the request of Senator Cordrey:

SB 471 – AN ACT TO AMEND CHAPTER 5, TITLE 9 OF THE DELAWARE CODE, RELATING TO FIXING A DATE FOR AN ELECTION TO AUTHORIZE THE ISSUANCE OF A BOND FOR SUBURBAN COMMUNITY IMPROVEMENTS.

At 2:20 p.m., Senator Sharp presiding.

Senators Martin, McBride, Zimmerman marked PRESENT.

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

SB 472 was taken up for consideration on motion of Senator Minner:

SB 472 – AN ACT TO AMEND CHAPTER 5, TITLE 9 OF THE DELAWARE CODE, RELATING TO THE PERSONS ENTITLED TO VOTE IN SUBURBAN COMMUNITY IMPROVEMENTS ELECTIONS.

At 2:22 p.m., Lt. Governor Woo presiding.

Senators Bair and Citro marked PRESENT.

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

SB 478 was taken up for consideration on motion of Senator Adams:

SB 478 – AN ACT TO AMEND CHAPTER 70, TITLE 9 OF THE DELAWARE CODE, RELATING TO SUSSEX COUNTY COMPETITIVE BID LEVEL OF THE DEPARTMENT OF FINANCE FOR THE SUSSEX COUNTY GOVERNMENT.

Senator Bane marked PRESENT.

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

HB 574 was taken up for consideration on motion of Senator Cordrey under suspension of the necessary rules:

HB 574 – AN ACT TO AMEND CHAPTER 41, TITLE 7, DELAWARE CODE, RELATING TO PAYMENT OF TAX LEVIES TO TAX DITCHES.

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 491 w HA 1 was taken up for consideration on motion of Senator Minner:

HB 491 w HA 1 – AN ACT TO AMEND TITLE 9, CHAPTERS 44 AND 49 OF THE DELAWARE CODE RELATING TO CONSTRUCTION CODE AND ZONING CODE ENFORCEMENT BY KENT COUNTY.

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

SB 522 was taken up for consideration on motion of Senator Minner:

SB 522 – AN ACT TO AMEND CHAPTER 21, TITLE 10 OF THE DELAWARE CODE RELATING TO MILEAGE FEES FOR THE SHERIFF OF SUSSEX COUNTY.

At the request of Senator Minner, Senator Slatcher was added as co-sponsor on bonded copies..

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

HB 492 was taken up for consideration on motion of Senator Minner:

HB 492 – AN ACT TO AMEND SECTIONS 8201 AND 8732, TITLE 9 OF THE DELAWARE CODE RELATING TO ASSESSMENTS AND REAL ESTATE TAXES IN KENT COUNTY.

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

HB 471 w HA 1 was taken up for consideration on motion of Senator Minner:

HB 471 w HA 1 – AN ACT TO AMEND CHAPTER 15, TITLE 28, DELAWARE CODE, RELATING TO THE COMPOSITION OF THE DELAWARE GAMING CONTROL BOARD.

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

SB 517 was taken up for consideration on motion of Senator Holloway:

SB 517 – AN ACT TO AMEND TITLE 18, DELAWARE CODE, TO ADD A NEW CHAPTER 33A ENTITLED "THE COMPREHENSIVE HEALTH CARE COST CONTAINMENT AND QUALITY CONTROL ENHANCEMENT ACT OF 1986.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Insurance Secretary David Levinson, Hugh Martin (Insurance Commissioner's Task Force and Blood Bank of Delaware), Paul R. Stoffer (Delaware Health Care Coalition), Irving S. Levitt (Insurance Commissioner's Task Force and Health Care Cost Containment).

At 2:48 p.m., Senator Sharp presiding.

At 2:55 p.m., Lt. Governor Woo presiding.

At 3:02 p.m., Senator Sharp presiding.

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

SA 2 to the Bill (sponsor: Senator Holloway) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

SA 3 to the Bill (sponsor: Senator Holloway) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Citro, McBride) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 517 w SA 1, 2, 3 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 536 was taken up for consideration on motion of Senator McDowell:

SB 536 – AN ACT TO AMEND CHAPTER 65, TITLE 29 OF THE DELAWARE CODE, RELATING TO AN INVENTORY OF PROPERTY UNDER AN AGENCIES CONTROL.

The privilege of the floor was extended to John A. Mancus (Office of Auditor of Accounts).

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

SB 537 was taken up for consideration on motion of Senator McDowell:

SB 537 – AN ACT TO AMEND TITLE 16, CHAPTER 31, DELAWARE CODE, RELATING TO VITAL STATISTICS AND PROVIDING FOR ISSUANCE OF CREMATION PERMITS.

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

At 4:34 p.m. on motion of Senator Cordrey, the Senate recessed for a short period and reconvened at 4:40 p.m., Senator Sharp presiding.

SB 451 was lifted from the table for consideration on motion of Senator McDowell.

SA 1 to the Bill (sponsor: Senator McDowell) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Adams, Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

At 4:45 p.m., Senator Cordrey presiding.

The roll call vote on SB 451 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Adams, Berndt) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 400 w HA 1, 2 was taken up for consideration on motion of Senator Sharp:

HB 400 w HA 1, 2 – AN ACT TO AMEND CHAPTER 43, PART II, TITLE II OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE; AND PROVIDING FOR THE HOUSE ARREST OF NON-VIOLENT OFFENDERS.

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

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

The privilege of the floor was extended to Representative Casimer Jonkiert.

The roll call vote on HB 400 w HA 1, 2, SA 2 was then taken and revealed 20 Senators voting YES and 1 (Cook) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

SA 1 to HB 400 w HA 1, 2, 3 was stricken at the request of Senator Sharp.

HB 452 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 452 w HA 1 – AN ACT TO AMEND CHAPTER 5, TITLE II, DELAWARE CODE RELATING TO MINIMUM MANDATORY SENTENCES FOR CERTAIN CRIMINAL ACTS WHICH CAUSE DEATH.

The privilege of the floor was extended to William Walls (Senate attorney), Bartholomew J. Dalton (Attorney General's Office), Phyllis A. Sargent, Dale N. Swain (Delaware MADD).

At 5:30 p.m., Senator Adams presiding.

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

YES: Senators Adams, Banc, Connor, Cook, Cordrey, Holloway, Knox, Martin, McBride, McDowell, Neal, Sharp, Vaughn – 13.

NO: Senators Berndt, Marshall, Slatcher – 3.

NOT VOTING: Senators Bair, Citro, Minner, Torbert, Zimmerman – 5.

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

The Sergeant-at-Arms announced and admitted a messenger from the Governor.

HB 584 was taken up for consideration on motion of Senator Sharp:

HB 584 – AN ACT TO AMEND CHAPTER 95, PART VII, TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURES; AND PROVIDING THAT THE STATE OF ITS POLITICAL SUBDIVISIONS NEED NOT POST SECURITY ON APPEAL.

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

At 6:24 p.m. on motion of Senator Sharp, the Senate recessed until 1:30 p.m., June 23, 1986.

The Senate reconvened at 1:55 p.m., Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 520 w HA 1; HB 707; HB 715; HB 267 w HA 1; HB 677 w HA 1; HB 588 w HA 2; HB 680 w HA 1; HB 695 w HA 1, 2; HB 726 w HA 1; HB 727 w HA 1; HB 597 w HA 1, 2, 3, 4, 5; SB 408; HB 655; HB 659; HB 660; HB 744; HB 657; HB 560; HB 697; HB 699; HB 561 w HA 1; HB 703 w HA 1; HB 704 w HA 1; HB 696; HB 661; HB 650; SB 477 w SA 1; SB 476; SB 436 w SA 1; HB 716 w HA 1; HB 712; HB 732; HB 733; HB 607; HB 628; HB 623 w HA 1; HB 617; HB 671; HB 506 w HA 1; HB 360; HB 596 w HA 1, 2, 3; HB 602; HB 603; HB 541 w HA 1; HB 693 w HA 1; HB 644; HB 705; HB 708; HB 710; SB 68 and adopted HCR 153; HCR 154; HCR 155; HCR 156; HCR 157; SCR 122; SCR 138; SCR 140; SCR 143.

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At 1:56 p.m., Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Executive Committee: SJR 21 - 4 Merits.

From the Administrative Services/ Energy Committee: HB 579 - 4 Merits, 1 Unfavorable.

From the Education Committee: HB 707 - 3 Merits.

From the Community Affairs Committee: SB 551 - 3 Merits; HB 483 - 3 Merits; HB 488 - 3 Merits; HB 489 - 3 Merits; HB 677 w HA 1 - 3 Merits; HB 680 w HA 1 - 3 Merits; HB 695 w HA 1, 2 - 3 Merits; HB 706 - 3 Merits.

From the Judiciary Committee: SB 405 - 4 Merits; SB 489 - 4 Merits; SB 507 - 4 Merits; SB 528 - 4 Merits; SB 530 - 4 Merits; SB 542 - 4 Merits; SB 549 - 4 Merits; HB 316 w HA 1 - 4 Merits; HB 395 w HA 1 - 4 Merits; HB 536 - 4 Merits; HB 562 w HA 2 - 4 Merits; HB 577 w HA 1 - 3 Merits, 1 Unfavorable.

From the Elections Committee: HB 548 - 4 Merits.

From the Insurance Committee: SB 550 - 3 Merits.

At 2:01 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 44th Legislative Day.

44TH LEGISLATIVE DAY

June 23, 1986

The Senate convened at 2:01 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

PRESIDENT PRO TEMPORE'S

INTRODUCTION AND COMMITTEE ASSIGNMENT LIST

JUNE 23, 1986

STATE OF DELAWARE

Office of the Governor

June 19, 1986

To the Senate of the 133rd 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: Clifton H. Hubbard, 24 Bellrive Court, Dover, DE 19901, to be reappointed as a member of the Environmental Appeals Board to serve a three year term.

Your consideration of this nomination will be appreciated.

Sincerely,

Michael N. Castle, Governor

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STATE OF DELAWARE

Office of the Governor

June 19, 1986

To the Senate of the 133rd 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: Richard C. Sames, 306 N. Porter Street, Seaford, DE 19973, to be reappointed as a member of the Environmental Appeals Board to serve a three year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
June 19, 1986

To the Senate of the 133rd 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, 32 South Cliffe Drive, Wilmington, DE 19809, to be reappointed as a member of the Board of Trustees of Delaware Technical and Community College for a three year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
June 19, 1986

To the Senate of the 133rd 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: Maxine M. L'Abbec, 8 Clearview Drive, Dover, DE 19901, to be appointed as a member of the Board of Trustees, Delaware Technical and Community College for a three year term to replace Louise Lamberta, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
June 19, 1986

To the Senate of the 133rd 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: Christopher L. Perry, 213 Greenock Drive, Wilmington, DE 19807, to be appointed as a member of the Board of Trustees, Delaware Technical and Community College for a three year term to replace Herbert Norris, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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The above letters of nomination for appointment were assigned to the Executive Committee.

SA 11 to SB 364. Sponsor: Senator McDowell. Placed with the Bill.
SA 12 to SB 364. Sponsor: Senator Zimmerman. Placed with the Bill.
SA 13 to SB 364. Sponsor: Senator McDowell. Placed with the Bill.
SA 1 to SB 490. Sponsor: Senator Sharp. Placed with the Bill.
SA 2 to SB 493. Sponsors: Senators Berndt, Minner. Placed with the Bill.
SA 1 to SB 511. Sponsor: Senator Adams. Placed with the Bill.
SA 2 to SB 519. Sponsor: Senator McDowell. Placed with the Bill.
SA 3 to SB 519. Sponsor: Senator Holloway. Placed with the Bill.
SA 4 to SB 519. Sponsor: Senator Holloway. Placed with the Bill.
SA 2 to SB 520. Sponsor: Senator McDowell. Placed with the Bill.
SA 3 to SB 520. Sponsor: Senator Holloway. Placed with the Bill.
SA 4 to SB 520. Sponsor: Senator McDowell. Placed with the Bill.
SCR 134 – MOURNING THE DEATH OF ALAN HUNN OF DOVER AND EXTENDING CONDOLENCES TO MEMBERS OF HIS FAMILY. Sponsors: Senators Torbert, Zimmerman; Representative Bennett, Buckworth. Stricken.
HB 360 – AN ACT TO AMEND CHAPTER 51, PART III, TITLE II OF THE DELAWARE CODE RELATING TO PROCEDURE IN THE SUPERIOR COURT. Sponsor: Representative Jonkiert. Assigned to Judiciary Committee.
SA 1 to HS 1 for HB 414. Sponsor: Senator Cordrey. Placed with the Bill.
HB 506 w HA 1 – AN ACT TO AMEND CHAPTER 9, TITLE 12 OF THE DELAWARE CODE RELATING TO THE ELECTIVE SHARE OF A SURVIVING SPOUSE. Sponsor: Representative Jester. Assigned to Revenue and Taxation Committee.
HB 541 w HA 1 – AN ACT TO AMEND CHAPTER 66, TITLE 16, DELAWARE CODE, RELATING TO PLAN REVIEW FEES. Sponsors: Representative Corrozi, Senator Cook; Representatives Anderson, B. Ennis, Jonkiert, Petrilli, Spence; Senators Berndt, Connor, Knox, Minner, Vaughn. Assigned to Administrative Services Committee.
HB 560 – AN ACT TO AMEND CHAPTER 13, TITLE 30, DELAWARE CODE, RELATING TO THE INHERITANCE TAX. Sponsors: Representative Petrilli, Senator Marshall; Representatives Barnes, Buckworth, Carey, Boykin, Caulk, Corrozi, Davis, Fallon, Free, Hebner, Mack, Maroney, Oberle, Quillen, Reynolds, Roy, Smith, Spence, Steele, Taylor, Anderson, Bennett, Brady, Campanelli, Clark, Cordrey, B. Ennis, D. Ennis, George, Gilligan, Houghton, Jester, Jonkiert, Outten, Plant, Sills, Soles, VanSant, West, Wingate; Senators Bair, Bane, Connor, Knox, Neal, Cook, Cordrey, Martin, Minner, Sharp, Torbert, Vaughn. Assigned to Administrative Services/Energy Committee.
HB 561 w HA 1 – AN ACT TO AMEND CHAPTERS 20, 21, 23, 25, 27, 29, AND 43 OF TITLE 30, DELAWARE CODE, RELATING TO BUSINESS LICENSES. Sponsors: Representatives Boykin, Petrilli, Outten; Senator Marshall; Representatives Barnes, Buckworth, Carey, Caulk, Corrozi, Davis, Fallon, Free, Hebner, Mack, Maroney, Oberle, Quillen, Reynolds, Roy, Smith, Spence, Steele, Taylor, Anderson, Bennett, Brady, Campanelli, Clark, Cordrey, B. Ennis, George, Gilligan, Houghton, Jester, Jonkiert, Plant, Sills, Soles, VanSant, West, Wingate; Senators Bane, Bair, Connor, Neal, Knox, Cook, Cordrey, Holloway, Martin, Minner, Sharp, Torbert, Vaughn. Assigned to Small Business Committee.
HB 596 w HA 1, 2, 3 – AN ACT TO AMEND CHAPTER 55, TITLE 29 OF THE DELAWARE CODE RELATING TO THE AMOUNT OF A STATE SERVICE PENSION. Sponsors: Representatives Bennett, Anderson, Buckworth, Campanelli, Cordrey, Corrozi, Davis, Houghton, Jester, Maroney, Outten, Plant, Sills, Soles, VanSant, Wingate; Senators Cook, Connor. Assigned to Finance Committee.
HB 602 – AN ACT TO AMEND TITLE 25, CHAPTERS 53 AND 70 OF THE DELAWARE CODE RELATING TO THE INCLUSION IN RENTAL AGREEMENTS BY LANDLORDS A PROVISION FOR DISPOSAL OF WASTE. Sponsors: Representatives Davis, D. Ennis; Senators Martin, Berndt. Assigned to Administrative Services/Energy Committee.
HB 603 – AN ACT TO AMEND CHAPTER 5, TITLE 29 OF THE DELAWARE CODE RELATING TO THE ACQUISITION OF PUBLIC DOCUMENTS. Sponsors: Representative Taylor, Senator Marshall. Assigned to Administrative Services/Energy Committee.
HB 607 – AN ACT TO AMEND CHAPTER 39, TITLE II OF THE DELAWARE CODE RELATING TO CONCURRENT AS WELL AS CONSECUTIVE PRISON SENTENCES. Sponsors: Representatives Spence, Houghton; Senators Bair, Vaughn; Representatives Davis, Corrozi, Boykin, Hebner, Smith, Reynolds, B. Ennis, Jester, Jonkiert, Outten, Plant; Senators Berndt, Connor, Neal. Assigned to Judiciary Committee.
HB 617 – AN ACT TO AMEND CHAPTER 29, TITLE 30 OF THE DELAWARE CODE RELATING TO RETAIL AND WHOLESALE MERCHANTS' LICENSE REQUIREMENTS AND TAXES. Sponsors: Representatives Buckworth, Reynolds; Senators Cook, Torbert. Assigned to Revenue and Taxation Committee.
HB 623 w HA 1 – AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CODE ENFORCEMENT CONSTABLES. Sponsors: Representative Davis, Senator Torbert; Representatives Spence, Plant. Assigned to Community Affairs Committee.
HB 628 – AN ACT TO AMEND CHAPTER 27, TITLE 10 OF THE DELAWARE CODE REGARDING CONSTABLES. Sponsors: Representative Davis, Senator Torbert; Representatives Spence, Plant. Assigned to Community Affairs Committee.
HB 644 – AN ACT TO AMEND CHAPTER 27, TITLE 30 OF THE DELAWARE CODE RELATING TO MANUFACTURERS' GROSS RECEIPTS TAXES. Sponsors: Representative Petrilli, Senator Marshall; Representatives Boykin, VanSant; Senator Bair. Assigned to Revenue and Taxation Committee.

HB 650 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE, RELATING TO THE COMPUTATION OF PENALTY ON DELINQUENT SEWER SERVICE CHARGES LEVIED BY NEW CASTLE COUNTY. Sponsors: Representatives Roy, Campanelli; Senators Bair, McDowell. Assigned to Community Affairs Committee.

HB 655 - AN ACT TO AMEND CHAPTER II, TITLE 30 OF THE DELAWARE CODE RELATING TO NON-RESIDENT PERSONAL INCOME TAXES. Sponsors: Representatives Free, Petrilli, Boykin, D. Ennis, Anderson, VanSant, Brady; Senator Marshall. Assigned to Revenue and Taxation Committee.

HB 657 - AN ACT TO AMEND CHAPTER 21, TITLE 30 OF THE DELAWARE CODE RELATING TO LICENSE TAX REFUNDS. Sponsors: Representatives Petrilli, Free, Boykin, D. Ennis, Anderson, VanSant, Brady; Senator Marshall. Assigned to Revenue and Taxation Committee.

HB 659 - AN ACT TO AMEND CHAPTER II, TITLE 30 OF THE DELAWARE CODE RELATING TO INSPECTION OF RETURNS. Sponsors: Representatives Free, Petrilli, Boykin, D. Ennis, Anderson, VanSant, Brady; Senator Marshall. Assigned to Revenue and Taxation Committee.

HB 660 - AN ACT TO AMEND CHAPTERS 3 AND II, TITLE 30, DELAWARE CODE, RELATING TO THE POWERS AND DUTIES OF THE SECRETARY OF FINANCE WITH REGARD TO TAX RETURNS. Sponsors: Representatives Free, Petrilli, D. Ennis, Boykin, Anderson, VanSant, Brady; Senator Marshall. Assigned to Revenue and Taxation Committee.

HB 661 - AN ACT TO AMEND CHAPTER II, TITLE 30 OF THE DELAWARE CODE RELATING TO WITHHOLDING TAXES. Sponsors: Representatives Free, Petrilli, D. Ennis, Boykin, Anderson, VanSant, Brady; Senator Marshall. Assigned to Revenue and Taxation Committee.

HB 671 - AN ACT TO AMEND CHAPTER 75, TITLE 3 OF THE DELAWARE CODE RELATING TO BEE KEEPING. Sponsors: Representative Caulk, Senator Adams; Representatives Carey, Mack, Clark, C. Cordrey; Senators Cook, Cordrey, Vaughn, Connor, Slatcher. Assigned to Agriculture Committee.

HB 693 w HA 1 - AN ACT TO AMEND CHAPTER 18, TITLE 2 OF THE DELAWARE CODE, RELATING TO THE POWERS OF THE DELAWARE TRANSPORTATION AUTHORITY TO REGULATE PUBLIC CARRIERS. Sponsors: Representative Taylor, Senator Martin. Assigned to Public Safety Committee.

HB 696 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsor: Representative Mack. Assigned to Labor and Industrial Relations Committee.

HB 697 - AN ACT TO AMEND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC WORKS CONTRACTS. Sponsors: Representative Mack, Senator Marshall. Assigned to Labor and Industrial Relations Committee.

HB 699 - AN ACT TO AMEND CHAPTER 9, TITLE 19 OF THE DELAWARE CODE RELATING TO THE MINIMUM WAGE ACT. Sponsors: Representative Mack, Senator Marshall. Assigned to Labor and Industrial Relations Committee.

HB 703 w HA 1 - AN ACT TO AMEND CHAPTER 96, TITLE 9 OF THE DELAWARE CODE TO ASSESS A DOCUMENTARY SURCHARGE FOR THE BENEFIT OF THE HOUSING DEVELOPMENT FUND. Sponsors: Representatives Sills, Free; Senator Holloway; Representatives Anderson, Barnes, Campanelli, Davis, B. Ennis, Houghton, Jester, Maroney, Plant, Spence; Senators Knox, McBride, McDowell, Slatcher; Representatives Corrozi, D. Ennis, Fallon, Buckworth, Boykin, Taylor, Carey, Mack, Reynolds, Davis, Steele, Quillen, Petrilli, Smith, Hebner, Oberle; Senators Bane, Connor, Berndt, Bair, Neal, Citro. Assigned to Revenue and Taxation Committee.

HB 704 w HA 1 - AN ACT ENTITLED "THE HOUSING DEVELOPMENT ACT OF 1986", AMENDING CHAPTER 86, TITLE 29 OF THE DELAWARE CODE AND CHAPTER 40, TITLE 31 OF THE DELAWARE CODE RELATING TO THE STATE COUNCIL ON HOUSING AND THE HOUSING DEVELOPMENT FUND. Sponsors: Representatives Sills, Free; Senator Holloway; Representatives Anderson, Barnes, Campanelli, Davis, B. Ennis, Houghton, Jester, Maroney, Plant, Spence; Senators Knox, McBride, McDowell, Slatcher; Representatives Corrozi, D. Ennis, Fallon, Buckworth, Boykin, Taylor, Carey, Mack, Reynolds, Steele, Quillen, Petrilli, Smith, Hebner, Oberle, George, Jonkiert, Outten, Soles, VanSant, West, Wingate; Senators Bane, Connor, Berndt, Bair, Neal, Citro, Marshall, Vaughn, Zimmerman. Assigned to Administrative Services/Energy Committee.

HB 705 - AN ACT TO AMEND TITLE 29, CHAPTER 86, §8624 OF THE DELAWARE CODE RELATING TO THE DELAWARE COMMISSION FOR WOMEN. Sponsors: Representative Roy, Senator McDowell; Representatives Boykin, B. Ennis, Houghton, Taylor; Senators Bane, Marshall, Neal, Torbert. Assigned to Administrative Services/Energy Committee.

HB 708 - AN ACT TO AMEND TITLE 14, CHAPTER 84, DELAWARE CODE, RELATING TO THE DELAWARE INSTITUTE OF MEDICAL EDUCATION AND RESEARCH. Sponsors: Representative Roy, Senator McDowell; Representatives Boykin, B. Ennis, Houghton, Taylor; Senators Bane, Marshall, Neal, Torbert. Assigned to Administrative Services/Energy Committee.

HB 710 - AN ACT TO AMEND §2716, CHAPTER 27, TITLE 29 OF THE DELAWARE CODE, RELATING TO THE CASH MANAGEMENT POLICY BOARD. Sponsors: Representative Roy, Senator McDowell; Representatives Boykin, B. Ennis, Houghton, Taylor; Senators Bane, Marshall, Neal, Torbert. Assigned to Administrative Services/Energy Committee.

HB 712 - AN ACT TO AMEND CHAPTER 31, TITLE 19 OF THE DELAWARE CODE, RELATING TO LICENSE FEES FOR EMPLOYMENT AGENCIES. Sponsors: Representative Roy, Senator McDowell; Representatives Boykin, B. Ennis, Houghton, Taylor; Senators Marshall, Neal, Torbert. Assigned to Administrative Services/Energy Committee.

SA 1 to HB 715. Sponsor: Senator Holloway. Placed with the Bill.

HB 716 w HA 1 - AN ACT TO AMEND TITLES 24 AND 29, DELAWARE CODE, RELATING TO THE BOARD OF REGISTRATION OF GEOLOGISTS. Sponsors: Representative Roy, Senator McDowell; Representatives Boykin, B. Ennis, Houghton, Taylor; Senators Bane, Marshall, Neal, Torbert. Assigned to Administrative Services/Energy Committee.

HB 726 w HA 1 - AN ACT TO AMEND CHAPTER 7, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF CHIROPRACTIC. Sponsors: Representative Roy, Senator McDowell; Representatives B. Ennis, Houghton, Taylor; Senators Bane, Marshall, Neal, Torbert. Assigned to Administrative Services/Energy Committee.

HB 727 w HA 1 - AN ACT TO AMEND TITLE 24 AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE BOARD OF PHARMACY. Sponsors: Representative Roy, Senator McDowell; Representatives Boykin, B. Ennis, Houghton, Taylor, VanSant; Senators Bane, Marshall, Neal, Torbert. Assigned to Administrative Services/Energy Committee.

HB 732 - AN ACT TO AMEND CHAPTER 9, TITLE 24 OF THE DELAWARE CODE, RELATING TO DEADLY WEAPONS DEALERS. Sponsors: Representative Roy, Senator McDowell; Representatives Boykin, B. Ennis, Houghton, Taylor; Senators Bane, Marshall, Neal, Torbert. Assigned to Administrative Services/Energy Committee.

HB 733 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS; AND SPECIFYING POLICY AS TO HOW FEES MAY BE COMPUTED. Sponsors: Representative Roy, Senator McDowell; Representatives Boykin, B. Ennis, Houghton, Taylor; Senators Bane, Marshall, Neal, Torbert. Assigned to Administrative Services/Energy Committee.

HB 744 - AN ACT TO AMEND CHAPTERS 3, II, 53, 54 AND 55, TITLE 30 OF THE DELAWARE CODE RELATING TO CERTAIN CIVIL TAX ASSESSMENTS. Representatives Free, Petrilli, Boykin, D. Ennis, Anderson, VanSant, Brady; Senator Marshall. Assigned to Administrative Services/Energy Committee.

HC 141 - EXPRESSING SATISFACTION AND ENDORSEMENT OF THE FLEXIBILITY WHICH THE STATES HAVE WITH RESPECT TO THE ADMINISTRATION OF FUNDS PROVIDED UNDER THE EDUCATION CONSOLIDATION AND IMPROVEMENT ACT OF 1981, CHAPTER 2. Sponsors: Representative Fallon, Senator McBride; Representatives Wingate, Jester, Free. Laid on the table.

LEGISLATIVE ADVISORY #42 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed the following legislation on June 18, 1986: SS 1 for SB 56 w HA 1 (Volume 65, Chapter 282, Laws of Delaware), SB 251 w HA 1 (Volume 65, Chapter 283, Laws of Delaware), SB 368 (Volume 65, Chapter 284, Laws of Delaware), SB 406 (Volume 65, Chapter 285, Laws of Delaware), SB 413 (Volume 65, Chapter 286, Laws of Delaware), SB 414 w SA 1 (Volume 65, Chapter 287, Laws of Delaware), SB 441 (Volume 65, Chapter 288, Laws of Delaware), SB 533 (Volume 65, Chapter 289, Laws of Delaware), HB 394 w HA 1, SA 1 (Volume 65, Chapter 290, Laws of Delaware), HB 498 (Volume 65, Chapter 291, Laws of Delaware), HB 525 (Volume 65, Chapter 292, Laws of Delaware). HB 42 w HA 1 is a Constitutional Amendment and does not require the Governor's signature (Volume 65, Chapter 293, Laws of Delaware).

LEGISLATIVE ADVISORY #43 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed the following legislation on June 19, 1986: SB 432 (Volume 65, Chapter 294, Laws of Delaware), SB 448 (Volume 65, Chapter 295, Laws of Delaware).

SB 560 was introduced and assigned to Finance Committee:

SB 560 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1987; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. Sponsors: Senator Cook, Representative Corrozi; Senators Berndt, Holloway, McBride, Slatcher, Vaughn; Representatives Bennett, Davis, Quillen, Smith, Soles.

SB 511 was taken up for consideration on motion of Senator Adams:

SB 511 - AN ACT TO AMEND CHAPTER II, TITLE 3 OF THE DELAWARE CODE RELATING TO PLANT DISEASES AND INSECT PESTS.

Senator Connor marked PRESENT.

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

The roll call vote on **SB 511 w SA 1** was then taken and revealed 19 Senators voting YES and 2 (Citro and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

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

SB 513 - AN ACT TO AMEND CHAPTER 13, TITLE 3 OF THE DELAWARE CODE RELATING TO NURSERIES AND NURSERY STOCK.

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

The roll call vote on SB 513 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Citro and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 2:16 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:10 p.m., Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Executive Committee: HB 46 - 6 Merits.

From the Agriculture Committee: HB 671 - 4 Merits.

The following communications from the Governor were read:

STATE OF DELAWARE
Office of the Governor
June 19, 1986

The Honorable S. B. Woo, President of the Senate
133rd General Assembly of the State of Delaware
Legislative Hall
Dover, DE 19901

Dear Mr. President:

Pursuant to the provisions of Article IV, Section 3 of the Delaware Constitution of 1897, this is to notify you of my intention to submit to the Senate for confirmation the appointment of The Honorable William B. Chandler, III, to the office of Resident Judge of the Superior Court of the State of Delaware in and for Sussex County.

Please inform the Senate of my intention.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
June 19, 1986

The Honorable S. B. Woo, President of the Senate
133rd General Assembly of the State of Delaware
Legislative Hall
Dover, DE 19901

Dear Mr. President:

Pursuant to the provisions of Article IV, Section 3 of the Delaware Constitution of 1897, this is to notify you of my intention to submit to the Senate for confirmation the appointment of The Honorable William S. Lee to the office of Associate Judge of the Superior Court of the State of Delaware in and for Sussex County.

Please inform the Senate of my intention.

Sincerely,
Michael N. Castle, Governor

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HB 606 w HA 1 was taken up for consideration on motion of Senator Adams:

HB 606 w HA 1 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO THE OATH OF OFFICE FOR MEMBERS OF THE GENERAL ASSEMBLY AND PUBLIC OFFICERS.

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

SB 449 was taken up for consideration on motion of Senator Adams:

SB 449 - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE, RELATING TO THE STATE EMPLOYEES' PENSION PLAN.

Senators Holloway and Citro marked PRESENT.

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

HB 606 w HA 1 was lifted from the table for consideration on motion of Senator Adams and the roll call vote taken which revealed 20 Senators voting YES and 1 (McDowell) NOT VOTING; therefore, the Bill was declared passed by the Senate and returned to the House.

On motion of Senator Cordrey, and without objection, the roll call vote on SB 364 w SA 2, 3, 6, 8 was rescinded and the Bill taken up for consideration.

SA 10 to the Bill which had been placed with the Bill, was taken up for consideration on motion of Senator Cordrey.

The privilege of the floor was extended to Bart Dalton (Attorney General's Office), James A. Erisman (Delaware Trial Lawyers Association) and D. S. Swayze (Delaware State Chamber of Commerce).

At 5:13 p.m. the Chair declared a two-minute standing recess for the purpose of changing the Tape and reconvened at 5:15 p.m., Lt. Governor Woo presiding.

Senator Holloway requested that his name be removed as co-sponsor of SA 10 to the Bill after which the roll call vote on SA 10 was taken and revealed:

YES: Senators Adams, Bair, Bane, Berndt, Cordrey, Minner, Neal, Slatcher - 9.

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

NOT VOTING: Senator Connor - 1.

Therefore, the Amendment was declared defeated.

SB 364 w SA 2, 3, 6, 8 was then laid on the table on motion of Senator Cordrey.

SB 455 was taken up for consideration on motion of Senator Vaughn:

SB 455 - AN ACT TO AMEND CHAPTERS 5, 6, 7, 15, TITLE 13 OF THE DELAWARE CODE AND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO DOMESTIC RELATIONS--SUCH AS DIVORCE, SUPPORT, ATTORNEYS' FEES, GUARDIANS, CUSTODY, ALIMONY, DIVISION OF PROPERTY AND APPEALS FROM COURT DECISIONS.

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

The privilege of the floor was extended to Ellen S. Meyer (Family Law Commission).

The roll call vote on SB 455 w SA 1 was then taken and revealed:

YES: Senators Adams, Bair, Berndt, Citro, Connor, Cook, Holloway, Marshall, Martin, McBride, McDowell, Minner, Neal, Vaughn - 14.

NO: Senators Cordrey, Knox, Sharp, Slatcher - 4.

NOT VOTING: Senators Bane, Torbert, Zimmerman - 3.

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

CONSENT CALENDAR #27 was introduced and considered for adoption on motion of Senator Minner:

The Calendar consisted of the following:

SCR 144 - URGING THE STATE BOARD OF EDUCATION TO INCORPORATE A MANDATORY DRUG/ALCOHOL AWARENESS PROGRAM INTO ITS DRIVER EDUCATION CURRICULUM.

Sponsor: Senator Holloway.

SCR 145 - CONGRATULATING CHIEF JUDGE ROBERT D. THOMPSON FOR BEING THE RECIPIENT OF THE FRANKLIN N. FLASCHNER AWARD. Sponsors: Senators Bair, Adams, Cordrey, Zimmerman; Representatives Spence, Outten, Maroney.

SCR 146 - COMMENDING EARL J. REED, JR. FOR HIS DEDICATED SERVICE TO THE PURSUIT OF EXCELLENCE FOR ALL STUDENTS. Sponsors: Senators Connor, McBride, Vaughn, Holloway; Representatives Mack, Reynolds, Spence, Houghton, Davis, Jester, Plant.

SCR 147 - RECOGNIZING AARON S. HAMBURGER FOR HIS SERVICE AS A MEMBER OF THE BRANDYWINE SCHOOL DISTRICT BOARD OF EDUCATION. Sponsors: Senators Bair, Berndt, Knox; Representatives D. Ennis, Smith, Brady, Hebner, Boykin, Maroney.

SCR 148 - COMMENDING THE NEW CASTLE SEPARATION DAY COMMITTEE, THE MAYOR AND CITY COUNCIL OF NEW CASTLE, AND ALL INVOLVED IN THE 1986 COMMEMORATION OF SEPARATION DAY. Sponsors: Senator Connor; Representatives Houghton, Mack.

HCR 153 - CONGRATULATING MR. AND MRS. OWEN SHANNON OF KLAIR ESTATES, WILMINGTON, DELAWARE UPON THEIR 61ST WEDDING ANNIVERSARY, JUNE 27, 1986. Sponsors: Representative Roy, Senator Bane, Representative Jester.

HCR 154 - CONGRATULATING ROBERT STRAWBRIDGE ON RECEIVING THE 1986 HARRISON DAY MEMORIAL AWARD AS NON-HEROIC FIREMAN OF THE YEAR. Sponsors: Representatives VanSant, Campanelli; Senator Sharp.

HCR 155 - CONGRATULATING OAKLEY M. BANNING, JR. OF MIDDLETOWN ON BEING ELECTED PRESIDENT OF THE NATIONAL ASSOCIATION OF CRIME VICTIMS COMPENSATION BOARDS. Sponsors: Representative Jester, Senator Vaughn.

HCR 156 - COMMENDING DAVID, J. COYLE OF MILFORD, DELAWARE FOR HIS MANY YEARS OF DEDICATED PUBLIC SERVICE FOR THE CITY OF MILFORD, AS DIRECTOR OF PUBLIC WORKS AND WISHING HIM GODSPEED IN HIS NEW POST AS DIRECTOR OF PARKS AND RECREATION FOR THE CITY OF CLEVELAND, OHIO. Sponsors: Representatives Barnes, Carey, Caulk; Senator Minner.

HCR 157 - REQUESTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL (DNREC) TO DEVELOP AND IMPLEMENT A PLAN FOR SYSTEMATIC INSPECTION OF DELAWARE INDUSTRIAL FACILITIES FOR THE PURPOSE OF MITIGATING CATASTROPHIC ENVIRONMENTAL ACCIDENTS. Sponsors: Representatives Mack, Davis, D. Ennis, Reynolds, Smith; Senators Connor, Vaughn.

The roll call vote on CONSENT CALENDAR #27 was then taken and revealed 21 Senators voting YES; therefore, the Resolutions were declared adopted. The House Concurrent Resolutions were returned to the House and the Senate Concurrent Resolutions were sent to the House for consideration.

The following Bills were stricken at the request of the sponsor, Senator Holloway: SB 355, SB 350; SB 321; SB 297; SB 198; SB 181; SB 124; SB 119; SB 112; SB 15.

At 7:24 p.m. on motion of Senator Sharp, the Senate recessed until 1:30 p.m., June 24, 1986.

The Senate reconvened at 1:40 p.m., June 24, 1986, Senator Cordrey presiding.

HB 557 w HA 1 was reported out of the Judiciary Committee: 3 Merits, 1 Unfavorable; it had been announced the previous day as HB 577 w HA 1 in error.

At 2:41 p.m., Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 698; SB 466 w HA 1; HB 713 w HA 1; HB 552 w HA 1, 2; HB 581 w HA 1; HB 598; HS 1 for HB 427 w HA 3; HB 692 w HA 1; HB 719 w HA 1; HB 383 w HA 1; HB 654 w HA 1; HB 687; HB 120 w HA 1, 2; HB 685; HB 576 w HA 3; HB 521 w HA 2; HB 694 w HA 1, 2; HB 729; HB 589 w HA 1; HB 642 w HA 1.

The following Committee reports were announced:

From the Administratives Services/Energy Committee: SB 540 – 4 Merits; SB 556 – 5 Merits.

Senator Holloway's motion to strike SB 321 (above) was in error.

At 1:44 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 45th Legislative Day.

45TH LEGISLATIVE DAY June 24, 1986

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

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

Senators Cordrey and Neal marked PRESENT.

The President pro Tempore's list of legislation and assignments was distributed to each Senator:

PRESIDENT PRO TEMPORE'S INTRODUCTION AND COMMITTEE ASSIGNMENT LIST JUNE 24, 1986

SA 1 to SB 175. Sponsor: Senator McBride. Placed with the Bill.

SA 14 to SB 364. Sponsor: Senator McDowell. Placed with the Bill.

SA 1 to HB 607. Sponsor: Senator Torbert. Placed with the Bill.

SA 3 to SB 372. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to HB 369. Sponsor: Senator Torbert. Placed with the Bill.

SA 1 to HB 534. Sponsor: Senator Torbert. Placed with the Bill.

SB 557 – AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES INVOLVING MOTOR VEHICLES. Sponsor: Senator Bair. Assigned to Public Safety Committee.

SB 558 – AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE, RELATING TO HEARINGS IN CERTAIN VOLUNTARY RELINQUISHMENTS OF PARENTAL RIGHTS. Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

SB 559 – AN ACT TO AMEND TITLE 10, DELAWARE CODE, RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE BY PROVIDING FOR EXPUNGEMENT OF RECORDS UNDER CERTAIN CIRCUMSTANCES. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SB 561 – AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO PROBATION SUPERVISION RESULTING FROM FAMILY COURT ORDERS. Sponsors: Senator Vaughn, Representative Spence. Assigned to Judiciary Committee.

SB 562 – AN ACT TO AMEND CHAPTER 216 VOLUME 27 LAWS OF DELAWARE RELATING TO "AN ACT AMENDING MERGING AND CONSOLIDATING THE CHARTER OF NEW CASTLE BY PROVIDING NEW CASTLE WITH AUTHORITY TO ANNEX TERRITORY. Sponsors: Senator Connor, Representative Mack. Assigned to Community Affairs Committee.

SB 563 – AN ACT TO AMEND CHAPTER 42, VOLUME 53, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE CITY OF SEAFORD". Sponsors: Senator Slatcher, Representative Fallon. Assigned to Community Affairs Committee.

HB 120 w HA 1, 2 – AN ACT TO AMEND CHAPTER 53, TITLE 30 OF THE DELAWARE CODE TO PROVIDE FOR LABELING ON PACKAGES OF SMOKELESS TOBACCO. Sponsors: Representatives Gilligan, VanSant. Assigned to Health-Social Services/Aging Committee.

HB 383 w HA 1 – AN ACT TO AMEND CHAPTERS 6, 7, 12, 35, 42, 43, 83 AND 90, TITLE II OF THE DELAWARE CODE AND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE AND CHAPTER 7, TITLE 24 OF THE DELAWARE CODE RELATING TO THE DELETION OF THE TERM "RAPE" AND THE SUBSTITUTION OF THE TERM "UNLAWFUL SEXUAL INTERCOURSE". Sponsor: Representative Maroney. Assigned to Judiciary Committee.

HS 1 for HB 427 w HA 3 – AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO REGISTRATION AND REGULATION OF TRANSIENT RETAILERS. Sponsors: Representatives Outten, Anderson, Barnes, Bennett, Boykin, Brady, Buckworth, Campanelli, Carey, Caulk, Clark, Cordrey, Corrozi, Davis, B. Ennis, D. Ennis, Fallon, Free, George, Gilligan, Houghton, Jester, Jonkiert, Mack, Maroney, Petrilli, Plant, Quillen, Reynolds, Roy, Sills, Soles, Spence, Steele, Taylor, VanSant, West, Wingate; Senators Adams, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Torbert, Vaughn, Zimmerman. Assigned to Small Business Committee.

HB 521 w HA 2 – AN ACT AUTHORIZING AND DIRECTING THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION TO TRANSFER THAT PORTION OF PROPERTY CURRENTLY OWNED BY THE DEPARTMENT WHICH IS IN EXCESS TO ITS NEEDS AND FURTHER WAIVING THE PROVISIONS OF §1309 OF CHAPTER 13, TITLE 17, DE. CODE. Sponsors: Representatives West, B. Ennis, Jonkiert, Houghton, Plant, Steele, Sills, Clark, Outten, Campanelli, D. Ennis, Caulk, Carey, Anderson, VanSant, Brady, Gilligan. Assigned to Administrative Services/Energy Committee.

HB 552 w HA 1, HA 2 – AN ACT TO AMEND CHAPTER 17, TITLE 24, DELAWARE CODE RELATING TO THE TEMPORARY SUSPENSION OF CERTIFICATES TO PRACTICE MEDICINE. Sponsors: Representative Maroney; Senators Bane, Berndt, Bair, Holloway. Assigned to Health-Social Services/Aging Committee.

HB 576 w HA 3 – AN ACT TO AMEND CHAPTER 44, TITLE 21 OF THE DELAWARE CODE RELATING TO THE PROCEDURE FOR PROCESSING AND SELLING MOTOR VEHICLES WHICH ARE REMOVED FROM PUBLIC HIGHWAYS BY ORDER OF POLICE AND ARE EIGHT YEARS OF AGE OR OLDER. Sponsor: Representative Davis. Assigned to Public Safety Committee.

HB 581 w HA 1 – AN ACT TO AMEND CHAPTER 61, TITLE 7 OF THE DELAWARE CODE RELATING TO UNDERWATER LANDS AND TO CREATE CHAPTER 72 RELATING TO SUBAQUEOUS LANDS. Sponsors: Representatives Carey, Caulk, Quillen, Steele, Clark, Cordrey. Assigned to Natural Resources and Environmental Control Committee.

HB 589 w HA 1 – AN ACT TO AMEND CHAPTER 59, TITLE 29, DELAWARE CODE, RELATING TO THE HIRING PRACTICES OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. Sponsors: Representatives Carey, Buckworth, Steele, Caulk, Quillen; Senator Minner. Assigned to Natural Resources and Environmental Control Committee.

HB 598 – AN ACT TO AMEND TITLE 18, DELAWARE CODE RELATING TO INSURANCE AND A SEALED CONTAINER DEFENSE IN PRODUCT LIABILITY. Sponsors: Representative Barnes, Senator Adams; Representatives Taylor, Spence, Davis, Steele, Quillen, Buckworth, Corrozi, Outten, Bennett, B. Ennis; Senators Neal, Bane, Bair, Connor, Cordrey, Minner, Torbert, Zimmerman. Assigned to Insurance and Elections Committee.

HB 642 w HA 1 – AN ACT TO AMEND CHAPTERS 74 AND 88 OF TITLE 29 OF THE DELAWARE CODE RELATING TO STATE APPROVAL OF ARCHITECTURAL, ENGINEERING AND CONSTRUCTION MANAGEMENT SERVICES AND CONSTRUCTION PLANS. Sponsors: Representatives Taylor, B. Ennis; Senators McDowell, Bair. Assigned to Administrative Services/Energy Committee.

HB 654 w HA 1 – AN ACT CREATING AN URBAN COMMUNITY REVITALIZATION STUDY TASK FORCE; PROVIDING FOR MEMBERSHIP, ORGANIZATION, AND PURPOSE OF THE TASK FORCE; AND REQUIRING A REPORT TO THE LEGISLATURE AND THE GOVERNOR. Sponsors: Representatives Sills, D. Ennis, Free, Plant; Senators Holloway, Knox, McDowell. Assigned to Community Affairs Committee.

HB 685 – AN ACT TO AMEND CHAPTER 48, TITLE 29 OF THE DELAWARE CODE RELATING TO STATE LOTTERY. Sponsor: Representative Oberle. Assigned to Revenue and Taxation Committee.

HB 687 – AN ACT TO AMEND A NEW CHAPTER 105, TITLE 29 OF THE DELAWARE CODE, RELATING TO SMALL BUSINESS LITIGATION EXPENSES. Sponsors: Representatives Boykin, Barnes, Davis, Caulk, Reynolds, Spence, Roy, Steele, Buckworth, Mack, Carey, Oberle, Petrilli, Taylor, Campanelli, Wingate, B. Ennis, Jonkiert; Senators Bair, Neal. Assigned to Small Business Committee.

HB 692 w HA 1 – AN ACT TO AMEND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE BY ADDING AN ADDITIONAL SUBSECTION IN THE DEFINITION SECTION DEFINING MAINTENANCE CONTRACTS AND GRANTING STATE AGENCIES AUTHORITY TO WAIVE PERFORMANCE BONDS FOR STATE MAINTENANCE CONTRACTS IF IT IS SO STATED IN THE BID SPECIFICATIONS. Sponsors: Representative Taylor, Senator Martin. Assigned to Administrative Services/Energy Committee.

HB 694 w HA 1, 2 – AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO STREET AND HIGHWAY LIGHTING. Sponsors: Representatives Roy, Campanelli; Senators Bair, Holloway. Assigned to Highways and Transportation Committee.

HB 698 – AN ACT TO AMEND CHAPTER 9, TITLE 19 OF THE DELAWARE CODE RELATING TO THE MINIMUM WAGE ACT. Sponsors: Representative Mack, Senator Marshall. Assigned to Labor and Industrial Relations Committee.

HB 711 – AN ACT TO AMEND TITLE 14, CHAPTER 88, DELAWARE CODE, RELATING TO THE DELAWARE INSTITUTE OF DENTAL EDUCATION AND RESEARCH. Sponsors: Representative Roy, Senator McDowell; Representatives Boykin, B. Ennis, Houghton, Taylor; Senators Bane, Marshall, Neal, Torbert. Assigned to Administrative Services/Energy Committee.

HB 713 w HA 1 – AN ACT TO AMEND CHAPTER 13, TITLE 24 OF THE DELAWARE CODE, RELATING TO THE REGULATION OF PRIVATE DETECTIVES. Sponsors: Representative Roy, Senator McDowell; Representatives Boykin, B. Ennis, Houghton, Taylor; Senators Bane, Marshall, Neal, Torbert. Assigned to Administrative Services/Energy Committee.

HB 719 w HA 1 – AN ACT TO AMEND TITLE 6 AND TITLE 31 OF THE DELAWARE CODE, RELATING TO THE HUMAN RELATIONS COMMISSION; AND PROVIDING FOR CERTAIN CHANGES IN ITS JURISDICTION. Sponsors: Representative Roy, Senator McDowell; Representatives Boykin, B. Ennis, Houghton, Taylor; Senators Bane, Marshall, Neal, Torbert. Assigned to Administrative Services/Energy Committee.

HB 729 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL TRESPASS. Sponsors: Representative Caulk, Senator Adams; Representatives Carey, Mack, Clark, C. Cordrey; Senators Cook, Cordrey, Vaughn, Connor, Slatcher. Assigned to Judiciary Committee.

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LEGISLATIVE ADVISORY #44 received from the Office of Counsel to the Governor was read which informed the Senate that on June 23, 1986, the Governor signed the following: **SB 227 w SA 1, HA 1** (Volume 65, Chapter 296, Laws of Delaware), **HB 312 w HA 1, 2, SA 1 w SA 1** (Volume 65, Chapter 297, Laws of Delaware), **HB 516 w HA 1, SA 1** (Volume 65, Chapter 298, Laws of Delaware).

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The Secretary announced that a message from the House informed the Senate that it had passed **HB 400 w HA 1, 2, SA 2 w HA 1**.

SB 490 was taken up for consideration on motion of Senator Sharp:

SB 490 – AN ACT TO AMEND CHAPTER 15, TITLE 25 OF THE DELAWARE CODE RELATING TO CIVIL LIABILITY FOR NEGLIGENCE RESULTING IN INJURY TO GUESTS ON THE PREMISES OWNED OR OCCUPIED BY ANOTHER PERSON.

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

Senator Berndt marked PRESENT.

The privilege of the floor was extended to Donald McArdle (State Pension Administrator), Clifford B. Hearn, Jr. (American Insurance Association) and Gary Dalton (Senate Attorney).

SA 2 to the Bill (sponsor: Senator McDowell) was introduced and laid on the table at the request of the sponsor.

Senators Adams, Bair, Bane, Citro, Holloway, McBride, Zimmerman marked PRESENT.

SA 1 to the Bill was lifted from the table for consideration on motion of Senator Sharp and the roll call vote taken which revealed 20 Senators voting YES and 1 (Zimmerman) voting NO; therefore, the Amendment was declared adopted.

The roll call vote on **SB 490 w SA 1** was then taken and revealed:

YES: Senators Adams, Berndt, Citro, Connor, Cook, Holloway, Marshall, Martin, McBride, Minner, Sharp, Slatcher, Torbert, Zimmerman – 14.

NO: Senators Bair, Cordrey, Knox, McDowell, Neal – 5.

NOT VOTING: Senators Bane, Vaughn – 2.

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

SB 538 w SA 2 was taken up for consideration on motion of Senator Adams and the roll call vote taken which revealed:

YES: Senators Adams, Berndt, Citro, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Slatcher, Torbert, Vaughn, Zimmerman – 15.

NO: Senators Bair, Bane, Connor, Knox, Neal – 5.

NOT VOTING: Senator Sharp – 1.

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

SB 415 w SA 1 which had been returned from the House further amended by **HA 1, 2** was lifted from the table for consideration on motion of Senator Holloway.

The roll call vote on **SB 415 w SA 1, HA 1, 2** was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the Governor for his consideration.

SB 458 was taken up for consideration on motion of Senator Marshall:

SB 458 – AN ACT TO AMEND CHAPTER 27, TITLE 30, DELAWARE CODE, RELATING TO MANUFACTURERS' LICENSE TAX.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Cordrey, McDowell, Zimmerman) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 459 was taken up for consideration on motion of Senator Marshall:

SB 459 – AN ACT TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO DEDUCTIONS FOR CHARITABLE CONTRIBUTIONS IN CALCULATION OF THE PERSONAL INCOME TAX.

The privilege of the floor was extended to Robert Chastant (Delaware Division of Revenue) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Zimmerman) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 469 was taken up for consideration on motion of Senator McBride under suspension of the necessary rules:

SB 469 – AN ACT TO AMEND CHAPTER 29, TITLE 30, DELAWARE CODE RELATING TO RETAIL AND WHOLESALE MERCHANTS' LICENSE REQUIREMENTS AND TAXES.

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 513 was taken up for consideration on motion of Senator Marshall:

HB 513 – AN ACT TO AMEND CHAPTER 52, TITLE 30 OF THE DELAWARE CODE RELATING TO ANNUAL MOTOR CARRIER FUEL USE TAX REPORTING.

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 296 w HA 1 was taken up for consideration on motion of Senator Marshall:

HB 296 w HA 1 – AN ACT TO AMEND CHAPTER 51, TITLE 30, DELAWARE CODE RELATING TO CLARIFYING THE DEFINITION OF STREETS RECEIVING MUNICIPAL STREET AID.

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

HB 259 w HA 1 was returned to the Revenue and Taxation Committee on motion of Senator Marshall.

SB 446 was stricken at the request of Senator Martin.

HB 477 was taken up for consideration on motion of Senator Minner:

HB 477 – AN ACT TO AMEND CHAPTER 183, VOLUME 22, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF GREENWOOD" AS AMENDED BY CHAPTER 18, VOLUME 65, LAWS OF DELAWARE, TO AUTHORIZE THE ISSUING OF BOND ANTICIPATORY NOTES.

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 394 was lifted from the table for consideration on motion of Senator Torbert.

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

The privilege of the floor was extended to Robert Voshell (Director of the Department of Motor Vehicles) after which SB 394 w SA 1 was laid on the table on further motion of the Senator.

HB 433 w HA 1 was taken up for consideration on motion of Senator Torbert:

HB 433 w HA 1 – AN ACT TO AMEND SECTION 2118, CHAPTER 21, TITLE 21, OF THE DELAWARE CODE RELATING TO THE REQUIREMENT OF INSURANCE FOR MOTOR VEHICLES REQUIRED TO BE REGISTERED IN THIS STATE.

The privilege of the floor was extended to Robert Voshell (Director of the Department of Motor Vehicles).

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (McDowell and Sharp) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 479 was taken up for consideration on motion of Senator Torbert:

HB 479 – AN ACT TO AMEND CHAPTER 23, TITLE 21 OF THE DELAWARE CODE RELATING TO THE SATISFACTION OF LIENS ON MOTOR VEHICLES.

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

HB 533 was taken up for consideration on motion of Senator Torbert:

HB 533 – AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO THE ISSUANCE OF DRIVER'S LICENSES.

The privilege of the floor was extended to Robert Voshell (Director of the Department of Motor Vehicles).

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Minner and Zimmerman) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 534 was taken up for consideration on motion of Senator Torbert:

HB 534 – AN ACT TO AMEND CHAPTER 21, TITLE 21, OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF NEW VEHICLES.

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

The privilege of the floor was extended to Robert Voshell (Director, Department of Motor Vehicles).

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

HB 369 w HA 1 was lifted from the table for consideration on motion of Senator Torbert.

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

The privilege of the floor was extended to Robert Voshell (Director of the Department of Motor Vehicles).

The roll call vote on HB 369 w HA 1, SA 1 was then taken and revealed 18 Senators voting YES and 3 (Adams, Minner, Zimmerman) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

SB 399 was taken up for consideration on motion of Senator Vaughn:

SB 399 – AN ACT TO AMEND PART II, CHAPTER 21, TITLE 19, DELAWARE CODE, RELATING TO COMPOSITION OF THE INDUSTRIAL ACCIDENT BOARD.

The privilege of the floor was extended to Arthur J. Pennewill (Delaware Volunteer Firemen's Association).

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

SJR 22 was taken up for consideration on motion of Senator McDowell under suspension of the necessary rules:

SJR 22 – DIRECTING THE COMMISSIONER OF ELECTIONS AND THE DIRECTOR OF THE DIVISION OF MOTOR VEHICLES TO MATCH THE LISTING OF REGISTERED VOTERS AGAINST THE LISTING OF LICENSED DRIVERS, IN ORDER TO PRODUCE VARIOUS LISTINGS OF POTENTIAL VOTERS AND, TO DISTRIBUTE COPIES THEREOF TO BOTH MAJOR POLITICAL PARTIES.

At 4:14 p.m., Senator Cordrey presiding.

The privilege of the floor was extended to Robert Voshell (Director, Division of Motor Vehicles) and Russ Larson (Controller General's Office).

At 4:24 p.m., Senator Martin presiding.

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

SB 503 was lifted from the table for consideration on motion of Senator Holloway.

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

HB 707 was taken up for consideration on motion of Senator McBride:

HB 707 – AN ACT TO AMEND CHAPTER 34, TITLE 14 OF THE DELAWARE CODE ESTABLISHING THE DELAWARE TEACHER INCENTIVE PROGRAM.

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

SB 58 was taken up for consideration on motion of Senator McDowell:

SB 58 – AN ACT TO AMEND CHAPTER 73, PART VI, TITLE 29 OF THE DELAWARE CODE RELATING TO THE ARCHITECTURAL ACCESSIBILITY ACT; AND PROVIDING FOR ITS APPLICATION TO CERTAIN FACILITIES.

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

SA 2 and SA 3 to the Bill which had been placed with the Bill were stricken at the request of the sponsor, Senator Bair.

SA 4 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Bair.

The privilege of the floor was extended to Donald Dryden (Controller General).

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

YES: Senators Adams, Bair, Bane, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Neal, Slatcher, Vaughn, Zimmerman – 14.

NO: Senators Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert – 7.

Therefore, the Amendment was declared adopted.

At 5:05 p.m., Lt. Governor Woo presiding.

SB 58 w SA 4 was then laid on the table on motion of Senator McDowell.

At 5:10 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 6:00 p.m., Lt. Governor Woo presiding.

SA 1 to SB 540 was stricken at the request of the sponsor, Senator Torbert.

SB 175 was taken up for consideration on motion of Senator McBride:

SB 175 – AN ACT TO AMEND CHAPTER 43, TITLE 21, DELAWARE CODE, RELATING TO EQUIPMENT REQUIRED ON SCHOOL BUSES.

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

The roll call vote on SB 175 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Adams) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 680 w HA 1 was taken up for consideration on motion of Senator Minner:

HB 680 w HA 1 – AN ACT TO AMEND CHAPTER 86, PART VIII, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF CONSUMER AFFAIRS; AND PROVIDING FOR AN ADVISORY COUNCIL ON MANUFACTURED HOUSING.

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 695 w HA 1, 2 was taken up for consideration on motion of Senator Minner:

HB 695 w HA 1, 2 – AN ACT TO AMEND CHAPTER 70, PART IV, TITLE 25 OF THE DELAWARE CODE RELATING TO MOBILE HOMES AND MOBILE HOME PARKS.

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

The following legislation was introduced:

SB 565 – AN ACT TO AMEND CHAPTER 143, VOLUME 57, LAWS OF DELAWARE, ENTITLED: "AN ACT TO INCORPORATE THE TOWN OF SOUTH BETHANY". Sponsor: Senator Cordrey. Laid on the table on motion of the sponsor.

SB 566 – AN ACT TO AMEND CHAPTER 5, TITLE 31 OF THE DELAWARE CODE TO AUTHORIZE THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO INCREASE AID TO FAMILIES WITH DEPENDENT CHILDREN. Sponsors: Senator Holloway, Berndt, McDowell, Marshall, McBride; Representatives Sills, Plant. Laid on the table on motion of the sponsor.

At 6:25 p.m on motion of Senator Sharp, the Senate recessed until 1:00 p.m., June 25, 1986.

The Senate reconvened at 1:30 p.m., June 25, 1986, Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Community Affairs Committee: **SB 555 – 3 Merits.**

From the Public Safety Committee: **HB 288 – 1 Favorable, 3 Merits; HB 289 – 4 Merits; HB 342 – 4 Merits; HB 526 w HA 1, 2 – 4 Merits; HB 576 w HA 3 – 4 Merits.**

From the Administrative Services/Energy Committee: **SB 552 – 6 Merits; HB 107 w HA 1 – 5 Merits; HB 199 w HA 1 – 6 Merits; HB 368 w HA 1 – 5 Merits; HS 1 for HB 451 w HA 1, 2 – 6 Merits; HB 504 w HA 1 – 6 Merits; HB 521 w HA 2 – 6 Merits; HB 535 – 6 Merits; HB 558 w HA 1 – 6 Merits; HB 704 w HA 1 – 6 Merits; HB 716 w HA 1 – 5 Merits.**

From the Labor and Industrial Relations Committee: **SB 539 – 1 Favorable, 4 Merits; SB 544 – 5 Merits; SB 545 – 5 Merits; SB 546 – 5 Merits; SB 547 – 5 Merits; HB 454 – 6 Merits; HB 520 w HA 1 – 6 Merits; HB 542 – 6 Merits; HB 597 w HA 1, 2, 3, 4, 5 – 6 Merits; HB 696 – 6 Merits; HB 697 – 6 Merits; HB 698 – 6 Merits; HB 699 – 6 Merits.**

From the Revenue and Taxation Committee: **SB 363 – 7 Merits; HB 204 w HA 1 – 6 Merits; HB 268 w HA 1 – 7 Merits; HB 481 – 7 Merits; HB 506 w HA 1 – 7 Merits; HB 560 – 7 Merits; HB 617 – 7 Merits; HB 644 – 1 Favorable, 6 Merits; HB 655 – 7 Merits; HB 657 – 6 Merits; HB 659 – 5 Merits; HB 660 – 6 Merits; HB 661 – 6 Merits; HB 703 w HA 1 – 7 Merits.**

From the Health-Social Services/Aging Committee: **SB 35 – 5 Merits; SB 65 – 5 Merits; SB 71 – 4 Merits; SB 72 – 5 Merits; SB 73 – 5 Merits; SB 356 – 5 Merits; SB 362 – 5 Merits; SB 527 – 5 Merits; SB 548 – 5 Merits; SB 558 – 5 Merits; HB 120 w HA 1, 2 – 5 Merits; HB 150 – 5 Merits; HS 1 for HB 414 – 4 Merits, 1 Unfavorable; HB 552 w HA 1, 2 – 5 Merits.**

From the Administrative Services Committee: **HB 323 – 6 Merits; HB 541 w HA 1 – 5 Merits; HB 705 – 5 Merits; HB 708 – 5 Merits; HB 710 – 5 Merits; HB 711 – 5 Merits; HB 712 – 5 Merits; HB 713 w HA 1 – 5 Merits; HB 719 w HA 1 – 5 Merits; HB 726 w HA 1 – 5 Merits; HB 727 w HA 1 – 5 Merits; HB 732 – 5 Merits; HB 733 – 5 Merits.**

From the Small Business Committee: **HS 1 for HB 427 w HA 3 – 5 Merits.**

The Secretary announced that a message from the House informed the Senate that it had passed **HB 682; HB 620; HB 745 w HA 1; HB 410 w HA 1; HB 630 w HA 1; HB 734; HB 618; HB 587 w HA 1; HB 615; HB 462 w HA 1; SB 13 w SA 1; SB 274; SB 21; SB 495 w SA 1, 4; SB 79; SB 388; SB 319 w SA 1, HA 2; SB 331; SB 384 w SA 1; SB 380 w SA 2; SS 1 for SB 479; SB 30 w SA 1; HB 656; HB 632; HB 737; HB 163 w HA 1; HB 665 w HA 1; HB 689; HB 736; HB 538 w HA 1.**

HB 705 was taken up for consideration on motion of Senator McDowell under suspension of the necessary rules:

HB 705 – AN ACT TO AMEND TITLE 29, CHAPTER 86, SECTION 8624 OF THE DELAWARE CODE RELATING TO THE DELAWARE COMMISSION FOR WOMEN.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Citro, Martin, Slatcher) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 708 was taken up for consideration on motion of Senator McDowell under suspension of the necessary rules:

HB 708 – AN ACT TO AMEND TITLE 14, CHAPTER 84, DELAWARE CODE, RELATING TO THE DELAWARE INSTITUTE OF MEDICAL EDUCATION AND RESEARCH.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Citro, Martin, Slatcher) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 710 was taken up for consideration on motion of Senator McDowell under suspension of the necessary rules:

HB 710 – AN ACT TO AMEND SECTION 2716, CHAPTER 27, TITLE 29 OF THE DELAWARE CODE, RELATING TO THE CASH MANAGEMENT POLICY BOARD.

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

HB 711 was taken up for consideration on motion of Senator McDowell under suspension of the necessary rules:

HB 711 – AN ACT TO AMEND TITLE 14, CHAPTER 88, DELAWARE CODE, RELATING TO THE DELAWARE INSTITUTE OF DENTAL EDUCATION AND RESEARCH.

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

HB 712 was taken up for consideration on motion of Senator McDowell under suspension of the necessary rules:

HB 712 - AN ACT TO AMEND CHAPTER 31, TITLE 10 OF THE DELAWARE CODE, RELATING TO LICENSE FEES FOR EMPLOYMENT AGENCIES.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Bane, Citro, Slatcher) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 713 w HA 1 was taken up for consideration on motion of Senator McDowell under suspension of the necessary rules:

HB 713 w HA 1 - AN ACT TO AMEND CHAPTER 13, TITLE 24 OF THE DELAWARE CODE, RELATING TO THE REGULATION OF PRIVATE DETECTIVES.

The roll call vote on the Bill was taken and revealed 16 Senators voting YES and 5 (Bane, Citro, Holloway, Marshall, Slatcher) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 719 w HA 1 was taken up for consideration on motion of Senator McDowell under suspension of the necessary rules:

HB 719 w HA 1 - AN ACT TO AMEND TITLE 6 AND TITLE 31 OF THE DELAWARE CODE RELATING TO THE HUMAN RELATIONS COMMISSION; AND PROVIDING FOR CERTAIN CHANGES IN ITS JURISDICTION.

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

HB 726 w HA 1 was taken up for consideration on motion of Senator McDowell under suspension of the necessary rules:

HB 726 w HA 1 - AN ACT TO AMEND CHAPTER 7, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF CHIROPRACTIC.

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

HB 727 w HA 1 was taken up for consideration on motion of Senator McDowell under suspension of the necessary rules:

HB 727 w HA 1 - AN ACT TO AMEND TITLE 24 AND TITLE 29 OF THE DELAWARE CODE RELATING TO BOARD OF PHARMACY.

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

HB 732 was taken up for consideration on motion of Senator McDowell under suspension of the necessary rules:

HB 732 - AN ACT TO AMEND CHAPTER 9, TITLE 24 OF THE DELAWARE CODE, RELATING TO DEADLY WEAPONS DEALERS.

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

HB 733 was taken up for consideration on motion of Senator McDowell under suspension of the necessary rules:

HB 733 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS; AND SPECIFYING POLICY AS TO HOW FEES MAY BE COMPUTED.

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

HB 199 w HA 1 was taken up for consideration on motion of Senator McDowell under suspension of the necessary rules:

HB 199 w HA 1 - AN ACT TO AMEND CHAPTER 33, TITLE 24 OF THE DELAWARE CODE, RELATING TO THE BOARD OF VETERINARY MEDICINE.

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

Senator Sharp introduced Secretary of State Michael Harkins to the Senate who in turn introduced students from Citizen Bee: Michael Jordan (William Penn), Eleanor Bate (Sanford High School), Robert Shockley (New Castle Baptist Academy), Thomas Fitzpatrick (Newark High), Cynthia Corbert (Mount Pleasant High), Michael Palaz (McKean High), Heather Renney (Lake Forest), Laura Chandler (Indian River High School), Carl Bartcher (Archmere Academy), Greg Reeds (Smyrna High School), John Smith (Indian River High School).

HB 323 was taken up for consideration on motion of Senator McDowell under suspension of the necessary rules:

HB 323 - AN ACT TO AMEND TITLES 23, 24, 28, AND 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF BUSINESS AND OCCUPATIONAL REGULATION.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Berndt, Citro, Connor) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

Senator McBride introduced Richard L. Kapolka of the Christina School District Career Enhancement Committee.

HB 716 w HA 1 was laid on the table on motion of Senator McDowell.

At 2:25 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 46th Legislative Day.

46TH LEGISLATIVE DAY
June 25, 1986

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

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

The President pro Tempore's list of legislation and assignments was distributed to each Senator:

PRESIDENT PRO TEMPORE'S

INTRODUCTION AND COMMITTEE ASSIGNMENT LIST

June 25, 1986

SA 2 to SB 394. Sponsor: Senator Torbert. Placed with the Bill.

SA 1 to SB 399. Sponsor: Senator Vaughn. Placed with the Bill.

SA 1 to HB 552 w HA 1, 2. Sponsor: Senator Bane. Placed with the Bill.

SB 564 - AN ACT AMENDING CHAPTER 43, TITLE II, DELAWARE CODE RELATING TO NOTIFICATIONS OF PAROLE HEARINGS. Sponsor: Senator Minner. Assigned to Judiciary Committee.

HB 163 w HA 1 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO THE QUALIFICATIONS FOR SCHOOL BUS DRIVER'S LICENSES. Sponsors: Representatives Houghton, Barnes, Corrozi, B. Ennis, D. Ennis, Petrilli, Mack, Buckworth, Jonkiert, Davis, Reynolds, VanSant, Brady, Soles, Anderson, Jester, West, Campanelli, Steele. Assigned to Public Safety Committee.

HB 400 w HA 1, 2, SA 2 w HA 1 - AN ACT TO AMEND CHAPTER 43, PART II, TITLE II OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE; AND PROVIDING FOR THE HOUSE ARREST OF NON-VIOLENT OFFENDERS. Sponsors: Representatives Jonkiert, Spence; Senator Marshall; Representatives West, VanSant, Barnes, Free, Buckworth, Quillen, Maroney, Clark, Houghton, Corrozi, C. Cordrey, B. Ennis, Hebner, Reynolds, Taylor, Boykin, Steele, Petrilli, Brady, Wingate, Outten, Bennett, Oberle, Roy, Davis, Carey, Campanelli, Jester, Anderson, Caulk, Fallon; Senators Minner, Torbert. Assigned to Judiciary Committee.

HB 538 w HA 1 - AN ACT AMENDING CHAPTER 69, TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PURCHASES AND SUPPLIES AND PROVIDING FOR PREFERENCE TO DELAWARE COMPANIES AND NORTH AMERICAN VEHICLES. Sponsors: Representatives Davis, Oberle, Campanelli, Mack, Reynolds. Assigned to Community Affairs Committee.

HB 632 - AN ACT TO AMEND CHAPTER 39, TITLE 10 OF THE DELAWARE CODE RELATING TO PLEADING AND PRACTICE BY PROVIDING MITIGATION OF DAMAGES IN CIVIL LIBEL ACTIONS. Sponsor: Representative Hebner (by request). Assigned to Judiciary Committee.

HB 656 - AN ACT TO AMEND CHAPTER 30, TITLE 30 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE DOCUMENT FEES. Sponsors: Representatives Steele, Petrilli, Free, Boykin, D. Ennis, Anderson, VanSant, Brady, Caulk; Senator Marshall. Assigned to Revenue and Taxation Committee.

HB 665 w HA 1 - AN ACT TO AMEND PART VI, TITLE 16 OF THE DELAWARE CODE RELATING TO SAFETY AND LIFE JACKETS. Sponsors: Representatives Reynolds, Davis, Mack, Roy, Spence, Steele, B. Ennis, Brady, Houghton, Jonkiert, Plant, VanSant, West; Senators Berndt, Connor. Assigned to Community Affairs Committee.

HB 689 - AN ACT TO AMEND CHAPTER 5, TITLE 17, DELAWARE CODE RELATING TO THE MAXIMUM MONETARY AMOUNT PERMITTED IN THE JUSTICE OF THE PEACE COURT AND THE COURT OF COMMON PLEAS. Sponsors: Representative Taylor, Senator Martin. Assigned to Judiciary Committee.

HB 736 - AN ACT TO AMEND CHAPTERS 13, 17 AND 31 OF TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION AND AN INTENSIVE LEARNING CENTER FUNDING UNIT. Sponsors: Representatives Fallon, Jester, Wingate, Free; Senator McBride. Assigned to Education Committee.

HB 737 - AN ACT TO AMEND CHAPTER 34, TITLE 14, DELAWARE CODE WITH RESPECT TO EDUCATIONAL BENEFITS FOR MEMBERS OF THE DELAWARE NATIONAL GUARD. Sponsors: Representative Gilligan, Senator Bane; Senator Adams; Representatives B. Ennis, Fallon, Oberle, Mack, Anderson, Buckworth, Wingate. Assigned to Education Committee.

The following communication was read:

William T. Quillen
New Castle, Delaware 19720
June 20, 1986

The Honorable Richard S. Cordrey
President Pro Tempore
Delaware State Senate
Dover, Delaware 19901

Dear Richard:

Since I was unaware that Senate Concurrent Resolution No. 139 was being considered, I was most pleasantly surprised when it was presented to me last Friday night. I want you to know that the thoughtfulness of you and your colleagues in the General Assembly was very much appreciated by Marcia and me. Please be assured that we will never be far from Delaware and our many friends in the General Assembly. We express through you our heartfelt thanks to them all.

Sincerely,

Bill
William T. Quillen

At 2:30 p.m. Senator Cordrey presiding.

The following veto message from the Governor was read:

STATE OF DELAWARE
Office of the Governor
June 24, 1986

To the Delaware State Senate of the 133rd General Assembly of the State of Delaware

On June 12, 1986, I received Senate Bill No. 420, which is entitled: AN ACT AMENDING TITLE 5, CHAPTER 9, TITLE 12, CHAPTERS 2, 13, 15, 33 AND 35, AND TITLE 25, CHAPTER 5; AND INSERTING A NEW CHAPTER 34 OF TITLE 12 OF THE DELAWARE CODE BY REVISING AND ENACTING CERTAIN LAWS RELATING TO BANKS AND TRUST COMPANIES AS FIDUCIARIES, AND TO THE ADMINISTRATION OF ESTATES AND TRUSTS.

This bill substantially rewrites Delaware law relating to estate and trust administration, fiduciary duties and liability, and the common law Rule Against Perpetuities. Because one provision of this bill would preempt the full faith and credit the State of Delaware owes to the laws of its sister states, and thereby violates fundamental principles of comity, I am returning Senate Bill No. 420 without my signature.

Section 3 of Senate Bill No. 420 provides for the admission of the wills of non-domiciliaries to probate in Delaware. Under this legislation, such wills can be admitted to probate in Delaware even if they have been rejected from probate in the domiciliary jurisdiction, as long as the grounds for rejection would not affect the validity of the will in Delaware. In any event, such wills by this legislation would "have the same force and effect as if originally proved and allowed in this State, and it shall be allowed to operate on any property of the testator, wherever located".

The effect of this language is to permit the State of Delaware to administer a testator's property located not in Delaware but in the testator's state of domicile, according to the terms of a will that the domiciliary state rejects as invalid under its own law. Because it permits this result, Senate Bill No. 420 violates the Full Faith and Credit Clause of the United States Constitution, which requires each State to recognize, and give effect to, the laws and judgments of other States pertaining to persons and property within their jurisdiction. Aside from this constitutional constraint principles of comity compel the State of Delaware to respect the dignity of the legislative and judicial proceedings of its sister states, if Delaware expects to command corresponding respect elsewhere. Section 3 of Senate Bill No. 420 offends these principles, which the Delaware courts long have recognized and enforced. Cf. Lewis v. Hanson, 128 A.2d 819 (Del. Supr. 1957), aff'd sub nom. Hanson v. Denckla, 357 U.S. 235 (1958).

It has been represented to me that the drafters of this legislation are aware of this problem, and others, with Senate Bill No. 420 and are committed to offering corrective legislation when the General Assembly reconvenes next January. I acknowledge this commitment, but I cannot approve this legislation, knowing it to have a serious constitutional flaw of this nature, premised upon the anticipation of corrective legislation six months down the road.

I veto Senate Bill No. 420 with great reluctance. This legislation significantly improves the Delaware law of trusts and estates, enabling much more flexible trust administration and incorporating more modern concepts of fiduciary accountability. This bill represents the culmination of an extraordinary amount of effort by many individuals.

The outstanding merits of the other provisions of Senate Bill No. 420, however, cannot mask the fatal flaw in Section 3 of the bill. For the reasons stated above, I am returning Senate Bill No. 420 without my signature.

Respectfully submitted,
Michael N. Castle, Governor

HB 296 w HA 1 was lifted from the table for consideration on motion of Senator Marshall.
The privilege of the floor was extended to Mark A. McNulty (Delaware Department of Transportation).

Senators Zimmerman and McBride marked PRESENT.

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

YES: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Knox, Marshall, Martin, McDowell, Minner, Neal, Sharp, Slatcher, Torbert, Vaughn – 16.

NO: Senators Cordrey, Zimmerman – 2.

NOT VOTING: Senators Holloway, McBride – 2.

ABSENT: Senator Citro – 1.

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

SB 558 was taken up for consideration on motion of Senator Holloway:

SB 558 – AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE, RELATING TO HEARINGS IN CERTAIN VOLUNTARY RELINQUISHMENTS OF PARENTAL RIGHTS.

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

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

SB 497 – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LINE-OF-DUTY DEATH BENEFITS.

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

SB 551 was taken up for consideration on motion of Senator Minner:

SB 551 – AN ACT TO AMEND CHAPTER 215, VOLUME 64, LAWS OF DELAWARE ENTITLED "AN ACT TO REINCORPORATE THE CITY OF HARRINGTON", AS AMENDED, RELATING TO POLICE DEPARTMENT, BUDGETARY PROCEDURES, FIXING OF TAX RATE AND CONDEMNATION FOR WATER AND SEWER SYSTEMS.

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

HB 483 was taken up for consideration on motion of Senator Minner:

HB 483 – AN ACT TO AMEND TITLE 9, CHAPTER 93, SECTION 9306 RELATING TO THE SALARY OF THE COMPTROLLER OF KENT COUNTY.

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

HB 488 was taken up for consideration on motion of Senator Minner:

HB 488 – AN ACT TO AMEND TITLE 9, CHAPTER 83, SECTION 8305 OF THE DELAWARE CODE RELATING TO THE ASSESSMENT OF PROPERTY OF MEMBERS OF THE BOARD OF ASSESSMENT.

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

HB 261 was taken up for consideration on motion of Senator Sharp:

HB 261 – AN ACT TO AMEND CHAPTER 11, TITLE 12 OF THE DELAWARE CODE TO PROVIDE FOR THE ESCHEAT TO THE STATE OF TANGIBLE OWNERSHIP INTERESTS IN CORPORATION WHEN DIVIDENDS OR OTHER DISTRIBUTIONS THEREON HAVE BEEN ABANDONED.

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

HB 489 was taken up for consideration on motion of Senator Minner:

HB 489 – AN ACT TO AMEND TITLE 9, CHAPTER 93 OF THE DELAWARE CODE RELATING TO THE KENT COUNTY COMPTROLLER.

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

HB 677 w HA 1 was taken up for consideration on motion of Senator Minner:

HB 677 w HA 1 – AN ACT TO AMEND VOLUME 43, CHAPTER 189, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE TOWN OF WYOMING.

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

HB 706 was taken up for consideration on motion of Senator Minner:

HB 706 – AN ACT TO AMEND CHAPTER 67, TITLE 9 OF THE DELAWARE CODE RELATING TO POWERS OF SUSSEX COUNTY WITH RESPECT TO SEWERAGE SYSTEMS.

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

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

SB 528 – AN ACT TO AMEND CHAPTER 5, PART 1, TITLE 11 OF THE DELAWARE CODE RELATING TO PROHIBITIONS AGAINST CERTAIN TYPES OF KNIVES.

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

SB 550 was taken up for consideration on motion of Senator Adams:

SB 550 - AN ACT TO AMEND CHAPTER 17, TITLE 18, DELAWARE CODE, RELATING TO LIMITED REPRESENTATIVES.

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

At 3:10 p.m., Lt. Governor Woo presiding.

The roll call vote on SB 550 w SA 1 was taken and revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 46 was taken up for consideration on motion of Senator Adams:

HB 46 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, RELATING TO SEXUAL HARASSMENT BY EMPLOYEES OF THE STATE.

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

HB 671 was taken up for consideration on motion of Senator Adams:

HB 671 - AN ACT TO AMEND CHAPTER 75, TITLE 3 OF THE DELAWARE CODE RELATING TO BEE KEEPING.

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

On motion of Senator Berndt (without objection) the roll call vote on SB 493 w SA 1 was rescinded and the Bill taken up for reconsideration..

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

The roll call vote on SB 493 w SA 1, 2 was then taken and revealed 19 Senators voting YES and 2 (Citro, Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 505 was taken up for consideration on motion of Senator Slatcher:

SB 505 - AN ACT AWARDING SPECIAL PENSION BENEFITS TO LORETTA LECATES, APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE; AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE MADE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE.

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

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

SB 530 - AN ACT TO AMEND CHAPTER II, TITLE 13 OF THE DELAWARE CODE RELATING TO PLACEMENT OF CHILDREN FOR ADOPTION.

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

SB 542 was taken up for consideration on motion of Senator Vaughn:

SB 542 - AN ACT TO AMEND CHAPTER 84, TITLE II, DELAWARE CODE RELATING TO THE COUNCIL ON POLICE TRAINING.

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

SB 505 was lifted from the table for consideration on motion of Senator Slatcher.

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

HB 554 was taken up for consideration on motion of Senator Adams:

HB 554 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE RIGHT TO KEEP AND BEAR ARMS FOR THE DEFENSE OF SELF, FAMILY, HOME AND STATE, AND FOR HUNTING AND RECREATIONAL USE.

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

YES: Senators Adams, Bair, Bane, Connor, Cook, Cordrey, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 18.

NO: Senator Berndt - 1.

NOT VOTING: Senator Holloway - 1.

ABSENT: Senator Citro - 1.

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

SB 405 was taken up for consideration on motion of Senator Torbert:

SB 405 - AN ACT TO AMEND TITLE 9, CHAPTER 92, §9203 OF THE DELAWARE CODE, RELATING TO CHIEF DEPUTIES SALARIES OF KENT COUNTY.

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

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

SB 489 – AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE, RELATING TO THE POWERS AND DUTIES OF THE CHIEF JUDGE OF FAMILY COURT.

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

SB 489 w SA 1 was then laid on the table on motion of Senator Torbert.

SB 507 was taken up for consideration on motion of Senator Torbert:

SB 507 – AN ACT TO AMEND CHAPTER 28, TITLE 10, OF THE DELAWARE CODE REGARDING JUSTICE OF THE PEACE CONSTABLES.

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

At 4:05 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:28 p.m., Lt. Governor Woo presiding.

SB 466 which had previously passed the Senate was taken up for reconsideration as now further amended by **HA 1** on motion of Senator Cordrey.

The roll call vote on **SB 466 w HA 1** was then taken and revealed 19 Senators voting YES and 2 (Citro, Marshall) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

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

SB 556 – AN ACT TO AMEND CHAPTER 5, TITLE 4, DELAWARE CODE, RELATING TO THE SALE OF ALCOHOLIC LIQUOR BY MANUFACTURERS AND DISTILLERIES.

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

SB 540 was laid on the table on motion of Senator McDowell.

SJR 21 was taken up for consideration on motion of Senator Neal:

SJR 21 – DIRECTING COUNTIES AND MUNICIPALITIES TO COOPERATE IN THE IMPLEMENTATION OF A RECORDS MANAGEMENT PROGRAM, TO BE CALLED THE DELAWARE LOCAL RECORDS PROJECT.

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

HS 1 for HB 427 w HA 3 was taken up for consideration on motion of Senator Zimmerman:

HS 1 for HB 427 w HA 3 – AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO REGISTRATION AND REGULATION OF TRANSIENT RETAILERS.

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

HB 576 w HA 3 was taken up for consideration on motion of Senator Torbert:

HB 576 w HA 3 – AN ACT TO AMEND CHAPTER 44, TITLE 21 OF THE DELAWARE CODE RELATING TO THE PROCEDURE FOR PROCESSING AND SELLING MOTOR VEHICLES WHICH ARE REMOVED FROM PUBLIC HIGHWAYS BY ORDER OF POLICE AND ARE EIGHT YEARS OF AGE OR OLDER.

The privilege of the floor was extended to Robert Voshell (Director, Division of Motor Vehicles).

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

YES: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Knox, Martin, Neal, Sharp, Slatcher, Torbert, Vaughn – 14.

NO: Senators Marshall, McBride, McDowell, Zimmerman – 4.

NOT VOTING: Senators Holloway, Minner – 2.

ABSENT: Senator Citro – 1.

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

HB 526 w HA 1, 2 was taken up for consideration on motion of Senator Torbert:

HB 526 w HA 1, 2 – AN ACT TO AMEND CHAPTERS 3, 7, 21, 23, 27, 31, 41, 42, AND 43, TITLE 21 OF THE DELAWARE CODE RELATING TO THE PENALTY PROVISIONS OF THE MOTOR VEHICLE CODE.

The privilege of the floor was extended to Robert Voshell (Director, Division of Motor Vehicles) after which the Bill was laid on the table on motion of Senator Torbert.

A messenger from the Governor was announced and admitted.

HB 288 was taken up for consideration on motion of Senator Torbert:

HB 288 – AN ACT TO AMEND CHAPTER 23, TITLE 21 OF THE DELAWARE CODE RELATING TO RETAINING SURRENDERED CERTIFICATES OF TITLE.

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

HB 289 was taken up for consideration on motion of Senator Torbert:

HB 289 – AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO PEDESTRIANS.

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

HB 342 was taken up for consideration on motion of Senator Torbert:

HB 342 – AN ACT TO AMEND CHAPTER 5, TITLE 21 OF THE DELAWARE CODE RELATING TO THE ERECTION OF TRAFFIC SIGNS.

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

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

SB 552 – AN ACT TO AMEND CHAPTER 14, TITLE 24, DELAWARE CODE, RELATING TO PROOF OF INSURANCE COVERAGE UPON ISSUANCE OF MASTER ELECTRICIAN REGISTRATION CERTIFICATES.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES, 1 (Slatcher) NOT VOTING and 2 (Citro, Marshall) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 556 was lifted from the table for consideration on motion of Senator McDowell.

SA 1 to the Bill was introduced and laid on the table on motion of Senator Berndt.

The privilege of the floor was extended to Edward J. Stegemeir (President, Delaware Importers) and David S. Swayze (Anheuser-Busch Co., Inc.).

SA 1 to the Bill was lifted from the table for consideration on motion of Senator Berndt and the roll call vote taken which revealed:

YES: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Knox, Minner, Neal, Slatcher, Vaughn – 11.

NO: Senators: Marshall, Martin, McBride, McDowell, Sharp, Torbert – 6.

NOT VOTING: Senator Zimmerman – 1.

ABSENT: Senators Citro, Cordrey, Holloway – 3.

Therefore, the Amendment was declared adopted.

SB 556 w SA 1 was then laid on the table on motion of Senator McDowell.

SB 540 was taken up for consideration on motion of Senator McDowell.

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

YES: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Vaughn – 18.

NO: Senator Zimmerman – 1.

NOT VOTING: Senator Torbert – 1.

ABSENT: Senator Citro – 1.

Therefore, the Amendment was declared adopted.

SA 3 to the Bill (sponsor: Senator Minner) was introduced and immediately stricken on motion of the sponsor.

SA 4 to the Bill (sponsor: Senator Minner) was introduced and considered for adoption.

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

YES: Senators Adams, Bair, Bane, Cook, Cordrey, Martin, McDowell, Minner, Slatcher, Vaughn – 10.

NO: Senators Berndt, Connor, Knox, Marshall, McBride, Neal, Zimmerman – 7.

NOT VOTING: Senators Holloway, Sharp, Torbert – 3.

ABSENT: Senator Citro – 1.

Therefore, the Amendment was declared defeated.

The roll call vote on SB 540 w SA 2 was then taken and revealed:

YES: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Slatcher, Vaughn, Zimmerman – 18.

NO: Senator Minner – 1.

NOT VOTING: Senator Torbert – 1.

ABSENT: Senator Citro – 1.

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

At 6:00 p.m., Senator Cordrey presiding.

SCR 151 was introduced and considered for adoption on motion of Senator Adams:

SCR 151 – CONGRATULATING LEON DE VALINGER JR., FORMER DELAWARE STATE ARCHIVIST, AS HE CELEBRATES HIS 81ST BIRTHDAY. Sponsors: Senators Adams, Cordrey; Representative Barnes.

At 6:01 p.m., Lt. Governor Woo presiding.

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

The Secretary announced that a message from the House informed the Senate that it had passed SB 460 w SA 1, HA 1, 2.

SB 460 w SA 1 which had previously passed the Senate was taken up for reconsideration on motion of Senator Adams as now further amended by HA 1, 2. The roll call vote on SB 460 w SA 1, HA 1, 2 was then taken and revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SB 555 was taken up for consideration on motion of Senator Holloway:

SB 555 – AN ACT TO AMEND CHAPTER 8, TITLE 22, DELAWARE CODE, TO EXEMPT LARGE MUNICIPAL CORPORATIONS FROM THE PROVISIONS DEALING WITH LOCATION OF ADULT ENTERTAINMENT ESTABLISHMENT.

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

SJR 24 was introduced and considered for adoption on motion of Senator Holloway under suspension of the necessary rules:

SJR 24 - DIRECTING THE DEPARTMENTS OF INSURANCE AND HEALTH AND SOCIAL SERVICES TO PRESENT TO THE GENERAL ASSEMBLY PROPOSALS TO CREATE AND FUND COMPREHENSIVE HEALTH BENEFITS FOR DELAWAREANS. Sponsor: Senator Holloway.

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

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 13.

NO: Senators Bair, Bane, Connor, Knox, Slatcher - 5.

NOT VOTING: Senators Berndt, Neal - 2.

ABSENT: Senator Citro - 1.

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

SB 556 w SA 1 was lifted from the table for consideration on motion of Senator McDowell.

On motion of Senator Berndt, without objection, the roll call vote on **SA 1** to the Bill was rescinded and the Amendment laid on the table.

The roll call vote on **SB 556** was then taken; however, the roll call was laid on the table before being announced on motion of Senator McDowell.

SB 319 w SA 1 which had previously passed the Senate was taken up for reconsideration as now further amended by **HA 2** on motion of Senator Cordrey. The roll call vote on **SB 319 w SA 1, HA 2** was then taken and revealed 19 Senators voting YES and 2 (Citro, Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SB 565 was taken up for consideration on motion of Senator Cordrey under suspension of the necessary rules:

SB 565 - AN ACT TO AMEND CHAPTER 143, VOLUME 57, LAWS OF DELAWARE, ENTITLED: "AN ACT TO INCORPORATE THE TOWN OF SOUTH BETHANY".

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

SB 562 was taken up for consideration on motion of Senator Connor under suspension of the necessary rules:

SB 562 - AN ACT TO AMEND CHAPTER 216 VOLUME 27 LAWS OF DELAWARE RELATING TO "AN ACT AMENDING MERGING AND CONSOLIDATING THE CHARTER OF NEW CASTLE BY PROVIDING NEW CASTLE WITH AUTHORITY TO ANNEX TERRITORY.

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

SB 563 was taken up for consideration on motion of Senator Slatcher under suspension of the necessary rules:

SB 563 - AN ACT TO AMEND CHAPTER 42, VOLUME 53, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE CITY OF SEAFORD".

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

SCR 152 was introduced and considered for adoption on motion of Senator Martin:

SCR 152 - COMMENDING ALBERT HYATT JONES, OF CHRISTIANA, FOR HIS MANY YEARS OF DEDICATED SERVICE TO THE PURSUIT OF EXCELLENCE FOR ALL DELAWARE SCHOOL CHILDREN. Sponsor: Senator Martin.

Senators Bair and Connor were added as co-sponsors of the Resolution after which the roll call vote was taken and revealed 19 Senators voting YES, 1 (Sharp) NOT VOTING, and 1 (Citro) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

At 6:39 p.m. on motion of Senator Sharp, the Senate recessed until 1:00 p.m., June 26, 1986.

The Senate reconvened at 2:00 p.m. June 26, 1986, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 590; HB 740; HB 741; HB 550; HB 463; HB 669; HB 155 w HA 1, 2; SB 526 w SA 1; SB 481; HB 651 w HA 1 w HA 1, HA 2, 3; HB 702 w HA 1, 2; HB 640 w HA 1; HB 633 w HA 1; HB 634; HB 601 w HA 1, 2; SS 1 for SB 351; SB 515; HB 730; HB 731; and adopted HJR 24; HCR 158; HCR 159; HCR 160; HCR 161; HCR 162; HCR 163; HCR 164; HCR 165; SCR 142; SCR 144; SCR 145; SCR 146; SCR 147; SCR 148.**

The following Committee reports were announced:

From the Education Committee: **HB 736** - 3 Merits; **HB 737** - 3 Merits.

From the Revenue and Taxation Committee: **HB 656** - 6 Merits.

From the Community Affairs Committee: **HB 650** - 3 Merits; **HB 628** - 3 Merits; **HB 623 w HA 1** - 3 Merits.

At 2:01 p.m., Lt. Governor Woo presiding.

From the Natural Resources and Environmental Control Committee: **HB 569** - 6 Merits; **HB 570** - 6 Merits; **HB 571 w HA 1** - 6 Merits; **HB 588 w HA 2** - 6 Merits; **HB 573** - 6 Merits; **HB 335** - 6 Merits; **HB 336** - 6 Merits; **HB 572 w HA 1, 2** - 6 Merits; **HB 581 w HA 1** - 6 Merits.

From the Administrative Services/Energy Committee: **HB 642 w HA 1** - 4 Merits.

From the Agriculture Committee: **HB 641** - 5 Merits.

At 2:05 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 47th Legislative Day.

47TH LEGISLATIVE DAY
June 26, 1986

The Senate convened at 2:05 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

The President pro Tempore's list of assigned legislation was distributed to each Senator:

PRESIDENT PRO TEMPORE'S
INTRODUCTION AND COMMITTEE ASSIGNMENT LIST
June 26, 1986

SB 567 - AN ACT TO AMEND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE RELATING TO THE SELECTION PROCESS FOR PROFESSIONAL SERVICES CONTRACTS. Sponsor: Senator Martin. Assigned to Administrative Services/Energy Committee.

SB 568 - AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO THE DISPOSITION OF DEPENDENT OR NEGLECTED CHILDREN. Sponsors: Senator Vaughn, Representative Spence; Senator Bair; Representatives Free, Buckworth, Maroney. Assigned to Judiciary Committee.

SB 569 - AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE RELATING TO THE DISPOSITION OF DEPENDENT OR NEGLECTED CHILDREN. Sponsors: Senator Vaughn, Representative Spence; Senator Bair, Knox; Representatives Free, Buckworth, Maroney. Assigned to Administrative Services/Energy Committee.

SB 570 - AN ACT AMENDING TITLE 29, DELAWARE CODE, CONCERNING LEGISLATIVE CONFLICTS OF INTEREST AND ESTABLISHING HOUSE AND SENATE ETHICS COMMITTEES. Sponsors: Senators Cordrey, Sharp, McDowell, Bair, Connor. Assigned to Executive Committee.

SB 571 - AN ACT TO AMEND CHAPTER 5, TITLE 17, DELAWARE CODE RELATING TO THE MAXIMUM MONETARY AMOUNT PERMITTED IN THE JUSTICE OF THE PEACE COURT AND THE COURT OF COMMON PLEAS. Sponsor: Senator Martin. Assigned to Judiciary Committee.

SB 572 - AN ACT TO AMEND CHAPTER 45, TITLE 21 OF THE DELAWARE CODE RELATING TO SIZE AND WEIGHT OF VEHICLES AND LOADS AND ALLOWING POLICE OFFICERS TO ATTACH SUMMONSES TO CERTAIN UNATTENDED VEHICLES. Sponsor: Senator Martin. Assigned to Public Safety Committee.

SA 2 to SB 250. Sponsors: Senators Berndt and Holloway. Placed with the Bill.

SA 5 to SB 520. Sponsor: Senator Holloway. Placed with the Bill.

SA 6 to SB 520. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to HB 561. Sponsor: Senator Cordrey. Placed with the Bill.

SA 1 to HB 716. Sponsor: Senator Connor. Placed with the Bill.

SA 2 to HB 716. Sponsor: Senator Neal. Placed with the Bill.

SA 3 to HB 716. Sponsor: Senator Neal. Placed with the Bill.

SR 133 - AMENDING THE TEMPORARY RULES OF THE DELAWARE STATE SENATE OF THE 133RD GENERAL ASSEMBLY RELATING TO RULES OF LEGISLATIVE CONDUCT. Sponsors: Senators Cordrey, Sharp, McDowell, Bair, Connor. Assigned to Executive Committee.

HB 155 w HA 1, 2 - AN ACT TO AMEND CHAPTER 17, TITLE 14 OF THE DELAWARE CODE AS IT RELATES TO STATE APPROPRIATIONS. Sponsors: Representative Campanelli, Senator Berndt; Representatives Anderson, Bennett, Boykin, Brady, Carey, Caulk, Cordrey, Davis, B. Ennis, D. Ennis, Fallon, Gilligan, Houghton, Jester, Jonkiert, Outten, Reynolds, Sills, Spence, Taylor, VanSant; Senators Adams, Cook, Marshall, Martin, Minner, Sharp, Torbert, Vaughn. Assigned to Education Committee.

HB 410 w HA 1 - AN ACT TO AMEND CHAPTER 5, TITLE 31 OF THE DELAWARE CODE TO AUTHORIZE THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO INCREASE AID TO FAMILIES WITH DEPENDENT CHILDREN. Sponsors: Representative Sills; Representatives Maroney, Plant; Senators Holloway, McDowell. Assigned to Finance Committee.

HB 462 w HA 1 - AN ACT TO AMEND CHAPTER 54, TITLE 30, DELAWARE CODE, RELATING TO THE REALTY TRANSFER TAX. Sponsors: Representatives Bennett, D. Ennis; Senators Cook, Berndt, Slatcher; Representatives Anderson, Brady, Soles, Outten, VanSant, Boykin, Davis, Petrilli, Quillen, Spence, Taylor. Assigned to Revenue and Taxation Committee.

HB 463 - 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, 1986; SPECIFYING CERTAIN PROCEDURES CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS." BEING HOUSE BILL NO. 350 OF THE 133RD GENERAL ASSEMBLY OF THE STATE OF DELAWARE. Sponsors: Representatives Bennett, Corrozi, Soles, Davis, Fallon; Senator Cook; Representatives Jester, Outten, Wingate, VanSant. Assigned to Education Committee.

HB 550 - AN ACT TO AMEND CHAPTER 17, TITLE 18, DEL. C., RELATING TO ADDITIONAL AND CONTINUING EDUCATION REQUIREMENTS FOR INSURANCE LICENSEES. Sponsors: Representatives Gilligan, Senator Sharp. Assigned to Insurance Committee.

HB 587 w HA 1 - AN ACT TO AMEND TITLE 29, DELAWARE CODE RELATING TO REQUIRING IMPACT STATEMENT REPORTS FOR LEGISLATION WHICH INCREASE THE DEMANDS UPON THE STATE'S CRIMINAL JUSTICE SYSTEM. Sponsors: Representatives Free, Spence, Davis, Plant, Houghton; Senator McBride, Holloway, Connor, Bane. Assigned to Judiciary Committee.

HB 590 - AN ACT TO AMEND TO AMEND PART 4, ARTICLE 9, SUBTITLE I, TITLE 6 OF THE DELAWARE CODE RELATING TO SECURED TRANSACTIONS AND INCREASING CERTAIN FEES. Sponsors: Representative Gilligan, Senator Sharp. Assigned to Administrative Services Committee.

HB 615 - AN ACT TO AMEND DELAWARE CODE, TITLE 14, CHAPTERS 19 AND 26, RELATING TO THE TAX RATE LEVIED BY SCHOOL DISTRICTS WHICH TRAVERSE COUNTY BOUNDARIES. Sponsors: Representatives Carey, B. Ennis. Assigned to Education Committee.

HB 618 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO RICHARD L. TITUS; APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE, AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE. Sponsors: Representative Buckworth, Senator Torbert. Assigned to Finance Committee.

HB 620 - AN ACT TO AMEND CHAPTER 5, TITLE 18 OF THE DELAWARE CODE TO PROVIDE IMMUNITY FOR PERSONS WHO REPORT FRAUDULENT INSURANCE PRACTICES. Sponsors: Representatives VanSant, D. Ennis, Anderson, Boykin, Brady, Free, Petrilli. Assigned to Administrative Services Committee.

HB 630 w HA 1 - AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER, BEING CHAPTER 158, VOLUME 36 OF THE LAWS OF DELAWARE, BY AUTHORIZING VOTING DISTRICTS, PERMITTING CITY COUNCIL TO ESTABLISH DISTRICTS AND DISTRICT BOUNDARIES, AND PERMITTING CITY COUNCIL TO CHANGE, REALIGN OR ALTER DISTRICTS. Sponsor: Representative Outten. Laid on the table.

HB 669 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO SUSPENSION AND REVOCATION OF LICENSE FOR REFUSAL TO SUBMIT TO CHEMICAL TEST AND PERSONS QUALIFIED TO ADMINISTER TESTS. Sponsors: Representatives Reynolds, Davis, Mack, Roy, Spence, Steele, B. Ennis, Brady, Houghton, Jonkiert, VanSant, West; Senators Berndt, Connor. Assigned to Health and Social Services/Aging Committee.

HB 682 - AN ACT TO AMEND CHAPTER 42, TITLE 21, DELAWARE CODE RELATING TO REPORTS OF ACCIDENTS; PENALTIES; INTERPRETATION OF LAWS. Sponsors: Representatives Spence, VanSant, Taylor, Oberle, Free, Reynolds, Houghton, B. Ennis; Senator Connor. Assigned to Judiciary Committee.

HB 730 - AN ACT TO AMEND CHAPTER 197, VOLUME 54, LAWS OF DELAWARE, RELATING TO THE CHARTER OF THE CITY OF REHOBOTH BEACH; AND PROVIDING FOR CERTAIN CHANGES IN THE STRUCTURE OF GOVERNMENT. Sponsor: Representative Wingate. Assigned to Community Affairs Committee.

HB 731 - AN ACT TO AMEND CHAPTER 197, VOLUME 54, LAWS OF DELAWARE RELATING TO THE CHARTER OF THE CITY OF REHOBOTH BEACH; AND PROVIDING FOR THE INDEMNIFICATION OF CITY OFFICERS AND EMPLOYEES. Sponsor: Representative Wingate. Assigned to Community Affairs Committee.

HB 734 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsors: Representatives Oberle, Mack; Senator Marshall. Assigned to Labor and Industrial Relations Committee.

HB 740 - AN ACT TO AMEND CHAPTER 58, TITLE 29 OF THE DELAWARE CODE RELATING TO FINANCIAL DISCLOSURE REQUIREMENTS OF PUBLIC OFFICIALS. Sponsors: Representatives Oberle, Hebner, Barnes, George, Gilligan. Assigned to Executive Committee.

HB 741 - AN ACT TO AMEND TITLE 29, DELAWARE CODE CONCERNING LEGISLATIVE CONFLICTS OF INTEREST AND ESTABLISH HOUSE AND SENATE ETHICS COMMITTEES. Sponsors: Representatives Oberle, Hebner, Barnes, George, Gilligan. Assigned to Executive Committee.

HB 745 w HA 1 - AN ACT TO AMEND CHAPTER 53, TITLE 30 OF THE DELAWARE CODE, RELATING TO THE EXCISE TAX ON THE SALE OF TOBACCO PRODUCTS. Sponsors: Representatives Free, D. Ennis, Anderson, VanSant, Brady; Senator Marshall. Assigned to Revenue and Taxation Committee.

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

STATE OF DELAWARE
Office of the Governor
June 23, 1986

To the Senate of the 133rd 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 F. Wachler, 904 N. Atlanta Circle, Seaford, DE 19973, to be appointed as a member of the Public Employment Relations Board for a six year term to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

STATE OF DELAWARE
Office of the Governor
June 25, 1986

To the Senate of the 133rd 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: Ruffin N. Noisette, 507 West 19th Street, Wilmington, DE 19802, to be reappointed as a member of the New Castle County Board of Elections to serve a four year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

STATE OF DELAWARE
Office of the Governor
June 25, 1986

To the Senate of the 133rd 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: Barbara K. Madden, 201 Harmony Street, New Castle, DE 19720, to be reappointed as a member of the New Castle County Board of Elections to serve a four year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

STATE OF DELAWARE
Office of the Governor
June 25, 1986

To the Senate of the 133rd 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: Bayard J. Snyder, 411 Wilson Road, Wilmington, DE 19803, to be appointed as a member of the New Castle County Board of Elections to serve a four year term to replace William G. Edmonds, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

STATE OF DELAWARE
Office of the Governor
June 25, 1986

To the Senate of the 133rd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Robert J. Hanson, 2707 Point Breeze Drive, Wilmington, DE 19810, to be appointed as a member of the Delaware Solid Waste Authority for a three year term to replace R. Wayne Ashbee, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
June 25, 1986

To the Senate of the 133rd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: J. Franklin Gordy, Sr., 711 East Market Street, Georgetown, DE 19947, to be reappointed as a member of the Board of Parole to serve a four year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
June 25, 1986

To the Senate of the 133rd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: William C. Pfeifer, 17 Garrisons Circle, Smyrna, DE 19977, to be reappointed as a member of the Board of Parole to serve a four year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
June 25, 1986

To the Senate of the 133rd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Harry S. Thomas, 1001 N. Walnut St., Wilmington, DE 19801, to be reappointed as a member of the New Castle County Board of Elections to serve a four year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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LEGISLATIVE ADVISORY #45 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed the following legislation on June 25, 1986: SB 436 w SA 1 (Volume 65, Chapter 299, Laws of Delaware), SB 408 (Volume 65, Chapter 300, Laws of Delaware), HS 1 for HB 14 w HA 1 (Volume 65, Chapter 301, Laws of Delaware), HB 314 w SA 1 (Volume 65, Chapter 302, Laws of Delaware), HB 472 w HA 1 (Volume 65, Chapter 303, Laws of Delaware), HB 491 w HA 1 (Volume 65, Chapter 304, Laws of Delaware), HB 492 (Volume 65, Chapter 305, Laws of Delaware), HB 519 w HA 1 (Volume 65, Chapter 306, Laws of Delaware), HB 574 (Volume 65, Chapter 307, Laws of Delaware), HB 584 (Volume 65, Chapter 308, Laws of Delaware). HB 606 w HA 1 (Constitutional Amendment - no signature required) (Volume 65, Chapter 309, Laws of Delaware). On June 24, 1986, the Governor vetoed SB 420.

Senator Martin requested that his name be removed as a co-sponsor of HB 272.

Lt. Governor Woo introduced to the Senate the Lt. Governor of the Girls State, Marie Santos and acknowledged other members of the Girls State who were present in the Chamber.

Senator Cook marked PRESENT.

SB 250 was taken up for consideration on motion of Senator Holloway:

SB 250 - AN ACT TO AMEND CHAPTER 65, TITLE 11 OF THE DELAWARE CODE RELATING TO PROVIDING A DISCHARGE ALLOWANCE FOR INMATES BEING RELEASED FROM STATE CORRECTIONAL INSTITUTIONS.

Senator Citro marked PRESENT.

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

SA 2 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 (Neal) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 250 w SA 1, 2 was then taken and revealed 20 Senators voting YES and 1 (Marshall) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SCR 149 was introduced and considered for adoption on motion of Senator Minner:

SCR 149 - EXTENDING A "HEARTY WELCOME" TO THE GIRLS STATE SENATORS AND REPRESENTATIVES TO LEGISLATIVE HALL AND WISHING THEM A FRUITFUL AND EDUCATIONAL WEEK WHILE IN DOVER, DELAWARE AND FURTHER COMMENDING THE AMERICAN LEGION, DEPARTMENT OF DELAWARE LADIES AUXILIARY FOR THEIR SPONSORSHIP OF GIRLS STATE. Sponsors: Senator Minner; Representatives Jester, Fallon.

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

SB 110 was taken up for consideration on motion of Senator Holloway:

SB 110 - AN ACT TO AMEND CHAPTER 51, TITLE 29, DELAWARE CODE, RELATING TO PAYMENT OF DEBTS AS A CONDITION OF STATE EMPLOYMENT.

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

SB 327 was lifted from the table for consideration on motion of Senator Holloway.

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

SA 2 to the Bill (sponsor: Senator Holloway) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on SB 327 w SA 2 was then taken and revealed:

YES: Senators Adams, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Sharp, Vaughn, Zimmerman - 15.

NO: Senators Minner, Neal, Slatcher, Torbert - 4.

NOT VOTING: Senators Bair and Bane - 2.

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

Senator Connor introduced former Speaker of the House, Ken Boulden and his wife, Olive.

Senator Sharp introduced Senator Vaughn's wife, Sylvia and Mrs. Bruce Ennis.

Senator Vaughn introduced Mrs. Beulah Schwatka, wife of the Sergeant-at-Arms and Mrs. Edna Howell of Townsend.

SB 399 was lifted from the table for consideration on motion of Senator Vaughn.

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

The roll call vote on SB 399 w SA 1 was then taken and revealed:

YES: Senators Adams, Bair, Connor, Cook, Cordrey, Marshall, Martin, McBride, McDowell, Minner, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 15.

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

ABSENT: Senators Citro, Holloway - 2.

Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.
HB 597 w HA 1, 2, 3, 4, 5 was taken up for consideration on motion of Senator Marshall:
HB 597 w HA 1, 2, 3, 4, 5 - AN ACT TO AMEND TITLE 19, DELAWARE CODE BY ADDING A NEW CHAPTER THERETO RELATING TO POLICE OFFICERS AND FIREFIGHTERS EMPLOYMENT RELATIONS.

The Bill was then laid on the table on further motion of the Senator.
HB 698 was taken up for consideration on motion of Senator Marshall:
HB 698 - AN ACT TO AMEND CHAPTER 9, TITLE 19 OF THE DELAWARE CODE RELATING TO THE MINIMUM WAGE ACT.

The privilege of the floor was extended to Jack Kirk, Department of Labor.
The roll call vote on HB 698 was then taken however; the roll call was laid on the table before being announced on motion of Senator Marshall.

HB 696 was taken up for consideration on motion of Senator Marshall:
HB 696 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

The privilege of the floor was extended to Mathias J. Fallis (State Department of Labor).
The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Bair and Connor) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

The roll call vote on HB 698 was lifted on motion of Senator Marshall and announced:
YES: Senators Bair, Bane, Berndt, Connor, Cook, Knox, Marshall, Martin, McBride, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 15.
NO: Senators Adams, Citro, Cordrey, Slatcher - 4.
NOT VOTING: Senator Holloway - 1.

ABSENT: Senator McDowell - 1.
Therefore, the Bill was declared passed by the Senate and returned to the House.
HB 697 was taken up for consideration on motion of Senator Marshall:

HB 697 - AN ACT TO AMEND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC WORKS CONTRACTS.

The privilege of the floor was extended to Jack Kirk, Department of Labor.
The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Berndt, Minner) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 699 was taken up for consideration on motion of Senator Marshall:
HB 699 - AN ACT TO AMEND CHAPTER 9, TITLE 19 OF THE DELAWARE CODE RELATING TO THE MINIMUM WAGE ACT.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Berndt) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.
At 3:19 p.m. the Chair declared a minute standing recess for purpose of changing the tape.

SB 545 was taken up for consideration on motion of Senator Marshall:
SB 545 - AN ACT TO AMEND CHAPTER 31, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

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

SB 546 was taken up for consideration on motion of Senator Marshall:
SB 546 - AN ACT TO AMEND CHAPTER 101, TITLE 29 OF THE DELAWARE CODE, RELATING TO AGENCIES AFFECTED BY THE ADMINISTRATIVE PROCEDURES ACT.

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

SB 544 was taken up for consideration on motion of Senator Marshall:
SB 544 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

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

The roll call vote on SB 544 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Citro, Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 547 was taken up for consideration on motion of Senator Marshall:
SB 547 - AN ACT TO AMEND CHAPTER 31, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

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

HB 226 was taken up for consideration on motion of Senator McDowell:

HB 226 – AN ACT TO AMEND CHAPTER 69, TITLE 29, DELAWARE CODE, RELATING TO THE PROFESSIONAL SERVICES NEGOTIATION ACT.

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

HB 736 was taken up for consideration on motion of Senator McBride:

HB 736 – AN ACT TO AMEND CHAPTERS 13, 17 AND 31 OF TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION AND AN INTENSIVE LEARNING CENTER FUNDING UNIT.

The privilege of the floor was extended to Dr. William B. Keene, Sr. (Superintendent of Public Instruction).

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

HB 650 was taken up for consideration on motion of Senator Minner:

HB 650 – AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE, RELATING TO THE COMPUTATION OF PENALTY ON DELINQUENT SEWER SERVICE CHARGES LEVIED BY NEW CASTLE COUNTY.

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

HB 628 was taken up for consideration on motion of Senator Minner:

HB 628 – AN ACT TO AMEND CHAPTER 27, TITLE 10 OF THE DELAWARE CODE REGARDING CONSTABLES.

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 623 w HA 1 was taken up for consideration on motion of Senator Minner:

HB 623 w HA 1 – AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CODE ENFORCEMENT CONSTABLES.

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

HB 650 was lifted from the table for consideration on motion of Senator Minner.

The privilege of the floor was extended to Dennis Pfeiffer (New Castle County).

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (McBride, Zimmerman) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 573 was taken up for consideration on motion of Senator Adams:

HB 573 – AN ACT TO AMEND CHAPTER 39, TITLE 7, DELAWARE CODE RELATING TO THE COMPOSITION OF BOARD OF DISTRICT SUPERVISORS FOR SOIL AND WATER CONSERVATION DISTRICTS.

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

HB 572 w HA 1, 2 was taken up for consideration on motion of Senator Zimmerman:

HB 572 w HA 1, 2 – AN ACT TO AMEND CHAPTER 60, TITLE 7 OF THE DELAWARE CODE RELATING TO LICENSING OF SITE EVALUATORS, PERCOLATION TESTERS AND ON-SITE SYSTEM DESIGNERS AND CONTRACTORS.

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

YES: Senators Bair, Bane, Berndt, Citro, Connor, Cook, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Vaughn, Zimmerman – 15.

NO: Senators Adams, Cordrey, Minner, Slatcher – 4.

NOT VOTING: Senator Torbert – 1.

ABSENT: Senator Holloway – 1.

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

HB 581 w HA 1 was taken up for consideration on motion of Senator Zimmerman:

HB 581 w HA 1 – AN ACT TO AMEND CHAPTER 61, TITLE 7 OF THE DELAWARE CODE RELATING TO UNDERWATER LANDS AND TO CREATE CHAPTER 72 RELATING TO SUBAQUEOUS LANDS.

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

YES: Senators Adams, Bair, Bane, Berndt, Citro, Connor, Cook, Holloway, Knox, Marshall, Martin, Neal, Zimmerman – 13.

NO: Senators Cordrey, Minner, Slatcher – 3.

NOT VOTING: Senators McBride, McDowell, Sharp, Torbert, Vaughn – 5.

Therefore, the Bill was declared defeated since a 2/3 vote was required for passage.

HB 642 w HA 1 was taken up for consideration on motion of Senator McDowell:

HB 642 w HA 1 – AN ACT TO AMEND CHAPTERS 74 AND 88 OF TITLE 29 OF THE DELAWARE CODE RELATING TO STATE APPROVAL OF ARCHITECTURAL, ENGINEERING AND CONSTRUCTION MANAGEMENT SERVICES AND CONSTRUCTION PLANS.

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

HB 730 was taken up for consideration on motion of Senator Minner under suspension of the necessary rules:

HB 730 – AN ACT TO AMEND CHAPTER 197, VOLUME 54, LAWS OF DELAWARE, RELATING TO THE CHARTER OF THE CITY OF REHOBOTH BEACH; AND PROVIDING FOR CERTAIN CHANGES IN THE STRUCTURE OF GOVERNMENT.

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

HB 731 was taken up for consideration on motion of Senator Minner under suspension of the necessary rules:

HB 731 – AN ACT TO AMEND CHAPTER 197, VOLUME 54, LAWS OF DELAWARE RELATING TO THE CHARTER OF THE CITY OF REHOBOTH BEACH; AND PROVIDING FOR THE INDEMNIFICATION OF CITY OFFICERS AND EMPLOYEES.

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 534 was taken up for consideration on motion of Senator Holloway under suspension of the necessary rules:

SB 534 – AN ACT TO AMEND CHAPTER 13, TITLE 9, DELAWARE CODE, RELATING TO COUNTY DEPARTMENTS.

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

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Holloway and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on SB 534 w SA 2 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.

The roll call vote on SJR 22 was lifted from the table on motion of Senator McDowell and announced:

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman – 13.

NO: Senators Bair, Bane, Berndt, Connor, Knox, Neal, Slatcher – 7.

ABSENT: Senator Citro – 1.

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

HB 642 w HA 1 was lifted from the table for consideration on motion of Senator McDowell.

The privilege of the floor was extended to George Hale.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Zimmerman) NOT VOTING; therefore, the Bill was declared passed by the Senate and returned to the House.

At 4:40 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:09 p.m., Lt. Governor Woo presiding.

HB 395 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 395 w HA 1 – AN ACT TO AMEND CHAPTER 65, TITLE II OF THE DELAWARE CODE RELATING TO DIAGNOSTIC SERVICES OF THE DEPARTMENT OF CORRECTION.

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

HB 120 w HA 1, 2 was taken up for consideration on motion of Senator Holloway:

HB 120 w HA 1, 2 – AN ACT TO AMEND CHAPTER 53, TITLE 30 OF THE DELAWARE CODE TO PROVIDE FOR LABELING ON PACKAGES OF SMOKELESS TOBACCO.

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

HS 1 for HB 389 w HA 2 was taken up for consideration on motion of Senator Minner under suspension of the necessary rules:

HS 1 for HB 389 w HA 2 – AN ACT AMENDING TITLE 28 AND TITLE 30 OF THE DELAWARE CODE, REGULATING THE SALE AND RESALE FOR PROFIT OF TICKETS OR OTHER DEVICES FOR ADMISSION TO PLACES OF AMUSEMENT.

The privilege of the floor was extended to Representative Campanelli.

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

HB 590 was taken up for consideration on motion of Senator Sharp under suspension of the necessary rules:

HB 590 – AN ACT TO AMEND PART 4, ARTICLE 9, SUBTITLE I, TITLE 6 OF THE DELAWARE CODE RELATING TO SECURED TRANSACTION AND INCREASING CERTAIN FEES.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Minner, Zimmerman) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 122 was taken up for consideration on motion of Senator Sharp:

HB 122 – AN ACT AWARDED A SERVICE CONNECTED DISABILITY PENSION TO LARRY C. JOHNSON AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER THE PENSION PROVIDED AS IF THE AWARD WERE MADE PURSUANT TO SECTION 8324, CHAPTER 83, SUBCHAPTER II, TITLE II OF THE DELAWARE CODE.

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

YES: Senators Adams, Bair, Berndt, Citro, Cook, Knox, Marshall, McDowell, Minner, Torbert, Vaughn, Zimmerman – 12.

NO: Senators Connor, Cordrey, Martin, Neal, Sharp, Slatcher – 6.

NOT VOTING: Senators Holloway, McBride – 2.

ABSENT: Senator Bane – 1.

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

The Secretary announced that a message from the House informed the Senate that it had passed HB 702 w HA 1, 2.

HB 702 w HA 1, 2 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Sharp:

HB 702 w HA 1, 2 – AN ACT TO AMEND CHAPTER 71, TITLE 14, DELAWARE CODE, RELATING TO DISTRICT LIBRARIES.

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

YES: Senators Adams, Berndt, Citro, Cook, Marshall, Martin, McDowell, Torbert, Vaughn, Zimmerman – 10.

NO: Senators Bane, Connor, Cordrey, Holloway, Knox, McBride, Minner, Neal, Sharp, Slatcher – 10.
NOT VOTING: Senator Bair – 1.

Lt. Governor Woo was requested to cast a tie-breaking vote and he was recorded as NOT VOTING.

Therefore, the Bill was declared defeated.

HB 737 was taken up for consideration on motion of Senator Sharp:

HB 737 – AN ACT TO AMEND CHAPTER 34, TITLE 14, DELAWARE CODE WITH RESPECT TO EDUCATIONAL BENEFITS FOR MEMBERS OF THE DELAWARE NATIONAL GUARD.

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.

On motion of Senator Cordrey and without objection, HB 581 w HA 1 was restored to the calendar and the roll call rescinded.

The privilege of the floor was extended to Wayne Ashbee, Department of Natural Resources and Environmental Control.

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

HB 745 w HA 1 was taken up for consideration on motion of Senator Marshall under suspension of the necessary rules:

HB 745 w HA 1 – AN ACT TO AMEND CHAPTER 53, TITLE 30 OF THE DELAWARE CODE, RELATING TO THE EXCISE TAX ON THE SALE OF TOBACCO PRODUCTS.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Minner, Zimmerman) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 562 w HA 2 was taken up for consideration on motion of Senator Sharp:

HB 562 w HA 2 – AN ACT TO AMEND CHAPTER 43 OF TITLE 10 OF THE DELAWARE CODE PERTAINING TO EVIDENCE AND WITNESSES BY PERMITTING DISCLOSURE OF CONFIDENTIAL SOURCES OF REPORTERS IN DEFAMATION CASES.

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

HB 462 w HA 1 was taken up for consideration on motion of Senator Marshall under suspension of the necessary rules:

HB 462 w HA 1 – AN ACT TO AMEND CHAPTER 54, TITLE 30, DELAWARE CODE, RELATING TO THE REALTY TRANSFER TAX.

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 654 w HA 1 was taken up for consideration on motion of Senator Minner under suspension of the necessary rules:

HB 654 w HA 1 – AN ACT CREATING AN URBAN COMMUNITY REVITALIZATION STUDY TASK FORCE; PROVIDING FOR MEMBERSHIP, ORGANIZATION, AND PURPOSE OF THE TASK FORCE; AND REQUIRING A REPORT TO THE LEGISLATURE AND THE GOVERNOR.

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.

Lt. Governor Woo introduced Senator Adams' wife to the Senate.

HB 597 w HA 1, 2, 3, 4, 5 was taken up for consideration on motion of Senator Marshall:

HB 597 w HA 1, 2, 3, 4, 5 – AN ACT TO AMEND TITLE 19, DELAWARE CODE BY ADDING A NEW CHAPTER THERETO RELATING TO POLICE OFFICERS AND FIREFIGHTERS EMPLOYMENT RELATIONS.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Marshall and the roll call vote taken which revealed 20 Senators voting YES and 1 (Berndt) 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 Marshall and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

SA 3 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Marshall and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on HB 597 w HA 1, 2, 3, 4, SA 1, 2, 3 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendments.

SENATE CONSENT CALENDAR #28 was taken up for consideration on motion of Senator Minner:

The Calendar consisted of the following:

SCR 150 - EXTENDING CONGRATULATIONS AND BEST WISHES TO ANDRE CHRISTIANSEN OF DOVER ON HIS RETIREMENT AS A LOBBYIST FOR THE AMERICAN ASSOCIATION OF RETIRED PERSONS. Sponsors: Senators Berndt, Zimmerman, Cook, Torbert; Representatives Smith, Outten, Bennett, Clark, Maroney.

SCR 153 - COMMEMORATING THE LIFE OF GWENDOLYN M. DUNN. Sponsors: Senator Slatcher, Representative Fallon.

SCR 158 - CONGRATULATING THE DELAWARE STATE FINALISTS FOR THEIR OUTSTANDING PERFORMANCE IN THE CITIZEN BEE. Sponsors: Representatives Hebner, Oberle, Barnes, George, Gilligan; Senators Cordrey, Sharp, McDowell, Bair, Connor, all Representatives, all Senators.

SCR 159 - MOURNING THE DEATH OF HARRY T. ENNIS, SR. OF SMYRNA. Sponsors: Representative Clark, Senator Vaughn, all Representatives, all Senators.

SCR 160 - ACKNOWLEDGING THE COMMEMORATION OF THE 200th ANNIVERSARY OF DELAWARE'S PARTICIPATION IN THE ANNAPOLIS CONVENTION (SEPTEMBER 1786) AND URGING ALL DELAWAREANS TO PARTICIPATE IN COMMEMORATIVE ACTIVITIES CONNECTED THEREWITH. Sponsors: Representatives Oberle, Hebner, Barnes, George, Gilligan; Senators Cordrey, Sharp, Bair, McDowell, Connor.

SCR 161 - COMMEMORATING THE 100TH ANNIVERSARY OF GOLDBY BEACON COLLEGE. Sponsors: Representatives Smith, Quillen, Spence, Clark, Houghton; Senator Cordrey.

SCR 162 - COMMENDING THE 1986 DELEGATES TO BOYS' STATE AND SALUTING THE CONTINUED SUPPORT OF THE AMERICAN LEGION, DEPARTMENT OF DELAWARE. Sponsors: Representatives Jester, Fallon; Senators Minner, McBride.

SCR 163 - CONGRATULATING MR. AND MRS. WILLIAM DAVID OF RED LION ROAD, BEAR, DELAWARE ON THE CELEBRATION OF THEIR 57TH WEDDING ANNIVERSARY ON JUNE 27, 1986. Sponsors: Representative Jester, Senator Vaughn.

SCR 164 - EXTENDING HEARTFELT GRATITUDE TO THE MAYOR AND CITIZENS OF LEWES, SUSSEX, ENGLAND FOR OPENING THEIR HEARTS AND THEIR HOMES TO THE CONTINGENT OF CITIZENS FROM LEWES, SUSSEX, COUNTY, DELAWARE WHO WILL BE VISITING THEIR FAIR CITY IN SEPTEMBER 1986 AND COMMENDING THE CITIZENS OF BOTH COMMUNITIES FOR FOSTERING THE BROTHERHOOD AND GOODWILL THAT IS SHARED BY THESE CULTURAL EXCHANGES. Sponsors: Representative Wingate, Senator Minner.

SCR 165 - EXPRESSING APPRECIATION FOR 50 YEARS OF DEDICATED SERVICE BY CHARLES MOYER, M.D., F.A.C.C. Sponsors: Representatives Fallon, C. Cordrey; Senator Slatcher.

The roll call vote on the Calendar was then taken and revealed 21 Senators voting YES; therefore, the Resolutions were declared adopted. The House Concurrent Resolutions were returned to the House and the Senate Concurrent Resolutions were sent to the House for consideration.

At 6:40 p.m. on motion of Senator Sharp, the Senate recessed until 1:00 p.m., June 30, 1986.

The Senate reconvened at 1:30 p.m., June 30, 1986, Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had passed SB 535 w SA 1; SB 300 w SA 1; SB 109 w HA 1; SB 204 w SA 1, HA 1; SB 220 w HA 1; SS 2 for SB 313 w SA 1, HA 2; HB 549; HB 543 w HA 2, 4; HB 456 w HA 2 w HA 1, HA 6; SB 524; SB 562; HB 527; HB 595 w HA 1, 2; HB 748; HB 747; HB 746; HB 605 w HA 1, 2, 3; HB 361 w HA 1; HB 250; SB 449; SB 508; SB 114; SB 396; SB 395; SB 322; SB 506; SB 463; SB 444; SB 241 w SA 1, 2; SB 392.

The following Committee reports were announced:

From the Finance Committee: SB 440 - 6 Merits; SS 1 for SB 484 - 6 Merits; SB 560 - 1 Favorable, 5 Merits; HB 103 - 7 Merits; HB 530 w HA 1 - 6 Merits; HB 596 w HA 1, 2, 3 - 6 Merits; HB 618 - 6 Merits; HB 621 - 6 Merits; HB 622 - 6 Merits; SB 442 - 5 Merits.

From the Education Committee: HB 155 w HA 1, 2 - 3 Merits; HB 463 - 3 Merits.

From the Community Affairs Committee: HB 665 w HA 1 - 4 Merits.

From the Labor Committee: HB 734 - 4 Merits.

From the Public Safety Committee: SB 557 - 4 Merits; SB 572 - 4 Merits.

From the Health Social Services/Aging Committee: HB 669 - 5 Merits.

At 1:34 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 48th Legislative Day.

48TH LEGISLATIVE DAY June 30, 1986

The Senate convened at 1:34 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

LEGISLATIVE ADVISORY #46 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed the following legislation on June 27, 1986: SB 30 w SA 1 (Volume 65, Chapter 310, Laws of Delaware), SB 68 (Volume 65, Chapter 311, Laws of Delaware), SB 79 (Volume 65, Chapter 312, Laws of Delaware), SB 274 (Volume 65, Chapter 313, Laws of Delaware), SB 380 w SA 2 (Volume 65, Chapter 314, Laws of Delaware), SB 388 (Volume 65, Chapter 315, Laws of Delaware), SS 1 for SB 402 w HA 1 (Volume 65, Chapter 316, Laws of Delaware), SB 415 w SA 1, HA 1, 2 (Volume 65, Chapter 317, Laws of Delaware), SB 466 w HA 1 (Volume 65, Chapter 318, Laws of Delaware), SB 476 (Volume 65, Chapter 319, Laws of Delaware), SB 477 w SA 1 (Volume 65, Chapter 320, Laws of Delaware), SB 526 w SA 1 (Volume 65, Chapter 321, Laws of Delaware), SB 535 w SA 1 (Volume 65, Chapter 322, Laws of Delaware), HB 199 w HA 1 (Volume 65, Chapter 323, Laws of Delaware), HB 433 w HA 1 (Volume 65, Chapter 324, Laws of Delaware), HB 471 w HA 2 (Volume 65, Chapter 325, Laws of Delaware), HB 477 (Volume 65, Chapter 326, Laws of Delaware), HB 479 (Volume 65, Chapter 327, Laws of Delaware), HB 513 (Volume 65, Chapter 328, Laws of Delaware), HB 533 (Volume 65, Chapter 329, Laws of Delaware), HB 534 (Volume 65, Chapter 330, Laws of Delaware), HB 726 w HA 1 (Volume 65, Chapter 331, Laws of Delaware). HB 554 is a constitutional amendment and did not require the Governor's signature (Volume 65, Chapter 332, Laws of Delaware).

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PRESIDENT PRO TEMPORE'S
INTRODUCTION AND COMMITTEE ASSIGNMENT LIST
June 30, 1986

Senate Bills returned from the House with House Amendments:
SB 109 (HA 1). Sponsor: Senator Sharp. Laid on the table.
SB 204 w SA 1 (HA 1). Sponsor: Senator Adams. Laid on the table.
SB 220 (HA 1). Sponsor: Senator Marshall. Laid on the table.
SS 2 for SB 313 w SA 1 (HA 2). Sponsor: Senator McBride. Laid on the table.
SA 1 to HB 410. Sponsor: Senator McDowell. Placed with the Bill.
SA 1 to HA 1 to HB 651. Sponsor: Senator Cordrey. Stricken.
SA 2 to HA 1 to HB 651. Sponsor: Senator Cordrey. Stricken.
SA 1 to HB 601. Sponsor: Senator Zimmerman. Placed with the Bill.
SA 1 to HB 183 as Amended. Sponsor: Senator Minner. Placed with the Bill.
SA 1 to HB 665. Sponsor: Senator Bair. Placed with the Bill.
SA 1 to SB 560. Sponsor: Senator McDowell. Placed with the Bill.
SA 2 to HS 1 for HB 414. Sponsor: Senator Holloway. Placed with the Bill.
SA 3 to SB 327. Sponsor: Senator Holloway. Stricken.
SA 1 to SB 567. Sponsor: Senator Martin. Placed with the Bill.
SB 539 - AN ACT TO AMEND PART VII, TITLE 16 AND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE RELATING TO ASBESTOS; AND PROVIDING FOR CERTIFICATION OF PERSONS WHO ABATE OR OTHERWISE WORK WITH ASBESTOS. Sponsors: Senators Marshall, McBride, Sharp; Representatives Oberle, Taylor, Campanelli. Reassigned to Labor Committee.
SB 573 - AN ACT TO AMEND CHAPTER 58, TITLE 29 OF THE DELAWARE CODE RELATING TO FINANCIAL DISCLOSURE REQUIREMENTS OF PUBLIC OFFICIALS. Sponsors: Senators Cordrey, Sharp, McDowell, Bair, Connor. Assigned to Executive Committee.
SB 574 - AN ACT TO MAKE A SUPPLEMENTARY APPROPRIATION FOR CERTAIN GRANTS-IN-AID. Sponsors: Senator Cook, Representative Corrozi; Senators Berndt, Holloway, Sr., McBride, Slatcher, Vaughn; Representatives Bennett, Davis, Quillen, Smith, Soles. Assigned to Finance Committee.
SB 575 - AN ACT TO AMEND CHAPTER 83, TITLE 29, DELAWARE CODE, RELATING TO THE PENSION STATUS OF THE BOARD OF PENSION TRUSTEES. Sponsors: Senator Cook, Representative Corrozi. Assigned to Executive Committee.
SB 576 - AN ACT TO AMEND CHAPTER 29, TITLE 30 OF THE DELAWARE CODE, RELATING TO THE DEDUCTION FROM RETAILERS' GROSS RECEIPTS TAX. Sponsors: Senators Cordrey, Adams, Bair, Bane, Berndt, Citro, Cook, Connor, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Torbert, Vaughn, Zimmerman; Representatives Anderson, Barnes, Boykin, Brady, Buckworth, Campanelli, Carey, Caulk, Clark, C. Cordrey, Corrozi, Davis, B. Ennis, D. Ennis, Fallon, Free, George, Gilligan, Hebner, Houghton, Jester, Jonkiert, Mack, Maroney, Oberle, Outten, Petrilli, Plant, Quillen, Reynolds, Sils, Smith, Soles, Spence, Steele, Taylor, VanSant, West, Wingate. Laid on the table.
SB 577 - AN ACT AMENDING TITLES 5, CHAPTER 9, TITLE 12, CHAPTERS 2, 13, 15, 33 AND 35, AND TITLE 25 CHAPTER 5; AND INSERTING A NEW CHAPTER 34 OF TITLE 12 OF THE DELAWARE CODE BY REVISING AND ENACTING CERTAIN LAWS RELATING TO BANKS AND TRUST COMPANIES AS FIDUCIARIES, AND TO THE ADMINISTRATION OF ESTATES AND TRUSTS. Sponsor: Senator Cordrey. Laid on the table.
SJR 25 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1986. Sponsors: Senator Cordrey, Representative Petrilli; Senators Berndt, Cook; Representatives George, Corrozi. Laid on the table.
SJR 26 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1987. Sponsors: Senator Cordrey, Representative Petrilli; Senators Berndt, Cook; Representatives George, Corrozi. Laid on the table.

HB 250 - AN ACT TO AMEND CHAPTER 89, TITLE 10, DELAWARE CODE RELATING TO JURORS AND WITNESSES. Sponsors: Representative Spence, Senator Sharp. Assigned to Judiciary Committee.

HB 361 w HA 1 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO LEROY O'NEAL, APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE; AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE MADE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE. Sponsors: Representatives Houghton, Brady, Mack, Spence, VanSant; Senators Citro, Cook, McBride. Assigned to Finance Committee.

HB 456 w HA 2 w HA 1, HA 6 - AN ACT TO AMEND TITLES 24, 29 AND 30, OF THE DELAWARE CODE TO PROVIDE FOR THE LICENSING AND REGULATION OF PROFESSIONAL COUNSELORS. Sponsors: Representatives Maroney, Buckworth, Sills, Steele; Senators Holloway, Connor. Assigned to Administrative Services/Energy Committee.

HB 527 - AN ACT TO AMEND CHAPTER 9, TITLE 4 OF THE DELAWARE CODE REQUIRING ALCOHOLIC LIQUOR LICENSE HOLDERS TO POST SIGNS WARNING THAT CONSUMPTION OF ALCOHOL DURING PREGNANCY IS DANGEROUS. Sponsors: Representatives VanSant, Davis, Jester, Outten, Reynolds, Sills, Taylor; Senators Berndt, McDowell. Assigned to Health and Social Services/Aging Committee.

HB 543 w HA 2, 4 - AN ACT TO AMEND CHAPTER 68, TITLE 16, DELAWARE CODE, RELATING TO IMMUNITY FROM CIVIL LIABILITY. Sponsors: Representatives Quillen, Campanelli, Carey, Caulk, Clark, Davis, B. Ennis, Gilligan, Jonkiert, Spence, Steele, West; Senators Holloway, Knox, Martin, Minner, Neal, Vaughn. Assigned to Judiciary Committee.

HB 549 - AN ACT TO AMEND CHAPTER 289, VOLUME 61, LAWS OF DELAWARE, AS AMENDED, RELATING TO ABSENTEE VOTING IN THE ANNUAL ELECTION. Sponsors: Representative Fallon, Senator Slatcher. Assigned to Elections Committee.

HB 595 w HA 1, 2 - AN ACT TO AMEND CHAPTER 17, TITLE 18 OF THE DELAWARE CODE TO REQUIRE AGENTS AND BROKERS TO REPORT ANY VIOLATIONS OF DELAWARE INSURANCE LAWS BY INSURANCE COMPANIES. Sponsors: Representatives Bennett, VanSant, Anderson, Brady, D. Ennis, Free, Petrilli, Soles, West, Wingate. Assigned to Insurance Committee.

HB 601 w HA 1, 2 - AN ACT TO AMEND CHAPTER 81, TITLE 10, DELAWARE CODE, TO PROVIDE FOR A LIMITATION OF CIVIL LIABILITY FOR CERTAIN NON-PROFIT ORGANIZATION VOLUNTEERS. Sponsors: Representative Maroney, Senator Bane. Assigned to Judiciary Committee.

HB 605 w HA 1, 2, 3 - AN ACT TO AMEND CHAPTER 7, TITLE 18 OF THE DELAWARE CODE TO REQUIRE INSURERS TO PAY PREMIUM TAXES SEMI-ANNUALLY INSTEAD OF ANNUALLY AND TO APPROPRIATE FUNDS TO EMPLOY PERSONNEL TO COLLECT THIS TAX. Sponsors: Representatives Bennett, Van Sant. Assigned to Revenue and Taxation Committee.

HB 630 w HA 1 - AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER, BEING CHAPTER 158, VOLUME 36 OF THE LAWS OF DELAWARE, BY AUTHORIZING VOTING DISTRICTS, PERMITTING CITY COUNCIL TO ESTABLISH DISTRICTS AND DISTRICT BOUNDARIES, AND PERMITTING CITY COUNCIL TO CHANGE, REALIGN OR ALTER DISTRICTS. Sponsor: Representative Outten. Lifted from the table and assigned to Community Affairs Committee.

HB 633 w HA 1 - AN ACT TO AMEND CHAPTERS 51 AND 55, TITLE 25, DELAWARE CODE RELATING TO THE RENTAL OF DWELLING RENTAL UNITS; SECURITY DEPOSITS IN CONNECTION WITH RENTALS OF FOUR MONTHS OR MORE; AND THE PURPOSE OF SECURITY DEPOSITS. Sponsor: Representative D. Ennis. Assigned to Community Affairs Committee.

HB 634 - AN ACT TO AMEND CHAPTER 59, TITLE 25 OF THE DELAWARE CODE RELATING TO TENANTS' PETITION FOR RECEIVERSHIP. Sponsor: Representative D. Ennis. Assigned to Community Affairs Committee.

HB 640 w HA 1 - AN ACT TO AMEND CHAPTER 31 OF TITLE 18 OF THE DELAWARE CODE RELATING TO GROUP LIFE INSURANCE. Sponsors: Representatives Bennett, VanSant, Petrilli. Assigned to Insurance Committee.

HB 651 w HA 1 w HA 1, HA 2, 3 - AN ACT TO AMEND CHAPTER 7, TITLE 19 OF THE DELAWARE CODE RELATING TO EMPLOYMENT PRACTICES. Sponsors: Representatives Anderson, Campanelli. Assigned to Labor Committee.

HB 746 - AN ACT TO AMEND CHAPTER 87, TITLE 3 OF THE DELAWARE CODE RELATING TO MEAT AND POULTRY INSPECTION LICENSING FEES. Sponsors: Representative Caulk, Senator Adams; Representatives Carey, Mack, Clark, C. Cordrey; Senators Cook, Cordrey, Vaughn, Connor, Slatcher. Assigned to Agriculture Committee.

HB 747 - AN ACT TO AMEND CHAPTER 16, TITLE 3, DELAWARE CODE RELATING TO GRAIN TESTING DEVICES. Sponsors: Representative Caulk, Senator Adams; Representatives Carey, Mack, Clark, C. Cordrey; Senators Cook, Cordrey, Vaughn, Connor, Slatcher. Assigned to Agriculture Committee.

HB 748 - AN ACT TO AMEND CHAPTER 51, TITLE 6, DELAWARE CODE RELATING TO WEIGHMASTER LICENSE FEES. Sponsors: Representative Caulk, Senator Adams; Representatives Carey, Mack, Clark, C. Cordrey; Senators Cook, Cordrey, Vaughn, Connor, Slatcher. Assigned to Agriculture Committee.

HJR 24 - REQUESTING A STUDY BE MADE OF THE CURRENT OPERATION OF THE FARMLAND ASSESSMENT ACT AND THAT THE GOVERNOR REPORT RECOMMENDATIONS OF SUCH A STUDY TO THE GENERAL ASSEMBLY. Sponsors: Representatives Caulk, Carey, Fallon, Petrilli, Bennett; Senator Adams. Assigned to Agriculture Committee.

SR 134 was introduced and considered for adoption on motion of Senator Martin:

SR 134 - COMMENDING SENATOR HERMAN M. HOLLOWAY SR. OF WILMINGTON FOR HIS 23 YEARS OF EXEMPLARY SERVICE IN THE DELAWARE GENERAL ASSEMBLY AND EXTENDING THE THANKS AND APPRECIATION OF THE SENATE FOR HIS OUTSTANDING CONTRIBUTIONS TO A BETTER WAY OF LIFE FOR ALL DELAWAREANS. Sponsors: Senator Martin, all Senators.

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

A messenger from the Governor was announced and admitted.

Senators Neal, McDowell, McBride marked PRESENT.

HB 562 w HA 2 was lifted from the table for consideration on motion of Senator Sharp:

HB 562 w HA 2 - AN ACT TO AMEND CHAPTER 43 OF TITLE 10 OF THE DELAWARE CODE PERTAINING TO EVIDENCE AND WITNESSES BY PERMITTING DISCLOSURE OF CONFIDENTIAL SOURCES OF REPORTERS IN DEFAMATION CASES.

The privilege of the floor was extended to Speaker of the House, Charles Hebner, Richard G. Elliott, Jr. (Gannett Company, Inc.) and Christopher J. Curtin.

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

YES: Senators Cordrey, Knox, Sharp - 3.

NO: Senators Adams, Bane, Citro, Connor, Cook, Holloway, Marshall, Martin, McBride, McDowell, Minner, Slatcher, Torbert, Vaughn, Zimmerman - 15.

NOT VOTING: Senators Bair, Berndt, Neal - 3.

Therefore, the Bill was declared defeated.

SB 576 was lifted from the table for consideration on motion of Senator Cordrey under suspension of the necessary rules:

SB 576 - AN ACT TO AMEND CHAPTER 29, TITLE 30 OF THE DELAWARE CODE, RELATING TO THE DEDUCTION FROM RETAILERS' GROSS RECEIPTS TAX.

SA 1 to the Bill (sponsor: Senator Cordrey) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on **SB 576 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 577 was lifted from the table for consideration on motion of Senator Cordrey under suspension of the necessary rules:

SB 577 - AN ACT AMENDING TITLE 5, CHAPTER 9, TITLE 12, CHAPTERS 2, 13, 15, 33 AND 35, AND TITLE 25, CHAPTER 5; AND INSERTING A NEW CHAPTER 34 OF TITLE 12 OF THE DELAWARE CODE BY REVISING AND ENACTING CERTAIN LAWS RELATING TO BANKS AND TRUST COMPANIES AS FIDUCIARIES, AND TO THE ADMINISTRATION OF ESTATES AND TRUSTS.

The privilege of the floor was extended to David S. Swayze, Delaware Trust Company.

Senator Berndt marked PRESENT.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Minner, Sharp, Torbert) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 578 was taken up for consideration on motion of Senator Adams under suspension of the necessary rules:

SB 578 - AN ACT TO AMEND CHAPTER 11, TITLE 30 OF THE DELAWARE CODE, RELATING TO ITEMIZED DEDUCTIONS FOR THE PERSONAL INCOME TAX. Sponsors: Senator Adams, Representative Caulk; Senators Cook, Vaughn, Slatcher, Cordrey, Holloway; Representatives Barnes, Carey, Clark, West.

Senator Minner requested that she be added as a co-sponsor of the Bill.

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.

SJR 25 was taken up for consideration on motion of Senator Cordrey under suspension of the necessary rules:

SJR 25 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1986.

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

SJR 26 was taken up for consideration on motion of Senator Cordrey under suspension of the necessary rules:

SJR 26 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1987.

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 560 was taken up for consideration on motion of Senator Cook:

SB 560 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1987; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

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

The roll call vote on SB 560 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 574 was taken up for consideration on motion of Senator Cook under suspension of the necessary rules:

SB 574 - 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 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 575 was taken up for consideration on motion of Senator Cook under suspension of the necessary rules:

SB 575 - AN ACT TO AMEND CHAPTER 83, TITLE 29, DELAWARE CODE, RELATING TO THE PENSION STATUS OF THE BOARD OF PENSION TRUSTEES.

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

HB 508 w HA 1 was taken up for consideration on motion of Senator Holloway:

HB 508 w HA 1 - AN ACT TO AMEND CHAPTER 47, TITLE 16 OF THE DELAWARE CODE RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT OFFENSES AND PENALTIES.

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

HB 481 was taken up for consideration on motion of Senator Marshall:

HB 481 - AN ACT TO AMEND CHAPTER 52, TITLE 30, OF THE DELAWARE CODE RELATING TO PROCEDURES FOR IMPLEMENTING DELAWARE'S MOTOR CARRIERS FUEL PURCHASE LAW.

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

YES: Senators Adams, Bane, Citro, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 18.

NO: Senator Minner - 1.

ABSENT: Senators Bair, Berndt - 2.

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

HB 506 w HA 1 was taken up for consideration on motion of Senator Marshall:

HB 506 w HA 1 - AN ACT TO AMEND CHAPTER 9, TITLE 12 OF THE DELAWARE CODE RELATING TO THE ELECTIVE SHARE OF A SURVIVING SPOUSE.

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

On motion of Senator Adams and without objection the following letter of nomination from the Governor was read and considered for confirmation under suspension of the necessary rules:

STATE OF DELAWARE
Office of the Governor
June 30, 1986

To the Senate of the 133rd 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 B. Chandler, III, 205 High School Avenue, Georgetown, DE 19946, to be appointed Resident Associate Judge of the Superior Court of the State of Delaware in and for Sussex County to serve a twelve year term to replace The Honorable Claud L. Tease, retired.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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The roll call vote on the nomination was then taken and revealed 20 Senators voting YES and 1 (Bair) ABSENT; therefore, the appointment was declared confirmed.

The following letter of nomination from the Governor was read and laid on the table on motion of Senator Adams:

STATE OF DELAWARE
Office of the Governor
June 30, 1986

To the Senate of the 133rd 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 S. Lee, 12 Park Avenue, Rehoboth, DE 19971, to be appointed Associate Judge of the Superior Court of the State of Delaware in and for Sussex County to serve a twelve year term to replace William B. Chandler, III, resigned.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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SCR 154 was introduced and considered for adoption on motion of Senator McDowell:

SCR 154 - ESTABLISHING A GENERAL ASSEMBLY TRANSPORTATION ADVISORY COUNCIL TO DIRECT THE FORMULATION OF A DELAWARE PUBLIC TRANSPORTATION PLAN AND A DELAWARE PUBLIC TRANSIT EDUCATION PLAN. Sponsors: Senators McDowell, Neal, Vaughn; Representatives D. Ennis, VanSant, Anderson.

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

HB 704 w HA 1 was taken up for consideration on motion of Senator McDowell:

HB 704 w HA 1 - AN ACT ENTITLED "THE HOUSING DEVELOPMENT ACT OF 1986", AMENDING CHAPTER 86, TITLE 29 OF THE DELAWARE CODE AND CHAPTER 40, TITLE 31 OF THE DELAWARE CODE RELATING TO THE STATE COUNCIL ON HOUSING AND THE HOUSING DEVELOPMENT FUND.

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

YES: Senators Adams, Bane, Berndt, Citro, Connor, Cook, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Torbert, Vaughn - 18.

NO: Senator Cordrey - 1.

ABSENT: Senators Bair and Zimmerman - 2.

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

HB 526 w HA 1, 2 was lifted from the table for consideration on motion of Senator Torbert.

The privilege of the floor was extended to Norman A. Barron, Justice of the Peace Courts.

At 3:31 p.m., Senator McDowell presiding.

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

At 3:35 p.m., Lt. Governor Woo presiding.

HS 1 for HB 326 w HA 1, 2 was taken up for consideration on motion of Senator Sharp:

HS 1 for HB 326 w HA 1, 2 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN SEXUAL OFFENSES.

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

HB 569 was taken up for consideration on motion of Senator Zimmerman:

HB 569 - AN ACT TO AMEND CHAPTER 63, TITLE 7, DELAWARE CODE, RELATING TO HAZARDOUS WASTE MANAGEMENT.

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

HB 504 w HA 1 was taken up for consideration on motion of Senator McDowell:

HB 504 w HA 1 - AN ACT TO AMEND SECTIONS 1742 AND 1748, TITLE 15, DELAWARE CODE RELATING TO VOTER REGISTRATION OF A PERSONS CHANGING HIS OR HER NAME OR ADDRESS.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (Zimmerman) NOT VOTING, and 1 (Bair) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 530 w HA 1 was taken up for consideration on motion of Senator Cook who then yielded to Senator McBride to floor-manage the Bill:

HB 530 w HA 1 – AN ACT TO AMEND CHAPTER 12, TITLE 14 OF THE DELAWARE CODE RELATING TO TEACHER CERTIFICATION.

Senator McBride was added as a co-sponsor the Bill at his request.

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

HB 107 w HA 1 was taken up for consideration on motion of Senator McDowell:

HB 107 w HA 1 – AN ACT TO AMEND CHAPTER 14, TITLE 24, DELAWARE CODE RELATING TO CERTIFICATION AND REGISTRATION OF ELECTRICAL CONTRACTORS.

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

HS 1 for HB 414 was taken up for consideration on motion of Senator Holloway:

HS 1 for HB 414 – AN ACT TO AMEND PART II, TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY; AND PROVIDING FOR THE USE OF PUBLIC PLACES BY SMOKERS AND NON-SMOKERS.

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:

YES: Senators Adams, Berndt, Citro, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 16.

NO: Senators Bair, Bane, Knox, Neal - 4.

NOT VOTING: Senator Connor - 1.

Therefore, the Amendment was declared adopted.

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Holloway and the roll call vote taken which revealed:

YES: Senators Adams, Citro, Holloway, Martin, McDowell, Sharp, Vaughn - 7.

NO: Senators Bair, Bane, Berndt, Connor, Cook, Cordrey, Knox, Marshall, Minner, Neal, Slatcher, Torbert - 12.

NOT VOTING: Senators McBride, Zimmerman - 2.

Therefore, the Amendment was declared defeated.

SA 3 to the Bill (sponsor: Senator Holloway) was introduced and considered for adoption on motion of Senator Holloway.

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

YES: Senators Adams, Bane, Citro, Holloway, Martin, McBride, McDowell, Minner, Sharp, Vaughn, Zimmerman - 11.

NO: Senators Bair, Berndt, Connor, Cook, Cordrey, Knox, Marshall, Neal, Slatcher, Torbert - 10.

Therefore, the Amendment was declared adopted.

The roll call vote on **HS 1 for HB 414 w SA 1, 3** was then taken; however, the roll call was laid on the table before being announced on motion of Senator Holloway.

Senator Adams introduced to the Senate and requested the privilege of the floor for Judge William B. Chandler, III, who had recently been confirmed as Resident Associate Judge of the Superior Court of the State of Delaware.

Judge Chandler, in turn, introduced his father and mother (Mr. and Mrs. William Chandler, II), his son (William B. Chandler, IV) and his wife (Gail).

Senator Bair recognized and welcomed to the chamber, Chief Justice Christie.

On motion of Senator Adams, the Governor's nomination for appointment of William S. Lee was lifted from the table for consideration under suspension of the necessary rules and the roll call vote taken which revealed 20 Senators voting YES and 1 (Neal) NOT VOTING; therefore, the appointment was declared confirmed.

On motion of Senator Cook and without objection, the roll call vote on **SB 574** was rescinded and a new roll call vote taken which revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 382 w HA 1, 2 was taken up for consideration on motion of Senator Sharp:

HB 382 w HA 1, 2 – AN ACT TO AMEND CHAPTER 27, TITLE 25 OF THE DELAWARE CODE RELATING TO MECHANICS' LIENS.

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

Senator Adams introduced and requested the privilege of the floor for Judge William S. Lee who had recently been confirmed as Associate Judge of the Superior Court of the State of Delaware.

HB 548 was taken up for consideration on motion of Senator Sharp:

HB 548 – AN ACT TO AMEND CHAPTER 57, TITLE 15 OF THE DELAWARE CODE RELATING TO THE CANVASS OF VOTE AND PROCLAMATION OF RESULTS OF ELECTION.

SA 1 to the Bill (sponsor: Senator Bair) was introduced and considered for adoption.

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

The roll call vote on **HB 548 w SA 1** was then taken and revealed:

YES: Senators Bair, Bane, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Minner, Neal, Slatcher, Torbert - 14.

NO: Senators Adams, Martin, McDowell, Sharp, Vaughn, Zimmerman - 6.

NOT VOTING: Senator McBride - 1.

Therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

HB 523 was taken up for consideration on motion of Senator Sharp:

HB 523 - AN ACT TO AMEND CHAPTER 1, TITLE 13, DELAWARE CODE RELATING TO MARRIAGE.

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

HB 703 w HA 1 was taken up for consideration on motion of Senator Marshall:

HB 703 w HA 1 - AN ACT TO AMEND CHAPTER 96, TITLE 9 OF THE DELAWARE CODE TO ASSESS A DOCUMENTARY SURCHARGE FOR THE BENEFIT OF THE HOUSING DEVELOPMENT FUND.

From 4:40 p.m. to 4:45 p.m. a standing recess was called by the Chair for purpose of changing the tape. Lt. Governor Woo still presiding.

HB 703 w HA 1 was still before the Senate.

The privilege of the floor was extended to Anthony Flynn of the Governor's Office.

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

YES: Senators Bair, Bane, Berndt, Connor, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Slatcher, Torbert - 14.

NO: Senators Adams, Citro, Cook, Cordrey, Sharp, Vaughn, Zimmerman - 7.

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

HB 523 was lifted from the table for consideration on motion of Senator Sharp and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 103 was taken up for consideration on motion of Senator Cook who then yielded to Senator McBride to floor-manage the Bill:

HB 103 - AN ACT TO AMEND SECTION 1318, CHAPTER 13, TITLE 14, DELAWARE CODE RELATING TO SICK LEAVE FOR TEACHERS AND OTHER SCHOOL EMPLOYEES.

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

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

HB 103 was then lifted from the table on motion of Senator McBride.

The privilege of the floor was extended to Donald McArdle of the Pension Office.

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

YES: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Martin, McBride, McDowell, Minner, Neal, Slatcher, Torbert, Vaughn, Zimmerman - 18

NO: Senator Citro - 1

NOT VOTING: Senators Marshall, Sharp - 2.

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

HB 335 was taken up for consideration on motion of Senator Zimmerman:

HB 335 - AN ACT TO AMEND CHAPTER 9, TITLE 7, DELAWARE CODE, RELATING TO EXEMPTION OF PERSONS 65 YEARS OF AGE FROM FOODFISHING EQUIPMENT PERMIT FEES.

SA 1 to the Bill (sponsor: Senator Bair) was introduced and considered for adoption.

The roll call vote on the Amendment was taken and revealed 19 Senator voting YES, 1 (Berndt) NOT VOTING, and 1 (McDowell) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on **HB 335 w SA 1** was then taken and revealed 20 Senators voting YES and 1 (Berndt) NOT VOTING; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

HB 423 was taken up for consideration on motion of Senator Adams:

HB 423 - AN ACT TO AMEND CHAPTER 9, TITLE 29, DELAWARE CODE RELATING TO THE PUNISHMENT FOR ALTERING, DEFACING OR CONCEALING BILLS OR ACTS.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (Citro) voting NO and 1 (Zimmerman) NOT VOTING; therefore, the Bill was declared passed by the Senate and returned to the House.

HS 1 for HB 116 w HA 1, 2, 3 was taken up for consideration on motion of Senator Sharp:

HS 1 for HB 116 w HA 1, 2, 3: AN ACT TO AMEND TITLE II OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE; AND PROVIDING FOR A DELAWARE RACKETEER-INFLUENCED AND CORRUPT ORGANIZATIONS ACT.

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

The roll call vote on **HB 526 w HA 1, 2** was lifted on motion of Senator Torbert; however, the roll call was again laid on the table before being announced on further motion of Senator Torbert.

At 5:25 p.m. a messenger from the Governor was announced and admitted.

HB 402 was taken up for consideration on motion of Senator Torbert under suspension of the necessary rules:

HB 402 - AN ACT TO AMEND CHAPTER 43, TITLE 21 OF THE DELAWARE CODE RELATING TO FLASHING LIGHTS ON VEHICLES.

The privilege of the floor was extended to William Walls, Senate Attorney, after which the Bill was laid on the table on motion of Senator Torbert.

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

HB 535 - AN ACT TO AMEND TITLE 24, SECTION 2827 OF THE DELAWARE CODE RELATING TO THE FILING OF AN ANNUAL REPORT BY THE DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS.

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

HB 570 was taken up for consideration on motion of Senator Zimmerman:

HB 570 - AN ACT TO AMEND CHAPTERS 80 AND 82, TITLE 29, DELAWARE CODE AND CHAPTER 60, TITLE 7, DELAWARE CODE TO CHANGE THE DESIGNATION OF DIVISION OF ENVIRONMENTAL CONTROL TO THE DIVISION OF AIR AND WASTE MANAGEMENT AND/OR THE DIVISION OF WATER RESOURCES.

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 588 w HA 2 was taken up for consideration on motion of Senator Zimmerman:

HB 588 w HA 2 - AN ACT TO AMEND TITLE 23, DELAWARE CODE BY CREATING A NEW CHAPTER 22 RELATING TO BOATING SAFETY.

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

YES: Senators Bair, Bane, Berndt, Connor, Knox, Marshall, Martin, Neal, Sharp - 9.

NO: Senators Adams, Citro, Cook, Cordrey, McBride, McDowell, Minner, Slatcher, Vaughn - 9.

NOT VOTING: Senators Holloway, Torbert, Zimmerman - 3.

Therefore, the Bill was declared defeated.

At 6:54 p.m. on motion of Senator Sharp the Senate recessed for dinner break and reconvened at 8:16 p.m., Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 559 w HA 1; SB 503 w HA 1; SB 361 w SA 1, 2, HA 1; HB 474 w HA 2; HB 762; HB 758 w HA 1; HB 765; HB 616; SB 488; SB 383 w SA 1; SB 417 w SA 1; SB 574; HB 599 w HA 1, 2; HB 735; HB 761; HB 754 w HA 1; HB 755 w HA 1; HB 757; HB 751; HB 722 w HA 1, 2; SB 459; SB 458; SB 457 w SA 1; SB 404 w SA 1; SB 411; SB 501; SB 499; SB 387; SB 555; SB 175; SB 577; SB 462; SB 470; SB 560; SB 551; SB 565 and adopted SJR 26; SJR 25; HCR 166; HJR 25; SCR 149; SCR 150; SCR 151; SCR 152; SCR 153.**

HB 559 w HA 1 was introduced and taken up for consideration under suspension of the necessary rules on motion of Senator Cordrey:

HB 559 w HA 1 - AN ACT TO AMEND CHAPTERS 23, 25, 29, AND 43, TITLE 30, DELAWARE CODE, RELATING TO EXCLUSIONS FROM THE GROSS RECEIPTS TAX.

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

HB 765 was introduced and taken up for consideration under suspension of the necessary rules on motion of Senator Cordrey:

HB 765 - AN ACT TO AMEND CHAPTER 11, TITLE 30 OF THE DELAWARE CODE RELATING TO THE REDUCTION OF PERSONAL INCOME TAX RATES. Sponsors: Representatives Petrilli, Carey, Taylor, Reynolds, Caulk, Steele, Anderson, Bennett, Boykin, Brady, Barnes, Buckworth, Clark, Corrozi, Davis, D. Ennis, Fallon, Free, George, Gilligan, Hebner, Houghton, Jester, Mack, Maroney, Oberle, Outten, Plant, Quillen, Roy, Sills, Smith, Soles, Spence, VanSant, West, Wingate; Senators Bair, Bane, Knox, Neal.

Senator Torbert requested that he be added as a co-sponsor of the Bill.

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 249 was taken up for consideration on motion of Senator Sharp:

HB 249 - AN ACT TO AMEND CHAPTER 5, TITLE 11, DELAWARE CODE, RELATING TO DEADLY WEAPONS AND DANGEROUS INSTRUMENTS.

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

YES: Senators Adams, Citro, Marshall, Martin, McDowell, Torbert - 6.

NO: Senators Berndt, Connor, Cook, Cordrey, Holloway, Knox, McBride, Minner, Neal, Sharp, Slatcher, Vaughn, Zimmerman - 13.

NOT VOTING: Senator Bane - 1.

ABSENT: Senator Bair - 1.

Therefore the Amendment was declared defeated.

SA 2 to the Bill which had been placed with the Bill was laid on the table on motion of Senator Torbert.

The roll call vote on **HB 249** was then taken and revealed 20 Senators voting YES and 1 (Torbert) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House.

Senator Minner introduced her son, Frank Ingram, to the Senate.

Senator Neal introduced his daughter Leslie and his son-in-law, Greg Thomas, to the Senate.

Senator Connor welcomed to the Senate the secretaries from the Secretaries Association.

HB 510 was taken up for consideration on motion of Senator Holloway:

HB 510 - AN ACT TO AMEND CHAPTER 47, TITLE 16, OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF PERSONS INVOLVED IN THE MANUFACTURE, DISTRIBUTION OR DISPENSING OF CONTROLLED SUBSTANCES.

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 521 w HA 2 was taken up for consideration on motion of Senator McDowell:
HB 521 w HA 2 - AN ACT AUTHORIZING AND DIRECTING THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION TO TRANSFER THAT PORTION OF PROPERTY CURRENTLY OWNED BY THE DEPARTMENT WHICH IS IN EXCESS TO ITS NEEDS AND FURTHER WAIVING THE PROVISIONS OF §1309 OF CHAPTER 13, TITLE 17, DE. CODE.

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

HB 150 was taken up for consideration on motion of Senator Holloway:

HB 150 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO COMMUNITY CARE FOR FRAIL OR FUNCTIONALLY IMPAIRED ADULTS.

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

HB 336 was taken up for consideration on motion of Senator Zimmerman:

HB 336 - AN ACT TO AMEND CHAPTER 9, TITLE 7, DELAWARE CODE, RELATING TO THE FEE FOR FYKE NETTING.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Berndt) NOT VOTING; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 508 w HA 1 was taken up for consideration on motion of Senator Holloway.

The privilege of the floor was extended to Frank Golden.

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

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

HB 536 - AN ACT TO AMEND CHAPTER 47, TITLE 16 OF THE DELAWARE CODE RELATING TO CONTROLLED SUBSTANCES, AND TO THE POSSESSION OR ATTEMPTED POSSESSION OF PRESCRIPTION MEDICATIONS BY ILLEGAL OR FRAUDULENT MEANS, AND PENALTIES APPLYING THERETO.

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

HB 596 w HA 1, 2, 3 was taken up for consideration on motion of Senator Cook:

HB 596 w HA 1, 2, 3 - AN ACT TO AMEND CHAPTER 55, TITLE 29 OF THE DELAWARE CODE RELATING TO THE AMOUNT OF A STATE SERVICE PENSION.

The privilege of the floor was extended to Don McArdle of the State Pension Office.

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

YES: Senators Adams, Bair, Bane, Citro, Connor, Cook, Marshall, Martin, McBride, McDowell, Minner, Sharp, Vaughn, Zimmerman - 14.

NO: Senators Cordrey, Knox, Neal, Slatcher - 4.

NOT VOTING: Senators Berndt, Holloway, Torbert - 3.

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

HB 542 was taken up for consideration on motion of Senator Marshall:

HB 542 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT AND PROVIDING FOR THE REGISTRATION WITH THE SELECTIVE SERVICE SYSTEM OF MALES BORN AFTER JANUARY 1, 1960 IN ORDER TO BECOME AVAILABLE FOR CERTAIN STATE BENEFITS OR EMPLOYMENT.

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

HB 454 was laid on the table on motion of Senator Marshall.

HB 557 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 557 w HA 1 - AN ACT TO AMEND §203, CHAPTER 2, TITLE 29 OF THE DELAWARE CODE RELATING TO THE PENALTIES IMPOSED AGAINST DESTRUCTION, MOVING, REMOVING, DAMAGING OR OTHERWISE INJURING STATE BOUNDARY MARKERS AND THE PENALTY FOR FAILING TO SURRENDER AND DELIVER A STATE BOUNDARY MARKER.

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

YES: Senators Bair, Bane, Berndt, Citro, Connor, Cook, Knox, Martin, McBride, McDowell, Minner, Neal, Slatcher, Torbert - 14.

NO: Senators Adams, Cordrey, Holloway, Marshall, Sharp, Vaughn, Zimmerman - 7.

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

HB 558 w HA 1 was taken up for consideration on motion of Senator McDowell:

HB 558 w HA 1 - AN ACT TO AMEND CHAPTERS 3 AND 25, TITLE 30 OF THE DELAWARE CODE, RELATING TO BONDING AND LICENSING REQUIREMENTS OF CONTRACTORS.

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 474 w HA 2 was taken up for consideration on motion of Senator Sharp under suspension of the necessary rules:

HB 474 w HA 2 - AN ACT TO AMEND CHAPTER 59, TITLE 29, DELAWARE CODE, RELATING TO LEAVE WITH PAY FOR EMPLOYEES PERFORMING HAZARDOUS DUTY ASSIGNMENTS.

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 454 was lifted from the table for consideration on motion of Senator Marshall:

HB 454 - AN ACT TO AMEND CHAPTER 23, TITLE 19 OF THE DELAWARE CODE RELATING TO MEDICAL SUPPLIES AS FURNISHED BY THE EMPLOYER.

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

YES: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Holloway, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman – 17.

NO: Senators Cordrey, Knox, Slatcher – 3.

ABSENT: Senator Citro – 1.

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

HB 124 w HA 1, 2, 3 was taken up for consideration on motion of Senator Sharp under suspension of the necessary rules:

HB 124 w HA 1, 2, 3 – AN ACT TO AMEND CHAPTER 5, TITLE 11, DELAWARE CODE RELATING TO DESECRATION OF A BURIAL PLACE.

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

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 107 w HA 1 was lifted from the table for consideration on motion of Senator McDowell and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 511 w HA 1 was taken up for consideration on motion of Senator McDowell under suspension of the necessary rules:

HB 511 w HA 1 – 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 and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 368 w HA 1 was taken up for consideration on motion of Senator McDowell:

HB 368 w HA 1 – AN ACT TO AMEND CHAPTER 19, TITLE 24 OF THE DELAWARE CODE RELATING TO THE LICENSING OF NURSES.

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

YES: Senators Adams, Bair, Citro, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McDowell, Minner, Neal, Sharp, Slatcher, Torbert, Vaughn, Zimmerman – 18.

NO: Senators Bane, McBride – 2.

NOT VOTING: Senator Berndt – 1.

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

HB 563 w HA 1 was taken up for consideration on motion of Senator Holloway under suspension of the necessary rules:

HB 563 w HA 1 – AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE RELATING TO PROCEEDINGS IN THE INTEREST OF A CHILD.

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

YES: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, Minner, Neal, Slatcher, Torbert, Vaughn, Zimmerman – 18.

NO: Senator Sharp – 1.

NOT VOTING: Senator McDowell – 1.

ABSENT: Senator Citro – 1.

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

HB 571 w HA 1 was taken up for consideration on motion of Senator Zimmerman:

HB 571 w HA 1 – AN ACT TO AMEND CHAPTER 60, TITLE 7, DELAWARE CODE RELATING TO THE REPORTING OF A DISCHARGE OF A POLLUTANT OR AN AIR CONTAMINANT AND PROVIDING FOR CRIMINAL SANCTION AND JURISDICTION FOR DISCHARGE OF A POLLUTANT.

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 464 was taken up for consideration on motion of Senator Sharp:

HB 464 – AN ACT TO AMEND CHAPTER 5, PART I, TITLE 11 OF THE DELAWARE CODE, RELATING TO THE DELAWARE CRIMINAL CODE; AND INCREASING CERTAIN JURISDICTIONAL AMOUNTS FROM THREE HUNDRED DOLLARS (\$300) TO FIVE HUNDRED DOLLARS (\$500).

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 402 was taken up for consideration on motion of Senator Torbert:

HB 402 – AN ACT TO AMEND CHAPTER 43, TITLE 21 OF THE DELAWARE CODE RELATING TO FLASHING LIGHTS ON VEHICLES.

The privilege of the floor was extended to Representative Dave Brady.

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

The roll call vote on HB 526 w HA 1, 2 was lifted on motion of Senator Torbert; however, the roll call was again laid on the table on further motion of the Senator.

SB 580 was introduced and taken up for consideration under suspension of the necessary rules on motion of Senator McDowell:

SB 580 – AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO THE DISPOSITION OF DEPENDENT OR NEGLECTED CHILDREN; AND ESTABLISHING A TASK FORCE TO MAKE RECOMMENDATIONS PURSUANT TO SAME. Sponsors Senator McDowell; Representative Gilligan.

The privilege of the floor was extended to Charles Hayward (Secretary of the Department of Children, Youth and Their Families).

At 10:25 p.m. on motion of Senator Cordrey, the Senate recessed for Party Caucus and reconvened at 10:46 p.m., Senator Cordrey presiding.

SB 580 which had been before the Senate before the recess was laid on the table on motion of Senator McDowell.

The Secretary announced that a message from the House informed the Senate that it had passed HB 766; SB 546; SB 547; SB 554; SB 537; SB 493 w SA 1, 2; SB 507; SB 544 w SA 1; SB 545.

SB 580 was lifted from the table for consideration on motion of Senator McDowell.

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

YES: Senators Adams, Citro, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Sharp, Slatcher, Torbert, Vaughn - 15.

NO: Senators Bair, Connor, Neal - 3.

NOT VOTING: Senator Bane - 1.

ABSENT: Senators Berndt, Zimmerman - 2.

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

HB 618 was taken up for consideration on motion of Senator Torbert:

HB 618 - AN ACT AWARDING SPECIAL PENSION BENEFITS TO RICHARD L. TITUS; APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE, AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE.

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

YES: Senators Adams, Bair, Bane, Berndt, Citro, Connor, Cook, Knox, Marshall, Martin, McBride, McDowell, Minner, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 18.

NO: Senators Cordrey, Neal - 2.

ABSENT: Senator Holloway - 1.

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

HB 361 w HA 1 was taken up for consideration on motion of Senator Cook under suspension of the necessary rules:

HB 361 w HA 1 - AN ACT AWARDING SPECIAL PENSION BENEFITS TO LEROY O'NEAL, APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE; AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE MADE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE.

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

YES: Senators Adams, Bair, Bane, Citro, Connor, Cook, Knox, Marshall, Martin, McBride, McDowell, Minner, Slatcher, Torbert, Vaughn, Zimmerman - 16.

NO: Senators Cordrey, Neal - 2.

ABSENT: Senators Berndt, Holloway, Sharp - 3.

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

HB 621 was taken up for consideration on motion of Senator Cordrey:

HB 621 - AN ACT AWARDING SPECIAL PENSION BENEFITS TO RUTH M. PARKER; APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE, AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE.

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

HB 622 was taken up for consideration on motion of Senator Cordrey:

HB 622 - AN ACT AWARDING SPECIAL PENSION BENEFITS TO ANNA REDDING; APPROPRIATING MONIES INTO THE SPECIAL FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE, AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29 OF THE DELAWARE CODE.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES, 2 (Cordrey and Sharp) voting NO and 1 (Bair) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 754 w HA 1 was taken up for consideration on motion of Senator Vaughn under suspension of the necessary rules:

HB 754 w HA 1 - AN ACT TO AMEND CHAPTER 63 OF TITLE 7 OF THE DELAWARE CODE RELATING TO THE STATE'S HAZARDOUS WASTE MANAGEMENT PROGRAM AND THE COLLECTION OF A WASTE-END ASSESSMENT FROM PERSONS WHO GENERATE, TREAT, STORE AND DISPOSE OF HAZARDOUS WASTE WHICH WILL CREATE ADDITIONAL INCENTIVES FOR REDUCING THE AMOUNT OF HAZARDOUS WASTE BEING GENERATED AND PROCESSED AND THUS REDUCE THE NEGATIVE IMPACT OF HAZARDOUS WASTES ON THE ENVIRONMENT AND NATURAL RESOURCES OF THIS STATE.

The privilege of the floor was extended to Robert Touhey, Department of Natural Resources and Environmental Control).

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

YES: Senators Adams, Bair, Bane, Berndt, Citro, Connor, Cook, Cordrey, Knox, Marshall, Martin, McBride, Minner, Neal, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 19.

NO: Senator McDowell - 1.

ABSENT: Senator Holloway - 1.

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

HB 581 w HA 1 was taken up for consideration on motion of Senator Zimmerman:

HB 581 w HA 1 - AN ACT TO AMEND CHAPTER 61, TITLE 7 OF THE DELAWARE CODE RELATING TO UNDERWATER LANDS AND TO CREATE CHAPTER 72 RELATING TO SUBAQUEOUS LANDS.

SA 1 to the Bill (sponsors: Senators Minner, Slatcher) was introduced and considered for adoption on motion of Senator Minner.

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

The roll call vote on HB 581 w HA 1, SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

HB 640 w HA 1 was taken up for consideration on motion of Senator Cordrey under suspension of the necessary rules:

HB 640 w HA 1 - AN ACT TO AMEND CHAPTER 31, OF TITLE 18 OF THE DELAWARE CODE RELATING TO GROUP LIFE INSURANCE.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Neal) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 463 was taken up for consideration on motion of Senator Cook:

HB 463 - 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, 1986; SPECIFYING CERTAIN PROCEDURES CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS." BEING HOUSE BILL NO. 350 OF THE 133RD GENERAL ASSEMBLY OF THE STATE OF DELAWARE.

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

HB 729 was taken up for consideration on motion of Senator Adams under suspension of the necessary rules:

HB 729 - AN ACT TO AMEND TITLE II OF THE DELAWARE CODE RELATING TO CRIMINAL TRESPASS.

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

HB 747 was taken up for consideration on motion of Senator Adams under suspension of the necessary rules:

HB 747 - AN ACT TO AMEND CHAPTER 16, TITLE 3, DELAWARE CODE RELATING TO GRAIN TESTING DEVICES.

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

HB 755 w HA 1 was taken up for consideration on motion of Senator Vaughn under suspension of the necessary rules:

HB 755 w HA 1 - AN ACT TO AMEND CHAPTER 63 OF TITLE 7 OF THE DELAWARE CODE RELATING TO HAZARDOUS WASTE GENERATORS, TRANSPORTERS AND OWNERS OF HAZARDOUS WASTE TREATMENT, STORAGE OR DISPOSAL FACILITIES AND SITES, AND THE PAYMENT OF ANNUAL FEES TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL FOR USE IN PROTECTING THE ENVIRONMENT OF THE STATE THROUGH THE ADMINISTRATION OF THE STATE'S HAZARDOUS WASTE MANAGEMENT PROGRAM.

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

HB 503 w HA 1 was taken up for consideration on motion of Senator Marshall:

HB 503 w HA 1 - AN ACT TO AMEND CHAPTER 13, TITLE 19 DELAWARE CODE, PERTAINING TO EMPLOYEE RELATIONS.

The privilege of the floor was extended to Dennis Crowley (Delaware State Education Association).

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

HB 541 w HA 1 was taken up for consideration on motion of Senator Cook:

HB 541 w HA 1 - AN ACT TO AMEND CHAPTER 66, TITLE 16, DELAWARE CODE, RELATING TO PLAN REVIEW FEES.

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

HB 560 was taken up for consideration on motion of Senator Cordrey:

HB 560 - AN ACT TO AMEND CHAPTER 13, TITLE 30, DELAWARE CODE, RELATING TO THE INHERITANCE TAX.

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 758 w HA 1 was taken up for consideration on motion of Senator Cordrey under suspension of the necessary rules:

HB 758 w HA 1 - AN ACT TO AMEND CHAPTER 1, TITLE 26 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES AND THE PUBLIC SERVICE COMMISSION.

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

YES: Senators Adams, Bair, Bane, Citro, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, Minner, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 17.

NO: Senator Neal - 1.

NOT VOTING: Senators Berndt, Connor - 2.

ABSENT: Senator McDowell - 1.

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

HB 163 w HA 1 was taken up for consideration on motion of Senator McBride under suspension of the necessary rules:

HB 163 w HA 1 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO THE QUALIFICATIONS FOR SCHOOL BUS DRIVER'S LICENSES.

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

At 11:59 on motion of Senator Sharp, the 133rd General Assembly adjourned.

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HOUSE OF REPRESENTATIVES
STATE OF DELAWARE
LEGISLATIVE HALL
DOVER, DELAWARE 19901
M E M O R A N D U M

TO: MEMBERS OF THE HOUSE OF REPRESENTATIVES AND SENATE OF THE 133RD GENERAL ASSEMBLY

FROM: SPEAKER OF THE HOUSE, CHARLES L. HEBNER
PRESIDENT OF THE SENATE, S. B. WOO, LT. GOVERNOR

DATE: MONDAY, JUNE 30, 1986, 12 O'CLOCK MIDNIGHT

Pursuant to the authority vested in the presiding officers of both Houses under Article II, Section 4, of the Delaware Constitution of 1897, as amended, we hereby declare that the 133rd General Assembly is now in Special Session.

Charles L. Hebner, Speaker of the House
S. B. Woo, President of the Senate

* * * * *

SPECIAL SESSION
July 1, 1986

Pursuant to the above Memorandum, the Senate convened at midnight, Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

The following letter of nomination for appointment from the Governor was read:

STATE OF DELAWARE
Office of the Governor
June 30, 1986

To the Senate of the 133rd 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: Vaughn L. Callaway, R.D. 2, Box 131, Milton, DE 19968, to be a member of the Board of Elections, Sussex County, to serve a four year term to replace Carolyn C. McNatt, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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On motion of Senator Adams, and without objection, the necessary rules were suspended for consideration of the nomination of Vaughn L. Callaway.

The roll call vote on the nomination was taken and revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of J. Franklin Gordy, Sr. was taken up for consideration under suspension of the necessary rules 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 Karen W. Wright was taken up for consideration under suspension of the necessary rules 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 John S. Maiorano was taken up for consideration under suspension of the necessary rules 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 Donald B. Jacobs was taken up for consideration under suspension of the necessary rules 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 Clifton H. Hubbard was taken up for consideration under suspension of the necessary rules 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 Eva W. Adams was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 20 Senators voting YES and 1 (Berndt) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Victor F. Battaglia was lifted from the table for consideration under suspension of the necessary rules and the roll call vote taken which revealed 19 Senators voting YES, 1 (McBride) NOT VOTING and 1 (Berndt) ABSENT; therefore, the appointment was declared confirmed.

SR 136 was introduced and considered for adoption on motion of Senator Bair:

SR 136 – EXTENDING A FOND FAREWELL AND SINCERE BEST WISHES TO OUR FRIEND AND COLLEAGUE A. T. "BUCKY" CITRO UPON HIS RETIREMENT FROM THE SENATE. Sponsors: Senators Bair, Connor, Cordrey, Sharp, McDowell, all Senators.

The roll call vote on the Resolution was taken and revealed 20 Senators voting YES and 1 (Citro) NOT VOTING; therefore, the Resolution was declared adopted.

HB 766 was introduced and taken up for consideration under suspension of the necessary rules on motion of Senator Cook:

HB 766 – A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE AND HIGHWAY REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING FUNDS FROM THE FIRST STATE IMPROVEMENT FUND; DEAUTHORIZING CERTAIN GENERAL OBLIGATION BONDS OF THE STATE AND CERTAIN AUTHORITY FOR GUARANTEED INDUSTRIAL REVENUE BONDS; REVERTING AND REPRORGRAMMING CERTAIN SURPLUS FUNDS OF THE STATE AND THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING CERTAIN GENERAL AND SPECIAL FUNDS OF THE STATE AND THE DELAWARE TRANSPORTATION AUTHORITY; CHANGING THE MOTOR FUEL TAX FROM ELEVEN CENTS PER GALLON TO THIRTEEN CENTS PER GALLON, PLEDGING SUCH REVENUES TO SUPPORT BONDS ISSUED BY THE DELAWARE TRANSPORTATION AUTHORITY; AUTHORIZING THE DEPARTMENT OF ADMINISTRATIVE SERVICES TO ALLOCATE EXXON OIL OVERCHARGE FUNDS TO CERTAIN ELIGIBLE CAPITAL IMPROVEMENTS AUTHORIZED IN THIS ACT; AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTIES BY THE STATE AND CERTAIN OF ITS AUTHORITIES; CLARIFYING PROVISIONS PERTAINING TO THE DELAWARE TRANSPORTATION AUTHORITY WITH RESPECT TO THE ISSUANCE AND ADMINISTRATION OF BONDS; CREATING THE DELAWARE LAND AND WATER CONSERVATION TRUST FUND; PLACING CERTAIN CONDITIONS ON THE APPROPRIATIONS CONTAINED IN THIS ACT AND PREVIOUS ACTS OF THE STATE; AND MAKING CERTAIN OTHER CHANGES TO THE DELAWARE CODE AND LAWS OF DELAWARE APPLICABLE TO THE ISSUANCE AND ADMINISTRATION OF BONDS BY THE STATE AND ITS AUTHORITIES. Sponsors: Representative Roy, Senator Cook; Representatives B. Ennis, Petrilli, Spence, Carey, Gilligan; Senators Sharp, Berndt, Minner, Martin, Neal.

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

The Secretary announced that a message from the House informed the Senate that it had passed SB 494 w SA 1; SB 516 w SA 1; SB 578; SB 542; SB 456; SB 550 w SA 1; SB 398; SB 370 w HA 1; SB 528; SB 497; SB 378 w HA 1; SB 199 w SA 1; SB 576 w SA 1; SB 518 w HA 1, 2.

SB 109 which had previously passed the Senate was taken up for reconsideration as further amended by HA 1 on motion of Senator Sharp. The roll call vote on SB 109 w HA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SB 204 w SA 1 which had previously passed the Senate was taken up for reconsideration as further amended by HA 1 on motion of Senator Adams. The roll call vote on SB 204 w SA 1, HA 1 was then taken and revealed 20 Senators voting YES and 1 (Marshall) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SS 2 for SB 313 w SA 1 which had previously passed the Senate was taken up for reconsideration as further amended by HA 2 on motion of Senator McBride. The roll call vote on SS 2 for SB 313 w SA 1, HA 2 was then taken and revealed 20 Senators voting YES and 1 (Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SB 503 which had previously passed the Senate was taken up for reconsideration as further amended by HA 1 on motion of Senator Holloway. The roll call vote on SB 503 w HA 1 was then taken and revealed 20 Senators voting YES and 1 (Berndt) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SB 361 w SA 1, 2, 6 which had previously passed the Senate was taken up for reconsideration as further amended by HA 1 on motion of Senate Citro. The roll call vote on SB 361 w SA 1, 2, 6, HA 1 was then taken and revealed 20 Senators voting YES and 1 (Berndt) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SB 220 which had previously passed the Senate was taken up for reconsideration as further amended by HA 1 on motion of Senator Marshall. The roll call vote on SB 220 w HA 1 was then taken and revealed 20 Senators voting YES and 1 (Berndt) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SB 370 which had previously passed the Senate was taken up for reconsideration as further amended by HA 1 on motion of Senator Cook. The roll call vote on SB 370 w HA 1 was then taken and revealed 20 Senators voting YES and 1 (Berndt) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SB 518 which had previously passed the Senate was taken up for reconsideration as further amended by HA 1, 2 on motion of Senator Holloway. The roll call vote on SB 518 w HA 1, 2 was then taken and revealed 18 Senators voting YES and 3 (Berndt, Citro, Marshall) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

On motion of Senator Cook, the roll call vote on HB 766 was lifted and rescinded without objection. On motion of Senator Cook a new roll call vote was taken and revealed:

YES: Senators Adams, Bair, Bane, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McDowell, Minner, Neal, Sharp, Slatcher, Torbert - 17.

NO: Senators Citro, McBride, Vaughn, Zimmerman - 4.

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

HB 617 was taken up for consideration on motion of Senator Marshall:

HB 617 - AN ACT TO AMEND CHAPTER 29, TITLE 30 OF THE DELAWARE CODE RELATING TO RETAIL AND WHOLESALES MERCHANTS' LICENSE REQUIREMENTS AND TAXES.

At 1:18 a.m., Senator Cordrey presiding.

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 735 was taken up for consideration on motion of Senator Marshall under suspension of the necessary rules:

HB 735 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

At 1:21 a.m., Lt. Governor Woo presiding.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Neal) NOT VOTING; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 599 w HA 1, 2 was taken up for consideration on motion of Senator Sharp under suspension of the necessary rules:

HB 599 w HA 1, 2 - AN ACT TO AMEND CHAPTER 68 TITLE 18 OF THE DELAWARE CODE RELATING TO MALPRACTICE REVIEW PANELS.

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 644 was taken up for consideration on motion of Senator Marshall:

HB 644 - AN ACT TO AMEND CHAPTER 27, TITLE 30 OF THE DELAWARE CODE RELATING TO MANUFACTURERS' GROSS RECEIPTS TAXES.

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

SB 579 was introduced and taken up for consideration under suspension of the necessary rules on motion of Senator Connor:

SB 579 - 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, 1987; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN STATUTORY PROVISIONS", BEING SENATE BILL NO. 560 OF THE 133RD GENERAL ASSEMBLY OF THE STATE OF DELAWARE. Sponsors: Senators Connor, Cook, Slatcher, Berndt, Vaughn, Minner, McBride, Holloway; Representatives Corrozi, Quillen, Smith.

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 734 was taken up for consideration on motion of Senator Marshall:

HB 734 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Minner) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House.

From 1:31 a.m. to 1:32 a.m., the Senate took a standing recess for the purpose of changing the tape. Lt. Governor Woo still presiding.

HB 630 w HA 1 was taken up for consideration on motion of Senator Zimmerman under suspension of the necessary rules:

HB 630 w HA 1 - AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER, BEING CHAPTER 158, VOLUME 36 OF THE LAWS OF DELAWARE, BY AUTHORIZING VOTING DISTRICTS, PERMITTING CITY COUNCIL TO ESTABLISH DISTRICTS AND DISTRICT BOUNDARIES, AND PERMITTING CITY COUNCIL TO CHANGE, REALIGN OR ALTER DISTRICTS.

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

YES: Senators Adams, Bair, Bane, Berndt, Citro, Connor, Cook, Cordrey, Knox, Martin, McDowell, Minner, Neal, Sharp, Slatcher, Torbert, Vaughn - 17.

NO: Senators Holloway, Marshall, McBride, Zimmerman - 4.

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

HB 601 w HA 1, 2 was taken up for consideration on motion of Senator Bane under suspension of the necessary rules:

HB 601 w HA 1, 2 - AN ACT TO AMEND CHAPTER 81, TITLE 10, DELAWARE CODE, TO PROVIDE FOR A LIMITATION OF CIVIL LIABILITY FOR CERTAIN NON-PROFIT ORGANIZATION VOLUNTEERS.

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

SA 2 to the Bill (sponsor: Senator Bane) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Connor, Sharp) ABSENT; therefore, the Amendment was declared adopted.

SA 3 to the Bill (sponsor: Senator Connor) was introduced and laid on the table on motion of the sponsor.

The roll call vote on HB 601 w HA 1, 2, SA 1, 2 was then taken and revealed 19 Senators voting YES, 1 (Vaughn) NOT VOTING, and 1 (Sharp) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

The roll call vote on HB 526 w HA 1, 2 was lifted on motion of Senator Torbert and announced:

YES: Senators Adams, Bair, Bane, Berndt, Citro, Connor, Holloway, Knox, Marshall, Martin, Neal, Slatcher, Torbert, Vaughn - 14.

NO: Senators Cook, Cordrey, McBride, McDowell, Minner, Sharp, Zimmerman - 7.

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

HB 702 w HA 1, 2 was restored to the Calendar on motion of Senator Minner without objection.

On motion of Senator Vaughn and without objection, the roll call vote on HB 702 w HA 1, 2 was rescinded and the Bill was laid on the table.

At 1:54 a.m., July 1, 1986 on motion of Senator Cordrey, the Senate recessed to the call of the President pro Tempore.

The Senate reconvened at 2:48 p.m., September 18, 1986, Lt. Governor Woo presiding.

A messenger from the Governor was announced and admitted.

The Secretary announced that a message from the House informed the Senate that it had passed SB 530; SB 517 w SA 1, 2, 3, HA 1; SS 1 for SB 260; SB 487; SB 429; HB 247 w HA 1; SB 469; SB 513 w SA 1; SB 575; SB 531; SB 452 and adopted SJR 21, SCR 43.

The following letters of nomination for appointment from the Governor were read and laid on the table on motion of Senator Adams:

STATE OF DELAWARE
Office of the Governor
June 30, 1986

To the Senate of the 133rd 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 R. Anderson, Sr., Chase Lane, R.D. 2, Middletown, DE 19709, to be appointed as a Justice of the Peace, in and for New Castle County, State of Delaware, for a four year term to replace Joseph F. Desmond, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
June 30, 1986

To the Senate of the 133rd General Assembly of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Margaret L. Barrett, 711 Miller Drive, Dover, DE 19901, to be reappointed as a Justice of the Peace, in and for Kent County, State of Delaware, for a term of four years.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
June 30, 1986

To the Senate of the 133rd 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: Richard L. Brandenburg, P. O. Box 126, Odessa, DE 19730, to be reappointed as a Justice of the Peace, in and for New Castle County, State of Delaware, for a term of four years.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
June 30, 1986

To the Senate of the 133rd 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: Franklin C. Daiber, 1 Saddle Circle, Newark, DE 19711, to be appointed Chairman of the Advisory Council on Tidal Finfisheries to serve a five year term to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
June 29, 1986

To the Senate of the 133rd 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: Evelyn H. Greenwood, 547 Pennsylvania Ave., Dover, DE 19901, to be reappointed as a member of the Environmental Appeals Board to serve a three year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
June 26, 1986

To the Senate of the 133rd 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: Earp F. Jennings, Jr., 21 Oxford Place, Hockessin, DE 19707, to be reappointed as a member of the Delaware Solid Waste Authority for a three year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
June 30, 1986

To the Senate of the 133rd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Virginia W. Johnson, 2204 N. Harrison St., Wilmington, DE 19802, to be reappointed as a Justice of the Peace, in and for New Castle County, State of Delaware, for a term of four year.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
June 30, 1986

To the Senate of the 133rd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: George W. Kershner, III, R. D. 2, Box 990, Felton, DE 19943, to be reappointed as a Justice of the Peace, in and for Kent County, State of Delaware, for a term of four years.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
June 30, 1986

To the Senate of the 133rd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Anthony P. Mentis, 44 Candlewick Drive, Dover, DE 19901, to be appointed as a Justice of the Peace, in and for Kent County, State of Delaware, to serve a four year term to replace Helen M. Brandt, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
June 30, 1986

To the Senate of the 133rd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Thomas J. Orr, 2502 Bay Avenue, Lewes, DE 19958, to be reappointed as a Justice of the Peace, in and for Sussex County, State of Delaware, for a term of four years.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
June 30, 1986

To the Senate of the 133rd 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, R. D. 2, Box 798, Felton, DE 19943, to be reappointed as a Justice of the Peace, in and for Kent County, State of Delaware, for a term of four years.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
June 30, 1986

To the Senate of the 133rd 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 Frank Plack, Jr., P. O. Box 326, Milford, DE 19963, to be reappointed as a Justice of the Peace, in and for Sussex County, State of Delaware, for a term of four years.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

STATE OF DELAWARE
Office of the Governor
June 30, 1986

To the Senate of the 133rd 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: Dorothy L. Wilkinson, R.D. 4, Box 205, Seaford, Delaware, to be a member of the Delaware Advisory Council on Natural Areas of the State of Delaware to serve a four year term to replace Franklin C. Daiber, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

STATE OF DELAWARE
Office of the Governor
September 18, 1986

To the Senate of the 133rd 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 E. Brady, 2219 West 17th Street, Wilmington, DE 19806, to be erappointed as a member of the Board of Trustees, Delaware Technical and Community College, to serve a three year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

STATE OF DELAWARE
Office of the Governor
September 18, 1986

To the Senate of the 133rd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: William E. Buxbaum, 7 Brandywine Falls, Wilmington, DE 19806, to be appointed as a member of the Board of Pension Trustees to serve a four year term, to replace Edward D. Harvey, resigned.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

STATE OF DELAWARE
Office of the Governor
September 18, 1986

To the Senate of the 133rd 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 J. Corrigan, Bridleshire Court, Newark, DE 19711, to be appointed Chairman of the Delaware Alcoholic Beverage Control Commission to serve a term during the pleasure of the Governor to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
September 18, 1986

To the Senate of the 133rd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Harry E. Derrickson, 18 School Lane, Rehoboth, DE 19971, to be appointed as a member of the Environmental Appeals Board to serve a three year term to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
September 18, 1986

To the Senate of the 133rd 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: Scott R. Douglass, 602 West 21st Street, Wilmington, DE 19802, to be appointed as Budget Director, State of Delaware, to serve a term during the pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
September 18, 1986

To the Senate of the 133rd 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: Richard M. Farmer, 19 Crippen Drive, New Castle, DE 19720, to be reappointed as a member of the State Board of Education to serve a six year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
September 18, 1986

To the Senate of the 133rd 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 P. Gaul, 213 McCallmont Road, New Castle, DE 19720, to be appointed as a member of the Commission of Adult Entertainment Establishments for a term to expire June 24, 1988, to replace Dr. Jules Belford, resigned.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
September 18, 1986

To the Senate of the 133rd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Stephen T. Golding, 840 Causez Avenue, Claymont, DE 19703, to be appointed as Secretary of the Department of Finance, State of Delaware, to serve during the pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
September 18, 1986

To the Senate of the 133rd 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: Terrance L. Higgins, R.D. 1, Box 288, Marydel, DE 19964, to be reappointed as a member of the Delaware Advisory Council on Natural Areas to serve a four year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
September 18, 1986

To the Senate of the 133rd 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: E. Vernon Ingram, Jr., 402 Greenhill Road, Dover, DE 19901, to be appointed as a member of the State Personnel Commission to serve a term to expire June 24, 1988, to replace Albert W. Holmes, Sr., deceased.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
September 18, 1986

To the Senate of the 133rd 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: Annie B. King, 189 Ryan Avenue, New Castle, DE 19720, to be reappointed as a member of the Consumer Affairs Board to serve a four year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
September 18, 1986

To the Senate of the 133rd 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: Kenneth M. Millman, R. D. 1, Box 405, Lincoln, DE 19960, to be appointed as an Associate Judge of the Family Court of the State of Delaware, resident in Sussex County, for a term of twelve years to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
September 18, 1986

To the Senate of the 133rd 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: Almetia J. Murray, 103 Maple Drive, Lewes, DE 19958, to be reappointed as a Justice of the Peace in and for Sussex County, State of Delaware, to serve a four year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
September 18, 1986

To the Senate of the 133rd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Margaret G. Scrivens, 215 West 20th Street, Wilmington, DE 19802, to be reappointed as a member of the State Board of Parole to serve a four year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

STATE OF DELAWARE
Office of the Governor
September 18, 1986

To the Senate of the 133rd 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: Mary J. Sheldrake, 950 Crossan Road, Newark, DE 19711, to be appointed as a member of the Environmental Appeals Board to serve a term expiring June 30, 1987, to replace Holger Harvey, resigned.

Your consideration of this nomination will be appreciated.

Sincerely,
Michael N. Castle, Governor

The following letters from the Governor were read:

STATE OF DELAWARE
Office of the Governor
September 18, 1986

To the Members of the Senate of the 133rd General Assembly

The following nomination submitted to the Senate on May 6, 1986, is hereby formally withdrawn: Thomas John Shopa to be appointed Chairman of the Delaware Alcoholic Beverage Control Commission.

Sincerely,
Michael N. Castle, Governor

STATE OF DELAWARE
Office of the Governor
September 18, 1986

To the Members of the Senate of the 133rd General Assembly

The following nomination submitted to the Senate on June 25, 1986, is hereby formally withdrawn: James F. Waehler to be appointed as a member of the public Employment Relations Board.

Sincerely,
Michael N. Castle, Governor

HB 247 w HA 1 was introduced and taken up for consideration under suspension of the necessary rules on motion of Senator Cordrey:

HB 247 w HA 1 - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE TO REVISE THE AMOUNT OF EMPLOYEE CONTRIBUTIONS TO THE STATE EMPLOYEES' PENSION PLAN. Sponsors: Representatives Roy, Gilligan; Senator Holloway.

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

At 3:05 p.m. on motion of Senator Sharp, the Senate recessed in order to convene for the Extraordinary Session called by the Governor.

EXTRAORDINARY SESSION
September 18, 1986

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
PROCLAMATION

I, MICHAEL N. CASTLE, Governor of the State of Delaware, pursuant to Article III, Section 16 of the Constitution of 1897, do hereby call the Senate of the 133rd General Assembly to convene in Extraordinary Session on Thursday, September 18, 1986, at 2:00 p.m., for the purpose of considering and acting upon such nominations as may be pending before the Senate or which may properly come before it, and such other business as may lawfully come before it.

IN WITNESS WHEREOF, I, MICHAEL N. CASTLE, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of said State to be hereunto affixed at Wilmington, this 15th day of September, in the year of our Lord the one thousand nine hundred eighty-sixth, and of the Independence of the United States of America the two hundred eleventh.

Michael N. Castle, Governor

Attest:

Michael Harkins, Secretary of State

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Pursuant to the above Proclamation, the Senate convened at 3:05 p.m., September 18, 1986, Lt. Governor Woo presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed:

PRESENT: Senators Adams, Bane, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Maretin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 20.

ABSENT: Senator Bair - 1.

On motion of Senator Adams, the Governor's nomination for appointment of David R. Anderson was lifted from the table and considered for confirmation under suspension of the necessary rules. The roll call vote on the nomination was taken and revealed 20 Senators voting YES and 1 (Bair) ABSENT; therefore, the appointment was declared confirmed.

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

On motion of Senator Adams, the Governor's nomination for appointment of Franklin C. Daiber was lifted from the table and considered for confirmation under suspension of the necessary rules. The roll call vote on the nomination was taken and revealed 20 Senators voting YES and 1 (Bair) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Evelyne H. Greenwood was lifted from the table and considered for confirmation under suspension of the necessary rules. The roll call vote on the nomination was taken and revealed 20 Senators voting YES and 1 (Bair) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Robert J. Hanson was lifted from the table and considered for confirmation under suspension of the necessary rules. The roll call vote on the nomination was taken and revealed 20 Senators voting YES and 1 (Bair) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Earp F. Jennings, Jr. was lifted from the table and considered for confirmation under suspension of the necessary rules. The roll call vote on the nomination was taken and revealed 20 Senators voting YES and 1 (Bair) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Virginia W. Johnson was lifted from the table and considered for confirmation under suspension of the necessary rules. The roll call vote on the nomination was taken and revealed 20 Senators voting YES and 1 (Bair) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of George W. Kershner, III, was lifted from the table and considered for confirmation under suspension of the necessary rules. The roll call vote on the nomination was taken and revealed 20 Senators voting YES and 1 (Bair) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Maxine N. L'Abbee was lifted from the table and considered for confirmation under suspension of the necessary rules. The roll call vote on the nomination was taken and revealed 20 Senators voting YES and 1 (Bair) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Barbara K. Madden was lifted from the table and considered for confirmation under suspension of the necessary rules. The roll call vote on the nomination was taken and revealed 20 Senators voting YES and 1 (Bair) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Thomas E. Brady was lifted from the table and considered for confirmation under suspension of the necessary rules. The roll call vote on the nomination was taken and revealed 19 Senators voting YES, 1 (Zimmerman) voting NO and 1 (Bair) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Margaret G. Scrivens was lifted from the table and considered for confirmation under suspension of the necessary rules. The roll call vote on the nomination was taken and revealed 20 Senators voting YES and 1 (Bair) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of John P. Gaul was lifted from the table and considered for confirmation under suspension of the necessary rules. The roll call vote on the nomination was taken and revealed 19 Senators voting YES and 2 (Bair and Zimmerman) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of E. Vernon Ingram, Jr., was lifted from the table and considered for confirmation under suspension of the necessary rules. The roll call vote on the nomination was taken and revealed 20 Senators voting YES and 1 (Bair) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Terrance L. Higgins was lifted from the table and considered for confirmation under suspension of the necessary rules. The roll call vote on the nomination was taken and revealed 20 Senators voting YES and 1 (Bair) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Scott R. Douglass was lifted from the table and considered for confirmation under suspension of the necessary rules. The roll call vote on the nomination was taken and revealed 20 Senators voting YES and 1 (Bair) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Kenneth M. Millman was lifted from the table and considered for confirmation under suspension of the necessary rules. The roll call vote on the nomination was taken and revealed 18 Senators voting YES, 2 (Vaughn, Zimmerman) NOT VOTING, and 1 (Bair) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Stephen T. Golding was lifted from the table and considered for confirmation under suspension of the necessary rules. The roll call vote on the nomination was taken and revealed 20 Senators voting YES and 1 (Bair) ABSENT; therefore, the appointment was declared confirmed.

SENATE CONSENT CALENDAR #29 was introduced and considered for adoption on motion of Senator Minner.

The Calendar was comprised of the following:

SR 135 - EXTENDING THE DEADLINE FOR THE SPECIAL SENATE COMMITTEE ON DRUG PRICING TO PRESENT ITS REPORT TO THE SENATE. Sponsor: Senator Holloway.

SR 137 - URGENTLY REQUESTING THE GOVERNOR TO REFRAIN IMPLEMENTING THE PROVISIONS OF HOUSE BILL NO. 745 RELATING TO THE EXCISE TAX ON TOBACCO PRODUCTS UNTIL SUCH TIME AS AN AD HOC COMMITTEE CAN BE APPOINTED TO FURTHER STUDY THE ISSUE AND REPORT ITS FINDINGS TO THE GOVERNOR AND THE GENERAL ASSEMBLY AND FURTHER REQUESTING THE GOVERNOR TO APPOINT SUCH A COMMITTEE AND FOR SAID COMMITTEE TO REPORTS ITS FINDINGS NO LATER THAN DECEMBER 31, 1986. Sponsors: Senators Adams, Cordrey, Vaughn, Slatcher.

SR 138 - COMMEMORATING THE LIFE OF WILBERT L. GORE, FOUNDER AND BOARD CHAIRMAN OF W. L. GORE & ASSOCIATES, INC. Sponsors: Senators Banc, Neal, Adams, Cordrey.

SR 139 - CONGRATULATING THE DELAWARE SAENGERBUND ON THE CELEBRATION OF ITS 133RD ANNIVERSARY. Sponsors: Senators Neal, Martin.

SR 140 - URGING THE DEPARTMENT OF NATURAL RESOURCES TO DENY RENEWAL OF THE PERMIT OF ATLANTIC COAST ENVIRONMENTAL COMPANY TO DISPOSE OF HAZARDOUS WASTE UNTIL THE FIRM HAS COMPLIED WITH THE DEPARTMENT'S ORDER TO CLEAN UP ITS POLLUTED SITE ON STATE COLLEGE ROAD IN DOVER. Sponsor: Senator Zimmerman.

SR 141 - COMMENDING JOHN E. BARBIARZ SR. OF WILMINGTON FOR HIS OUTSTANDING CONTRIBUTIONS TO THE BETTERMENT OF THE CITY OF WILMINGTON, THE STATE OF DELAWARE, AND THE POLISH COMMUNITY OF DELAWARE. Sponsor: Senator Marshall.

SR 142 - RECOGNIZING OCTOBER AS POLISH AMERICAN HERITAGE MONTH. Sponsor: Senator Marshall.

SR 143 - RECOGNIZING OCTOBER 11, THE 207TH ANNIVERSARY OF THE DEATH OF GENERAL CASIMIR PULASKI, POLISH AMERICAN REVOLUTIONARY WAR HERO. Sponsor: Senator Marshall.

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The roll call vote on the Consent Calendar was taken and revealed 20 Senators voting YES and 1 (Bair) ABSENT; therefore, the Resolutions were declared adopted.

SB 581 was introduced and taken up for consideration under suspension of the necessary rules on motion of Senator McDowell:

SR 581 - AN ACT TO AMEND CHAPTER 21, TITLE 24 OF THE DELAWARE CODE, RELATING TO THE BOARD OF EXAMINERS IN OPTOMETRY. Sponsor: Senator McDowell.

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

The roll call vote on SB 581 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Bair) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 4:35 p.m. on motion of Senator Sharp, the Extraordinary Session called by the Governor adjourned and the Special Session recessed to the call of the President pro Tem.

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The following Legislative Advisories were received from the Office of Counsel to the Governor:

LEGISLATIVE ADVISORY #47. On June 30, 1986 the Governor signed the following: SB 21 (Volume 65, Chapter 333, Laws of Delaware), SB 319 w SA 1, HA 2 (Volume 65, Chapter 334, Laws of Delaware), SB 322 (Volume 65, Chapter 335, Laws of Delaware), SB 331 (Volume 65, Chapter 336, Laws of Delaware), SB 384 w SA 1 (Volume 65, Chapter 337, Laws of Delaware), SB 392 (Volume 65, Chapter 338, Laws of Delaware), SB 395 (Volume 65, Chapter 339, Laws of Delaware), SB 396 (Volume 65, Chapter 340, Laws of Delaware), SB 444 (Volume 65, Chapter 341, Laws of Delaware), SB 449 (Volume 65, Chapter 342, Laws of Delaware), SB 460 w SA 1, HA 1, 2 (Volume 65, Chapter 343, Laws of Delaware), SS 1 for SB 479 (Volume 65, Chapter 344, Laws of Delaware), SB 506 (Volume 65, Chapter 345, Laws of Delaware), SB 508 (Volume 65, Chapter 346, Laws of Delaware), SB 515 (Volume 65, Chapter 347, Laws of Delaware), SB 560 (Volume 65, Chapter 348, Laws of Delaware), SJR 25, SJR 26, HB 46 (Volume 65, Chapter 349, Laws of Delaware), HB 120 w HA 1, 2 (Volume 65, Chapter 350, Laws of Delaware), HB 261 (Volume 65, Chapter 351, Laws of Delaware), HB 288 (Volume 65, Chapter 352, Laws of Delaware), HB 289 (Volume 65, Chapter 353, Laws of Delaware), HB 296 w HA 1 (Volume 65, Chapter 354, Laws of Delaware), HB 323 (Volume 65, Chapter 355, Laws of Delaware), HB 369 w HA 1, SA 1 (Volume 65, Chapter 356, Laws of Delaware), HB 452 w HA 1 (Volume 65, Chapter 357, Laws of Delaware), HB 483 (Volume 65, Chapter 358, Laws of Delaware), HB 488 (Volume 65, Chapter 359, Laws of Delaware), HB 489 (Volume 65, Chapter 360, Laws of Delaware), HB 572 w HA 1, 2 (Volume 65, Chapter 361, Laws of Delaware), HB 573 (Volume 65, Chapter 362, Laws of Delaware), HB 576 w HA 3 (Volume 65, Chapter 363, Laws of Delaware), HB 623 w HA 1 (Volume 65, Chapter 364, Laws of Delaware), HB 654 w HA 1 (Volume 65, Chapter 365, Laws of Delaware), HB 671 (Volume 65, Chapter 366, Laws of Delaware), HB 696 (Volume 65, Chapter 367, Laws of Delaware), HB 697 (Volume 65, Chapter 368, Laws of Delaware), HB 699 (Volume 65, Chapter 369, Laws of Delaware), HB 705 (Volume 65, Chapter 370, Laws of Delaware), HB 706 (Volume 65, Chapter 371, Laws of Delaware), HB 708 (Volume 65, Chapter 372, Laws of Delaware), HB 710 (Volume 65, Chapter 373, Laws of Delaware), HB 711 (Volume 65, Chapter 374, Laws of Delaware), HB 712 (Volume 65, Chapter 375, Laws of Delaware), HB 713 w HA 1 (Volume 65, Chapter 376, Laws of Delaware), HB 719 w HA 1 (Volume 65, Chapter 377, Laws of Delaware), HB 727 w HA 1 (Volume 65, Chapter 378, Laws of Delaware), HB 732 (Volume 65, Chapter 379, Laws of Delaware), HB 733 (Volume 65, Chapter 380, Laws of Delaware), HB 736 (Volume 65, Chapter 381, Laws of Delaware).

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LEGISLATIVE ADVISORY #48. On June 30, 1986 the Governor signed HB 618 (Volume 65, Chapter 382, Laws of Delaware). On July 1 the Governor signed the following: SB 574 (Volume 65, Chapter 383, Laws of Delaware), HB 677 w HA 1 (Volume 65, Chapter 384, Laws of Delaware), HB 766 (Volume 65, Chapter 385, Laws of Delaware). On July 2 the Governor signed the following: SB 383 w SA 1 (Volume 65, Chapter 386, Laws of Delaware), SB 456 (Volume 65, Chapter 387, Laws of Delaware), SB 458 (Volume 65, Chapter 388, Laws of Delaware), SB 469 (Volume 65, Chapter 389, Laws of Delaware), SB 576 w SA 1 (Volume 65, Chapter 390, Laws of Delaware), HS 1 for HB 427 w HA 3 (Volume 65, Chapter 391, Laws of Delaware), HB 559 w HA 1 (Volume 65, Chapter 392, Laws of Delaware), HB 560 (Volume 65, Chapter 393, Laws of Delaware), HB 765 (Volume 65, Chapter 394, Laws of Delaware). The following is a Constitutional Amendment not requiring the Governor's signature: SB 452 (Volume 65, Chapter 395, Laws of Delaware).

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LEGISLATIVE ADVISORY #49. On July 3, 1986 the Governor signed SB 13 w SA 1 (Volume 65, Chapter 396, Laws of Delaware), SB 199 w SA 1 (Volume 65, Chapter 397, Laws of Delaware), SB 241 w SA 1, 2, Volume 65, Chapter 398, Laws of Delaware), SS 1 for SB 351 (Volume 65, Chapter 399, Laws of Delaware), SB 398 (Volume 65, Chapter 400, Laws of Delaware), SB 404 w SA 1 (Volume 65, Chapter 401, Laws of Delaware), SB 457 w SA 1 (Volume 65, Chapter 402, Laws of Delaware), SB 459 (Volume 65, Chapter 403, Laws of Delaware), SB 462 (Volume 65, Chapter 404, Laws of Delaware), SB 470 (Volume 65, Chapter 405, Laws of Delaware), SB 488 (Volume 65, Chapter 406, Laws of Delaware), SB 493 w SA 1, 2 (Volume 65, Chapter 407, Laws of Delaware), SB 494 w SA 1 (Volume 65, Chapter 408, Laws of Delaware), SB 499 (Volume 65, Chapter 409, Laws of Delaware), SB 501 (Volume 65, Chapter 410, Laws of Delaware), SB 507 (Volume 65, Chapter 411, Laws of Delaware), SB 524 (Volume 65, Chapter 412, Laws of Delaware), SB 537 (Volume 65, Chapter 413, Laws of Delaware), SB 544 w SA 1 (Volume 65, Chapter 414, Laws of Delaware), SB 545 (Volume 65, Chapter 415, Laws of Delaware), SB 546 (Volume 65, Chapter 416, Laws of Delaware), SB 547 (Volume 65,

Chapter 417, Laws of Delaware), SB 551 (Volume 65, Chapter 418, Laws of Delaware), SB 554 (Volume 65, Chapter 419, Laws of Delaware), SB 555 (Volume 65, Chapter 420, Laws of Delaware), SB 575 (Volume 65, Chapter 421, Laws of Delaware), SB 577 (Volume 65, Chapter 422, Laws of Delaware), HB 226 (Volume 65, Chapter 423, Laws of Delaware), HB 395 w HA 1 (Volume 65, Chapter 424, Laws of Delaware), HB 423 (Volume 65, Chapter 425, Laws of Delaware), HB 462 w HA 1 (Volume 65, Chapter 426, Laws of Delaware), HB 481 (Volume 65, Chapter 427, Laws of Delaware), HB 506 w HA 1 (Volume 65, Chapter 428, Laws of Delaware), HB 535 (Volume 65, Chapter 429, Laws of Delaware), HB 569 (Volume 65, Chapter 430, Laws of Delaware), HB 570 (Volume 65, Chapter 431, Laws of Delaware), HB 590 (Volume 65, Chapter 432, Laws of Delaware), HB 628 (Volume 65, Chapter 433, Laws of Delaware), HB 642 w HA 1 (Volume 65, Chapter 434, Laws of Delaware), HB 650 (Volume 65, Chapter 435, Laws of Delaware), HB 698 (Volume 65, Chapter 436, Laws of Delaware), HB 707 (Volume 65, Chapter 437, Laws of Delaware), HB 730 (Volume 65, Chapter 438, Laws of Delaware), HB 731 (Volume 65, Chapter 439, Laws of Delaware), HB 737 (Volume 65, Chapter 440, Laws of Delaware), HB 745 w HA 1 (Volume 65, Chapter 441, Laws of Delaware). On July 7, 1986 the Governor signed SB 463 (Volume 65, Chapter 442, Laws of Delaware), SB 481 (Volume 65, Chapter 443, Laws of Delaware), SB 495 w SA 1, 4 (Volume 65, Chapter 444, Laws of Delaware), HB 680 w HA 1 (Volume 65, Chapter 445, Laws of Delaware), HB 695 w HA 1, 2 (Volume 65, Chapter 446, Laws of Delaware). On July 3, 1986 the Governor vetoed SB 114; SB 300 w SA 1; SB 411; HB 342.

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LEGISLATIVE ADVISORY #50. On July 8, 1986, the Governor signed SB 175 w SA 1 (Volume 65, Chapter 447, Laws of Delaware), SS 1 for SB 260 (Volume 65, Chapter 448, Laws of Delaware), SB 370 w HA 1 (Volume 65, Chapter 449, Laws of Delaware), SB 387 (Volume 65, Chapter 450, Laws of Delaware), SB 429 (Volume 65, Chapter 451, Laws of Delaware), SB 435 (Volume 65, Chapter 452, Laws of Delaware), SB 487 (Volume 65, Chapter 453, Laws of Delaware), SB 497 (Volume 65, Chapter 454, Laws of Delaware), SB 516 w SA 1 (Volume 65, Chapter 455, Laws of Delaware), SB 518 w HA 1, 2 (Volume 65, Chapter 456, Laws of Delaware), SB 530 (Volume 65, Chapter 457, Laws of Delaware), SB 531 (Volume 65, Chapter 458, Laws of Delaware), SB 562 (Volume 65, Chapter 459, Laws of Delaware), SB 565 (Volume 65, Chapter 460, Laws of Delaware), SJR 21, HB 107 w HA 1 (Volume 65, Chapter 462, Laws of Delaware), HB 124 w HA 1, 2, 3 (Volume 65, Chapter 463, Laws of Delaware), HB 163 w HA 1 (Volume 65, Chapter 464, Laws of Delaware), HB 249 (Volume 65, Chapter 465, Laws of Delaware), HB 368 w HA 1 (Volume 65, Chapter 466, Laws of Delaware), HB 382 w HA 1, 2 (Volume 65, Chapter 467, Laws of Delaware), HB 402 (Volume 65, Chapter 468, Laws of Delaware), HB 454 (Volume 65, Chapter 469, Laws of Delaware), HB 463 (Volume 65, Chapter 470, Laws of Delaware), HB 504 w HA 1 (Volume 65, Chapter 471, Laws of Delaware), HB 523 (Volume 65, Chapter 472, Laws of Delaware), HB 530 w HA 1 (Volume 65, Chapter 473, Laws of Delaware), HB 541 w HA 1 (Volume 65, Chapter 474, Laws of Delaware), HB 557 w HA 1 (Volume 65, Chapter 475, Laws of Delaware), HB 558 w HA 1 (Volume 65, Chapter 476, Laws of Delaware), HB 597 w HA 1, 2, 3, 4, 5, SA 1, 2, 3 (Volume 65, Chapter 477, Laws of Delaware), HB 617 (Volume 65, Chapter 478, Laws of Delaware), HB 630 w HA 1 (Volume 65, Chapter 479, Laws of Delaware), HB 640 w HA 1 (Volume 65, Chapter 480, Laws of Delaware), HB 644 (Volume 65, Chapter 481, Laws of Delaware), HB 729 (Volume 65, Chapter 482, Laws of Delaware), HB 755 w HA 1 (Volume 65, Chapter 483, Laws of Delaware), HB 758 w HA 1 (Volume 65, Chapter 484, Laws of Delaware). On July 9, 1986 the Governor signed SB 109 w HA 1 (Volume 65, Chapter 485, Laws of Delaware), SB 204 w SA 1, HA 1 (Volume 65, Chapter 486, Laws of Delaware), SS 2 for SB 313 w SA 1, HA 2 (Volume 65, Chapter 487, Laws of Delaware), SB 361 w SA 1, 2, 6, HA 1 (Volume 65, Chapter 488, Laws of Delaware), SB 417 w SA 1 (Volume 65, Chapter 489, Laws of Delaware), SB 503 w HA 1 (Volume 65, Chapter 490, Laws of Delaware), SB 513 w SA 1 (Volume 65, Chapter 491, Laws of Delaware), SB 542 (Volume 65, Chapter 492, Laws of Delaware), HS 1 for HB 116 w HA 1, 2, 3 (Volume 65, Chapter 493, Laws of Delaware), HS 1 for HB 326 w HA 1, 2 (Volume 65, Chapter 494, Laws of Delaware), HB 335 w SA 1 (Volume 65, Chapter 495, Laws of Delaware), HB 336 (Volume 65, Chapter 496, Laws of Delaware), HB 464 (Volume 65, Chapter 497, Laws of Delaware), HB 474 w HA 2 (Volume 65, Chapter 498, Laws of Delaware), HB 503 w HA 1 (Volume 65, Chapter 499, Laws of Delaware), HB 508 w HA 1 (Volume 65, Chapter 500, Laws of Delaware), HB 510 (Volume 65, Chapter 501, Laws of Delaware), HB 511 w HA 1 (Volume 65, Chapter 502, Laws of Delaware), HB 526 w HA 1, 2 (Volume 65, Chapter 503, Laws of Delaware), HB 536 (Volume 65, Chapter 504, Laws of Delaware), HB 542 (Volume 65, Chapter 505, Laws of Delaware), HB 563 w HA 1 (Volume 65, Chapter 506, Laws of Delaware), HB 571 w HA 1 (Volume 65, Chapter 507, Laws of Delaware), HB 581 w HA 1, SA 1 (Volume 65, Chapter 508, Laws of Delaware), HB 599 w HA 1, 2 (Volume 65, Chapter 509, Laws of Delaware), HB 601 w HA 1, 2, SA 1, 2 (Volume 65, Chapter 510, Laws of Delaware), HB 703 w HA 1 (Volume 65, Chapter 511, Laws of Delaware), HB 704 w HA 1 (Volume 65, Chapter 512, Laws of Delaware), HB 734 (Volume 65, Chapter 513, Laws of Delaware), HB 735 (Volume 65, Chapter 514, Laws of Delaware), HB 747 (Volume 65, Chapter 515, Laws of Delaware), HB 754 w HA 1 (Volume 65, Chapter 516, Laws of Delaware). On July 10, 1986, the Governor signed SB 220 w HA 1 (Volume 65, Chapter 517, Laws of Delaware), SB 378 (Volume 65, Chapter 518, Laws of Delaware), HB 548 w SA 1 (Volume 65, Chapter 519, Laws of Delaware), HB 621 (Volume 65, Chapter 520, Laws of Delaware), HB 622 (Volume 65, Chapter 521, Laws of Delaware). On July 8, 1986 the Governor vetoed SB 528, SB 550 w SA 1. On July 9 the Governor vetoed HB 122. On July 10 the Governor vetoed HB 103, HB 361 w HA 1, HB 521 w HA 2 and HB 596 w HA 1, 2, 3.

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LEGISLATIVE ADVISORY #51. On July 24, 1986 the Governor signed SB 578 (Volume 65, Chapter 461, Laws of Delaware).

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LEGISLATIVE ADVISORY #52. On October 10, 1986, the Governor signed HB 247 w HA 1 (Volume 65, Chapter 522, Laws of Delaware).

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The following veto letters were received from the Governor:

STATE OF DELAWARE
Office of the Governor
July 8, 1986

To the Senate of the 133rd General Assembly
of the State of Delaware

On July 1, 1986, I received Senate Bill No. 550 as amended by Senate Amendment No. 1, which is entitled: "AN ACT TO AMEND CHAPTER 17, TITLE 18, DELAWARE CODE RELATING TO LIMITED REPRESENTATIVES."

This bill eliminates the requirement that limited representatives (insurance agents who are licensed to sell certain lines of insurance) be examined and further required to take continuing education courses that touch on areas outside of those limited lines of authority for which they are licensed to sell insurance in Delaware.

This bill was drafted based on what appears to be the underlying premise that limited representatives continue to be a separate and identifiable classification of licensee regulated by the Insurance Department. I am informed by the Insurance Department that the classification of limited representative no longer exists since the repeal of 18 Del. C. §1706 formerly entitled: "Definition and Responsibilities of Limited Representative" effective September 15, 1985 (see Del. Laws, c 142, §4). All limited representatives formerly licenses as such by the Insurance Department are now licensed as agents.

If Senate Bill No. 550 as amended by Senate Amendment No. 1 were enacted into law, it would have the effect of recreating the classification of licensee known as limited representatives without defining the term and without setting forth the responsibilities of that class of licensee. Furthermore, there is another technical flaw that appears in Section 2 of the bill which directs that 18 Del. C. §1725 be amended to add a new sentence which reads in part: "No regulation may require additional or continuing education for limited representatives qualified and licenses under Section 1715(b) of this chapter . . ." (Emphasis added)

The reference to 18 Del. C. §1715(b) in Section 2 of Senate Bill No. 550 as amended by Senate Amendment No. 1 is misplaced. In conjunction with the repeal of 18 Del. C. §1706, it should be noted that 18 Del. C. §1715(b) as it related to limited representatives was also repealed effective September 15, 1985, and subsequently replaced by a paragraph relating to "Broker's Certificate of Authority" which has nothing to do with the subject matter of Senate Bill No. 550 as amended by Senate Amendment No. 1. All of these changes are not contained in the hard bound Volume 10 which contains Title 18, but rather can be found in the 1985 Interim Supplement (separate volume).

For the reasons cited above, I am, therefore, returning Senate Bill No. 550 as amended by Senate Amendment No. 1 to the Delaware State Senate without my signature.

Respectfully submitted,

Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
July 8, 1986

To the Senate of the 133rd General Assembly
of the State of Delaware

On July 1, 1986, I received Senate Bill No. 528 which is entitled: "AN ACT TO AMEND CHAPTER 5, PART I, TITLE II OF THE DELAWARE CODE RELATING TO PROHIBITIONS AGAINST CERTAIN TYPES OF KNIVES."

The purpose of this bill is the recodify 11 Del. C. §1446 by defining two separate crimes, one of which is new and involves the possession, use or delivery of a ballistic knife.

Senate Bill No. 528 defines and creates two separate criminal offenses:

1. Unlawfully dealing with a prohibited knife (switchblade knife) - 11 Del. C. §1446(a); and
2. Possession of a prohibited knife (ballistic knife) - 11 Del. C. §1446(b).

The Bill is flawed to the extent that while it creates two separate criminal offenses, only one of those offenses has been classified as either a felony or misdemeanor. Senate Bill No. 528 creates a new 11 Del. C. §1446(c) which classifies the crime of "unlawfully dealing with a prohibited knife" as a Class B misdemeanor. This bill fails to classify the newly created crime of Possession of a Prohibited Knife as either a felony or misdemeanor nor does the bill establish the grade of misdemeanor or felony (i.e. A, B, C, or unclassified). This failure to classify the new crime would render the bill in violation of 11 Del. C. §4202(b) which states: "Each misdemeanor defined in this Criminal Code is either a Class A or a Class B or a Class C misdemeanor, as expressly designated in the section defining it." (Emphasis added)

The section of the Delaware Code defining classification of felonies (11 Del. C. §4201(b)) also has the identical requirement that classification once a crime is defined in the Criminal Code, must be designated in the section defining it. Without defining the classification of misdemeanor or felony that attaches to the crime of Possession of a Prohibited Knife, no penalty in the form of either imprisonment and/or fine may be imposed by any of this State's courts. And furthermore, a crime without a penalty cannot be enforced or serve as a deterrent.

For the reasons cited above, I am, therefore, returning Senate Bill No. 528 to the Delaware State Senate without my signature.

Respectfully submitted,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
July 3, 1986

To the Delaware State Senate of the 133rd General Assembly
of the State of Delaware

On June 30, 1986, I received Senate Bill No. 411 which is entitled: "AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE AUTHORITY OF KENT COUNTY TO ESTABLISH BUILDING PERMIT FEES AND ESTABLISH PENALTIES FOR OFFENSES OR VIOLATION OF ITS CONSTRUCTION CODE."

This bill provides Kent County with the exclusive authority to establish fees for building permits and, by ordinance, to establish penalties and fines for violations of Chapter 44, Title 9, of the Delaware Code.

Section 2 of the Bill specifically provides that Kent County Levy Court shall prescribe, by ordinance, "penalties for offenses for violations...of this Chapter..." Senate Bill No. 411 did not, however, amend 9 Del. C. §4414(b) which provides: "(b) Whoever violates this Section shall be fined not more than \$100 or imprisoned not more than 10 days, or both."

If Senate Bill No. 411 were enacted into law, Chapter 44, Title 9, of the Delaware Code would have conflicting penalty provisions, one providing for the Kent County Levy Court to enact an ordinance to set penalties and violations (9 Del. C. §4410) and the penalties that are specifically prescribed at 9 Del. C. §4414(b). In order to cure this fatal flaw, the draftsman of this bill should strike 9 Del. C. §4414(b) in its entirety.

For the reasons cited above, I am, therefore, returning Senate Bill No. 411 to the Delaware State Senate without my signature.

Respectfully yours,
Michael N. Castle, Governor.

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STATE OF DELAWARE
Office of the Governor
July 3, 1986

To the Delaware State Senate of the 133rd General Assembly of the State of Delaware

I am returning without my signature Senate Bill 114, received on June 26, 1986, which is entitled: "AN ACT TO AMEND CHAPTER 51, TITLE 29, DELAWARE CODE, RELATING TO LEAVE FOR VOLUNTEER EMERGENCY SERVICE."

The intent of the bill is to allow State employees who are active volunteer firefighters or active auxiliary members of fire companies, with the approval of the State Agency for whom they work to respond to fire, rescue, ambulance or other emergency calls during their regular hours of employment without loss of pay, vacation, sick leave or personal leave time.

The subject matter of the bill is already covered by existing Merit Rule 6.0430 as it applies to merit system employees, with two caveats. Senate Bill 114 extends this benefit to active auxiliary fire fighters and broadens the scope of employees covered to other public employees outside the merit rules. It is unknown how many employees are affected or potentially affected by the contents of this bill.

All Delawareans are indebted to volunteer firefighters and their support groups who volunteer countless hours and risk their lives to protect out lives and property. Such service should not and does not go unrewarded, however, fiscal responsibility dictates that this bill cannot be supported.

A great many of the employees to whom this bill would extend the benefit are currently permitted under the existing Merit Rule to participate in such emergency activities without loss of pay provided the agency agrees to such arrangement. The breadth of this bill would extend that beyond current affected employees at a potential cost to the State which is unknown.

From a management perspective, such items should be handled administratively rather than statutorily. Codification of these types of rules make the system rigid and unable to respond to changing times and conditions. Such changes are better left to the State Personnel Commission to respond to the needs of the State and its communities.

For the reasons cited above, I am returning without my signature Senate Bill 114.

Respectfully submitted,
Michael N. Castle, Governor

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STATE OF DELAWARE
Office of the Governor
July 3, 1986

To the Delaware State Senate of the 133rd General Assembly of the State of Delaware

On June 30, 1986, I received Senate Bill No. 300 as amended by Senate Amendment No. 1 which is entitled: AN ACT TO AMEND CHAPTER 21, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF EXAMINERS IN OPTOMETRY."

This bill was written by the Joint Sunset Committee and makes numerous changes to the Board of Optometry, its composition, and procedures under which it should operate.

Section 4 of the Bill amends 21 Del. C. §2112 by striking from the first sentence of §2112 the following: "But which shall in no case exceed \$30.00 biennially."

The effect of striking the above-referenced phrase is to remove the \$30.00 cap on the licensing fee charged by the Board for the renewal of a license to practice optometry in this State. By removing the cap, and not imposing any restrictions or formula to be used in determining the amount of said fee, the legislature has delegated to the Board of Optometry the power to set the fee in such an amount as they please, or presumably, in an amount that they deem is appropriate.

A bill which delegates all power to a professional licensing board to set a registration or license fee as it pleases violates Del. Const. Art. VIII, §10(a) which provides: "The effective rate of any tax levied or license fee imposed by this State may not be increased except pursuant to an act of the General Assembly adopted with the concurrence of three-fifths of all members of each House." (Emphasis added)

It is important to know that it is not unconstitutional for the General Assembly to delegate to an administrative agency or professional licensing board the power to set the amount of a fee. What distinguishes a constitutional from an unconstitutional delegation is whether the legislature delegated the power to set the "rate" of the tax or fee. The primary definition given to the word "rate" by the Random House Dictionary of the English Language (Unabridged, 1966) is "...The amount of a charge or a payment with reference to some basis of calculation."

Thus, a "rate" is not necessarily a fixed dollar amount, but it can also be a standard or formula by which a dollar amount can be calculated. George A. Knotten Asso. v. Fulton Kotten Mills, Inc., 307 F. Supp. 1396, 1399 (SDNY 1970).

Clearly, this legislation, if enacted into law, would not provide the Board of Optometry with any guidance, limitations, standard or formula, to be used by the Board of Optometry in setting the dollar amount for a license fee.

I commend the Joint Sunset Committee for their efforts in modernizing the statutory provisions under which Delaware licensing boards operate. However, because the licensing fee system established by Senate Bill No. 300 as amended by Senate Amendment No. 1 is in contravention of Del. Const. Art. VIII, §10(a), I am returning it without my signature.

Respectfully submitted,
Michael N. Castle, Governor

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RULES
OF
THE
SENATE

**RULES OF THE SENATE
SENATE RESOLUTION NO. 4**

IN REFERENCE TO TEMPORARY RULES OF THE DELAWARE STATE SENATE.

BE IT RESOLVED by the Senate of the 133rd General Assembly that the following Rules of the Senate be and they hereby are adopted as Temporary Rules for the governing of the present session, until further action of the Senate:

Rule 1. ORDER OF BUSINESS

1. Calling of the Senate to Order.
2. Prayer by Chaplain.
3. Salute to Flag
4. Roll Call.
5. Reading of Journal.
6. Presentation of petitions, memorials or communications.
7. Reports from Standing and Special Committees.
8. Reporting by the Secretary of prior filed bills and resolutions.
9. Introductions of all other bills and resolutions by members.
10. Agenda for the day.
11. Miscellaneous business.

Rule 2. CONVENING OF SENATE

Unless otherwise ordered by a majority of its members, the Senate will convene every day, except Monday, Friday, Saturday and Sunday, at 1:30 p.m. All proceedings of the Senate shall be public. Executive sessions by the Senate are expressly prohibited.

Rule 3. ATTENDANCE OF MEMBERS

- (a) Every member shall be in his place at the time to which the Senate stands adjourned.
- (b) No Senator shall absent himself from the service of the Senate without leave.

Rule 4. ROLL CALL; READING OF JOURNAL

Each legislative day and before the Senate proceeds to the consideration of any business, the Secretary shall call the names of the members in alphabetical order, and shall then read the Journal of the preceding legislative day, which shall be approved or corrected by order of the Senate.

Rule 5. CONTENTS OF JOURNAL

The proceedings of the Senate shall be briefly and accurately stated on the Journal; messages to the Governor in full; the titles of all bills and resolutions; every motion with the name of the member making the same, except motions for adjournment; the names of the members voting on all roll calls.

Rule 6. PRESENTATION OF PETITIONS, MEMORIALS OR COMMUNICATIONS TO THE SENATE

(a) After the Journal is read, the Presiding Officer shall lay before the Senate communications or messages from the Governor, reports and communications from Departments or State Boards, and other communications addressed to the Senate, and such bills, joint resolutions and other messages from the House of Representatives as may be upon his table, undisposed of.

(b) When petitions, memorials and other papers addressed to the Senate are presented by the President, or a member, the contents thereof shall be briefly stated.

(c) The Presiding Officer may at any time lay, and it shall be in order at any time for a Senator to move to lay, before the Senate, any bill or other matter sent to the Senate by the Governor or the House of Representatives and any question pending at the time shall be suspended for this purpose. Any motion so made shall be determined without debate.

(d) Messages from the Governor or from the House of Representatives may be received at any stage or proceedings, except while the Journal is being read, or while a question of order or a motion to adjourn is pending.

(e) When a message is brought to the Senate by the Governor or his messenger, or by a member of the House of Representatives, or any officer thereof, the members of the Senate shall rise upon their feet, if so directed by the Presiding Officer.