

Chancery, Register of Wills, Clerk of the Peace and the Recorder of Deeds in New Castle County." Assigned to Judiciary and Elections Committee.

HB 958 — "An Act directing the Secretary of the Department of Natural Resources and Environmental Control to provide for lifeguards and maintenance services at Dewey Beach and Fenwick Island for the 1974 summer season and making a supplementary appropriation therefor." On motion of Senator Cordrey, the Bill was laid on the table.

On motion of Senator Steele, **HB 746 w SA 1** final consideration of which had been deferred from the previous day, was again taken up for consideration.

Senators Isaacs, Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hughes, Murphy, Steele and Zimmerman introduced **SA 2** to the Bill and moved that it be adopted.

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

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hughes, Isaacs, Jarvis, Martin, McCullough, Murphy, Steele, Zimmerman — 15.

NO: Senators Holloway, Kearns and Manning — 3.

NOT VOTING: Senators Castle and Schlör — 2.

ABSENT: Senator Hale — 1.

Therefore, the Amendment was adopted.

The roll call vote on **HB 746 w HA 1, SA 1, 2** was then taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Hughes, Isaacs, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele — 15.

NO: Senators Elliott, Jarvis and Zimmerman — 3.

NOT VOTING: Senators Castle and Holloway — 2.

ABSENT: Senator Hale — 1.

Therefore, the Bill passed the Senate and was ordered back to the House for concurrence in the Senate Amendments:

On motion of Senator Steele, **HB 304 w HA 1, 2** was taken up for consideration and read by title only:

HB 304 w HA 1, 2 — "An Act making a supplemental appropriation to the Department of Highways and Transportation for the purpose of installing traffic signal control equipment at the Millville Firehouse, Millville, Delaware."

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

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

ABSENT: Senators Hale and Manning — 2.

Therefore, the Bill passed the Senate and was ordered back

to the House.

On motion of Senator Zimmerman, **HB 583** was taken up for consideration and read by title only:

HB 583 — “An Act to amend Subchapter VIII of Chapter 41, Title 21, Delaware Code relating to specific speed limits on Delaware Highways.”

On motion of Senator Zimmerman, the roll call on the Bill was tabled.

On motion of Senator Berndt, **SB 321** was stricken.

On motion of Senator Kearns, **SB 643** was taken up for consideration and read by title only:

SB 643 — “An Act to amend Chapters 39 of Title 12 of the Delaware Code relating to the appointment of Guardians and to establish the Office of Public Guardian and provide a supplemental appropriation therefor.”

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

On motion of Senator Kearns, **SB 621** was taken up for consideration and read by title only:

SB 621 — “An Act to provide a supplementary appropriation to the Division of State Police, Department of Public Safety, for Operational Costs through June 30, 1974.

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Elliott, Holloway, Isaacs, Kearns, McCullough, Murphy, Schlör, Steele, Zimmerman — 15.

NOT VOTING: Senators Hughes and Jarvis — 2.

ABSENT: Senators Cicione, Hale, Manning and Martin — 4.

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

On motion of Senator Cook, **HB 581 w HA 2** was taken up for consideration and read by title only:

HB 581 w HA 2 — “An Act to amend Chapter 11, Title 28, Delaware Code relating to limitations of Bingo.”

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

YES: Senators Adams, Castle, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, McCullough, Murphy, Schlör, Steele, Zimmerman — 18.

ABSENT: Senators Berndt, Cicione and Martin — 3.

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

On motion of Senator Isaacs, **HB 797** was taken up for consideration and read by title only:

HB 797 — “An Act making a supplementary appropriation to the Legislative Council for fiscal '74 telephone bills.”

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 19.

ABSENT: Senators Cicione and Manning — 2.

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

On motion of Senator Isaacs, **HB 757** was taken up for consideration and read by title only:

HB 757 — “An Act to provide a supplementary appropriation to the Department of Natural Resources and Environmental Control for a Youth Conservation Corps project.”

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Elliott, Holloway, Hughes, Isaacs, Kearns, Manning, McCullough, Murphy, Schlör, Zimmerman — 16.

NOT VOTING: Senator Steele — 1.

ABSENT: Senators Cicione, Hale, Jarvis and Martin — 4.

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

On motion of Senator Steele, **HB 674** was taken up for consideration and read by title only:

HB 674 — “An Act to provide a supplemental appropriation to the Department of Labor for the payment of unemployment benefits to State Employees.”

The roll call vote was taken and announced to be:

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

ABSENT: Senator Cicione — 1.

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

On motion of Senator Steele, **HB 659** was taken up for consideration and read by title only:

HB 659 — “An Act making a supplementary appropriation to the Department of Administrative Services for the purpose of paying employees who failed to receive their annual increment.”

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Elliott, Holloway, Hughes, Isaacs, Jarvis, Kearns, Martin, McCullough, Murphy, Schlör, Steele — 17.

ABSENT: Senators Cicione, Hale, Manning and Zimmerman — 4.

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

On motion of Senator Kearns, **HB 648** was taken up for consideration and read by title only:

HB 648 — "An Act to amend Chapter 14, Title II of the Delaware Code to provide an exception to the Criminal Code Provisions on gambling for a State-operated Lottery."

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

YES: Senators Berndt, Cicone, Cook, Holloway, Hughes, Jarvis, Kearns, Manning, Martin, Murphy, Schlör, Steele, Zimmerman — 13.

NO: Senators Adams, Castle, Cordrey, Elliott, Hale, Isaacs and McCullough — 7.

NOT VOTING: Senator duPont — 1.

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

On motion of Senator Berndt, **HB 356** the roll call on which had been rescinded, was again taken up for consideration.

On motion of Senator Berndt, SA 1 to the Bill which had been placed with the Bill was taken up for consideration.

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

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Isaacs, Kearns, Manning, Martin, Murphy, Schlör, Steele, Zimmerman — 18.

ABSENT: Senators Hughes, Jarvis and McCullough — 3.

Therefore, the Amendment was adopted.

On motion of Senator Berndt, the roll call vote on **HB 356 w SA 1** was then taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Isaacs, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 19.

ABSENT: Senators Hughes and Jarvis — 2.

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

On motion of Senator Cicone, **SB 546** was taken up for consideration and read by title only:

SB 546 — "An Act to amend Title 29, Section 7424, Delaware Code, Relating to responsibility for the preparation and certification of Debt Statement."

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

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Cordrey, duPont, Elliott, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 16.

NO: Senators Holloway and Isaacs — 2.

ABSENT: Senators Hale, Hughes and Jarvis — 3.

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

On motion of Senator Castle, **SB 616** was stricken.

On motion of Senator Castle, **SB 613** was taken up for consideration and read by title only:

SB 613 — “An Act to amend Chapter 1, Part I, Title 25, of the Delaware Code relating to the form, acknowledgment and proof of deeds and other legal instruments.”

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

YES: Senators Berndt, Castle, duPont, Elliott, Hale, Hughes, Jarvis, Kearns, Manning, Martin, Steele — 11.

NO: Senators Adams, Cook, Cordrey, Holloway, Isaacs — 5.

NOT VOTING: Senators McCullough, Murphy and Zimmerman — 3.

ABSENT: Senators Cicione and Schlör — 2.

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

On motion of Senator Zimmerman, **SB 549** was taken up for consideration and read by title only:

SB 549 — “An Act to provide an appropriation to the Division of Mental Health.”

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

YES: Senators Kearns, Martin and Zimmerman — 3.

NO: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Elliott, Hughes, Manning, McCullough, Murphy, Steele — 12.

NOT VOTING: Senators Holloway, Isaacs and Jarvis — 3.

ABSENT: Senators Cicione, Hale and Schlör — 3.

Therefore, the Bill was declared lost.

At 3:15 p.m. on motion of Senator Isaacs, the Senate recessed for forty five minutes.

The Senate reconvened at 4:03 p.m.

On motion of Senator Cordrey, **HB 958** which had been tabled was now lifted and the necessary rules were suspended for its consideration.

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Elliott, Holloway, Hughes, Isaacs, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 18.

ABSENT: Senators Cicione, Hale and Jarvis — 3.

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

On motion of Senator Murphy, **SA 1 to SB 415** was stricken.

On motion of Senator Martin, **SB 469 w SA 2, 6, 7, 8, 10, 11, 14** which had previously passed the Senate was again taken up for consideration as further amended by **HA 1, 2**.

On motion of Senator Jarvis, **SA 15** to the Bill which had been placed with the Bill was taken up for consideration, the roll call vote was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Hale, Holloway, Hughes, Isaacs, Jarvis, Manning, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 18.

ABSENT: Senators Cicione, Elliott and Kearns — 3.

Therefore, the Amendment was declared adopted.

On motion of Senator Jarvis, **SA 16** to the Bill which had been placed with the Bill was taken up for consideration, the roll call vote taken and announced to be:

YES: Senators Adams, Cicione, Cook, Cordrey, Isaacs, Jarvis, Manning, Martin, Murphy — 9.

NO: Senators Berndt, duPont, Hale, Holloway, Kearns, Schlör, Steele, Zimmerman — 8.

NOT VOTING: Senators Castle and Hughes — 2.

ABSENT: Senators Elliott and McCullough — 2.

Therefore, the Amendment was declared lost.

On motion of Senator Hughes, **SA 17** to the Bill, which had been placed with the Bill, was taken up for consideration, the roll call taken and announced to be:

YES: Senators Adams, Berndt, Cordrey, duPont, Elliott, Hughes, Isaacs, Jarvis, Manning, Murphy — 10.

NO: Senators Cicione, Cook, Holloway, Kearns, Martin, Schlör, Steele, Zimmerman — 8.

NOT VOTING: Senator Castle — 1.

ABSENT: Senators Hale and McCullough — 2.

Therefore, the Amendment was declared lost.

On motion of Senator Martin, the roll call vote on **SB 469 w SA 2, 6, 7, 8, 10, 11, 14, 15, HA 1, 2** was then taken and announced to be:

YES: Senators Berndt, Castle, Cook, duPont, Holloway, Hughes, Jarvis, Manning, Martin, McCullough, Schlör, Steele — 12.

NO: Senators Adams, Cicione, Cordrey, Elliott, Kearns, Zimmerman — 6.

NOT VOTING: Senators Isaacs and Murphy — 2.

ABSENT: Senator Hale — 1.

Therefore, the Bill (as so amended) passed the Senate and was ordered to the House for concurrence in **SA 15**.

On motion of Senator Elliott, **SB 435 w SA 1** final con-

sideration of which had been deferred, was again taken up for consideration.

On motion of Senator Elliott, the roll call vote on **SA 1** to the Bill was rescinded and stricken.

On motion of Senator Elliott, the roll call vote on **SB 435** was then taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, Murphy, Schlör — 16.

NO: Senators Cordrey and Steele — 2.

NOT VOTING: Senator Zimmerman — 1.

ABSENT: Senators duPont and McCullough — 2.

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

On motion of Senator Elliott, **SB 480** was taken up for consideration and read by title only:

SB 480 — “An Act to amend Subchapter 1 of Chapter 7, Title 7, Delaware Code relating to the minimum barrel length for primitive weapons.”

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

YES: Senators Adams, Berndt, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, Schlör, Steele, Zimmerman — 17.

ABSENT: Senators Castle, Cicione, McCullough and Murphy — 4.

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

On motion of Senator Elliott, **SB 484** was taken up for consideration and read by title only:

SB 484 — “An Act to amend Subchapter 1 of Chapter 17, Title 7, Delaware Code relating to exemption of licenses for seeing eye dogs.”

On motion of Senator Elliott, final consideration was then deferred.

On motion of Senator Holloway, **HB 802** final consideration of which had been deferred, was again taken up for consideration.

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Hale, Holloway, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele — 16.

NO: Senator Isaacs — 1.

NOT VOTING: Senator Hughes — 1.

ABSENT: Senators Cicione, Elliott, Zimmerman — 3.

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

Senator Holloway, Chairman of Health and Social Services Committee, reported back to the Senate: **SS 1 for SB 563** — 1 Favorable, 4 Merits.

Senator Isaacs, Chairman of the Executive Committee, reported back to the Senate: **HB 319** — 2 Favorable, 3 Merits.

Senator Isaacs, Chairman of the Natural Resources and Environmental Control Committee, reported back to the Senate: **HB 728** — 2 Favorable, 2 Merits.

Senator Schlor, Chairman of the Public Safety Committee, reported back to the Senate: **HB 561** — 4 Merits.

On motion of Senator Elliott, **SB 559** was taken up for consideration and read by title only:

SB 559 — “An Act to amend Subchapter 1 of Chapter 5, Title 7, Delaware Code, relating to compensation to persons authorized to sell licenses.”

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

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

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

Senator Isaacs introduced **SR 218** and moved that it be adopted.

SR 218 — “Providing a Supplementary Appropriation for the purpose of paying the salaries of Officers of the Senate for the remainder of Fiscal 1973—74.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Martin, McCullough, Murphy, Schlor, Steele — 19.

ABSENT: Senators Manning and Zimmerman — 2.

Therefore, the Resolution was adopted.

Senator Isaacs (with all the Senators as co-sponsors) introduced **SR 216** and moved that it be adopted.

SR 216 — “Expressing Happy Birthday sentiments to Senator George Jarvis of Newark.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Martin, McCullough, Murphy, Schlor, Steele, Zimmerman — 19.

NOT VOTING: Senator Jarvis — 1.

ABSENT: Senator Manning — 1.

Therefore, the Resolution was adopted.

Senator Isaacs introduced **SR 217** and moved that it be adopted.

SR 217 — "To debit Senate Travel Account for legislator's mileage of the present Session of the 127th General Assembly."

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

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

Therefore, the Resolution was adopted.

Senator Isaacs introduced **SR 219** and moved that it be adopted.

SR 219 — "Authorizing payments for services rendered by the Staff of the Senate of the 127th General Assembly."

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, duPont, Elliott, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 19.

ABSENT: Senators Cordrey and Hale — 2.

Therefore, the Resolution was adopted.

At 5:52 p.m. on motion of Senator Isaacs, the Senate recessed until June 4, 1974.

The Senate reconvened at 1:49 p.m. June 4, 1974, Lt. Governor Bookhammer presiding.

The Secretary read the following message from the House:

6—4—74

Mr. President:

The House wishes to inform the Senate that it has passed **HB 675 w HA 2, 3, 4; HB 868; HS 1 for HB 358; HB 608** and requests the concurrence of the Senate.

The House also passed **SB 410; SB 568 w SA 1** and is returning same to the Senate.

Senator Cook introduced **SB 660:**

SB 660 — "An Act to amend Chapter 87, Title 10, Delaware Code, relating to mileage fees charged by the Sheriffs." Assigned to Judiciary and Elections Committee.

Senator Hale introduced **SB 661:**

SB 661 — "An Act to amend Chapter 26, Title 14, Delaware Code, relating to Vocational Schools." Assigned to Education Committee.

Senator Berndt introduced **SB 662:**

SB 662 — "An Act approving of the sale, transfer and conveyance of approximately 24.89 acres of Public Land by the Department of Natural Resources and Environmental Control

to the Sun Oil Company of Pennsylvania." Assigned to Energy Committee.

Senators Zimmerman and Hughes; Representatives Boulden, Gilligan, Poulterer, Powell and Sincock introduced **SB 663**:

SB 663 — "An Act to amend Chapter 6, Title 17, Delaware Code, authorizing the Department of Highways and Transportation of the State of Delaware to construct, maintain, repair, improve and operate an Express Toll Highway from a point in the vicinity of U.S. Route 13 below the City of Dover near Woodside to a connection with the existing Delaware Turnpike including a Spur to U.S. Route 301 to the Maryland State Line, to maintain, repair, improve and operate the existing Delaware Turnpike, to issue Turnpike Revenue Bonds of the Department, payable solely from tolls and other revenues, for the purpose of paying, with other available funds, the cost of said Express Toll Highway and improvements to the existing Delaware Turnpike and for the purpose of refunding Turnpike Revenue Bonds issued for the existing Delaware Turnpike, to collect tolls for the use of the Delaware Turnpikes and to pledge such tolls and other revenues to the payment of the Turnpike Revenue Bonds and the State Bonds herein authorized; authorizing the Department to issue Turnpike Revenue Refunding Bonds; authorizing the State of Delaware to borrow money for the purpose of paying a part of the cost of said express Toll Highway and to issue Bonds and Notes therefore in an amount not exceeding \$100,000,000 upon the full faith and credit of the State of Delaware; appropriating, subject to reimbursement from Bond proceeds, \$1,500,000 for preliminary expenses; and repealing Sections 601 through 623, Chapter 6, Title 17, Delaware Code, upon provision being made for the retirement of Turnpike Revenue Bonds issued for the existing Delaware Turnpike." Assigned to Highways, Transportation and Insurance Committee.

Senator Elliott introduced **SB 664**:

SB 664 — "An Act to amend Part I, Chapter 5, Subchapter VII, Subpart B, Title 11, Delaware Code, by adding a new Section 1357, prohibiting Motion Picture operators from permitting minors to attend 'X' rated movies." Assigned to Judiciary and Elections Committee.

Senator Cicione introduced **SB 665**:

SB 665: — "An Act to provide a supplementary appropriation to the Department of Public Instruction to be used in compensating the De La Warr School District." Assigned to Finance Committee.

Senator Kearns introduced **SS 1 for SB 643**. Adopted in lieu of the Original and assigned to Judiciary and Elections Committee.

Senator Holloway introduced **SR 220** and moved that it be adopted.

SR 220 — “Establishing a Committee to study ways and means of expanding Small Business Opportunities in Delaware.”

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

YES: Senators Adams, Cicione, Cook, Cordrey, duPont, Elliott, Holloway, Hughes, Isaacs, Kearns, Manning, Martin, Murphy, Zimmerman — 14.

NO: Senator Steele — 1.

ABSENT: Senators Berndt, Castle, Hale, Jarvis, McCullough, Schlor — 6.

Therefore, the Resolution was adopted.

Senator Isaacs, introduced **SCR 61** and moved that it be adopted.

SCR 61 — “Providing that a Joint Session of the House of Representatives and the Senate be convened to hear a message from Sherman W. Tribbitt, Governor of the State of Delaware, outlining the Financial Status of the State of Delaware.”

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

YES: Senators Adams, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Manning, Martin, Murphy, Steele, Zimmerman — 17.

ABSENT: Senators Berndt, Jarvis, McCullough and Schlor — 4.

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

Senator Elliott introduced **SA 1 to SB 484**. Placed with the Bill.

Senator Murphy introduced **SA 2 to SB 573**. Placed with the Bill.

Senator Elliott introduced **SA 7 to SB 584**. Placed with the Bill.

Senator duPont introduced **SA 8 to SB 584**. Placed with the Bill.

Senator Elliott introduced **SA 9 to SB 584**. Placed with the Bill.

Senator Zimmerman introduced **SA 10 to SB 584**. Placed with the Bill.

Senator Elliott introduced **SA 11 to SB 584**. Placed with the Bill.

Senator Steele introduced **SA 1 to SB 646**. Placed with the Bill.

Senator Elliott introduced **SA 3 to SB 650**. Placed with the Bill.

Senator Isaacs, Chairman of the Natural Resources and Environmental Control Committee, reported back to the Senate: **SB 647** — 4 Merits.

At 2:03 p.m. on motion of Senator Isaacs, the Senate adjourned to immediately convene for the 42nd Day.

42ND LEGISLATIVE DAY

The Senate convened at 2:03 p.m. June 4, 1974, Lt. Governor Bookhammer presiding.

A Prayer was offered by the Chaplain.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

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

ABSENT: Senator Jarvis — 1.

The Journal was approved as read.

The following communication was presented by Senator Isaacs and made part of the record:

STATE OF DELAWARE
DOVER

June 4, 1974

Mr. President and Members of the Senate

One of our great sister states, Connecticut, has now followed the Delaware plan for handling the energy crisis. Delaware did it last November. Connecticut did it on May 31st. On that day, Governor Meskill signed a bill giving himself strong emergency powers and creating a legislative committee for review. There are differences in the plan as compared with the one we have been using in Delaware but the basic pattern is similar. In Connecticut there are six members of the overview committee and a majority is required to veto an order or proclamation by the Governor. I bring this to your attention to show how Delaware did lead the nation in meeting the energy crisis. New York came along with a similar plan, but not until the end of February.

I would like to thank and commend all of my colleagues in the Senate for the part they have played in this leadership. But I would also like to sound a warning....I do not believe we are out of the energy crisis yet and I very much dread to think what may happen if we have an old-fashioned cold winter during the coming year. My sincere thanks.

Respectfully
(Signed) Don
J. Donald Isaacs

The Chair introduced the following House Bills:

HB 608 — “An Act to amend Chapter 10, Part I, Title 14 of the Delaware Code relating to elections in Reorganized School Districts.” Assigned to Education Committee.

HS 1 for HB 358 — “An Act to amend Part VII, Title 7 of the Delaware Code relating to the control and abatement of noise.” Assigned to Natural Resources and Environmental Control Committee.

HB 675 w HA 2, 3, 4 — “An Act to amend Chapters 4 and 5 of Title 28, Delaware Code, relating to the tax of Pari-mutuel and Totalizator Pools.” Assigned to Revenue and Taxation Committee.

HB 868 — “An Act to amend Chapter 63, Part VI, Title 29 of the Delaware Code relating to the Budget Appropriation Bill; and providing for an extension of the Previous Budget on a Pro Rata Basis.” Assigned to Executive Committee.

On motion of Senator Kearns, **SB 634** was taken up for consideration and read by title only:

SB 634 — “An Act to amend Chapter 15, Title 13 of the Delaware Code relating to Divorce and Annulment; and changing the jurisdiction for uncontested Divorces from the Superior Court to the Court of Common Pleas.

On motion of Senator Kearns, final consideration of the Bill was deferred.

On motion of Senator Adams, **SB 630** was taken up for consideration and read by title only:

SB 630 — “An Act to amend Titles 3 and 29, Delaware Code, relating to the Classification of certain State Employees in the Department of Agriculture presently excluded from the Merit System.”

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

YES: Senators Adams, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Holloway, Hughes, Isaacs, Kearns, Manning, Martin, Murphy, Steele — 15.

NOT VOTING: Senator McCullough — 1.

ABSENT: Senators Berndt, Hale, Jarvis, Schlor and Zimmerman — 5.

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

On motion of Senator duPont, **SS 1 for SB 532** was taken up for consideration and read by title only:

SS 1 for SB 532 — “An Act to amend Chapter 3, Part I, Title 30 of the Delaware Code relating to the Tax Appeal Board.”

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

YES: Senators Adams, Castle, Cook, duPont, Elliott, Hale, Holloway, Hughes, Manning, Murphy, Steele — 11.

NO: Senators Cicione, Cordrey, McCullough — 3.

NOT VOTING: Senators Isaacs and Kearns — 2.

ABSENT: Senators Berndt, Jarvis, Martin, Schlör, Zimmerman — 5.

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

At 2:33 p.m. on motion of Senator Isaacs, the Senate recessed for half an hour.

The Senate reconvened at 4:01.

On motion of Senator Adams, **HB 770 w HA 1** was taken up for consideration and read by title only:

HB 770 w HA 1 — “An Act to amend Titles 7 and 29, Delaware Code, relating to transfer of the powers, duties, and functions of forestry from the Division of Parks, Recreation and Forestry of the Department of Natural Resources and Environmental Control to the Department of Agriculture.”

At the request of Senator Adams, the privilege of the floor was extended to Secretary Isaacs of the Department of Agriculture, to speak on the Bill.

The following communication was included in the record at the request of Senator Adams:

STATE OF DELAWARE
Department of Natural Resources
and Environmental Control

May 21, 1974

Honorable Howard A. Clendaniel
Georgetown, Delaware
Dear Representative Clendaniel:

Please be advised that the Department has no objections to House Bill No. 770.

If you have any questions regarding the matter, please do not hesitate to contact me.

Sincerely,
John C. Bryson
Secretary

On motion of Senator Adams, the roll call vote on the Bill was tabled before it was announced.

On motion of Senator Murphy, **HB 607** was taken up for consideration and read by title only:

HB 607 — “An Act to amend Chapter 11, Title 9, Delaware Code relating to the salary of members of New Castle County Council.”

At the request of Senator Murphy, the privilege of the floor was extended to Representative Jonkiert to speak on the Bill.

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

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

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Hale, Holloway, Kearns, Manning, Martin, Murphy, Schlör, Zimmerman — 14.

NO: Senators McCullough and Steele — 2.

NOT VOTING: Senators Elliott, Hughes and Isaacs, — 3.

ABSENT: Senators Castle and Jarvis — 2.

Therefore, the motion prevailed and the roll call vote on the Bill was tabled.

On motion of Senator Cook, **SB 644** was taken up for consideration and read by title only:

SB 664 — An Act to provide a supplemental appropriation to the Division of Maintenance and Communications, Department of Administrative Services, for operational costs through June 30, 1974.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Holloway, Hughes, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Zimmerman — 17.

NO: Senators Hale and Steele — 2.

NOT VOTING: Senator Isaacs — 1.

ABSENT: Senator Jarvis — 1.

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

On motion of Senator Holloway, **SB 507** was taken up for consideration and read by title only:

SB 507 — “An Act to amend Subchapter 11 of Chapter 7, Title 19, Delaware Code relating to discrimination in employment.”

At the request of Senator Holloway, the following communication was read into the record:

MEDICAL SOCIETY OF DELAWARE
Wilmington, Delaware

April 17, 1974

Senator Herman M. Holloway
Wilmington, Delaware
Dear Senator Holloway:

The Board of Trustees of the Medical Society of Delaware supports S.S. 507, Relating to Discrimination in Employment, and S.B. 508, Relating to Equal Rights to Housing and Public Accommodations Because of Sexual Preference. We do recom-

mend that in both bills, the wording "Sexual preference" be changed to "sexual orientation."

Sincerely,
(Signed) William J. Vandervort, M.D.
President

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

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

YES: Senators Adams, Cicione, Cook, Hale, Holloway, Isaacs, Kearns, Manning, Martin, Murphy, Schlor — 11.

NO: Senators Berndt, Cordrey, duPont, Elliott, Hughes, Steele, Zimmerman — 7.

NOT VOTING: Senators Castle and McCullough — 2.

ABSENT: Senator Jarvis — 1.

Therefore the Amendment was adopted.

The roll call vote on **SB 507 w SA 1** was then taken and announced to be:

YES: Senators Holloway and Manning — 2.

NO: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Hughes, Kearns, Martin, McCullough, Murphy, Schlor, Steele, Zimmerman — 17.

NOT VOTING: Senator Isaacs — 1.

ABSENT: Senator Jarvis — 1.

Therefore, the Bill was declared lost.

At the request of Senator Holloway, **SB 508** was stricken.

On motion of Senator Holloway, **SB 640** was taken up for consideration and read by title only:

SB 640 — "An Act to amend Chapters 19 and 55, Delaware Code, relating to the registration and voting of persons otherwise eligible but involuntarily confined."

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

On motion of Senator Cicione, **SJR 53** which had been laid on the table, was taken up for consideration.

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

YES: Senators Berndt, Cicione, Cook, Cordrey, Elliott, Holloway, Hughes, Isaacs, Kearns, Martin, McCullough, Murphy, Schlor — 13.

NO: Senator Adams — 1.

NOT VOTING: Senators Castle, duPont, Hale, Manning, Steele, Zimmerman — 6.

ABSENT: Senator Jarvis — 1.

Therefore, the Resolution was adopted by the Senate and

ordered to the House for concurrence.

On motion of Senator Murphy, **SA 1 to SB 415** was restored.

On motion of Senator Kearns, **SB 285** was taken up for consideration and read by title only:

SB 285 — “An Act to amend Title 19 by creating a new Chapter to be designed as Chapter 14 to provide for the implementation of a State Occupational Safety and Health Act in accordance with the provisions of the Williams-Steiger Occupational Safety and Health Act of 1970.”

On motion of Senator Kearns, the Bill was then tabled.

On motion of Senator Cordrey, **SB 631** was taken up for consideration and read by title only:

SB 631 — “An Act amending Section 8511, Title 11, Delaware Code, relating to the State Bureau of Identification.”

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

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

ABSENT: Senator Jarvis — 1.

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

At 5:51 p.m. on motion of Senator Cordrey, the Senate recessed until 7:30 p.m.

The Senate reconvened at 8:10 p.m., President Pro Tem Isaacs, presiding.

Senator Hughes and Representative Ferguson (with all the Senators as co-sponsors) introduced **SJR 58**:

SJR 58 — “Expressing the appreciation of the Governor of Delaware and the members of the 127th General Assembly for the munificent contributions of the R. R. M. Carpenter Family — owners of the Philadelphia Phillies Baseball Club — on behalf of the people of Delaware and the Delaware Valley as a whole.”

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

YES: Senators Adams, Berndt, Cicione, Cordrey, duPont, Elliott, Hughes, Isaacs, Kearns, Manning, McCullough, Murphy, Schlör, Steele, Zimmerman — 15.

ABSENT: Senators Castle, Cook, Hale, Holloway, Jarvis, Martin — 6.

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

Senators Cordrey and Isaacs introduced **SR 221** and moved that it be adopted.

SR 221 — “In reference to election of Officers.”

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

YES: Senators Adams, Berndt, Cicione, Cordrey, duPont, Elliott, Hughes, Isaacs, Kearns, Manning, McCullough, Murphy, Schlör, Steele, Zimmerman — 15.

ABSENT: Senators Castle, Cook, Hale, Holloway, Jarvis, Martin — 6.

Therefore, the Resolution was adopted.

Senators Cordrey and Isaacs introduced **SR 222** and moved that it be adopted.

SR 222 — “In reference to election of Officers.”

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

YES: Senators Adams, Berndt, Cicione, Cordrey, duPont, Elliott, Hughes, Isaacs, Kearns, Manning, McCullough, Murphy, Schlör, Steele, Zimmerman — 15.

ABSENT: Senators Castle, Cook, Hale, Holloway, Jarvis and Martin — 6.

Therefore, the Resolution was adopted.

Senator Hughes introduced **SA 1 to SB 598**. Placed with the Bill.

Senator Kearns introduced **SA 1 to SB 634**. On motion of Senator Kearns, the Amendment was immediately stricken.

Senator Hale introduced **SA 4 to HB 750**. Placed with the Bill.

Senator Elliott introduced **SA 5 to HB 750**. Placed with the Bill.

On motion of Senator Kearns, **SB 285** which had been tabled, was again taken up for consideration.

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

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

YES: Senators Berndt, Cicione, Cordrey, Hughes, Kearns, Manning, McCullough, Schlör — 8.

NO: Senator Adams — 1.

NOT VOTING: Senators duPont, Elliott, Isaacs, Murphy, Steele, Zimmerman — 6.

ABSENT: Senators Castle, Cook, Hale, Holloway, Jarvis and Martin — 6.

Therefore, the Amendment was declared lost.

On motion of Senator Kearns, final consideration of the Bill was deferred.

On motion of Senator Kearns, **HB 354** final consideration of which had been deferred was again taken up for consideration.

Before the roll call vote on the Bill was announced, Senator Kearns moved that it be tabled and the Chair so ordered.

Senator Manning objected to the Chair's ruling that the roll call be tabled and asked for a vote by the Senate to override the ruling.

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

YES: Senators Berndt, duPont, Hale, Hughes, Manning, Steele — 6.

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

NOT VOTING: Senator Zimmeramn — 1.

ABSENT: Senators Castle and Jarvis — 2.

Therefore, the motion failed and the roll call vote on **HB 354** was tabled.

On motion of Senator Schlör, **HB 561 w HA 1** was taken up for consideration and read by title only:

HB 561 w HA 1 — "An Act to amend Chapter 43, Part III, Title 21 of the Delaware Code relating to motor vehicle equipment requirements, and prohibiting the sale of certain illegal mufflers."

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, duPont, Hale, Hughes, Isaacs, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele — 16.

NO: Senators Cordrey, Elliott, Holloway — 3.

NOT VOTING: Senator Zimmerman — 1.

ABSENT: Senator Jarvis — 1.

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

On motion of Senator Martin, **SB 595** was taken up for consideration and read by title only:

SB 595 — "An Act making a supplementary appropriation to the Division of Revenue, Department of Finance, for the purpose of expediting Personal Income Tax Refunds."

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

YES: Senators Adams, Cicione, Cook, Cordrey, Holloway, Isaacs, Kearns, Martin, McCullough, Schlör, Steele — 11.

NO: Senators Castle, Hale and Manning — 3.

NOT VOTING: Senators Berndt, duPont, Elliott, Hughes, Murphy and Zimmerman — 6.

ABSENT: Senator Jarvis — 1.

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

On motion of Senator Schlör, **SB 619** was taken up for con-

sideration and read by title only:

SB 619 — “An Act to provide a supplemental appropriation to the Division of Maintenance and Communications, Department of Administrative Services, to pay a prior year’s obligation for electricity and heating fuel expenses incurred at the Wilmington Armory.”

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

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

ABSENT: Senator Jarvis — 1.

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

On motion of Senator Hughes, the roll call on **HB 770 w HA 1** was lifted and announced to be:

YES: Senators Adams, Berndt, Cook, Cordrey, duPont, Elliott, Hughes, Isaacs, Manning, Murphy, Schlör, Zimmerman — 12.

NOT VOTING: Senators Castle, Cicione, Hale, Kearns, Martin, McCullough, Steele — 7.

ABSENT: Senators Holloway and Jarvis — 2.

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

On motion of Senator Elliott, **SB 642** was taken up for consideration and read by title only:

SB 642 — “An Act authorizing the State of Delaware to borrow money to be used for an expenditure in the nature of a Capital Investment and to issue Bonds and Notes therefore and appropriating the monies to the Sussex County Vocational-Technical Center for the purchase of the Fooks Property.”

On motion of Senator Elliott, final consideration of the Bill was deferred.

On motion of Senator Elliott, **SB 530** was taken up for consideration and read by title only:

SB 530 — “An Act authorizing the purchase and placement of two Historic Markers in honor of Former Governor Nathaniel Mitchell; and providing a supplementary appropriation therefore.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Hughes, Isaacs, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 19.

NOT VOTING: Senator Holloway — 1.

ABSENT: Senator Jarvis — 1.

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

On motion of Senator Isaacs, **HB 728** was taken up for consideration and read by title only:

HB 728 — “An Act making a supplementary appropriation to the Department of Natural Resources and Environmental Control.”

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

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

ABSENT: Senators Cicione and Jarvis — 2.

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

On motion of Senator Kearns, **HB 467** was taken up for consideration and read by title only:

HB 467 — “An Act to amend Chapter 37, Part II, Title 11 of the Delaware Code relating to conviction for assault after a trial for a felony which includes assault as one of its elements.”

On motion of Senator Kearns, final consideration of the Bill was deferred.

On motion of Senator Elliott, **SB 484** final consideration of which had been deferred, was again taken up for consideration.

Senator Elliott moved that **SA 1** to the Bill which had been placed with the Bill, now be adopted.

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele — 18.

ABSENT: Senators Cicione, Jarvis and Zimmerman — 3.

Therefore, the Amendment was adopted.

On motion of Senator Elliott, the roll call vote on **SB 484 w SA 1** was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele — 18.

ABSENT: Senators Cicione, Jarvis and Zimmerman — 3.

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

On motion of Senator Elliott, **SB 642**, final consideration of which had been deferred was again taken up for consideration.

On motion of Senator Elliott, the roll call vote on the Bill was tabled.

Senator Hughes moved that the necessary rules be

suspended for the purpose of considering **HB 61** which had been laid on the tabled.

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

YES: Senators Adams, Berndt, Castle, Cook, duPont, Hale, Hughes, Manning, Steele — 9.

NO: Senators Cordrey, Holloway, Isaacs, Kearns, Martin, Murphy, Schlör, Zimmerman — 8.

NOT VOTING: Senators Elliott and McCullough — 2.

ABSENT: Senators Cicione and Jarvis — 2.

Therefore, the motion was defeated.

Senator Murphy, Chairman of the Community Affairs Committee, reported back to the Senate: **SB 573** — 1 Favorable, 4 Merits; **HJR 32** — 4 Merits.

Senator Kearns, Chairman of the Judiciary and Elections Committee, reported back to the Senate: **SB 521** — 2 Favorable, 3 Merits; **HB 846** — 4 Favorable, 1 Unfavorable; **SS 1 for SB 643** — 1 Favorable, 3 Merits, 1 Unfavorable.

Senator Schlör, Chairman of the Public Safety Committee, reported back to the Senate: **SB 520** — 5 Merits.

The following PETITION was presented and read to the Senate:

PETITION

We, the undersigned, members of the Senate of the 127th General Assembly, hereby Petition that House Bill 747 be released from the Finance Committee.

The Petition was signed by: Senators Adams, Cook, Cicione, Cordrey, Holloway, Isaacs, Kearns, Martin, McCullough, Murphy, Schlör and Zimmerman.

At 9:36 p.m. on motion of Senator Elliott, the Senate recessed until 1:30 p.m. June 5, 1974.

The Senate reconvened at 1:50 p.m. June 5, 1974, Lt. Governor Bookhammer presiding.

Senator Steele, Chairman of the Finance Committee, reported back to the Senate: **SB 665** — 2 Favorable, 2 Merits.

Senator Kearns, Chairman of the Judiciary and Elections Committee, reported back to the Senate: **HB 7** — 1 Favorable, 3 Merits.

Senator Berndt introduced **SA 4 to SB 285**. Placed with the Bill.

The Secretary read the following message from the House:

Mr. President:

The House wishes to inform the Senate that it has passed **HS 1 for HB 803 w HA 1** and requests the concurrence of the Senate.

The House also passed **SCR 61** and is returning same to the Senate.

The Chair introduced **HS 1 for HB 803 w HA 1** — “An Act to amend Chapter 1, Subchapter 11, Title 8 of the Delaware Code relating to powers of corporations conducting law schools in Delaware to grant academic law degrees.” Assigned to Education Committee.

At 2:20 p.m. on motion of Senator Isaacs, the Senate adjourned to immediately convene for the 43rd Day.

43RD LEGISLATIVE DAY

The Senate convened at 1:53 p.m. June 5, 1974, Lt. Governor Bookhammer presiding.

A prayer was offered by the Chaplain.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

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

The Journal was approved as read.

The following communication was made part of the record at the request of Senator Isaacs:

HOUSE OF REPRESENTATIVES

Dover, Delaware

June 5, 1974

To: Members of the 127th General Assembly:

During May, the members of the Senate Committee on Natural Resources and Environmental Control and the House Committee on Environmental Control held four public hearings on Senate Bill 475 and House Bill 792 which would amend the Coastal Zone Act of 1971.

The hearings, all well attended, were held at Legislative Hall, May 1, The Delaware Vo-Tech Center at Georgetown, May 8, the Ogletown Middle School, Newark, May 15 and the Legislative Hall again on May 29.

The series of hearings, which ran for a total of more than eight hours, heard approximately 100 speakers. The hearings have been transcribed and the transcriptions are available and are being distributed today to each member of the General Assembly. Additional copies are available for the general

public upon application to the Legislative Council.

The members of the Committee wish to commend the public for the interest in these hearings and for the great variety of opinions expressed. The hearings will be helpful in reaching a decision on the future of these bills.

Sincerely,

(Signed) Kermit H. Justice, Co-Chairman

(Signed) J. Donald Isaacs, Chairman

Senator Kearns, Chairman of the Judiciary and Elections Committee, reported back to the Senate: **HB 628** — 1 Favorable, 2 Merits.

On motion of Senator Isaacs, **SB 647** was taken up for consideration and read by title only:

SB 647 — “An Act to grant approval to the Department of Natural Resources and Environmental Control to reimburse the Advanced Land Acquisition Fund for Purchase of Leibel Property Adjacent to Augustine Beach Wildlife Area and Hastings Property, adjacent to Nanticoke Wildlife Area.”

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

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 18.

ABSENT: Senators Castle, Elliott and Hale — 3.

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

On motion of Senator Holloway, **SB 291** final consideration of which had been deferred, was laid on the table.

On motion of Senator Murphy, **SB 415** final consideration of which had been deferred, was again taken up for consideration.

On motion of Senator Murphy, the roll call vote on **SA 1** to the Bill which had been placed with the Bill, was taken and announced to be:

YES: Senators Adams, Cicione, Cook, Cordrey, Martin, McCullough, Murphy, Schlör, Steele — 9.

NO: Senators Berndt, Holloway and Manning — 3.

NOT VOTING: Senators Castle, duPont, Hughes, Isaacs, Jarvis and Zimmerman — 6.

ABSENT: Senators Elliott, Hale and Kearns — 3.

Therefore, the Amendment was declared lost.

On motion of Senator Murphy, the roll call vote on **SB 415** was then taken and announced to be:

YES: Senators Adams, Cook, Martin, McCullough,

Murphy, Schlor, Steele — 7.

NO: Senators Berndt, Cordrey, Holloway, Hughes, Jarvis and Manning — 6.

NOT VOTING: Senators Castle, Cicone, duPont, Elliott, Isaacs, Zimmerman — 6.

ABSENT: Senators Hale and Kearns — 2.

Therefore, the Bill was declared lost.

On motion of Senator Murphy, **SB 573** was taken up for consideration and read by title only:

SB 573 — “An Act to amend Chapter 1, Title 22 of the Delaware Code relating to extension of City or Town limits; special elections; voting rights.”

On motion of Senator Schlor, **SA 1** to the Bill was stricken.

Senator Murphy moved that **SA 2** to the Bill which had been placed with the Bill now be considered for adoption.

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

YES: Senators Castle, Cicone, Cook, Holloway, McCullough, Murphy, Schlor — 7.

NO: Senators Adams, Berndt, Cordrey, duPont, Elliott, Hale, Hughes, Isaacs, Kearns, Manning, Martin, Steele, Zimmerman — 13.

ABSENT: Senator Jarvis — 1.

Therefore, the Amendment was declared lost.

On motion of Senator Murphy, the roll call vote on **SB 573** was then taken and announced to be:

YES: Senators Holloway, McCullough, Murphy, Schlor — 4.

NO: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Elliott, Hale, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, Steele, Zimmerman — 16.

NOT VOTING: Senator Cicone — 1.

Therefore, the Bill was declared lost.

On motion of Senator Holloway, **SB 520** which had previously passed the Senate, was taken up for reconsideration as further amended by **HA 1**.

The roll call vote on the Bill (as so amended) was then taken and announced to be:

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

NO: Senator Zimmerman — 1.

Therefore, the Bill (as so amended) passed the Senate.

On motion of Senator Murphy **HJR 32 w HA 1** was taken up for consideration and read by title only:

HJR 32 w HA 1 — “Encouraging the introduction of Con-

sumer Education into the Public Secondary Schools of Delaware.”

At the request of Senator Murphy, the privilege of the floor was extended to Representative Gilligan to speak on the Resolution.

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

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Holloway, Hughes, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Zimmeramn — 17.

NO: Senators Castle, Hale, Isaacs and Steele — 4.

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

On motion of Senator Schlör, **SB 598** was taken up for consideration and read by title only:

SB 598 — “An Act to amend Chapter 83, Title 11, Delaware Code, relating to eligibility for pensions by giving credit for prior service with the Wilmington Bureau of Police.”

On motion of Senator Hughes, the roll call vote on the adoption of **SA 1** to the Bill which had been placed with the Bill, was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Hale, Holloway, Hughes, Kearns, Manning, Martin, McCullough, Murphy, Schlör — 15.

NO: Senators Isaacs and Jarvis — 2.

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

Therefore, the Amendment was adopted.

On motion of Senator Schlör, the roll call vote on **SB 598 w SA 1** was taken and announced to be:

YES: Senators Cicione, Holloway, Manning, Schlör — 4.

NO: Senators Cook, Cordrey, Elliott, Hale, Jarvis, Kearns, Martin, McCullough, Steele, Zimmerman — 10.

NOT VOTING: Senators Adams, Berndt, Castle, duPont, Hughes, Isaacs, Murphy — 7.

Therefore, the Bill was declared lost.

On motion of Senator Adams, **SB 458** was taken up for consideration and read by title only:

SB 458 — “An Act to amend Section 5935, Title 29, Delaware Code, relating to Veteran’s preference by providing earned Veteran’s preference to qualified widows of Veterans.”

At the request of Senator Adams, the privilege of the floor was extended to Mr. Cabbage to speak on the Bill.

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Isaacs, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 19.

ABSENT: Senators Hughes and Jarvis — 2.

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

On motion of Senator Isaacs, **HB 747** was taken up for consideration and read by title only:

HB 747 — “An Act to amend Chapter 142, Volume 59, Laws of Delaware, making appropriatoinis for the expense of the State Government for the Fiscal Year ending June 30, 1974 and to amend certain pertinent statutory provisions.”

At the request of Senator Isaacs, the privilege of the floor was extended to Duane Olsen, Controller General, to speak on the Bill.

Senator Isaacs moved that the roll call vote on the Bill be tabled.

Before action was taken on the motion, at 3:45 p.m. on motion of Senator Isaacs, the Senate recessed for half an hour.

The Senate reconvened at 4:34 p.m.

The roll call vote on the motion before the Senate to table the roll call on **HB 747** was then taken and announced to be:

YES: Senators Adams, Cicione, Cook, Cordrey, Elliott, Holloway, Isaacs, Kearns, Martin, McCullough, Murphy — 11.

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

NOT VOTING: Senators Berndt, duPont, Jarvis and Schlör — 4.

ABSENT: Senator Zimmerman — 1.

Therefore, the motion prevailed and the roll call was tabled.

On motion of Senator Holloway, **HB 605** was taken up for consideration and read by title only:

HB 605 — “An Act to amend Chapter 9, Title 31 of the Delaware Code relating to the referral of welfare recipients to non-profit corporations for training and job placement.”

At the request of Senator Holloway, the privilege of the floor was extended to Representative Billingsley to speak on the Bill.

Then, on the motion of Senator Holloway, final consideration of the Bill was deferred.

On motion of Senator Elliott, **SS 1 for SB 563** final consideration of which had been deferred, was again taken up for consideration.

At the request of Senator Elliott, the privilege of the floor was extended to Leon E. Petty, Alcoholism Services, to speak on the Bill.

Then, on motion of Senator Elliott, final consideration of the Bill was again deferred.

At 5:48 p.m. on motion of Senator Isaacs, the Senate adjourned until 12:30 p.m. June 6, 1974.

44TH LEGISLATIVE DAY

The Senate convened at 12:45 p.m. June 6, 1974, Lt. Governor Bookhammer presiding.

A Prayer was offered by the Chaplain.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

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

ABSENT: Senator Hale — 1.

The Journal was approved as read.

On motion of Senator Isaacs two Senators (Cicione and Hughes) were appointed to inform the House that the Senate was ready for the Joint Session.

At 12:53 p.m. on motion of Senator Isaacs, the Senate recessed for a short time.

The Senate reconvened at 1:50 p.m.

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

JOINT SESSION

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

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

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

The President appointed the following committee to escort the Governor to the Senate Chamber: Senators Manning and Schlör, Representatives Connor and Lynch.

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

Mr. President, Mr. President Pro Tem, Mr. Speaker, Members of the 127th General Assembly, Members of the Cabinet, Fellow Delawareans:

Yesterday, the Bond Issuing Officers — which include the Secretary of State, the State Treasurer, and myself — had to borrow \$2.5 million in order for the State of Delaware to meet its General Fund obligations for the balance of FY 1974 pursuant to the requirement that the General Fund must be in balance on June 15th. This action had the concurrence of the Budget Commission as required by Section 3 of the Budget Act.

In addition to the aforementioned State Officers, the Commission membership includes the Secretary of Finance and the State Auditor.

Later this afternoon, you will receive the Financial Statement for the eleven-month period ending May 31st which reflects a deficit of \$900,000.

Now, let's talk broadly about State finances, both revenues and disbursements, as well as my philosophy on revenue estimating. I will also announce certain practical steps I have taken to improve this critical activity.

First, however, let me briefly cite certain economic factors which have and will continue to impact our fiscal position and our projections for the future.

The conditions which caused the Energy Crisis are **still** with us. Because of the ever-changing Middle-East political situation, the oil embargo could very well be imposed again — or crude oil prices further increased at the whim of Arab leaders.

Inflation, fueled by the Energy Crisis, continues as a problem of ever-increasing magnitude, as I'm sure most of you realize. But it has presented mixed problems for the State's fiscal stability. Just as the average consumer has been jolted with sharp increases in the cost of goods and services, so also has State Government. Runaway expenses hit the State the same way they hit your own bank balance.

For example, substantial unbudgeted increases in state expenditures have occurred this past year due to higher costs for fuel and other commodities. We anticipate a continuation of this trend in Fiscal Year 1975.

On the other hand, the inflationary increases in personal income have resulted in higher than anticipated personal Income Tax Revenue for the State's General Fund. Other sources of revenue have been adversely affected by the Energy Crisis just as I predicted.

In fact, total collections from **all** tax sources — other than Personal Income Tax — for the months of March, April, and May totaled \$78.5 million. That is, \$2.95 million **less** than received from those sources in the same three-month period last year. This represents 3.5% negative growth in all sources other than personal Income Tax in the past three months.

As already stated, the \$3.4 million surplus of April 30th has evaporated, and we now have a \$.9 million deficit. The year-to-date revenue reflects an increase of 14.8% over that of last year — similar to the April percentage. However, the year-to-date disbursements show an increase of 6.9% over last year. This is up from 5.1% at the end of April.

I estimate that the disbursements for June will continue to show an increased rate of growth for the year. The growth rate of revenue should show a slight decrease.

If you remember, I asked for caution after the April Report was issued. My estimates at that time indicated that the State would be in a deficit position at the end of May. The actual figures — \$.9 million deficit — show my estimate to be reliable.

I continue to estimate the State will complete Fiscal 1974 with a deficit. The actual amount of this deficit will depend on June disbursements. My final revenue estimate will be released as required on June 15.

At this time, I want to briefly discuss my philosophy on Revenue Estimation. It would be easy to estimate revenues at the maximum rate attainable under the most favored economic conditions. I would have no objection to this method if it were used as the **high** point in a range of potential revenues. However, to choose this approach as the Official Revenue Estimate on which to base the State's spending policy is not only unrealistic, but opens the door to financial disaster. If we follow this approach, we are left without one of management's most basic tools — well-planned alternatives.

Alternatives are necessary to any plan. Plans are basically the products of fallible human endeavors and the results are rarely predictable with a high degree of accuracy. Unfilled I.O.U.'s from the General Assembly as contained in SJR 36 are not viable alternatives.

We need a viable financial plan which can expand and contract as conditions change. For example, two executive decisions on my part materially improved our fiscal position.

One was the continuation of the job freeze which will significantly increase salary and wages reversions at the end of the year. This is a direct result of my management directive to control and restrain the hiring or personnel in the State. There is no questioning the old saying that a dollar saved is a dollar earned. Secondly, current year appropriations exceed last year by approximately 10% whereas expenditures are up by just 7%. This lower rate of expenditure growth is yet another example of my effective executive management.

My third major decision affecting this year's balance was a radical change in the handling of the short term investment of State funds. As a result of the action taken at my direction, income from dividends and interest has doubled this year. From 3

million to 6 million — this is the one source of receipts to the State which has increased by 100% during this Fiscal Year. I am personally proud to be able to report this particular achievement.

Taken together these three actions which I spearheaded personally significantly reduced this year's potential deficit.

These are just three examples of the way successful financial planning can improve the financial picture and thereby lessen the demands on the taxpayer.

Let me frankly state that I would rather forecast revenues at a level which is realistically attainable — than forecast revenues at unrealistically high levels and have to come before this body on a "Black-Monday" at year's end.

Coming into Office, I was appalled at the lack of time, effort, and priority devoted to financial planning. I propose to close this gap in Government operations for two reasons.

First, the State needs a series of reliable tools to provide objective data which would be of value to the Executive and Legislative branches of Government, as well as the Public-at-large.

Second, the development of these tools would go a long way toward achieving a long-standing aim of mine — that is, to take politics out of revenue estimating.

My belief that there needs to be more effort expended by the State in the general area of financial management is supported by an independent study conducted by the Council of State Governments.

I have, therefore, just recently authorized the establishment of the Bureau of Economics and Statistics in the office of the Secretary of the Department of Finance.

The Bureau will be responsible for revenue estimates, monitoring of revenue, disbursement forecasting and analysis, monitoring effects of Tax Legislation, and other special assignments. With this step, I am — for the first time in Delaware — formalizing revenue estimating as a separate full-time Departmental function. The cost of this Bureau will be minimal, since I am staffing the group from current employee positions.

Before the end of June, I will sign an Executive Order establishing "The Governor's Economic Advisory Council" on a permanent basis.

This Council, formed at my direction as an ad hoc Committee at the beginning of the Energy Crisis, has become an evermore important and valued instrument. The Fiscal 1974 and 1975 revenue estimates have been discussed, reviewed, revised and submitted by the Committee for my review.

There is, at this time, unanimity among its members that

the estimate of \$342.8 million, plus or minus one-half of 1% for Fiscal Year 1974 and it will soon meet to review a revised FY 1975 estimate of \$371.8 million, plus or minus 2.

In establishing this Committee on a permanent basis, I will also broaden it to include appropriate bi-partisan legislative membership.

This action on my part will create a broader-based committee, with representation from both the Executive and Legislative Branches of Government, as well as the private sector.

In the past week or so, the Executive and Legislative Branches have been contacted by members of the Economics Department of the University of Delaware. These members, headed by Dr. John Landon, a member of the ad hoc Economic Advisory Council, have spent considerable time in developing a computerized Econo-metric model to be utilized initially in forecasting State revenues.

At this point, they need minimal financing from the State and — desiring to keep their endeavors out of the political realm — have requested an equal sum from the Administration and the House Appropriation Committee. I have instructed the Acting Secretary of the Department of Finance to fund this request. The Chairman of the House Appropriations Committee has likewise concurred. Also, at my direction, some Federal funds have been made immediately available. It is my belief that we should employ any tool which can possibly be of assistance in removing mystery and uncertainty from forecasting.

Let me now turn to my Fiscal 1975 projections.

I have based my revenue estimated for Fiscal 1975 on the current Tax bases with three contingencies. The first is that the current Personal Income Rate will not be reduced unless it is accompanied by a corresponding Revenue measure. The second is that the nine cents per gallon tax on motor fuel will be extended, and third that the gasoline tax will be increased one cent. Furthermore, that special fuels tax will be increased to the same level as proposed for the gas tax. With these items in mind, I estimate the Fiscal 1975 revenue to be \$371.8 million.

I want to take a moment to remind you that the increase in the Executive Budget submitted by me to the Joint Finance Committee and approved by them was limited to a most modest increase of 5.9%. This is the lowest increase in 10 years. Further, the Capital Improvement Budget submitted by me was the lowest in 8 years. But even though, Ladies and Gentlemen, I submitted, and the Joint Finance Committee supported, a very tight Budget there still remains a serious problem.

That is due to the fact that \$364.6 million contained in the Budget Bill plus the already enacted State employees pay raise, the routine Grants-in-Aid, the State Police Pay Bill, the \$3.6 million required to raise welfare benefits to 80% of need, and the 3 million additional dollars required to meet next year's estimated revenue refund disbursements totally exhaust my revenue estimates of \$371.8 million.

The additional monies for revenue refunds for 1975 will be required based simply on what will be expended in Fiscal 1974. An appropriation of \$17.6 million is included in House Bill 750. We have through May disbursed \$17.7 million with an estimated \$2.1 million to be disbursed in June. A requirement for \$20.6 million for Fiscal 1975 would seem to be adequate. (See Appendix A for detail of FY 74 Revenue Refunds.)

Returning to my main subject, this revenue Estimate does **not** leave room for **any** normal springtime supplementals.

But more than failing to provide for springtime supplementals, anticipated revenue is inadequate to finance a whole list of other programs. Just listen. Without placement in any order of priority, there are: Teachers Pay Raise — \$7,000,000; School Transportation — \$1,900,000; Increased Fuel and Gas Costs — \$3,000,000; HB 906 Additional Funds for the Educational Equalization Program — \$1,100,000; Other Misc. Requests — \$2,000,000.

Beyond these, other programs requiring substantial funding have been introduced in the General Assembly. But just the total of the list I have recounted is \$15 million.

An unrealistic revenue estimate of \$386.9 million would just cover the Budget Bill, the Grants-in-Aid, the State employees pay raise, the State Police Pay Bill, welfare, revenue refunds, and the \$15 million in other programs outlined above.

But — as I say — there would not be any reserve for springtime supplementals. A modest 1.5% reserve for supplementals would mandate a more unrealistic revenue estimate approximating \$392 million. Spending at this level with **Major** increases in taxes would lead directly to another "Black Monday."

This is an Election Year. In Election Years, legislators smile on appropriation Bills and frown on revenue measures.

I must remind the General Assembly that I cannot — by law — sign the Budget Bill and the Omnibus Amendment if it goes beyond the items on my priority list. Today's estimate fails to make provision for any items in excess of those on my list.

In January, when I was suggesting that revenue this year would range between \$325 and \$335 million, another estimate was being touted. The range of that estimate was \$360 to \$370 million — without, I might add, the proceeds of the Personal Income Tax increase, according to published accounts.

On the 15th of May, I released a hard estimate for this year of \$342.8 million. Others still hover hopefully around \$350 million.

The same kind of undisciplined behavior that early projected \$360 to \$370 million this year and now mysteriously predicts \$350 million could well project \$385 to \$391 million or even the far-off "Happy Peak" of \$400 million for next year.

But we are faced with achieving the possible — not the desirable. \$371.8 is possible and it is probable.

\$385, \$390, or \$400 million are all probable — the product of wishful thinking by wishful thinkers.

We must come to grips with the real issue — that is, the lack of revenue to finance the many items proposed for inclusion in the Omnibus Amendment.

But this problem would not have been necessary had the General Assembly last year passed my entire Tax Package, or passed reasonable alternatives for the portions not enacted.

May I remind you, the unenacted portions of that package **remain** before you. Since you failed to act on my entire program, I now find myself here again.

If, indeed, the General Assembly finds it necessary to enact all of the extra items I have enumerated, then steps will have to be taken, decisions made, solutions found.

What are the alternatives?

We must comply with the Supreme Court opinion stating that the Budget must be balanced at the end of the Biennium. I have outlined to you what, in my best judgment as Chief Executive and based on my revenue estimate, we can support. Any appropriations over and above those itemized in my priority list must be accompanied by a concurrent Revenue measure to ensure their funding. I am not opposed to items which I have mentioned, but not included in my priority list; however, I have a dual responsibility to the people and to the Constitution to balance the Budget.

The next alternative is to enact the Budget, pass the Grants-in-Aid, fund the State Employees pay raise, the State Police Pay Bill, the welfare increase and the revenue refunds, then adjourn on June 28th.

That would require the General Assembly to return in Special Session in Mid-July to handle the other matters needing additional funding.

By mid-July, we will have reported the year-end position of the State. If actual revenues result in a total consistent with my estimates, then my estimate for next year will remain reasonable and prudent.

If, on the other hand, as some people estimate, revenue totals \$350 million — which it won't — than a revenue estimate

for next year in the area of \$383 million to \$387 million might **well** be reasonable.

If this additional \$17 million to \$21 million **is** available, then it would be possible to consider the items on the Omnibus Amendment Laundry List.

I do **not** believe these dollars are there. But I am prepared to put my \$342.8 estimate to the ultimate test — the test of the final Balance Sheet. I am confident that other estimators will be willing to be judged on the same basis.

By pursuing this course, it will not be necessary to delay the enactment of the Budget, the Grants-in-Aid, the funding of the State Employees pay raise, the State Policy pay bill, the welfare increase or the additional funds needed to insure next year's revenue refunds.

Let me say, many of you will be members of the 128th General Assembly. Others among you have decided not to seek reelection. For those of you who will return and for those who will sit in the 128th General Assembly as freshmen, I urge that action on this serious financial situation not be delayed.

Before concluding, it is worth noting that I have knowledge of three other Fiscal 1975 revenue estimates. They reflect a wide disparity in their estimates of Personal Income Tax revenue which represents 40% of the State revenues. Two of these estimated indicate \$149 million and the other estimate \$160 million. I want at this time to extend to those publishers of revenue estimates the opportunity to discuss all estimates of revenue for the coming year with the Economic Advisory Council at their next scheduled meeting.

Finally, let me issue a word of warning — should the General Assembly decide to adopt its own revenue estimate and appropriate accordingly, the citizens of the State of Delaware could be faced with another "Black Monday" created by the Legislature, not by a Governor, and this General Assembly would saddle the citizens of the State and the next — the 128th General Assembly with yet **another** totally unnecessary financial crisis.

The previously named committee escorted the Governor from the Chamber.

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

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

Senator Cordrey moved that the two Houses now separate to their respective Chambers. Motion prevailed.

The Senate reconvened at 1:31 p.m. and on motion of Senator Isaacs, immediately recessed for a short time.

The Senate reconvened at 2:03 p.m..

The Secretary read the following message from the House:

6—5—74

Mr. President:

The House wishes to inform the Senate that it has passed **HB 510 w HA 1, 2, 3, 4, 7, SA 1, 2, 5; HB 982; HB 894; HB 295 w HA 1, 3, 4, 5; HB 913 w HA 4; HCR 49** and requests the concurrence of the Senate.

The House also passed **SB 564** and is returning same to the Senate.

Senator McCullough, Chairman of the Education Committee, reported back to the Senate: **HS 1 for HB 803** — 2 Favorable, 2 Merits, 1 Unfavorable.

Senator Kearns, Chairman of the Judiciary and Elections Committee, reported back to the Senate: **SB 657** — 1 Favorable, 3 Merits; **SB 656** — 1 Favorable, 3 Merits.

Senator Isaacs, Chairman of the Executive Committee, reported back to the Senate: **HB 714** — 2 Favorable, 3 Merits.

Senator Holloway introduced **SB 666**:

SB 666 — "An Act to amend Title 25 of the Delaware Code by adding a new Chapter relating to the regulation of rentals by Counties and Municipalities." Assigned to Community Affairs Committee.

Senators Kearns, Elliott and Manning; Representatives Jorlin, Matushefske and Worthen introduced **SB 667**:

SB 667 — "An Act to amend Chapter 39 of Title 12 of the Delaware Code relating to the appointment of guardians and to establish the Office of Public Guardian." Assigned to Judiciary and Elections Committee.

Senator Elliott introduced **SB 668**:

SB 668 — "An Act to amend Part I, Chapter 5, Subchapter VII, Subpart B, Title 11, Delaware Code, prohibiting any theatre manager or owner from permitting minors to attend "X" rated movies." Assigned to Judiciary and Elections Committee.

Senator Murphy introduced **SS 1 for SB 629**. Adopted in lieu of the Original and placed in Community Affairs Committee.

Senator Schlor introduced **SA 3 to SB 285**. Placed with the Bill.

Senator Manning introduced **SA 5 to SB 285**. Placed with the Bill.

Senator Isaacs introduced **SA 6, SA 7 to HB 750**. Placed with the Bill.

Senator Elliott introduced **SA 2 to SS 1 for SB 400**. Placed with the Bill.

Senator Hughes introduced **SA 12 to SB 584**. Placed with the Bill.

Senator Cicione introduced **SA 13 to SB 584**. Placed with the Bill.

Senator Elliott introduced **SA 1 to SS 1 for SB 563**. Placed with the Bill.

Senator Jarvis introduced **SA 1, 2, to HB 675**. Both Amendments placed with the Bill.

Senator Holloway introduced **SR 223** and moved that it be adopted.

SR 223 — “Commending the News-Journal Newspapers, of Wilmington, for providing free space in their Classified Ad pages for young people seeking summer jobs.”

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

YES: Senators Adams, Castle, Cook, Cordrey, duPont, Elliott, Holloway, Isaacs, Kearns, Manning, Martin, McCullough, Murphy — 13.

NO: Senators Cicione, Steele, Zimmerman — 3.

NOT VOTING: Senator Hughes — 1.

ABSENT: Senators Berndt, Hale, Jarvis and Schlor — 4.

Therefore, the Resolution was adopted.

On motion of Senator Elliott, the roll call on **SB 642** was lifted but before being announced was again tabled.

On motion of Senator Zimmerman, **SA 1 to SB 650** was stricken.

The Chair introduced the following House Bills:

HB 894 — “An Act to amend Chapter 67, Part IV, Title 21 of the Delaware Code relating to motor vehicles and making it unlawful to possess, sell or transfer blank titles, and blank registration cards, vehicle identification plates, warranty stickers and vehicle inspection cards under certain circumstances and providing penalties for violations thereof.” Assigned to Public Safety Committee.

HB 295 w HA 1, 3, 4, 5 — “An Act to amend Chapter 9, Title 22 of the Delaware Code permitting all persons who are required to pay a municipal user tax to any municipality to have the same voting rights as any resident of that municipality.” Assigned to Finance Committee.

HB 510 w HA 1, 2, 3, SA 1, 2, 5 was returned from the House as further amended by **HA 4, 7**. The Bill (as so further amended) was laid on the table.

The Chair introduced:

HB 913 w HA 4: — “An Act to amend Chapter 7, Title 13, Delaware Code relating to minors consent to diagnostic and lawful therapeutic procedures.” Assigned to Judiciary and Elections Committee.

HB 982 — “An Act to amend Chapter 23, Part II, Title 21 of the Delaware Code relating to Motor Vehicle Titles and making it unlawful to alter or forge or to use an altered or forged certificate of title, manufacturer’s certificate of origin, registration card, vehicle warranty or certification sticker or vehicle identification plate or other documents or numbers relating or pertaining to motor vehicle identification and providing a penalty for violations thereof.” Assigned to Public Safety Committee.

On motion of Senator Isaacs, the roll call on **SB 642** was lifted and announced to be:

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Elliott, Hale, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Schlör, Steele — 17.

NO: Senator Holloway — 1.

NOT VOTING: Senator Zimmerman — 1.

ABSENT: Senators Cicione and Murphy — 2.

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

On motion of Senator Kearns, **HB 846** was taken up for consideration and read by title only:

HB 846 — “An Act to amend Titles 9, 10, and 12, Delaware Code by increasing the salary of the Prothonotary, Register of Chancery, Register of Wills, Clerk of the Peace and the Recorder of Deeds in New Castle County.”

Senator Kearns moved that the roll call on the Bill be tabled.

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

YES: Senators Adams, Cicione, Cook, Cordrey, duPont, Holloway, Jarvis, Kearns, Manning, Martin, Zimmerman — 11.

NO: Senators McCullough and Steele — 2.

NOT VOTING: Senators Castle, Elliott, Hughes, Isaacs and Murphy — 5.

ABSENT: Senators Berndt, Hale and Schlör — 3.

Therefore, the motion prevailed and the roll call on the Bill was tabled.

On motion of Senator Cicione, **SB 665** was taken up for consideration and read by title only:

SB 665 — “An Act to provide a Supplementary Appropriation to the Department of Public Instruction to be used in compensating the De La Warr School District.”

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

YES: Senators Adams, Castle, Cicione, Cook, Cordrey, duPont, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Steele, Zimmerman — 17.

ABSENT: Senators Berndt, Elliott, Hale and Schlor — 4.

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

On motion of Senator Kearns, **SB 628** was taken up for consideration and read by title only:

SB 628 — “An Act to amend Chapter 142, Volume 59, Laws of Delaware, being “An Act making appropriations for the expense of the State Government for the Fiscal Year ending June 30, 1974”, and also known as the 1974 Budget Appropriation Bill.”

On motion of Senator Kearns, final consideration of the Bill was deferred.

On motion of Senator Isaacs, the necessary rules were suspended for the purpose of considering **HB 714 w HA 1, 2.**

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

YES: Senators Adams, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Holloway, Hughes, Isaacs, Jarvis, Manning, Martin, McCullough, Murphy, Schlor, Zimmerman — 17.

NO: Senator Steele — 1.

ABSENT: Senators Berndt, Hale and Kearns — 3.

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

On motion of Senator McCullough, the necessary rules were suspended for the purpose of considering **SB 656.**

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

YES: Senators Adams, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Holloway, Hughes, Isaacs, Jarvis, Manning, Martin, McCullough, Murphy, Schlor, Steele, Zimmerman — 18.

ABSENT: Senators Berndt, Hale and Kearns — 3.

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

On motion of Senator McCullough, the necessary rules were suspended for the purpose of considering **SB 657.**

On further motion of Senator McCullough, final consideration of the Bill was deferred.

At 3:08 p.m. on motion of Senator Isaacs, the Senate recessed for an hour.

The Senate reconvened at 4:10 p.m.

On motion of Senator Holloway, **SB 508** was stricken.

Senator Holloway and Representative Knox introduced **SJR 59:**

SJR 59 — “Expressing deep concern and unwavering support in behalf of the Delegation from the Department of Health and Social Services, the Division of Mental Health, the staff from the Delaware State Hospital and the Mental Health Association of Delaware in their appeal concerning the loss of accreditation of the Delaware State Hospital.

WHEREAS, the members of the 127th General Assembly of the State of Delaware, along with the Governor of the State of Delaware, have been advised that a delegation is leaving on June 6, 1974, for Chicago, Illinois, for the purpose of appealing to the Joint Commission on Hospital Accreditation as a result of the loss of accreditation of Delaware State Hospital; and

WHEREAS, the Delaware State Hospital has been denied accreditation by the Joint Commission on Hospital Accreditation; and

WHEREAS, the loss of accreditation will cause the cancellation of Medicare and Medicaid benefits, the cancellation of approved training programs for mental health professionals at Delaware State Hospital, and a catastrophic decline in morale among the patients and staff of Delaware State Hospital; and

WHEREAS, Delaware State Hospital has been granted an appeal hearing before a council of the Joint Commission on Hospital Accreditation in Chicago, Illinois, on Monday, June 10th, 1974; and

WHEREAS, recommendations have been proposed to the Governor, the Honorable Sherman W. Tribbitt, to wit: (1) the phasing out of the Biggs Building as a geriatric facility; (a) the use of funds previously allocated for the repairs of the Biggs Building to meet major physical plant deficiencies throughout Delaware State Hospital; (3) the use of residual funds and capital improvement funds to meet emergency, fire and safety needs throughout Delaware State Hospital; (4) the funding of 75 additional patient-related positions at a cost of \$405,000 annually to be added to the Omnibus Bill; (5) immediate support of efforts to up-grade salaries of psychiatrists, psychologists and physicians in order that Delaware State Hospital may attract and retain qualified professional staff; and

WHEREAS, these recommendations constitute those essential remedial acts without which Delaware State Hospital cannot regain accreditation.

NOW, THEREFORE:

BE IT RESOLVED by the 127th General Assembly of the State of Delaware, the Governor concurring therein, that we pledge our best efforts to secure necessary funds and proper administrative changes as shall be necessary to regain the accreditation of Delaware State Hospital.

BE IT FURTHER RESOLVED that this Resolution be

made a part of the Senate and House Journals and that a copy be forwarded immediately upon passage by air mail special delivery to the Joint Commission on Hospital Accreditation.”

On motion of Senator Holloway, the necessary rules were suspended for the purpose of considering the Resolution.

At the request of Senator Holloway, the privilege of the floor was extended to Jack White, Department of Health and Social Services to speak on the Resolution.

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hughes, Isaacs, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman —

18. ABSENT: Senators Castle, Hale and Schlör — 3.

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

On motion of Senator McCullough, **HS 1 for HB 803 w HA 1** was taken up for consideration and read by title only:

HS 1 for HB 803 w HA 1 — “An Act to amend Chapter 1, Subchapter 11, Title 8 of the Delaware Code relating to powers of corporations conducting law schools in Delaware to grant academic law degrees.”

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

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 17.

NOT VOTING: Senators Castle, duPont and Elliott — 3.

ABSENT: Senator Hale — 1.

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

On motion of Senator duPont, the roll call vote on **SB 86 w SA 2, 3, HA 1** was rescinded.

Senator Cordrey introduced **SA 4** to the Bill and moved that it be adopted.

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hughes, Isaacs, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 18.

ABSENT: Senators Hale, Holloway and Jarvis — 3.

Therefore, the Amendment was adopted.

On motion of Senator duPont, the roll call vote on **SB 86 w SA 2, 3, HA 1, SA 4** was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Holloway, Hughes, Isaacs, Jarvis, Manning, Martin, McCullough, Murphy, Schlör, Steele — 18.

NO: Senator Zimmerman — 1.

ABSENT: Senators Hale and Kearns — 2.

Therefore, the Bill passed the Senate and was ordered to the House for concurrence in **SA 4**.

On motion of Senator Jarvis, the roll call on **SB 600** was lifted and announced to be:

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

NO: Senator Cordrey — 1.

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

The Chair introduced **HCR 49**:

HCR 49 — “Commending the Delaware Society of Professional Engineers for offering the assistance of its Coastal Zone Study Committee and requesting such Committee to make a study of the Coastal Zone Act and its ramifications and submit recommendations to the General Assembly, and further requesting the Committee to assist the State Planner in defining the term “Heavy Industry.”

Senator Berndt moved that the Resolution be adopted.

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele — 17.

NO: Senator Zimmerman — 1.

NOT VOTING: Senator Cicione — 1.

ABSENT: Senators Elliott and Hale — 2.

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

Senator Cicione moved that **HB 510** (as amended) which had been laid on the table, be assigned to Natural Resources and Environmental Control Committee.

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

YES: Senators Adams, Cicione, Cook, Cordrey, Elliott, Holloway, Hughes, Isaacs, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 16.

NO: Senator Jarvis — 1.

NOT VOTING: Senators Berndt, Castle and duPont — 3.

ABSENT: Senator Hale — 1.

Therefore, the motion prevailed and the Bill was assigned to the Committee.

Senator Kearns, Chairman of the Judiciary and Elections Committee, reported back to the Senate: **SB 667** — 1 Favorable, 3 Merits.

Senator Murphy, Chairman of the Community Affairs Committee, reported back to the Senate: **SS 1 for SB 629** — 1 Favorable, 3 Merits.

Senator McCullough introduced **SA 1 to SB 632**. Placed with the Bill.

Senator Elliott introduced **SA 1 to HS 1 for HB 358**. Placed with the Bill.

Senator Adams introduced **SA 14 to SB 584**. Placed with the Bill.

Senator Berndt introduced **SA 15 to SB 584**. Placed with the Bill.

Senator Isaacs introduced **SB 669**:

SB 669 — “An Act to amend Chapter 45, Title 7, Delaware Code, relating to the littering of Public Beaches and providing a penalty therefor.”

On motion of Senator Isaacs, the necessary rules were suspended for the purpose of considering the Bill.

The roll call vote was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, McCullough, Murphy, Schlör, Steele, Zimmerman — 19.

ABSENT: Senators Hale and Martin — 2.

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

Senator Zimmerman and Elliott; Representatives Gordy, McGinnis and Robbins introduced **SB 670**:

SB 670 — “An Act to amend Chapter 25, Title 3, Delaware Code, relating to the maximum Bond required for dealers in Agriculture Products.”

On motion of Senator Zimmerman, the necessary rules were suspended for the purpose of considering the Bill.

The roll call vote was taken and announced to be:

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

NO: Senator duPont — 1.

ABSENT: Senator Hale — 1.

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

Senator Schlör introduced **SA 16, 17 to SB 584**. Both Amendments placed with the Bill.

Senator Holloway, Chairman of the Revenue and Taxation Committee, reported back to the Senate: **HB 675** — 2 Merits, 1 Unfavorable.

The Secretary read the following message from the House:

Mr. President:

The House wishes to inform the Senate that it has passed **HB 141** and requests the concurrence of the Senate.

The House also passed **SB 257 w HA 2, 3, 5, 7, 8, 9** and is returning same to the Senate.

The Chair introduced **HB 141**:

HB 141 — "An Act relating to a pension for James F. Sheridan, a former teacher in the Public Schools in the State of Delaware." Assigned to Finance Committee.

On motion of Senator Elliott, the following Bills were stricken: **SB 6; SB 27; SB 54; SB 101; SB 276**.

On motion of Senator Holloway, the following Bills were stricken: **SS 1 for SB 45; SB 55**.

On motion of Senator Berndt, **SB 257** which had been returned from the House with Amendments, was laid on the table.

At 5:10 p.m. on motion of Senator Isaacs, the Senate recessed until 1:30 p.m. June 11, 1974.

The Senate reconvened at 1:47 p.m. June 11, 1974, and on motion of Senator Isaacs, immediately adjourned to convene for the 45th Legislative Day.

45TH LEGISLATIVE DAY

The Senate convened at 1:48 p.m. June 11, 1974, Lt. Governor Bookhammer presiding.

A Prayer was offered by the Chaplain.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

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

The Journal was approved as read.

Senator Kearns introduced **SB 671**:

SB 671 — "An Act to amend Chapter 11, Chapter 17 and Chapter 20, Title 15 of the Delaware Code relating to the registration of voters; and providing for registration by mail." Assigned to Judiciary and Elections Committee.

Senator Holloway introduced **SB 672**:

SB 672 — "An Act to amend Chapter 27, Title 14, Delaware Code, relating to mentally or physically handicapped children." Assigned to Education Committee.

Senator Holloway introduced **SB 673**:

SB 673 — "An Act to amend Chapter 31, Title 14, Delaware Code relating to special classes and facilities for certain children." Assigned to Education Committee.

Senator McCullough introduced **SB 674**:

SB 674 — “An Act to amend Chapters 93 and 95, Title 10, Delaware Code, relating to venue of Justices of Peace; issuance and requirements of summons; service of summons and verification for default judgment.” Assigned to Judiciary and Elections Committee.

Senators Kearns, Jarvis and Murphy introduced **SB 675**:

SB 675 — “An Act to amend Subchapter 11 of Chapter 92, Title 10, Delaware Code, relating to salary increases for clerical personnel.” Assigned to Judiciary and Elections Committee.

Senator Hughes introduced **SA 2 to SB 525**. Placed with the Bill.

Senator Steele, Chairman of the Finance Committee, reported back to the Senate **SB 623** — 1 Favorable, 4 Merits.

Senator Kearns, Chairman of the Judiciary and Elections Committee, reported back to the Senate: **SB 517** — 1 Favorable, 3 Merits.

Senator Isaacs, Chairman of the Natural Resources and Environmental Control Committee, reported back to the Senate: **SB 637** — 3 Merits; **SB 396** — 3 Merits.

Senator Schlör, Chairman of the Public Safety Committee, reported back to the Senate: **SB 648** — 2 Favorable, 2 Merits.

On motion of Senator Hale, **SS 2 for SB 320** was taken up for consideration and read by title only:

SS 2 for SB 320 — “An Act to amend Chapter 17, Title 24 of the Delaware Code, relating to Medicine, Surgery and Osteopathy; and providing for a Delaware Medical Practices Act.”

At the request of Senator Hale, the privilege of the floor was extended to Norman L. Cannon, M.D., of the Medical Society of Delaware, to speak on the Bill.

On motion of Senator Hale, the roll call vote on the Bill was tabled.

On motion of Senator Schlör, the roll call vote on **SB 81** was lifted and announced to be:

YES: Senators Berndt, Cicione, Cook, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, McCullough, Murphy, Schlör, Steele, Zimmerman — 14.

NO: Senators Adams, Castle, Cordrey, Elliott — 4.

NOT VOTING: Senator Martin — 1.

ABSENT: Senators duPont and Manning — 2.

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

On motion of Senator Hughes, **SB 525** final consideration of which had been deferred, was again taken up for consideration.

At the request of Senators Hughes and Manning, the privilege of the floor was extended to Heidi F. McWharf,

representing Christian Science Churches, to speak on the Bill.

On motion of Senator Hughes, the Bill was again deferred.

On motion of Senator Murphy, **SS 1 for SB 629** was taken up for consideration and read by title only:

SS 1 for SB 629 —“An Act to amend “An Act to reincorporate the Town of Bowers”, being Chapter 279, Volume 53, Laws of Delaware by adding a provision for registration of voters, eliminating the requirement that the town assessment can not exceed the County assessment, provide penalty for absent member of Council, change date of Appeal Day and date of Posting Tax List.”

At the request of Senator Murphy, the following letter was read into the record:

Town of Bowers
Bowers, Delaware

June 3, 1974

The Honorable William Murphy
Dover, Delaware
Dear Senator Murphy:

In reference to S.B. 629 that you introduced into the Senate relating to amending the Charter of the Town of Bowers being Chapter 279, Volume 53 Laws of Delaware.

Section 1. is to prevent a repetition of what occurred at a recent town election when ineligible Air Base Personnel voted because they supposedly were renting in the Town of Bowers.

Section 2. is to make sure a quorum is present to conduct town business - numerous times within recent years the Town Council could not conduct business because a quorum was not present.

Section 3. many businesses are under assessed, under the County Assessment, which has not been changed since 1968. The old town assessments were more equitable than the present County assessments.

Section 4. because 18 year olds can now vote, it seems that they should pay some of the bill and hence the personal assessment should be lowered from the present twenty one.

Section 5 and 6 are to allow the Town Tax Collector to be able to send out the tax bills nearer to the time the County Tax bills are sent out. Now the appeal day has to be held on the meeting night in August. If the appeal day could be held on the meeting in July than tax bills could be sent out in August while many of the Summer residents are in town.

Very truly yours,
(Signed) Elizabeth Banks, Secretary

At the request of Senator Murphy, the privilege of the floor was extended to George Hudson, to speak on the Bill.

On motion of Senator Murphy, the roll call vote on the Bill was tabled.

On motion of Senator Kearns, **SB 667** was taken up for consideration and read by title only:

SB 667 — "An Act to amend Chapter 39 of Title 12 of the Delaware Code relating to the appointment of Guardians and to establish the Office of Public Guardian."

At the request of Senator Kearns, the following communications were read into the record:

DIVISION OF AGING
Wilmington, Delaware

June 3, 1974

Francis Kearns
State Senator
New Castle, Delaware
Dear Senator Kearns:

As you know, our Agency has been giving its attention to the work of the citizens group for Protective Services for Adults as part of our role of advocate for older persons.

The public guardianship proposed in S.B. 643 would be an important piece of legislation on behalf of those older persons who need protection and assignment to appropriate types of care. The rights of those who do not need to have decisions made in their behalf would be protected by the court's decision and by periodic case review.

Your efforts on behalf of this bill are much appreciated, and I anticipate your successful passage of the bill on the floor this week.

Sincerely,
(Signed) Eleanor L. Cain (per jb)
Director

DIVISION OF AGING
Wilmington, Delaware

June 3, 1974

Francis Kearns
State Senator
New Castle, Delaware
Dear Senator Kearns:

The efforts involved in your sponsorship of the public guardianship bill are carrying forward the work of over a hundred concerned citizens who met last December 7 to address the multiple problems faced by persons age 18 and over who need to have decisions made in their behalf. The attached list indicated some of the breadth of the group which has been at work since

that time and has leant either effort or support to the preparation of the proposed legislation.

The importance of legal mechanisms for guardianship of person is especially important as the Division of Aging moved toward establishing a continuum of care to prevent unnecessary commitment to the State Hospital of older persons who need other levels of care.

Best wishes in your endeavor.

Sincerely,
(Signed) Suzanne R. Day
Planner

Attachment to 6-3-74 Letter to Senator Francis Kearns: Organizations sending representatives to Protective Services Working Session December 7, 1974, Wilmington, Delaware: I. Governor's Office — Governor's Advisory Council on Aging; State Planning Office. II. Department of Health and Social Services — Division of Aging; Division of Social Services; Division of Mental Health; Division of Mental Retardation; Division of Public Health; Division of State Service Centers; Division of Drug Abuse Control. III. Judiciary — Attorney General's Office; Office of the Chancery Court; Family Court. IV. Department of Labor — Division of Vocational Rehabilitation. V. Private Hospitals and Veterans Administration Hospital Social Service Departments — Private Citizens: Doctors, Attorneys, Aged Persons and other concerned persons. Private Organizations: Geriatric Services, Inc.; Family Service of Northern Delaware; Jewish Family Service; Visiting Nurses Association; United Fund; Junior League; American Association of University Women; News Journal Papers. VI. Local Governmental Agencies: Wilmington Housing Authority; City of Wilmington, Solicitor & Department of Planning & Development, City Demonstration Agency (Model Cities); Kent County Levy Court; New Castle County Dept. of Parks & Recreation; New Castle County Housing Authority.

JEWISH FAMILY SERVICE
of DELAWARE

May 30, 1974

Senator Francis Kearns
Dover, Delaware
Dear Senator Kearns:

I am writing to express our agency's support of Senate Bill 643 relating to the appointment of guardians and to establish the office of Public Guardian.

We feel this Bill's passage will greatly help in protecting a segment of our population which is in great need of such protection.

Thank you for your attention and cooperation in this matter.

Sincerely,
(Signed) Ruth M. Hoffstein, ACSW
Senior Caseworker

School of
Social Work
and
Community
Planning
University of
Maryland at Baltimore

June 4, 1974

Senator Francis Kearns
State of Delaware
Dover, Delaware
Dear Senator Kearns:

As a member of the social welfare profession and a resident of Newark, Delaware, I would like to indicate my support for Senate Bill 643. It provides a humane way of protecting the rights of the infirm aged and providing a mechanism for providing adequate physical and medical care for such persons.

I urge you to support this measure. It will put Delaware in the forefront of humane and progressive states.

Sincerely yours,
(Signed) Howard A. Palley

WILMINGTON MEDICAL CENTER

May 31st, 1974

Senator Francis Kearns
New Castle, Delaware
Dear Senator Kearns:

I urge your support of S.B. 643, "An Act to amend Chapter 39 of Title 12 of the Delaware Code relating to the appointment of Guardians and to establish the office of the Public Guardian."

As a social worker and as the Director of Social Services of the Delaware Division of the Wilmington Medical Center, I am increasingly impressed with the need to provide protective services for those adults who cannot meet their own needs and who, for one reason or another, cannot rationally make self-protective choices.

I am well aware of the possibility of abuse legislation. However, I honestly believe that a wisely and judiciously administered program with sufficient checks and balances is

vitality necessary to improve the quality of life for those individuals indicated in this bill.

If you would like further input from me, please feel free to call on me. Again, I urge your support for this much needed legislation.

Sincerely yours,
(Signed) Elizabeth B. Stiff, A.C.S.W.

* * * * *

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

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

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

Therefore, the Amendment was adopted.

At 3:33 p.m. on motion of Senator Isaacs, the Senate recessed for half an hour.

The Senate reconvened at 4:42 p.m., President Pro Tempore Isaacs, presiding.

Senator Kearns introduced **SA 2** to **SB 667** and moved that it be adopted.

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlor, Steele, Zimmerman — 20.

ABSENT: Senator Holloway — 1.

Therefore, the Amendment was adopted.

The roll call vote on **SB 667 w SA 1, 2** was then taken and Senator Kearns moved that it be tabled.

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, Murphy, Schlor, Zimmerman — 18.

NO: Senators Cicione, McCullough and Steele — 3.

Therefore, the motion prevailed and the roll call vote on the Bill was tabled.

On motion of Senator Adams, **SB 257** which had previously passed the Senate was again taken up for consideration as further amended by **HA 2, 3, 5, 7, 8, 9**.

Senator Zimmerman introduced **SA 3** to the Bill and moved that it be adopted.

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

YES: Senators Elliott, Jarvis, Martin and Zimmerman — 4.

NO: Senators Adams, Berndt, Cook, Cordrey, duPont, Hale, Hughes, Isaacs, Kearns, Manning, McCullough, Schlör, Steele — 13.

NOT VOTING: Senators Castle, Cicione, Holloway and Murphy — 4.

Therefore, the Amendment was defeated.

On motion of Senator Berndt, the roll call vote on **SB 257 w HA 2, 3, 5, 7, 8, 9** was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, duPont, Hale, Holloway, Hughes, Isaacs, Kearns, Manning, McCullough, Schlör, Steele — 14.

NO: Senators Castle, Cordrey, Elliott, Jarvis, Martin, Murphy, Zimmerman — 7.

Therefore, the Bill (as so amended) passed the Senate.

On motion of Senator Cordrey, **SB 606** was taken up for consideration and read by title only:

SB 606 — “An Act to amend Chapter 84, Title 29, Delaware Code, relating to the powers, duties and functions of the Secretary of Highways and Transportation.”

At the request of Senator Cordrey, the privilege of the floor was extended to Clifford E. Hall, Department of Highways and Transportation, to speak on the Bill.

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

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

NO: Senators Castle, duPont, Elliott, Hale, Hughes, Jarvis, Manning, Steele — 8.

NOT VOTING: Senator Berndt — 1.

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

The Secretary read the following message from the House:

6—11—74

Mr. President:

The House wishes to inform the Senate that it has passed **HJR 39** and requests the concurrence of the Senate.

The Chair introduced **HJR 39**:

HJR 39 — “Requesting the Governor to return House Bill

No. 127, as amended, to the House of Representatives.”

On motion of Senator Cordrey, the necessary rules were suspended for the purpose of considering the Resolution.

The roll call vote was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Elliott, Holloway, Hughes, Isaacs, Jarvis, Kearns, Martin, McCullough, Murphy, Schlör, Zimmerman — 17.

NO: Senators Hale, Manning and Steele — 3.

ABSENT: Senator Cicone — 1.

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

Senator Isaacs and Martin introduced **SR 224** and moved that it be adopted.

SR 224 — “Requesting the House of Representatives to return Senate Bill No. 469, as amended, to the Delaware State Senate.”

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

YES: Senators Adams, Berndt, Cicone, Cook, Cordrey, Elliott, Holloway, Hughes, Isaacs, Kearns, Martin, McCullough, Murphy, Schlör, Steele, Zimmeramn — 16.

NO: Senators Castle, duPont, Hale, Jarvis, Manning — 5.

Therefore, the Resolution was adopted.

Senator Isaacs, Chairman of the Natural Resources and Environmental Control Committee, reported back to the Senate: **SB 652** — 3 Merits; **SS 1 for SB 637** — 4 Merits.

Senator Isaacs, Chairman of the Executive Committee, reported back to the Senate **SB 651** — 3 Merits.

Senators Zimmerman and Elliott introduced **SB 676**:

SB 676 — “An Act to amend Chapter 13, Title 14, Delaware Code relating to the computation of salary schedules of School Employees to reflect an annual cost of living increase.” Assigned to Finance Committee.

Senator Holloway introduced **SB 677**:

SB 677 — “An Act to amend Part II, Title 16 of the Delaware Code providing for a Child Day Care Licensing Act.” On motion of Senator Holloway, the Bill was immediately stricken.

Senator Holloway introduced **SB 678**:

SB 678 — “An Act to amend Chapter 70, Title 7, of the Delaware Code by providing an additional factor for consideration in granting permit requests in the Coastal Zone.” Assigned to Energy Committee.

Senator duPont introduced **SA 3 to HB 822**. Placed with the Bill.

Senator Hughes introduced **SA 6 to HB 61**. Placed with the Bill.

Senators Elliott and Zimmerman introduced **SA 8 to HB**

758. Placed with the Bill.

Senator Elliott introduced **SA 3 to HB 675**. Placed with the Bill.

Senator Isaacs introduced **SA 18 to SB 584**. Placed with the Bill.

Senator Holloway introduced **SA 19 to SB 584**.

Placed with the Bill.

At 6:07 p.m. on motion of Senator Cordrey, the Senate adjourned until 1:30 p.m. June 12, 1974.

46TH LEGISLATIVE DAY

The Senate convened at 1:50 p.m. June 12, 1974, President Pro Tempore Isaacs presiding.

A Prayer was offered by the Chaplain.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

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

The Journal was approved as read.

The Secretary read the following message from the House:

6—11—74

Mr. President:

The House wishes to inform the Senate that it has passed **HB 854 w HA 1, 2, 3, 5, 6** and requests the concurrence of the Senate.

Senator Kearns, Chairman of the Judiciary and Elections Committee, reported back to the Senate: **SB 479** — 3 Merits.

Senator Zimmerman, Chairman of the Highways, Transportation and Insurance Committee, reported back to the Senate: **SB 663** — 3 Merits, 1 Unfavorable.

Senator Adams introduced **SB 679**:

SB 679 — "An Act to authorize and direct the transfer of Milton School No. 196 to the Town of Milton." Assigned to Administrative Services Committee.

Senator Berndt introduced **SA 1 to HB 334**. Placed with the Bill.

Senator Hughes introduced **SA 3 to SB 525**. Placed with the Bill.

Senator Jarvis introduced **SA 4 to HB 822**. Placed with the Bill.

Senator Isaacs introduced **SA 9 to HB 750**. Placed with the Bill.

The Chair introduced **HB 854 w HA 1, 2, 3, 5, 6:**

HB 854 w HA 1, 2, 3, 5, 6 — “An Act to amend Chapter 51, Title 16, Delaware Code by adding a new subchapter thereto establishing a bill of rights for patients in hospitals for the mentally ill.” Assigned to Health and Social Services Committee.

On motion of Senator Hughes, **HB 61 w HA 4, SA 4, 5** which had been tabled was again taken up for consideration.

On motion of Senator Elliott, **SA 3** to the Bill which had been placed with the Bill, was stricken.

Senator Hughes moved that **SA 6** to the Bill which had been placed with the Bill, now be adopted.

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, Murphy, Schlör — 16.

NO: Senators Steele and Zimmerman — 2.

NOT VOTING: Senator Holloway — 1.

ABSENT: Senators Hale and McCullough — 2.

Therefore, the Amendment was adopted.

On motion of Senator Hughes, the roll call vote on **HB 61 w HA 4, SA 4, 5, 6** was then taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, duPont, Elliott, Hughes, Isaacs, Jarvis, Kearns, Martin, Murphy, Schlör, Steele — 15.

NO: Senators Cordrey, McCullough and Zimmerman — 3.

NOT VOTING: Senators Holloway and Manning — 2.

ABSENT: Senator Hale — 1.

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

On motion of Senator Berndt, **SB 521** was taken up for consideration and read by title only:

SB 521 — “An Act to amend Chapter 19, Title 10 of the Delaware Code relating to the powers and duties of Courts and Judges; and providing for occasional messages to the General Assembly on the State of the Judiciary.”

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

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

ABSENT: Senators Hale and Jarvis — 2.

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

At 2:20 p.m. on motion of Senator Isaacs, the Senate recessed for half an hour.

The Senate reconvened at 3:20 p.m., Lt. Governor Bookhammer presiding.

The following PETITION was presented by Senator Zimmerman:

PETITION

We, the undersigned, members of the Senate of the 127th General Assembly, hereby petition that House Bill No. 722 be released from the Finance Committee.

The Petition was signed by Senators Cicione, Cordrey, Elliott, Holloway, Hughes, Isaacs, Kearns, Martin, Murphy, Schlör, Zimmerman.

On motion of Senator Isaacs, the roll call vote on **HB 747** was lifted and announced to be:

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

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

NOT VOTING: Senators Berndt, duPont, Elliott, Hughes, Jarvis — 5.

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

On motion of Senator Hale, the roll call vote on **SS 2 for SB 320** was lifted and announced to be:

YES: Senators Adams, Berndt, Castle, Cook, duPont, Elliott, Hale, Hughes, Jarvis, Manning, Martin, Murphy, Steele — 13.

NO: Senators Cordrey and McCullough — 2.

NOT VOTING: Senators Holloway, Isaacs, Kearns, Schlör and Zimmerman — 5.

ABSENT: Senator Cicione — 1.

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

On motion of Senator Martin, the roll call vote on **SB 469** which had been tabled, was lifted and, without objection, was rescinded.

Senator Martin moved that the roll call vote on **SA 15 to SB 469** be rescinded.

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

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

NO: Senators Castle, Hale and Jarvis — 3.

NOT VOTING: Senators Berndt, duPont, Elliott, Hughes, Manning — 5.

ABSENT: Senator McCullough — 1.

Therefore, the motion prevailed and the roll call vote on **SA 15** was rescinded.

Senator Jarvis introduced **SA 18** to the Bill and moved that it be adopted.

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

YES: Senators Berndt, Castle, duPont, Elliott, Hale, Jarvis, Manning — 7.

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

NOT VOTING: Senators Hughes and Zimmerman — 2.

Therefore, the Amendment was declared lost.

On motion of Senator Martin, the roll call vote on **SB 469 w SA 2, 6, 7, 8, 10, 11, 14, HA 1, 2** was taken and announced to be:

YES: Senators Berndt, Cicione, Cook, duPont, Holloway, Isaacs, Manning, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 13.

NO: Senators Adams, Castle, Cordrey, Elliott, Hale, Jarvis, Kearns — 7.

NOT VOTING: Senator Hughes — 1.

Therefore, the Bill (as so amended) passed the Senate.

On motion of Senator Murphy, the roll call vote on **SS 1 for SB 629** was lifted and announced to be:

YES: Senators Adams, Berndt, Cook, Cordrey, duPont, Hale, Hughes, Isaacs, Jarvis, Kearns, Martin, Murphy, Schlör, Steele, Zimmerman — 15.

NO: Senators Castle and Manning — 2.

NOT VOTING: Senators Cicione, Elliott, Holloway and McCullough — 4.

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

On motion of Senator Berndt, the roll call vote on **HB 334 w HA 1, 2** was lifted and rescinded.

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

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

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

ABSENT: Senator Isaacs — 1.

Therefore, the Amendment was adopted.

On motion of Senator Berndt, the roll call vote on **HB 334 w HA 1, 2, SA 1** was taken, but before it was announced was tabled.

At 3:58 p.m. on motion of Senator Cordrey, the Senate recessed for half an hour.

The Senate reconvened at 5:23 p.m.

On motion of Senator Zimmerman, **SB 582** final action on which had been deferred was again taken up for consideration; however, on further motion of the Senator the Bill was again deferred.

On motion of Senator Kearns, **SB 517** was taken up for consideration and read by title only:

SB 517 — “An Act to amend Chapter 95, Title 10, Section 9578(b), relative to appeals from Justice of the Peace Courts.

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, McCullough, Murphy, Schlör, Steele, Zimmerman — 18.

ABSENT: Senators Cicione, Elliott, Martin — 3.

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

On motion of Senator Murphy, **SB 648** was taken up for consideration and read by title only:

SB 648 — “An Act to amend Chapter 67, Title 16, Delaware Code, relating to the authority of Fire Police and Fire Departments in the State of Delaware and providing penalties for violations thereof.”

On motion of Senator Murphy, final consideration of the Bill was deferred.

On motion of Senator Berndt, **SS 1 for SB 637** was taken up for consideration and read by title only:

SS 1 for SB 637 — “An Act to amend Sections 2324, 2325, 2326 and 2330, Title 19, Delaware Code, relating to the maximum amount of compensation awarded to the injured employee, or his widow or children.”

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

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

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

ABSENT: Senator Elliott — 1.

Therefore, the Amendment was adopted.

On motion of Senator Berndt, the roll call vote on **SS 1 for SB 637 w SA 1** was taken and announced to be:

YES: Senators Berndt, Castle, duPont, Hale, Holloway, Hughes, Jarvis, Kearns, Martin, McCullough, Schlör, Steele — 12.

NO: Senators Adams, Cordrey, Isaacs, Manning and Zimmerman — 5.

NOT VOTING: Senators Cicione and Cook — 2.

ABSENT: Senators Elliott and Murphy — 2.

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

Senator Holloway introduced **SR 225** and moved that it be adopted.

SR 225 — “Expressing appreciation to the Mayor of the City of Wilmington, Thomas C. Maloney, and Peter Morrow, Commerce Director for the City of Wilmington, for their successful negotiating efforts in convincing FIAT Car Company to utilize the Port of Wilmington facilities.

WHEREAS, the members of the Senate of the 127th General Assembly of the State of Delaware have recently learned that Mayor Maloney and Peter Morrow have successfully negotiated a contract with Fiat Car Co. to use the Port of Wilmington facilities; and

WHEREAS, it is also understood that negotiations commenced in March, 1974, and were successfully finalized in June, 1974; and

WHEREAS, the Fiat Company examined virtually every port facility from Florida to Maine before choosing Wilmington; and

WHEREAS, Fiat officials praised the cooperation and accommodations they received from City of Wilmington officials during these negotiations; and

WHEREAS, it is estimated that over 52,000 Fiat cars are expected in Wilmington over the next year which represents more than Houston, Texas, San Francisco, Los Angeles and Seattle, Washington, combined; and

WHEREAS, by virtue of the fact that Fiat is coming to Wilmington will mean the creation of over 100 more jobs in the area, plus additional work for longshoremen; and

WHEREAS, Fiat Company coming to Wilmington will mean land improvements of approximately 32 acres; leasing fees, dockage and wharfage fees which will generate an estimated three million dollars to the local economy, over the next decade, not including taxes and increased employment.

NOW, THEREFORE,

BE IT RESOLVED by the members of the Senate of the 127th General Assembly of the State of Delaware that the Mayor of the City of Wilmington, Thomas C. Maloney, and the Commerce Director for the City, Peter Morrow, are hereby commended for their tireless efforts in negotiating with Fiat Car Company to utilize the Port of Wilmington facilities.

BE IT FURTHER RESOLVED that this Resolution be made a part of the Senate Journal and that copies of said

Resolution be forwarded to Mayor Thomas C. Maloney and Peter Morrow.

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

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Holloway, Hughes, Isaacs, Kearns, Martin, McCullough, Murphy, Schlor, Zimmerman — 14.

NO: Senator Manning — 1.

NOT VOTING: Senators Castle, duPont, Hale and Steele — 4.

ABSENT: Senators Elliott and Jarvis — 2.

Therefore, the Resolution was adopted.

At 6:47 p.m. on motion of Senator Isaacs, the Senate recessed until 1:30 p.m. June 13.

The Senate reconvened at 2:03 p.m., June 13, 1974, Lt. Governor Bookhammer presiding.

Senator Kearns, Chairman of the Judiciary and Elections Committee, reported back to the Senate: **SB 74** — 1 Favorable, 3 Merits; **SB 488** — 3 Merits.

Senator McCullough, Chairman of the Education Committee, reported back to the Senate: **SB 650** — 3 Favorable, 1 Merits; **SB 672** — 4 Merits; **SB 673** — 4 Merits; **HB 734** — 1 Favorable, 4 Merits.

Senator Murphy, Chairman of the Community Affairs Committee, reported back to the Senate: **SB 666** — 3 Merits.

Senator Cook, Chairman of the Administrative Services Committee, reported back to the Senate: **SB 679** — 1 Favorable, 3 Merits.

Senator Holloway introduced **SB 680**:

SB 680 — "An Act to amend Chapter 7, Title 19, Delaware Code relating to discrimination in employment by transferring enforcement from the Department of Labor to the Human Relations Commission and providing a supplemental appropriation to the Office of Human Relation in the Department of Community Affairs and Economic Development." Assigned to Labor and Industrial Relations Committee.

Senator Isaacs introduced **SB 681**:

SB 681 — "An Act to amend Chapter 305, 59 Laws of Delaware, being an Act entitled "An Act to increase salaries of employees classified under the Merit System and the salaries of certain non-classified employees" by striking certain provisions therein." Assigned to Labor and Industrial Relations Committee.

Senator Castle introduced **SB 682**:

SB 682 — "An Act to amend Chapter 27, Part II, Title 21 of the Delaware Code relating to suspension and revocation of license for refusal to submit to chemical tests." Assigned to Public Safety Committee.

Senator Martin introduced **SA 20 to SB 584**. Placed with the Bill.

Senator Murphy introduced **SA 1 to SB 652**. Placed with the Bill.

Senator Kearns introduced **SA 1 to HB 679**. Placed with the Bill.

Senator Holloway introduced **SA 10 to HB 750**. Placed with the Bill.

The Secretary read the following message from the House:
6—12—74

Mr. President:

The House wishes to inform the Senate that it has passed **HB 859 w HA 1, 3, 5** and requests the concurrence of the Senate.

The House also passed **SB 617** and is returning same to the Senate.

The Chair introduced **HB 859 w HA 1, 3, 5**:

HB 859 w HA 1, 3, 5 — "An Act to amend Chapter 51, Title 16, Delaware Code relating to the procedure for the involuntary commitment of mentally ill persons to the Delaware State Hospital and other hospitals and discharge therefrom." Assigned to Judiciary and Elections Committee.

On motion of Senator Kearns, **SA 1 to SB 488** was stricken.

At 2:09 p.m. on motion of Senator Isaacs, the Senate adjourned to immediately convene for the 47th Day.

47TH LEGISLATIVE DAY

The Senate convened at 2:09 p.m. June 13, 1974, Lt. Governor Bookhammer presiding.

A Prayer was offered by the Chaplain.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

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

The Journal was approved as read.

Senator duPont with all the Senators as co-sponsors introduced **SR 226**:

SR 226 — "Saluting Senate President, Lt. Governor Eugene D. Bookhammer, and the Flag of the U.S.A. on their June 14th Birth Dates."

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Manning, Murphy, Schlor, Steele, Zimmerman — 18.

ABSENT: Senators Kearns, Martin and McCullough — 3. Therefore, the Resolution was adopted.

Senator Isaacs introduced **SB 683**:

SB 683 — "An Act to grant approval to the Department of Natural Resources and Environmental Control to purchase a tract of land adjacent to the Woodland Beach Wildlife Area, located near Smyrna, Kent County, Delaware." Assigned to Natural Resources and Environmental Control Committee.

On motion of Senator Isaacs, **SB 651** was taken up for consideration and read by title only:

SB 651 — "An Act to provide for a referendum on the ballot on the Question of Shall the Coastal Zone Act of 1971 be modified so as to make it more flexible or shall the Act remain intact; and further providing a supplementary appropriation therefor."

On motion of Senator Isaacs, final consideration of the Bill was deferred.

On motion of Senator Martin,

HB 672 was taken up for consideration and read by title only:

HB 672 — "An Act authorizing the purchase and placement of a tombstone marking the grave of former Governor William Temple, and providing a supplementary appropriation therefor."

On motion of Senator Martin, the roll call on the adoption of **SA 1** to the Bill which had been placed with the Bill was taken and announced to be:

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

ABSENT: Senator Jarvis — 1.

Therefore, the Amendment was adopted.

The roll call vote on **HB 672 w SA 1** was then taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis,

Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 21.

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

Senators Cordrey, Adams, Cicione, Cook, Holloway, Isaacs, Kearns, Martin, McCullough, Murphy, Schlör and Zimmerman introduced **SJR 60**:

SJR 60 — "Requesting the General Assembly to refrain from enacting money programs, aside from those proposed by the Governor in his June 6th Fiscal address, until a Special Session of July 10, 1974."

Senator Cordrey moved that the necessary rules be suspended for the purpose of considering the Resolution.

Senator duPont moved that the Senate recess for half an hour.

On the question, "Shall the motion prevail?", the roll call vote was taken and announced to be:

YES: Senators Berndt, Castle, duPont, Elliott, Hale, Hughes, Jarvis, Manning, Steele — 9.

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

Therefore, the motion was defeated and the Senate remained in session.

The Chair ruled that **SJR 60** was now before the Senate for consideration.

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

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

NO: Senators duPont, Hale and Manning — 3.

NOT VOTING: Senators Berndt, Castle and Elliott — 3.

ABSENT: Senator Jarvis — 1.

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

On motion of Senator Holloway, **HB 661** was taken up for consideration and read by title only:

HB 661 — "An Act to amend Chapter 1, Title 16, Delaware Code, entitled State Board of Health, to provide for the transfer of Wilmington Department of Health Personnel to State service."

At the request of Senator Holloway, the privilege of the floor was extended to Representative Jonkiert to speak on the Bill.

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

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

ABSENT: Senator Martin — 1.

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

On motion of Senator Holloway, **HB 675 w HA 2, 3, 4** was taken up for consideration and read by title only:

HB 675 w HA 2, 3, 4 — “An Act to amend Chapters 4 and 5 of Title 28, Delaware Code, relating to the tax on parimutual and totalizator pools.”

On motion of Senator Jarvis, the roll call vote on **SA 1** to the Bill which had been placed with the Bill was taken and announced to be:

YES: Senators Castle, Hale, Jarvis, Manning — 4.

NO: Senators Cook, Cordrey, duPont, Holloway, McCullough, Schlör, Steele, Zimmerman — 8.

NOT VOTING: Senators Adams, Berndt, Cicione, Isaacs, Kearns, Martin, Murphy — 7.

ABSENT: Senators Elliott and Hughes — 2.

Therefore, the Amendment was declared lost.

On motion of Senator Jarvis, **SA 2** to the Bill which had been placed with the Bill, was stricken.

On motion of Senator Elliott, the roll call vote on **SA 3** to the Bill which had been placed with the Bill, was taken and announced to be:

YES: Senators Cook, Elliott, Jarvis, Manning and McCullough — 5.

NO: Senators Cicione, Cordrey, Holloway, Hughes, Isaacs, Kearns, Schlör, Steele, Zimmerman — 9.

NOT VOTING: Senators Adams, Berndt, Castle, duPont, Hale, Martin and Murphy — 7.

Therefore, the Amendment was defeated.

The roll call vote on **HB 675 w HA 2, 3, 4** was then taken and announced to be:

YES: Senators Berndt, Cicione, duPont, Holloway, Hughes, Isaacs, McCullough, Murphy, Schlör, Steele, Zimmerman — 11.

NO: Senators Adams, Castle, Cook, Cordrey, Elliott, Hale, Jarvis, Kearns, Manning, Martin — 10.

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

At 4:03 p.m. on motion of Senator Isaacs, the Senate recessed for half an hour.

The Senate reconvened at 5:02 p.m. President Pro Tem Isaacs presiding.

On motion of Senator Murphy, **SB 652** was taken up for consideration and read by title only:

SB 652 — “An Act to amend Title 7, Delaware Code, to improve Administrative and Legal Procedures, clarify the process and granting variances, to authorize the Secretary to collect the costs of abating violations and controlling pollution incidents.”

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

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

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

ABSENT: Senators duPont and Manning — 2.

Therefore, the Amendment was adopted.

The privilege of the floor was extended to N. C. Vasuke, Department of Natural Resources and Environmental Control, to speak on the Bill.

The vote on **SB 652 w SA 1** was then taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Hale, Holloway, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele — 14.

NO: Senators Cordrey, Elliott, Hughes and Isaacs, — 4.

NOT VOTING: Senator Zimmerman — 1.

ABSENT: Senators duPont and Jarvis — 2.

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

Senator Isaacs introduced **SR 227** and moved that it be adopted.

SR 227 — “To debit Senate Travel Account for Legislators’ mileage of the present Session of the 127th General Assembly.”

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

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

ABSENT: Senators duPont and Jarvis — 2.

Therefore, the Resolution was adopted.

Senators Isaacs and Cordrey introduced **SR 228** and moved that it be adopted.

SR 228 — “Authorizing payments for services rendered by the Staff of the Senate for the 127th General Assembly.”

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

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

ABSENT: Senators duPont and Jarvis — 2.

Therefore, the Resolution was adopted.

On motion of Senator Isaacs, **SB 651** final consideration of which had been deferred, was again taken up for consideration.

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

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Martin, Murphy, Schlör, Steele, Zimmerman — 18.

NOT VOTING: Senator Manning — 1.

ABSENT: Senators duPont and McCullough — 2.

Therefore, the Amendment was adopted.

The roll call vote on **SB 651 w SA 1** was then taken but before being announced, Senator Isaacs moved that it be tabled.

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

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

NO: Senators Castle, Hale, Jarvis, Manning and Steele — 5.

NOT VOTING: Senator Elliott — 1.

ABSENT: Senator duPont — 1.

Therefore, the motion prevailed and the roll call on the Bill was tabled.

Senator Kearns, Chairman of the Judiciary and Elections Committee, reported back to the Senate: **HB 680** — 5 Merits; **HB 913** — 5 Merits.

Senator Isaacs, Chairman of the Executive Committee, reported back to the Senate: **HB 822** — 4 Merits.

Senator Murphy introduced **SA 1 to SB 648**. Placed with the Bill.

Senator Cook, Chairman of the Administrative Services Committee, reported back to the Senate: **HB 664** — 1 Favorable, 5 Merits.

On motion of Senator Adams, the necessary rules were suspended for the purpose of reconsidering **SB 50** which had previously passed the Senate, as now further amended by **HA 2**.

The roll call vote on **SB 50 w HA 2** was then taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Steele, Zimmerman — 19.

ABSENT: Senators duPont and Schlor — 2.

Therefore, the Bill (as so amended) passed the Senate.

At 6:11 p.m. on motion of Senator Isaacs, the Senate recessed until 1:30 p.m. June 18, 1974.

The Senate reconvened at 1:51 p.m. June 18, 1974, President Pro Tempore Isaacs presiding.

Senator Isaacs, Chairman of the Executive Committee, reported back to the Senate: **SB 641** — 3 Merits.

Senator Isaacs, Chairman of the Natural Resources and Environmental Control Committee, reported back to the Senate: **SB 611** — 3 Merits.

Senator Steele, Chairman of the Finance Committee, reported back to the Senate: **HB 825** — 4 Merits.

Senator Kearns, Chairman of the Judiciary and Elections Committee, reported back to the Senate: **SB 674** — 3 Merits.

At 1:52 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 48th Day.

48TH LEGISLATIVE DAY

The Senate convened at 1:52 p.m. June 18, 1974, President Pro Tempore Isaacs presiding.

A Prayer was offered by Senator Elliott.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

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

The Journal was approved as read.

The following correspondence was read into the record:

Charles P. Staats
St. Georges, Delaware

June 18, 1974

Honorable Senators and Members of Staff
Delaware State Senate
Dover, Delaware
Dear Friends:

I have been trying since last Thursday to coin some fancy words that would in some small way help me express my most humble and sincere appreciation for the wonderful surprise

party that you gave me.

I just can't come up with anything fancy, so I will just say in simple words, THANK YOU from the bottom of my heart for one of the happiest evenings of my life.

May the good Lord bless each of you for the part that you played.

With respect and affection,
(Signed) Charlie Staats

The Secretary read the following message from the House:
6—17—74

Mr. President:

The House wishes to inform the Senate that it has passed: **HB 932; HB 526 w HA 1; HB 687 w HA 1; HB 960 w HA 1; HB 1029; HB 27 w HA 2, 3; HB 494; HB 753; HB 785; HB 810; HB 820; HB 901 w HA 1; HB 107 w HA 1, 2; HB 706 w HA 1, 3, 4; HB 204; HB 971; HB 946; HB 892 w HA 1; HB 752 w HA 1; HB 970 w HA 1; HB 947; HB 950 w HA 1; HB 973; HS 1 for HB 361 w SA 1, HA 1, 4; HB 873; HB 599 w HA 1, 2, 3; HB 746 w SA 1, 2, HA 1** and requests the concurrence of the Senate.

The House also passed: **SB 603; SS 1 for SB 637 w SA 1; SB 376; SB 471; SB 467 w SA 1, 3; SS 1 for SJR 54; SJR 55; SB 622** and is returning same to the Senate.

The Chair introduced the following House Bills:

HB 950 w HA 1 — “An Act to amend Chapter 29, Part II, Title 6 of the Delaware Code relating to commerce and trade; and regulating certain trade practices which affect the distribution of motor fuels.” Assigned to Energy Committee.

HS 1 for HB 361 w HA 1, SA 1 was returned from the House as further amended by **HA 4** and was placed in the Finance Committee.

HB 973 — “An Act relating to Vernon C. Steele, deceased, a former employee of the State of Delaware and the City of Newark, and the eligibility of his widow for a pension.” Assigned to Finance Committee.

HB 599 w HA 1, 2, 3 — “An Act to amend Chapter 91, Part VI, Title 14 of the Delaware Code relating to aid for needy Delaware students attending Delaware Technical and Community College; and providing an appropriation therefor.” Assigned to Education Committee.

HB 746 w SA 1, 2 was returned from the House as further amended by **HA 1** and placed in the Finance Committee.

HB 107 — “An Act to amend Chapter 55, Part V, Title 29 of the Delaware Code relating to the State Employees' Pension

Plan and the definition of "credited service". Assigned to Labor and Industrial Relations Committee.

HB 706 — "An Act to amend Chapter 65, Part IV, Title 11 of the Delaware Code relating to the retirement of certain persons employed within the Division of Adult Corrections and providing a supplementary appropriation therefor." Assigned to Health and Social Services Committee.

HB 204 — "An Act to amend Chapter 55, Part V, Title 29 of the Delaware Code relating to the State Employees' Pension Plan." Assigned to Administrative Services Committee.

HB 971 — "An Act relating to Francis J. Heron, deceased, a former employee of the Governor Bacon Health Center and the City of Wilmington, and the eligibility of his widow for a pension." Assigned to Finance Committee.

HB 946 — "An Act to amend an Act entitled: "An Act to reincorporate the Town of Smyrna", relating to the elected officers of said town." Assigned to Community Affairs Committee.

HB 892 w HA 1 — "An Act to amend Chapter 52, Title 30, Delaware Code, relating to penalties for violation of the provisions of the Motor Carriers Fuel Purchase Law relating to identification markers and registration cards." Assigned to Judiciary and Elections Committee.

HB 752 w HA 1 — "An Act to amend Chapter 27, Title 11, Delaware Code, relating to accessing a fee for changing to a different type of driver's license." Assigned to Public Safety Committee.

HB 970 w HA 1 — "An Act to amend Section 503, Title 8 of the Delaware Code by adding a definition of total assets and total gross assets." Assigned to Revenue and Taxation Committee.

HB 947 — "An Act to provide a supplemental appropriation to the Department of Administrative Services to pay certain employees salaries previously earned." Assigned to Administrative Services Committee.

HB 873 — "An Act making a supplementary appropriation to the Legislative Council for fiscal '74 supplies and materials." Assigned to Executive Committee.

HB 932 — "An Act to provide a supplementary appropriation to the Department of State for expenses incurred in the publishing of the Laws of Delaware." Assigned to Administrative Services Committee.

HB 526 w HA 1 — "An Act relating to a pension for Wallace Truitt, a former employee of the State Highway Department in Sussex County." Assigned to Finance Committee.

HB 687 w HA 1 — "An Act to amend Part IX, Title 16 of the Delaware Code relating to disabled and partially disabled

persons; and providing for a State Use Law to create employment opportunities for blind individuals by assuring a market for their products and services." Assigned to Health and Social Services Committee.

HB 960 w HA 1 — "An Act to amend Subchapter II, Chapter 11, Title 12, Delaware Code, relating to abandoned property funds." Assigned to Administrative Services Committee.

HB 1029 — "An Act to amend Chapter 74, Title 29, Delaware Code relating to bond anticipation notes of the State and eliminating the interest rate limitations on bond anticipation notes of the State of Delaware." Assigned to Finance Committee.

HB 27 w HA 2, 3 — "An Act to amend Part II, Title 29, Delaware Code, to provide for registration of Legislative Agents with the Legislative Council, to require reports by Legislative Agents, to prohibit compensation of Legislative Agents based on outcome of legislation; and to prescribe penalties for violations of the Chapter." Assigned to Executive Committee.

HB 494 — "An Act to amend Title 16, Delaware Code, by increasing the penalties for violations of State Board of Health regulations or orders." Assigned to Health and Social Services Committee.

HB 753 — "An Act to amend Title 30, Delaware Code, relating to the furnishing of monthly distributors' reports." Assigned to Revenue and Taxation Committee.

HB 785 — "An Act to amend an Act being Chapter 197, Volume 54, Laws of Delaware, as amended, entitled "An Act revising the prior Charter of the City of Rehoboth Beach and prescribing a new Charter therefor and prescribing the powers and duties of the commissioners of Rehoboth Beach" to provide for one man one vote voting in annexation elections, to provide for appeals from the assessments to increase the maximum fine that may be imposed by the Alderman, to increase the amount that can be raised by taxation, to provide a procedure for payment of paving, guttering, and curbing, and to provide a procedure for borrowing money and issuing bonds." Assigned to Community Affairs Committee.

HB 810 — "An Act to amend Chapter 29, Title 24 of the Delaware Code relating to the advertising, sale, exchange or other disposition of real estate which is offered as part of a common promotional plan and which is located outside the State of Delaware." Assigned to Administrative Services Committee.

HB 820 — "An Act to amend Chapter 13, Title 14 of the Delaware Code relating to absence of teachers and other school employees in case of a death in the immediate family." Assigned to Education Committee.

HB 901 w HA 1 — “An Act to amend Chapter 5, Part I, Title 11 of the Delaware Code relating to offenses involving obstruction of governmental operations.” Assigned to Administrative Services Committee.

Senator Isaacs (with all the Senators as co-sponsors) introduced **SR 230** and moved that it be adopted.

SR 230 — “Expressing hearty congratulations to Senator Charles Evans “Pete” Hughes and his bride, Mildred, on their 36th Wedding Anniversary.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Hale, Holloway, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlor, Steele, Zimmerman — 19.

NOT VOTING: Senator Hughes — 1.

ABSENT: Senator Elliott — 1.

Therefore, the Resolution was adopted.

At 2:21 p.m. on motion of Senator Cordrey, the Senate recessed for half an hour.

The Senate reconvened at 4:10 p.m., Lt. Governor Bookhammer presiding.

Senators Cook and Steele introduced **SB 684**:

SB 684 — “An Act to amend Title 31, Delaware Code, relating to the establishment of a private Day Care Licensing Act.” Assigned to Administrative Services Committee.

Senator Holloway introduced **SB 685**:

SB 685 — “An Act to amend Title 31, Delaware Code, relating to the establishment of a Child Care Licensing Act.” Assigned to Administrative Services Committee.

Senator Elliott introduced **SB 686**:

SB 686 — “An Act to amend Chapter 7, Title 14, Delaware Code, relating to the prohibition of corporal punishment in certain cases.” Assigned to Education Committee.

Senator Castle introduced **SB 687**

SB 687 — “An Act to amend Titles 9, 10, and 12, Delaware Code, to allow the New Castle County Council, the Levy Court of Kent County, and the Sussex County Council to set the salaries for register in Chancery, Prothonotary Recorder of Deeds, Register of Wills, and Sheriff.” Assigned to Community Affairs Committee.

Senators Hale and Adams introduced **SB 688**:

SB 688 — “An Act to amend Chapter 55, Title 29, Delaware Code, relating to State Employees Pension Plan.” Assigned to Finance Committee.

Senator Isaacs introduced **SA 21 to SB 584**. Placed with the Bill.

Senator Castle introduced **SA 1 to HB 846**. Placed with the Bill.

Senators Jarvis and Zimmerman introduced **SA 1 to HB 950**. Placed with the Bill.

Senator Kearns, Chairman of the Judiciary and Elections Committee, reported back to the Senate: **SB 653** — 4 Merits; **SB 610** — 5 Merits; **SB 562** — 5 Merits; **SB 660** — 4 Merits; **SB 586** — 1 Favorable, 4 Merits; **HB 676** — 5 Merits; **HB 215** — 1 Favorable, 3 Merits; **HB 679** — 5 Merits; **HB 811** — 5 Merits; **HB 845** — 5 Merits.

Senator Zimmerman, Chairman of the Highways, Transportation and Insurance Committee, reported back to the Senate: **HB 727** — 1 Favorable, 4 Merits; **HB 305** — 2 Favorable, 3 Merits; **HB 303** — 2 Favorable, 3 Merits.

Senator Murphy, Chairman of the Community Affairs Committee, reported back to the Senate: **HB 644** — 2 Favorable, 3 Merits.

Senators Isaacs and Cordrey introduced **SR 229** and moved that it be adopted.

SR 229 — “Authorizing payment for services rendered by Ann McLaughlin of the Senate Staff for the 127th General Assembly.”

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Hale, Holloway, Hughes, Isaacs, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele — 16.

ABSENT: Senators Cicione, duPont, Elliott, Jarvis, Zimmerman — 5.

Therefore, the Resolution was adopted.

Senators Isaacs and Cordrey introduced **SR 231** and moved that it be adopted.

SR 231 — “Relative to interim per diem clerical compensation for Staff of the Senate.”

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

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

ABSENT: Senators duPont, Jarvis, Manning and Zimmerman — 4.

Therefore, the Resolution was adopted.

Senator Elliott introduced **SA 11 to HB 750**. Placed with the Bill.

Senator Holloway introduced **SA 12 to HB 750**. Placed with the Bill.

Senator Berndt introduced **SA 1 to SB 662**. Placed with the Bill.

Senator Hughes introduced **SA 2 to HB 950**. Placed with the Bill.

On motion of Senator Hughes, **SB 525** final consideration of which had been deferred, was again taken up for consideration.

On motion of Senator Hughes, **SA 1** to the Bill was stricken.

On motion of Senator Hughes, the roll call vote on **SA 2** to the Bill which had been placed with the Bill, was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Manning, Murphy, Schlör, Steele — 16.

NO: Senator Cordrey — 1.

ABSENT: Senators Jarvis, Martin, McCullough and Zimmerman — 4.

Therefore, the Amendment was adopted.

On motion of Senator Hughes, **SA 3** to the Bill which had been placed with the Bill, was taken up for consideration, the roll call vote taken, and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Manning, Martin, Murphy, Schlör, Steele — 18.

ABSENT: Senators Jarvis, McCullough and Zimmerman — 3.

Therefore, the Amendment was adopted.

On motion of Senator Hughes, the roll call vote on **SB 525 w SA 2, 3** was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Manning, Martin, Murphy, Schlör, Steele — 17.

NO: Senators Cordrey and Jarvis — 2.

ABSENT: Senators McCullough and Zimmerman — 2.

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

On motion of Senator Isaacs, **SB 417** final consideration of which had been deferred, was again taken up for consideration.

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, Murphy, Schlör, Steele, Zimmerman — 19.

ABSENT: Senators Hale and McCullough — 2.

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

On motion of Senator Cicione, **SB 623** was taken up for consideration and read by title only:

SB 623 —“An Act relating to the pension for the survivor of Rocco A. Episcopo.”

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

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

NOT VOTING: Senators Berndt, Castle, duPont, Hale, Manning, Steele — 6.

ABSENT: Senators Elliott, Jarvis and McCullough — 3.

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

On motion of Senator Steele, **HB 573** was taken up for consideration and read by title only:

HB 573 — “An Act to amend Section 504, Chapter 5, Title 31, Delaware Code, relating to categories of assistance to provide for state participaion in the advancement of Title XIX Funds under Title XVI and Title IV-A of the United States Social Security Act or other similar programs.”

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, Schlör, Steele, Zimmerman — 18.

NOT VOTING: Senator Cicione — 1.

ABSENT: Senators McCullough and Murphy — 2.

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

On motion of Senator Murphy, **SB 648** final consideration of which had been deferred, was again taken up for consideration.

On motion of Senator Murphy, the roll call vote on **SA 1** to the Bill which had been placed with the Bill, was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Holloway, Hughes, Isaacs, Kearns, Manning, Martin, Murphy, Schlör, Steele, Zimmerman — 18.

NO: Senator Jarvis — 1.

NOT VOTING: Senator McCullough — 1.

ABSENT: Senator Hale — 1.

Therefore, the Amendment was adopted.

On motion of Senator Murphy, final consideration of the Bill was deferred.

On motion of Senator Zimmerman, **HB 722 w HA 1** was taken up for consideration and read by title only:

HB 722 w HA 1 — “An Act to amend Title 17 of the Delaware Code by adding a new Chapter thereto entitled “Bikeways” relating to the establishment of bikeways for non-

motorized bicycling on existing state lands and rights-of-way, and providing for the acquisition of additional lands or rights-of-ways for use as bikeways.”

Senator Isaacs moved that **SA 1** to the Bill which had been placed with the Bill now be adopted.

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

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Holloway, Hughes, Isaacs, Jarvis, Kearns, Martin, McCullough, Murphy, Schlör, Zimmerman — 17.

NO: Senator Hale — 1.

NOT VOTING: Senators Castle, Manning and Steele — 3.

Therefore, the Amendment was adopted.

The roll call vote on **HB 722 w HA 1, SA 1** was then taken and announced to be:

YES: Senators Berndt, Castle, duPont, Elliott, Hale, Holloway, Isaacs, Jarvis, Kearns, Martin, McCullough, Murphy, Zimmerman — 13.

NO: Senators Adams, Cook, Cordrey, Hughes, Manning and Steele — 6.

ABSENT: Senators Cicione and Schlör — 2.

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

On motion of Senator Murphy, **SB 648** final consideration of which had been deferred, was again taken up for consideration.

Senator Murphy introduced **SA 2** to the Bill and moved that it be adopted.

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Jarvis, Kearns, Manning, Martin, Murphy, Steele, Zimmerman — 17.

NOT VOTING: Senator McCullough — 1.

ABSENT: Senators Cicione, Isaacs and Schlör — 3.

Therefore, the Amendment was adopted.

The roll call vote on **SB 648 w SA 1, 2** was then taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Steele, Zimmerman — 19.

ABSENT: Senators Isaacs and Schlör — 2.

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

On motion of Senator Holloway, **SB 672** was taken up for consideration and read by title only:

SB 672 — “An Act to amend Chapter 27, Title 14,

Delaware Code, relating to mentally or physically handicapped children.”

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

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

ABSENT: Senator Zimmerman — 1.

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

On motion of Senator Holloway, **SB 673** was taken up for consideration and read by title only:

SB 673 — “An Act to amend Chapter 31, Title 14, Delaware Code relating to special classes and facilities for certain children.”

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

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

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

On motion of Senator McCullough, **SB 674** was taken up for consideration and read by title only:

SB 674 — “An Act to amend Chapters 93 and 95, Title 10, Delaware Code, relating to venue of Justices of the Peace; issuance and requirements of Summons, services of Summons and Verification of Default Judgement.”

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

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

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

On motion of Senator McCullough, **HB 734** was taken up for consideration and read by title only:

HB 734 — “An Act to amend Chapter 1, Title 14 of the Delaware Code by requiring the State Board of Education to establish regulations to assure the preservation of school employee personnel records.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis,

Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 21.

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

Senator Zimmerman, Chairman of the Highways, Transportation and Insurance Committee, reported back to the Senate: **SB 185** — 3 Merits, 2 Unfavorable.

Senator Murphy, Chairman of the Community Affairs Committee, reported back to the Senate: **HB 338** — 3 Merits, 1 Unfavorable; **HB 733** — 1 Favorable, 3 Merits; **HB 819** — 4 Merits.

Senator Cicione, Chairman of the Labor and Industrial Relations Committee, reported back to the Senate: **HB 107** — 3 Merits.

Senator Holloway, Chairman of the Health and Social Services Committee, reported back to the Senate: **HB 687** — 5 Merits; **HB 494** — 5 Merits.

Senator Adams introduced **SA 22 to SB 584**. Placed with the Bill.

Senator Isaacs introduced **SA 23 to SB 584**. Placed with the Bill.

On motion of Senator Holloway, **SR 146** and **SR 201** were stricken.

On motion of Senator Elliott, the following Bills were stricken: **SB 30; SB 40; SB 378; SB 566; SB 664**.

On motion of Senator Kearns, the roll call vote on **SB 667** was lifted and announced to be:

YES: Senators Berndt, Castle, duPont, Elliott, Hale, Holloway, Jarvis, Kearns, Manning, Martin, Schlör — 11.

NO: Senators Adams, Cicione, Cook, Cordrey, Hughes, Isaacs, McCullough, Steele, Zimmerman — 9.

NOT VOTING: Senator Murphy — 1.

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

At 6:08 p.m. on motion of Senator Isaacs, the Senate adjourned until 1:30 p.m. June 19, 1974.

49TH LEGISLATIVE DAY

The Senate convened at 2:08 p.m. June 19, 1974, Lt. Governor Bookhammer presiding.

A Prayer was offered by the Chaplain.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

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

The Journal was approved as read.

The Secretary read the following message from the House:
6—18—74

Mr. President:

The House wishes to inform the Senate that it has passed: **HS 1 for HB 534 w HA 1; HB 781; HB 935; HB 290; HB 479; HB 500; HB 692; HB 874; HB 899; HB 996; HJR 41** and requests the concurrence of the Senate.

The House also passed **SB 339; SB 481** and is returning same to the Senate.

On motion of Senator Cicione, the following Bills were stricken: **SB 142; SB 294; SB 299; SB 302; SA 13 to SB 584.**

Senator Steele, Chairman of the Finance Committee, reported back to the Senate: **HB 1029** — 5 Merits.

The Chair introduced the following House Bills:

HS 1 for HB 534 w HA 1 — “An Act to amend Title 6 of the Delaware Code by creating a new Chapter relating to the sale of certain beverages in non-returnable or disposable beverage containers within the State of Delaware.” Assigned to Natural Resources and Environmental Control Committee.

HB 781 — “An Act to amend Chapter 21, Part II, Title 16, Delaware Code, pertaining to regulatory provisions concerning Public Health, and specifically relating to mattresses, pillows and bedding.” Assigned to Health and Social Services Committee.

HB 290 — “An Act to amend Title 31 of the Delaware Code, entitled “Welfare”, to provide for the furnishing of medical care to the indigent and medically indigent.” Assigned to Health and Social Services Committee.

HB 479 — “An Act to amend Chapter 3, Part I, Title 11 of the Delaware Code relating to “Molotov Cocktails”; and other explosive devices.” Assigned to Judiciary and Elections Committee.

HB 500 — “An Act to amend Chapter 31, Title 20 of the Delaware Code relating to Civil Defense and providing for immunity from liability in certain cases.” Assigned to Judiciary and Elections Committee.

HB 692 — “An Act to amend Chapter 39, Part II, Title 6 of the Delaware Code relating to Newspapers; and providing that the Editorials of Newspapers published within the State be signed by the persons writing the Editorials.” Assigned to Labor and Industrial Relations Committee.

HB 874 — “An Act to amend Chapter 11, Subchapter IV, Title 9, Delaware Code, relating to the creation of and assignment of functions to Departments, offices and agencies by the County Council of New Castle County.” Assigned to Community Affairs Committee.

HB 899 — “An Act to amend Subchapter 11, Chapter 31, Title 20 of the Delaware Code relating to additional powers of Governor during State of Emergency and exempting from liability for death, injury and damages in certain cases.” Assigned to Judiciary and Elections Committee.

HB 935 — “An Act making a supplementary appropriation to the Department of Highways and Transportation for the purpose of installing Traffic Signal Control Equipment at the Selbyville Firehouse, Selbyville, Delaware.” Assigned to Highways, Transportation and Insurance Committee.

HB 996 — “An Act to amend Chapter 41, Title 9, Delaware Code authorizing the transfer of a local service function by the concurring affirmative action of the Levy Court and a Municipality in Kent County.” Assigned to Administrative Services Committee.

Senator Elliott introduced **SS 1 for SB 668**. Adopted in lieu of the Original and assigned to Judiciary and Elections Committee.

Senator Elliott introduced **SS 1 for SB 686**. Adopted in lieu of the Original and placed in Education Committee.

Senator Isaacs and Elliott introduced **SA 1 to HB 413**. Placed with the Bill.

Senator Hale introduced **SA 1 to SB 126**. Placed with the Bill.

Senator Cordrey introduced **SA 24 to SB 584**. Placed with the Bill.

Senator Holloway introduced **SA 1 to SB 666**. Placed with the Bill.

Senator Cordrey introduced **SA 13 to HB 750**. Placed with the Bill.

Senator Hale introduced **SA 14 to HB 750**. Placed with the Bill.

The Chair introduced **HJR 41**:

HJR 41 — “Establishing the Official Revenue for Fiscal Year 1975.”

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

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

NO: Senators Castle, Elliott, Hale, Jarvis and Steele — 5.

NOT VOTING: Senators Berndt and Hughes — 2.

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

Senator Murphy introduced **SJR 61**:

SJR 61 — “Commanding the Department of Justice to present a report to the General Assembly on or before June 30,

1974, on the case of State v. Connely, et. al.”

Senator Murphy moved that the necessary rules be suspended for the purpose of considering the Resolution.

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

YES: Senators Adams, Cicione, Cook, Cordrey, Elliott, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Zimmerman — 16.

NO: Senators Castle, duPont, Hale and Steele — 4.

ABSENT: Senator Berndt — 1.

Therefore, the motion prevailed and the roll call vote on adoption of the Resolution was taken and announced to be:

YES: Senators Adams, Cicione, Cook, Cordrey, Elliott, Isaacs, Jarvis, Kearns, Martin, McCullough, Murphy, Schlör, Zimmerman — 13.

NO: Senators Berndt and Steele — 2.

NOT VOTING: Senators Castle, duPont, Hale, Holloway — 4.

ABSENT: Senators Hughes and Manning — 2.

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

Senator Elliott (all the Senators as co-sponsors) introduced **SR 232** and moved that it be adopted.

SR 232 — “Saluting the Annual Delmarva Chicken Festival and Chicken Cooking Contest to be held June 21 and 22, 1974, in Seaford, Delaware.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Isaacs, Kearns, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 18.

ABSENT: Senators Hughes, Jarvis and Manning — 3.

Therefore, the Resolution was adopted.

Senator Elliott introduced **SA 6 to SB 285**. Placed with the Bill.

Senator Elliott introduced **SA 3 to SB 489**. Placed with the Bill.

Senator Isaacs introduced **SA 25 to SB 584**. Placed with the Bill.

Senator Kearns introduced **SA 26 to SB 584**. Placed with the Bill.

Senator Cicione, Chairman of the Labor Committee, reported back to the Senate: **SB 681** — 1 Favorable, 3 Merits; **HB 692** — 1 Favorable, 2 Merits, 1 Unfavorable.

Senator Murphy, Chairman of the Community Affairs Committee, reported back to the Senate: **HB 946** — 4 Merits.

On motion of Senator Isaacs, **HB 413 w HA 1** was taken up for consideration and read by title only:

HB 413 w HA 1 — “An Act to create Section 919 of the Delaware Code, Title 7 entitled “Menhaden Fishing”.

Senator Elliott introduced **SA 1** to the Bill, but on motion of Senator Elliott, consideration of the Amendment was deferred.

On motion of Senator Isaacs, the roll call vote on **HB 413 w HA 1** was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Isaacs, Jarvis, Kearns, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 19.

ABSENT: Senators Hughes and Manning — 2.

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

On motion of Senator Zimmerman, **SB 611** was taken up for consideration and read by title only:

SB 611 — “An Act to amend §2305(b) Title 7, Delaware Code, relating to licensing of crabbers.”

On motion of Senator Zimmerman, the roll call vote on the Bill was tabled.

On motion of Senator Castle, **SS 1 for SB 645** was taken up for consideration and read by title only:

SS 1 for SB 645 — “An Act to amend Chapter 92, Volume 53, Laws of Delaware, as amended Being an Act entitled “An Act to provide for the organization and control of the Public Schools of the City of Wilmington.”

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

YES: Senators Berndt, Castle, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, McCullough, Murphy, Schlör, Steele — 17.

NO: Senator Adams — 1.

NOT VOTING: Senator Zimmerman — 1.

ABSENT: Senators Cicione and Martin — 2.

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

On motion of Senator Steele, **HB 825** was taken up for consideration and read by title only:

HB 825 — “An Act to appropriate money to Department of Finance for payments of claims relating to “Veterans’ Military Pay Act No. III.”

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

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

ABSENT: Senator Cicione — 1.

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

On motion of Senator Zimmerman, **HB 303 w HA 2, 3** was taken up for consideration and read by title only:

HB 303 w HA 2, 3 — “An Act making a supplementary appropriatinn to the Department of Highways and Transportation for the purpose of installing traffic signal control equipment at the Greenwood Firehouse, Greenwood, Delaware.”

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

YES: Senators Adams, Berndt, Castle, Cook, duPont, Elliott, Hale, Holloway, Isaacs, Jarvis, Kearns, Martin, Schlör, Steele, Zimmerman — 15.

NOT VOTING: Senators McCullough and Murphy — 2.

ABSENT: Senators Cicione, Cordrey, Hughes and Manning — 4.

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

On motion of Senator Zimmerman **HB 305 w HA 1, 2** was taken up for consideration and read by title only:

HB 305 w HA 1, 2 — “An Act making a supplementary appropriation to the Department of Highways and Transportation for the purpose of installing traffic signal control equipment at the Ellendale Firehouse, Ellendale, Delaware.”

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Elliott, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 19.

ABSENT: Senators Cicione and Hale — 2.

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

On motion of Senator Kearns, **HB 845** was taken up for consideration and read by title only:

HB 845 — “An Act to amend Article 3, Title 5A, Delaware Code annotated, relating to the liability of parties on commercial paper.”

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

YES: Senators Berndt, Castle, Cook, Cordrey, duPont, Elliott, Holloway, Isaacs, Kearns, Martin, McCullough, Murphy, Schlör, Steele — 14.

NO: Senator Zimmerman — 1.

ABSENT: Senators Adams, Cicione, Hale, Hughes, Jarvis and Manning — 6.

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

At 3:55 p.m on motion of Senator Isaacs, the Senate recessed for half an hour.

The Senate reconvened at 5:10 p.m.

On motion of Senator Holloway, **SB 640** which had been laid on the table, was taken up for consideration.

On motion of Senator Holloway, the following communication was made part of the record:

STATE OF DELAWARE
DEPARTMENT OF JUSTICE

June 11, 1974

OPINION TO: Betty M. Pond, Administrative Director, Department of Elections for New Castle County, Public Building, Wilmington, Delaware

OPINION BY: David H. Erisman, Deputy Attorney General

QUESTION: Are convicted misdemeanants and pre-trial detainees incarcerated in Delaware under a physical disability and, therefore, entitled to cast absentee ballots under Article V, Section 4A of the Delaware Constitution?

ANSWER: Yes, non-felons incarcerated in Delaware who are properly registered are eligible to vote by absentee ballot since they are physically disabled.

DISCUSSION: In October of 1972, an opinion of this office was rendered which equated physical disability with medical disability, and, therefore, concluded that non-felons incarcerated in Delaware were not entitled to cast absentee ballots under Article V, Section 4A of the Delaware Constitution, and the "physical disability" clause contained therein. This office is now of the opinion that the interpretation of the aforementioned clause was unduly restrictive and now interprets said clause to include any convicted misdemeanants and pre-trial detainees who are incarcerated in the State.

Although it is undoubtedly true that a judicial incapacity renders a convicted misdemeanant and pre-trial detainee unable to appear at his or her regular polling place. (See October 26, 1972 Opinion) it is equally true than an inmate confined in jail is, in fact, physically disabled from leaving his or her confinement to go to the polls to vote. The draftsmen of Article V, Section 2, of the Delaware Constitution, by specifically excluding non-felons, intended sub-silencio that the latter class, when otherwise qualified, not be disenfranchised, whether incarcerated or not. In order to best effectuate that intention, convicted misdemeanants and pre-trial detainees must be included within the definition of physical disability.

Recent case law has likewise played an important role in our decision to broaden the "physical disability" definition. Although the United States Supreme Court has never

specifically held that State statutes containing "physical disability" clauses similar to ours must be construed to include convicted misdemeanants and pre-trial detainees, Chief Justice Burger in *O'Brien v. Skinner*, 42 L.W. 4151, a decision handed down in January of this year, remaked that such a construction "...may well have been a reasonable interpretation of New York law,..." *O'Brien*, along with another earlier Supreme Court decision, *Goosby v. Osser*, 409 U.S 512 (1973), indicate that the Court is nearing the point of concluding across the board that incarcerated non-felons should not be disenfranchised, whether through legislation or the lack thereof. We think it should also be noted that the McDonald decision referred to in the October, 1972, opinion of this office, rested on a failure of proof, and not on a rejection by the court of the appellant's claims (See *O'Brien* decision, Page 4153.)

Having reached the above conclusion, we are fully aware that an immediate problem is presented with respect to Title 15, Section 5504(a) of the Delaware Code, which provides: "any elector desiring to receive an absentee ballot because of...physical disability shall cause an affidavit to be filed with the Department of Elections..by the elector and by a person authorized to practice medicine or surgery under the laws of this State..."

Obviously, a convicted misdemeanor or pre-trial detainee, desiring to receive an absentee ballot because of his or her physical disability, will not be able to obtain an affidavit from a physician. It is, therefore, the recommendation of this office that legislation be introduced to remedy the problem. Without such legislation, Section 5504(a) would be unconstitutional under the Opinion of the Justices, 295 A.2d 718 (1972), as an enlargement by the legislature upon the absentee voter classification specified in Article V, Section 4A as now interpreted.

Very truly yours,
(Signed) David H. Erisman
Deputy Attorney General

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

YES: Senators Holloway, Isaacs, Kearns, Manning, Murphy, Schlor — 6.

NO: Senators Adams, Cook, Hughes, McCullough and Steele — 5.

NOT VOTING: Senators Berndt, Castle, duPont, Elliott, Hale, Jarvis, Martin, Zimmerman — 8.

ABSENT: Senators Cicione and Cordrey — 2.

Therefore, the Bill was declared lost to the Senate.

On motion of Senator Kearns, **HB 811 w HA 1, 2** was

taken up for consideration and read by title only:

HB 811 w HA 1, 2 — “An Act to amend Chapter 7, Title 13, Delaware Code, relating to parents and children.”

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

YES: Senators Adams, Berndt, Castle, Cicione, duPont, Elliott, Hale, Holloway, Hughes, Jarvis, Kearns, Manning, Martin, Murphy, Schlör, Steele, Zimmerman — 17.

NO: Senator Cook — 1.

ABSENT: Senators Cordrey, Isaacs and McCullough — 3.

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

On motion of Senator Kearns, **HB 679 w HA 1** was taken up for consideration and read by title only:

HB 679 w HA 1 — “An Act to amend Chapter 43, Part II, Title 11 of the Delaware Code relating to the Board of Pardons; and providing for psychiatric examination for persons convicted of certain crimes and offenses.”

On motion of Senator Kearns, **SA 1** to the Bill which had been placed with the Bill, was stricken.

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, duPont, Hale, Holloway, Hughes, Jarvis, Manning, Martin, Murphy, Schlör, Steele, Zimmerman — 16.

NO: Senator Kearns — 1.

ABSENT: Senators Cordrey, Elliott, Isaacs and McCullough — 4.

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

On motion of Senator Zimmerman, the roll call vote on **SB 611** was lifted and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Zimmerman — 16.

NO: Senators Cook, Cordrey, duPont, Elliott, Steele — 5.

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

On motion of Senator Kearns, **HB 215 w HA 1** was taken up for consideration and read by title only:

HB 215 w HA 1 — “An Act to amend Chapter 9, Part I, Title 10 of the Delaware Code relating to the jurisdiction and powers of the Family Court, and providing for judgment against the parents of juveniles who steal or destroy property.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, duPont, Elliott, Hale, Holloway, Hughes, Jarvis, Kearns, Man-

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

ABSENT: Senators Cordrey, Isaacs and McCullough — 3.

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

On motion of Senator Zimmerman, and without objection, **HB 290** which had been placed in the Health and Social Services Committee, was reassigned to the Highways, Transportation and Insurance Committee.

On motion of Senator Kearns, **SB 562** was taken up for consideration and read by title only:

SB 562 — "An Act to amend Chapter 41, Title 11, Delaware Code providing for a write-off of fines and costs under certain conditions."

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

YES: Adams, Berndt, Castle, Cicione, Cook, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, Murphy, Schlör, Steele, Zimmerman — 19.

ABSENT: Senators Cordrey and McCullough — 2.

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

At 5:57 p.m. on motion of Senator Isaacs, the Senate recessed until 7:30 p.m.

The Senate reconvened at 8:22 p.m.

Senator Schlör, Chairman of the Public Safety Committee, reported back to the Senate: **SB 654** — 5 Merits.

Senator Holloway, Chairman of the Health and Social Services Committee, reported back to the Senate: **HB 781** — 5 Merits.

Senator Martin, Chairman of the Energy Committee, reported back to the Senate: **HB 950** — 4 Merits.

Senator McCullough, Chairman of the Education Committee, reported back to the Senate: **SS 1 for SB 686** — 3 Favorable, 2 Merits.

Senator Cicione, Chairman of the Labor Committee, reported back to the Senate: **SS 1 for SB 587** — 3 Merits.

Senator Steele, Chairman of the Finance Committee, reported back to the Senate: **SB 584** — 4 Merits, 1 Unfavorable.

On motion of Senator Cicione, **HB 107 w HA 1, 2** was taken up for consideration and read by title only:

HB 107 w HA 1, 2 — "An Act to amend Chapter 55, Part V, Title 29 of the Delaware Code relating to the State Employees' Pension Plan and the definition of "credited service."

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

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

YES: Senators Adams, Cicione, Elliott, Holloway, Isaacs, Kearns, Martin, Murphy — 8.

NO: Senators Berndt, Cook, Cordrey, duPont, Hale, McCullough, Steele, Zimmerman — 8.

NOT VOTING: Senators Hughes and Schlor — 2.

ABSENT: Senators Castle, Jarvis and Manning — 3.

Therefore, the Amendment was defeated.

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

At 8:45 p.m. on motion of Senator Isaacs, the Senate recessed until 9:15 p.m.

The Senate reconvened at 9:55 p.m., President Pro Tempore Isaacs presiding.

On motion of Senator Hale, the roll call vote on **SB 126** which was tabled was now stricken.

Senator Hale introduced **SA 1** to **SB 126** and moved that it be adopted.

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, Murphy, Schlor, Steele, Zimmerman — 19.

ABSENT: Senators Cicione and McCullough — 2.

Therefore, the Amendment was adopted.

On motion of Senator Hale, final consideration of the Bill was deferred.

On motion of Senator Kearns, **HB 680** was taken up for consideration and read by title only:

HB 680 — “An Act to amend Chapter 43, Part II, Title 11 of the Delaware Code relating to criminal procedure; and providing that any sentence imposed for a crime committed on parole or conditional release be served consecutively.”

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

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlor, Steele — 18.

NO: Senator Holloway — 1.

ABSENT: Senators Castle and Zimmerman — 2.

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

On motion of Senator Schlor, **SB 185** was taken up for consideration and read by title only:

SB 185 — “An Act to amend the Insurance Code, Title 18 of the Delaware Code, relating to the imposition of fees and taxes on Insurance Companies.”

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

YES: Senators Holloway, McCullough and Schlor — 3.

NO: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, Murphy, Steele, Zimmerman — 18.

Therefore, the Bill was declared lost in the Senate.

Senator Holloway (all the Senators as co-sponsors) introduced **SR 233** and moved that it be adopted.

SR 233 — “Requesting the Delaware Congressional Delegation to have the new Wilmington Office Building named for J. Caleb Boggs, an outstanding citizen of Delaware for the past thirty years.”

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

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

Therefore, the Resolution was adopted.

Senator Isaacs introduced **SR 234**:

SR 234 — “Expressing belated Birthday Wishes and a speedy recovery to Mrs. Blanche Cleaver Webb, the Governor’s Mother-in-law.

WHEREAS, the Senate of the 127th General Assembly of the State of Delaware has recently learned that Mrs. Blanche Cleaver Webb, the Governor’s mother-in-law, celebrated her 81st birthday on June 13, 1974; and

WHEREAS, Mrs. Blanche Webb is the widow of the late distinguished Senator from Odessa, E. Sherman Webb, Sr., who served as a member of the Senate of the 116th General Assembly, back in 1951 — 52; and

WHEREAS, the Senators of the 127th General Assembly have also learned that Mrs. Blanche Cleaver Webb is ill; however, she is not confined to a hospital; and

WHEREAS, Mrs. Blanche Cleaver Webb is a life-long resident of Delaware, as well as a woman who has manifested great dedication and loyalty to the history and philosophical principles which the First State has espoused for many years.

NOW, THEREFORE:

BE IT RESOLVED by the members of the Senate of the 127th General Assembly of the State of Delaware that belated birthday wishes are hereby extended to Mrs. Blanche Cleaver Webb, mother-in-law of Governor Sherman W. Tribbitt, on her 81st birthday and that the members of the Senate also hope that she regains her health and vigor very soon.

BE IT FURTHER RESOLVED that this Resolution be made a part of the Senate Journal and that a copy be forwarded to Mrs. Blanche C. Webb.

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

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

Therefore, the Resolution was adopted.

At 10:27 p.m. on motion of Senator Isaacs, the Senate recessed until 1:30 p.m. June 20, 1974.

The Senate reconvened at 1:53 p.m. June 20, 1974, Lt. Governor Bookhammer presiding.

Senator Zimmerman, Chairman of the Highways, Transportation and Insurance Committee, reported back to the Senate: **SB 638** — 5 Merits.

Senators Cordrey and Isaacs introduced **SR 235** and moved that it be adopted.

SR 235 — “In reference to election of Officers.”

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

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Holloway, Hughes, Isaacs, Kearns, Manning, McCullough, Schlör, Steele, Zimmerman — 15.

ABSENT: Senators Castle, Elliott, Hale, Jarvis, Martin and Murphy — 6.

Therefore, the Resolution was adopted.

Senator Cicione introduced **SB 689**:

SB 689 — “An Act to amend Chapter 29, Title 14 of the Delaware Code relating to the transportation of exceptional children to Summer Programs.” Assigned to Education Committee.

Senator Zimmerman introduced **SB 690**:

SB 690 — “An Act to amend Chapter 5, Title 11, Delaware Code establishing criminal offenses relating to the pirating of recordings and establishing penalties therefor.” Assigned to Judiciary and Elections Committee.

Senator McCullough introduced **SB 691**:

SB 691 — “An Act relating to a pension for Howard M. Teal, a former New Castle County and State Employee.” Assigned to Executive Committee.

Senator Castle introduced **SB 692**

SB 692 — “An Act to amend Titles 9, 10, and 12, Delaware Code, to allow the New Castle County Council, the Levy Court of Kent County, and the Sussex County Council to set the salaries for Register in Chancery, Prothonotary, Recorder of Deeds, Register of Wills, and Clerk of the Peace.” Assigned to Community Affairs Committee.

Senator Holloway, Chairman of the Health and Social Services Committee, reported back to the Senate: **HB 854 w HA 1, 2, 3, 5, 6 — 4 Merits.**

The Secretary read the following message from the House:
6—19—74

Mr. President:

The House wishes to inform the Senate that it has passed: **HB 626 w HA 3; HB 921; HB 801 w HA 1; HB 902; HB 987; HB 988; HB 1052; HCR 48; HB 1015; HB 984; HB 875 w HA 1; HJR 40; HB 1016** and requests the concurrence of the Senate.

The House also passed **SB 613; SB 600; SB 565; SB 433 w SA 2; SB 548 w SA 1; SB 531; SB 625; SB 624; SB 656; SB 55; SB 56; SB 59** and is returning same to the Senate.

Senator Steele introduced **SA 3 to HB 746.** Placed with the Bill.

Senators Isaacs and Cordrey introduced **SA 15 to HB 750.** Placed with the Bill.

Senators Kearns and McCullough introduced **SA 16 to HB 570.** Placed with the Bill.

Senators Manning and Holloway introduced **SA 17, SA 18 to HB 750.** Placed with the Bill.

Senator Elliott introduced **SA 1 to SB 676.** Placed with the Bill.

Senator Castle introduced **SA 2 to HB 846.** Placed with the Bill.

Senator Berndt introduced **SA 3 to HB 950.** Placed with the Bill.

Senator Cicione introduced **SA 27 to SB 584.** Placed with the Bill.

Senator McCullough introduced **SA 28 to SB 584.** Placed with the Bill.

Senators Zimmerman and Cook introduced **SA 29 to SB 584.** Placed with the Bill.

Senator Isaacs introduced **SA 30 to SB 584.** Placed with the Bill.

Senator Adams introduced **SA 31 to SB 584.** Placed with the Bill.

Senator duPont introduced **SA 32 to SB 584.** Placed with the Bill.

Senator Zimmerman introduced **SA 33 to SB 548.** Placed with the Bill.

Senator Schlör introduced **SA 34 to SB 584.** Placed with the Bill.

Senator Manning introduced **SA 35 to SB 584**. Placed with the Bill.

Senator Murphy introduced **SA 36 to SB 584**. Placed with the Bill.

Senator Cordrey introduced **SA 37 to SB 584**. Placed with the Bill.

Senator Berndt introduced **SA 38 to SB 584**. Placed with the Bill.

Senator Steele introduced **SA 39 to SB 584**. Placed with the Bill.

Senator Isaacs introduced **SAs 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 to HB 822**. Placed with the Bill.

Senator Cicone introduced **SA 15 to HB 822**. Placed with the Bill.

Senator McCullough, Chairman of the Education Committee, reported back to the Senate: **HB 599** — 3 Favorable, 1 Merits; **HB 820** — 3 Merits.

Senator Kearns, Chairman of the Judiciary and Elections Committee, reported back to the Senate **HB 859** — 1 Favorable, 3 Merits.

Senator Holloway, Chairman of the Health and Social Services Committee, reported back to the Senate: **HB 706** — 4 Merits; **SB 588** — 4 Merits.

The Chair introduced the following House Bills:

HB 626 w HA 3 — “An Act to amend Chapter 17 of Title 6, Delaware Code, relating to limited partnership.” Assigned to Judiciary and Elections Committee.

HB 801 w HA 1 — “An Act to amend Chapter 1, Title 8, Delaware Code, relating to the General Corporation Law.” Assigned to Labor and Industrial Relations Committee.

HB 875 w HA 1 — “An Act to amend Chapter 71, Title 3, Delaware Code, relating to the removal of maimed, sick, inform or disabled cows and horses.” Assigned to Health and Social Services Committee.

HB 902 — “An Act to amend Subchapter 1 of Chapter 43, Title 21 Delaware Code pertaining to additional equipment required on slow-moving vehicles.” Assigned to Public Safety Committee.

HB 921 — “An Act to amend Chapter 1, Title 8, Delaware Code, relating to the General Corporation Law.” Assigned to Labor and Industrial Relations Committee.

HB 984 — “An Act relating to a pension for Kenneth Parsons, an employee of the Department of Highways and Transportation.” Assigned to Finance Committee.

HB 987 — “An Act to amend Section 3902, Chapter 39, Title 18 of the Delaware Code relating to uninsured motor vehicle insurance coverage by adding an underinsured provision to

that coverage." Assigned to Highways, Transportation and Insurance Committee.

HB 988 — "An Act to amend Chapter 65, Title 18, Delaware Code to authorize the State Insurance Office to give technical assistance to Delaware Volunteer Fire Departments." Assigned to Highways, Transportation and Insurance Committee.

HB 1015 — "An Act approving of the sale, transfer and conveyance of approximately 24.89 acres of public land by the Department of Natural Resources and Environmental Control to the Sun Oil Company of Pennsylvania." Assigned to Natural Resources and Environmental Control Committee.

HB 1016 — "An Act to amend Title 14 of the Delaware Code relating to education and salaries and working conditions of school employees by changing the statutes concerning absences of employee, including maternity leave." Assigned to Education Committee.

HB 1052 — "An Act to amend Chapter 61, Title 7, Delaware Code, relating to the control and regulation of underwater lands under the jurisdiction and control of the State of Delaware, and providing civil and criminal penalties and injunctive relief for violations thereof, and providing the Secretary of the Department of Natural Resources and Environmental Control with the power to issue cease and desist orders." Assigned to Natural Resources and Environmental Control Committee.

HCR 48 — "Requesting the Department of Public Instruction to require nutrition courses in the Free Public Schools of this State." Assigned to Education Committee.

HJR 40 — "Authorizing the Governor to appoint a committee for the purpose of meeting with the owners of the upper reaches of the White Clay Creek and Muddy Run Stream Valleys for the purpose of determining whether or not it is possible to obtain all or part of either tract." Assigned to Community Affairs Committee.

Senator Murphy introduced **SA 2 to HB 719**. Placed with the Bill.

The following letters of nomination for appointment by the Governor were read:

STATE OF DELAWARE
Executive Department

June 20, 1974

To the Senate of the 127th General
Assembly of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate, the following, elected by the Board of Trustees of

the University of Delaware to be a member of that Board:

Irving S. Shapiro, 3 Valmy Lane, Greenville, Delaware, to be a member of the Board of Trustees, University of Delaware, to fill the unexpired term ending December 6, 1976, of Mr. Otis Smith, resigned.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Sherman W. Tribbitt
Governor

STATE OF DELAWARE
Executive Department

June 20, 1974

To the Senate of the 127th General
Assembly of the State of Delaware

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

Garrett B. Lyons, 1002 Westover Road, Wilmington Delaware, to be a member of the Delaware River and Bay Authority, for a five-year term effective July 1, 1974 to expire July 1, 1979, succeeding Dr. Albert F. Smith.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Sherman W. Tribbitt
Governor

STATE OF DELAWARE
Executive Department

June 20, 1974

To the Senate of the 127th General
Assembly of the State of Delaware:

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

Aubrey Hudson, Near Georgetown, Georgetown Delaware, to be a Justice of the Peace for Sussex County, for a four-year term from date of confirmation, to succeed Albert W. Horton.

Your consideration of this nomination will be appreciated.

Respectfully submitted
(Signed) Sherman W. Tribbitt
Governor

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STATE OF DELAWARE
Executive Department

June 20, 1974

To the Senate of the 127th 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:

Russell D. F. Dineen, 1804 North Monroe, Wilmington, Delaware, to be a member of the Board of Pension Trustees, filling the unexpired term ending September 29, 1976, of Spencer Thompson, resigned.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Sherman W. Tribbitt
Governor

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STATE OF DELAWARE
Executive Department

June 20, 1974

To the Senate of the 127th 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:

Irving H. Garton, R.D. 5, Box 261, Dover, Delaware, to be a member of the Industrial Accident Board, for a six-year term from date of confirmation, succeeding Calvin Boggs.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Sherman W. Tribbitt
Governor

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STATE OF DELAWARE
Executive Department

June 20, 1974

To the Senate of the 127th 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:

Spencer Thompson, 11 Thistle Lane, Wilmington,

Delaware, to be Chairman of the Board of Pension Trustees, to serve during the pleasure of the Governor, succeeding Henry J. Ridgely, resigned.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Sherman W. Tribbitt
Governor

The six letters of nomination were assigned to the Executive Committee.

Senators Castle, Elliott, duPont, Hughes and Jarvis introduced **SB 693**:

SB 693 — "An Act to amend Chapter 21, Subchapter 11, Title 21, Delaware Code, relating to motor vehicle plates for Elective or Constitutional Officials of the State and for the State and Federal Judges." Assigned to Revenue and Taxation Committee.

At 2:30 p.m. on motion of Senator Isaacs, the Senate adjourned to immediately convene for the 50th Day.

50TH LEGISLATIVE DAY

The Senate convened at 2:30 p.m. June 20, 1974, Lt. Governor Bookhammer presiding.

A Prayer was offered by the Chaplain.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

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

The Journal was approved as read.

Senator Holloway requested that the following Petition be made part of the record:

PETITION

The Undersigned citizens of the State of Delaware wish to go on record as to our opposition to the Department of Highway and Transportation plans for the North, South Extension.

The Petition was signed by six persons.

At the request of Senator Holloway, the following Petition was read:

We, the undersigned, urge the passage of the Migratory Labor Legislation now pending in the State Senate.....House Bills 618, 619, 621, 622, 623, and HJR 25.

The Petition was signed by 23 persons.

On motion of Senator Zimmerman, **SB 663** was taken up for consideration and read by title only:

SB 663 — “An Act to amend Chapter 6, Title 17, Delaware Code, authorizing the Department of Highways and Transportation of the State of Delaware to construct, maintain, repair, improve and operate an Express Toll Highway from a point in the vicinity of U.S. Route 13 below the City of Dover near Woodside to a connection with the existing Delaware Turnpike, including a spur to U.S. Route 301 to the Maryland State Line to maintain, repair, improve and operate the existing Delaware Turnpike, to issue Turnpike Revenue Bonds of the Department payable solely from tolls and other revenues, for the purpose of paying, with other available funds, the cost of said Express Toll Highway and improvements to the existing Delaware Turnpike and for the purpose of refunding Turnpike Revenue Bonds issued for the existing Delaware Turnpike, to collect tolls for the use of the Delaware Turnpikes and to pledge such tolls and other revenues to the payment of the Turnpike Revenue Bonds and the State Bonds herein authorized; authorizing the Department to issue Turnpike Revenue Refunding Bonds; authorizing the State of Delaware to borrow money for the purpose of paying a part of the cost of said Express Toll Highway and to issue bonds and notes therefor in an amount not exceeding \$100, - 000,000 upon the full faith and credit of the State of Delaware; appropriating, subject to reimbursement from Bond proceeds, \$1,500,000 for preliminary expenses; and repealing Sections 601 through 623, Chapter 6, Title 17, Delaware Code upon provision being made for the retirement of Turnpike Revenue Bonds issued for the existing Delaware Turnpike.”

At the request of Senator Hughes, the following telegram was read into the record:

Honorable Senator Charles E. Hughes
Delaware State Senate

UNITED STATES STEEL WORKES, AFL-CIO,
REPRESENTING MORE THAN 1000 DELAWARE WORK-
ING MEN URGES YOU TO SUPPORT PROPOSED CON-
STRUCTION OF THE NORTH-SOUTH TOLL ROAD AND
THE WIDENING OF EXISTING TOLL ROAD
H.E. PETERS, STAFF REPRESENTATIVE

The privilege of the floor was extended to the following persons during the discussion of the Bill: Peggy Bingham, Van Dyke Civic Association; Bette B. Mutschler, Van Dyke Civic Association; R. D. Bewick, Jr., Delaware Division of Highways; James T. Cavanaugh, Alexander Brown & Sons; George Papen, Delaware State Grange.

The roll call vote on the Bill was taken, but on request of Senator Zimmerman, was tabled.

At 4:30 p.m. on motion of Senator Isaacs, the Senate recessed for half an hour.

The Senate reconvened at 5:33 p.m.

On motion of Senator Hale, **SB 126 w SA 1** final consideration of which had been deferred, was again taken up for consideration.

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

YES: Senators Adams, Berndt, Castle, duPont, Elliott, Hale, Holloway, Hughes, Jarvis, Manning, Martin, Steele, Zimmerman — 13.

NO: Senators Cicione, Cook, Cordrey, Isaacs, Kearns, McCullough, Murphy, Schlör — 8.

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

Senator Isaacs, Chairman of the Executive Committee, reported back to the Senate the following nominations for appoint by the Governor: Irving S. Shapiro — 5 Favorable; Aubrey Hudson — 4 Favorable, 1 Unfavorable; Russell D. F. Dinneen — 4 Favorable, 1 Merits; Garrett B. Lyons — 4 Favorable, 1 Unfavorable; Spencer Thompson — 3 Favorable, 2 Merits; Irving H. Garton — 3 Favorable, 1 Merits, 1 Unfavorable.

On motion of Senator Isaacs, the necessary rules were suspended for the purpose of considering the various appointments.

The roll call vote on the confirmation of Spencer Thompson was taken and announced to be:

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

Therefore, the appointment was confirmed.

The roll call vote on the appointment of Irving H. Garton was taken and announced to be:

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

NO: Senator duPont — 1.

Therefore, the appointment was confirmed.

The roll call vote on the appointment of Aubrey Hudson was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Martin, Murphy, Schlör, Steele, Zimmerman — 18.

NO: Senator duPont — 1.

NOT VOTING: Senators Manning and McCullough — 2.
Therefore, the appointment was confirmed.

The roll call vote on the appointment of Garrett B. Lyons was taken and announced to be:

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

Therefore, the appointment was confirmed.

The roll call vote on the appointment of Irving S. Shapiro was taken and announced to be:

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

Therefore, the appointment was confirmed.

Senator Hale moved that the nomination of appointment of Russell D. F. Dineen be laid on the table.

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

YES: Senators Berndt, Castle, duPont, Hale, Hughes, Jarvis, Manning — 7.

NO: Senators Adams, Cicione, Cook, Cordrey, Holloway, Isaacs, Kearns, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 13.

ABSENT: Senator Elliott — 1.

Therefore, the motion was defeated and the roll call vote on the nomination of appointment of Russell D. F. Dineen was taken and announced to be:

YES: Senators Adams, Castle, Cicione, Cook, Cordrey, Elliott, Holloway, Hughes, Isaacs, Jarvis, Kearns, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 17.

NOT VOTING: Senators Berndt, duPont, Hale and Manning — 4.

Therefore, the nomination was confirmed.

At 6:26 p.m. on motion of Senator Isaacs, the Senate recessed until Monday June 24, 1974.

The Senate reconvened at 2:11 p.m., Lt. Governor Bookhammer presiding.

The following communication was read from the Governor:

STATE OF DELAWARE
Executive Department

June 20, 1974

To the Senate of the 127th 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:

Ernst Dannemann, 135 Lakeview Avenue, Dover, Delaware, to be a member of the Board of Pension Trustees, for a four-year term from date of confirmation, succeeding Margaret O'Brien, M.D.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Sherman W. Tribbitt
Governor

The letter of nomination was assigned to Executive Committee.

Senator Holloway, Chairman of the Revenue and Taxation Committee, reported back to the Senate: **HB 970** — 4 Merits.

Senator Zimmerman, Chairman of the Highways, Transportation and Insurance Committee, reported back to the Senate: **HB 719 w HA 2, 3** — 4 Favorable, 1 Merits.

Senators Martin and Elliott introduced **SA 1 to HB 107**. Placed with the Bill.

Senator Manning introduced **SA 19 to HB 750**. Placed with the Bill.

Senator Kearns introduced **SA 16 to HB 822**. Placed with the Bill.

Senator Cordrey introduced **SA 17, SA 18, SA 19, SA 20, SA 21 and SA 22 to HB 822**. The six Amendments were placed with the Bill.

Senator Kearns introduced **SA 23, SA 24 to HB 822**. Both Amendments were placed with the Bill.

Senator Isaacs introduced **SA 4 to HB 950**. Placed with the Bill.

Senator Kearns introduced **SA 5 to HB 950**. Placed with the Bill.

Senator Kearns introduced **SA 40 to SB 584**. Placed with the Bill.

Senator Isaacs, Chairman of the Natural Resources and Environmental Control Committee, reported back to the Senate: **HB 516** — 3 Merits.

Senator Isaacs, Chairman of the Executive Committee, reported back to the Senate: **SB 691** — 3 Merits, 1 Unfavorable.

At 2:17 p.m. on motion of Senator Isaacs, the Senate adjourned to immediately convene for the 51st Day.

51ST LEGISLATIVE DAY

The Senate convened at 2:17 p.m. June 24, 1974, Lt. Governor Bookhammer presiding.

A Prayer was offered by Senator Isaacs,

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

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

The Journal was approved as read.

On motion of Senator Isaacs, **HB 822 w HA 2, 3, 5, 6, 7, 9** was taken up for consideration and read by title only:

HB 822 w HA 2, 3, 5, 6, 7, 9 — “An Act to amend Title 15, Delaware Code, by adding thereto a new Part VI dealing with campaign contributions and expenditures which provides for limits on contributions to and expenditures by candidates and political committees in Primary, General and Special Elections, prescribes the duties of candidates and Political Committees, directs the filing of reports by candidates and committees on campaign contributions and expenditures and provides penalties for violations thereof.”

On motion of Senator Schlör, **SA 1** to the Bill was taken up for consideration.

At the request of Senator Jarvis, the privilege of the floor was extended to Vickey K. Kleinman, League of Women Voters of Delaware, to speak on the Amendment and at the request of Senator Holloway, the privilege of the floor was extended to Paul T. Durbin, representing Common Cause, to speak on the Amendment.

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

YES: Senators Cook, Cordrey, Holloway, Isaacs, Kearns, Martin, McCullough, Schlör — 8.

NO: Senators Adams, Berndt, Castle, duPont, Elliott, Hale, Hughes, Jarvis, Manning, Murphy, Steele — 11.

NOT VOTING: Senators Cicione and Zimmerman — 2.

Therefore, the Amendment was defeated.

On motion of Senator Jarvis, **SA 2** to the Bill was stricken.

On motion of Senator duPont, the roll call vote on **SA 3** to the Bill was taken and announced to be:

YES: Senators Berndt, Castle, Cordrey, duPont, Elliott, Hale, Hughes, Isaacs, Jarvis, Manning, Martin, Steele — 12.

NO: Senators Adams, Cicione, Cook, Holloway, Kearns, Murphy, Schlör — 7.

ABSENT: Senators McCullough and Zimmerman — 2.
Therefore, the Amendment was adopted.

On motion of Senator Jarvis, the roll call vote on **SA 4** to the Bill was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Jarvis, Kearns, Manning, Martin, Murphy, Steele — 15.

NO: Senator Isaacs — 1.

NOT VOTING: Senators Cook and Schlor — 2.

ABSENT: Senators Cicione, McCullough and Zimmerman — 3.

Therefore, the Amendment was adopted.

On motion of Senator Isaacs, the roll call vote on **SA 5** to the Bill was taken and announced to be:

YES: Senators Adams, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, Murphy, Schlor, Steele — 17.

NO: Senators Berndt and Hale — 2.

ABSENT: Senators McCullough and Zimmerman — 2.

Therefore, the Amendment was adopted.

On motion of Senator Isaacs, the roll call vote on **SA 6** to the Bill was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, Murphy, Schlor, Steele, Zimmerman — 20.

ABSENT: Senator McCullough — 1.

Therefore, the Amendment was adopted.

On motion of Senator Isaacs, the roll call vote on **SA 7** to the Bill was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Martin, Murphy, Schlor, Steele, Zimmerman — 19.

NOT VOTING: Senator McCullough — 1.

ABSENT: Senator Manning — 1.

Therefore, the Amendment was adopted.

On motion of Senator Isaacs, the roll call vote on **SA 8** to the Bill was taken and announced to be:

YES: Senators Adams, Cicione, Cook, Cordrey, Holloway, Isaacs, Kearns, Martin, Schlor — 9.

NO: Senators Castle, Hale, Hughes — 3.

NOT VOTING: Senators Berndt, duPont, Elliott, Jarvis, Manning, McCullough, Murphy, Steele, Zimmerman — 9.

Therefore, the Amendment was lost.

On motion of Senator Isaacs, the roll call vote on **SA 9** to the Bill was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Murphy, Schlör, Steele, Zimmerman — 19.

NOT VOTING: Senator McCullough — 1.

ABSENT: Senator Martin — 1.

Therefore, the Amendment was adopted.

On motion of Senator Isaacs, the roll call vote on **SA 10** to the Bill was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Murphy, Schlör, Steele, Zimmerman — 18.

NOT VOTING: Senator McCullough — 1.

ABSENT: Senators Castle and Martin — 2.

Therefore, the Amendment was adopted.

On motion of Senator Isaacs, **SA 11 and SA 12** to the Bill were stricken.

On motion of Senator Isaacs, the roll call vote on **SA 13** to the Bill was taken and announced to be:

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

Therefore, the Amendment was adopted.

On motion of Senator Isaacs, the roll call vote on **SA 14** to the Bill was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, Murphy, Schlör, Steele, Zimmerman — 18.

NOT VOTING: Senators Castle and McCullough — 2.

ABSENT: Senator Holloway — 1.

Therefore, the Amendment was adopted.

On motion of Senator Cicione, the roll call vote on **SA 15** to the Bill was taken and announced to be:

YES: Senators Adams, Cicione, Cook, Elliott, Holloway, Isaacs, Kearns, Murphy, Zimmerman — 9.

NO: Senators Berndt, Castle, Cordrey, duPont, Hale, Hughes, Jarvis, Manning, Martin, McCullough, Schlör, Steele — 12.

Therefore, the Amendment was adopted.

On motion of Senator Isaacs, the Bill was then tabled.

At 3:37 p.m. on motion of Senator Isaacs, the Senate recessed until 4:15 p.m.

The Senate reconvened at 4:54 p.m.

On motion of Senator Isaacs, **HB 822 w HA 2, 3, 5, 6, 7, 9, SA 3, 4, 5, 6, 7, 9, 10, 13, 14** which had been deferred, was again taken up for consideration.

On motion of Senator Kearns, the roll call vote on **SA 16** to the Bill was taken and announced to be:

YES: Senators Adams, Cook, Holloway, Isaacs, Kearns, McCullough, Schlör — 7.

NO: Senators Castle, Cordrey, duPont, Elliott, Hale, Hughes, Jarvis, Manning, Martin, Murphy, Steele, Zimmerman — 12.

NOT VOTING: Senator Berndt — 1.

ABSENT: Senator Cicione — 1.

Therefore, the Amendment was defeated.

On motion of Senator Cordrey, the roll call vote on **SA 17** to the Bill was taken and announced to be:

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

NOT VOTING: Senator McCullough — 1.

Therefore, the Amendment was adopted.

On motion of Senator Cordrey, the roll call vote on **SA 18** to the Bill was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, Murphy, Schlör, Steele — 19.

NOT VOTING: Senator McCullough — 1.

ABSENT: Senator Zimmerman — 1.

Therefore, the Amendment was adopted.

On motion of Senator Cordrey, the roll call vote on **SA 19** to the Bill was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Manning, Martin, Murphy, Schlör, Steele, Zimmerman — 19.

NOT VOTING: Senator McCullough — 1.

ABSENT: Senator Kearns — 1.

Therefore, the Amendment was adopted.

On motion of Senator Cordrey, the roll call vote on **SA 20** was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Holloway, Hughes, Isaacs, Jarvis, Kearns, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 17.

NO: Senator Castle — 1.

NOT VOTING: Senators duPont, Hale and Manning — 3.

Therefore, the Amendment was adopted.

On motion of Senator Cordrey, the roll call vote on **SA 21** to the Bill was taken and announced to be:

YES: Senators Cordrey, Manning, McCullough and Schlör — 4.

NO: Senators Adams, Berndt, Castle, Cicione, Cook, duPont, Elliott, Hale, Hughes, Jarvis, Kearns, Martin, Steele, Zimmerman — 14.

NOT VOTING: Senators Holloway, Isaacs and Murphy —

3.

Therefore, the Amendment was defeated.

On motion of Senator Cordrey, **SA 22** to the Bill was stricken.

On motion of Senator Kearns, the roll call vote on **SA 23** to the Bill was taken and announced to be:

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

NO: Senator Berndt — 1.

Therefore, the Amendment was adopted.

On motion of Senator Kearns, **SA 24** to the Bill was stricken.

On motion of Senator Holloway, **SA 25** to the Bill was stricken.

On motion of Senator Kearns, **SA 26** to the Bill was stricken.

Senator Isaacs introduced **SA 27** to the Bill and on his motion, the Amendment was laid on the table.

On motion of Senator Hughes, **SA 28** to the Bill was stricken.

On motion of Senator Cordrey, further consideration of the Bill was deferred.

Senator Steele, Chairman of the Finance Committee, reported back to the Senate: **HB 750** — 5 Merits.

On motion of Senator Steele, the necessary rules were suspended for the purpose of final reading and consideration of **HB 750**.

HB 750 — “An Act making appropriations for the expense of the State Government for the Fiscal Year ending June 30, 1975, and to amend certain pertinent statutory provisions.”

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

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Hale, Holloway, Hughes, Isaacs, Kearns, Manning, McCullough, Murphy, Schlör, Zimmerman — 16.

NO: Senators Castle, Elliott, Jarvis, Steele — 4.

ABSENT: Senator Martin — 1.

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

On motion of Senator Cordrey, **SA 641** was taken up for consideration and read by title only:

SB 641 — “An Act to amend Chapter 31 of Title 24 of the Delaware Code relating to the qualifications of a person licensed for the practice of funeral services.”

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

On motion of Senator Berndt, **SB 308** final consideration of which had been deferred was again taken up for consideration.

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, McCullough, Murphy, Schlör, Steele, Zimmerman — 19.

ABSENT: Senators Cicione and Martin — 2.

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

On motion of Senator Steele, **HB 1029** was taken up for consideration and read by title only:

HB 1029 — “An Act to amend Chapter 74, Title 29, Delaware Code relating to bond anticipation notes of the State and eliminating the interest rate limitations on bond anticipation notes of the State of Delaware.”

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Elliott, Hale, Hughes, Isaacs, Jarvis, Kearns, Manning, McCullough, Murphy, Schlör, Steele, Zimmerman — 18.

ABSENT: Senators Cicione, Holloway and Martin — 3.

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

On motion of Senator Steele, **HB 746 w SA 1, 2** which had previously passed the Senate, was taken up for reconsideration as further amended by **HA 1**.

Senator Steele introduced **SA 3** to the Bill and moved that it be adopted.

The roll call vote on **SA 3** was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Hughes, Isaacs, Jarvis, McCullough, Murphy, Steele, Zimmerman — 15.

NO: Senators Kearns, Manning and Schlör — 3.

NOT VOTING: Senator Castle — 1.

ABSENT: Senators Holloway and Martin — 2.

Therefore, the Amendment was adopted.

The roll call vote on **HB 746 w HA 1, SA 1, 2, 3** was then taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Hale, Isaacs, Kearns, Manning, McCullough, Murphy, Schlör, Zimmerman — 14.

NO: Senators Elliott, Jarvis and Steele — 3.

NOT VOTING: Senators Castle and Hughes — 2.

ABSENT: Senators Holloway and Martin — 2.

Therefore, the Bill (as so amended) passed the Senate and

was ordered back to the House for concurrence in the Senate Amendment.

The Secretary read the following message from the House:

6—24—74

Mr. President:

The House wishes to inform the Senate that it has passed **HB 809; HB 1014; HB 1059** and requests the concurrence of the Senate.

The House also passed **SB 468; SS 1 for SB 629** and is returning same to the Senate.

The Chair introduced the following House Bills:

HB 809 — “An Act to amend Chapter 212, Volume 25, Laws of Delaware, entitled “An Act to incorporate the Town of Bethany Beach and giving it authority to issue bonds”, as amended to give the Commissioners of Bethany Beach the power to acquire property for municipal purposes by way of condemnation.” Assigned to Community Affairs Committee.

HB 1014 — “An Act authorizing the State to transfer to the City of Lewes certain lands within the corporate limits of the City.” Assigned to Community Affairs Committee.

HB 1059 — “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, 1975, and to amend certain pertinent statutory provisions”, being House Bill No. 750 and also known as the 1975 Budget Appropriation Bill.”

On motion of Senator Steele, the necessary rules were suspended for the purpose of considering **HB 1059**

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

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Holloway, Hughes, Isaacs, Kearns, Manning, McCullough, Murphy, Schlör, Zimmerman — 16.

NO: Senators Castle, Hale, Jarvis and Steele — 4.

ABSENT: Senator Martin — 1.

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

Senator Cook, Chairman of the Administrative Services Committee, reported back to the Senate: **HB 204** — 5 Merits; **HB 810** — 5 Merits.

Senator Hughes introduced **SA 33 to HB 822**. Placed with the Bill.

Senator Holloway introduced **SR 237** and moved that it be adopted.

SR 237 — “Expressing the regret of the Senate at the death of William M. Donahue, Chairman of the State Fire Prevention Commission.”

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

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

ABSENT: Senator Martin — 1.

Therefore, the Resolution was adopted.

Senator Berndt introduced **SB 694**:

SB 694 — “Amend Title 24 Delaware Code by adding at the end of Subchapter 1, Medical Council of Delaware, regulations affecting the practice of acupuncture.” Assigned to Health and Social Services Committee.

Senator Adams and Representative Clendaniel introduced **SB 695**

SB 695 — “An Act making a supplementary appropriation to the Department of Highways and Transportation for the purpose of installing traffic signal control equipment at the Sussex Central High School.” Assigned to Highways, Transportation and Insurance Committee.

Senator Manning introduced **SB 696**:

SB 696 — “An Act to amend Chapter 51, Title 16, Delaware Code by defining the requirements for the position of Superintendent of the Delaware State Hospital.” Assigned to Health and Social Services Committee.

At 6:53 p.m. on motion of Senator Cordrey, the Senate adjourned until 1:30 p.m. June 25, 1974.

52ND LEGISLATIVE DAY

The Senate convened at 1:57 p.m. June 25, 1974, President Pro Tempore Isaacs presiding.

A Prayer was offered by Senator Cordrey.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

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

The Journal was approved as read.

Senator Holloway introduced **SR 239** and moved that it be adopted.

SR 239 — “Requesting the Governor to reconstitute the Council on the Aging and appoint members for the Council.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, Murphy, Schlör, Steele — 18.

ABSENT: Senators Cook, McCullough and Zimmerman — 3.

Therefore, the Resolution was adopted.

Senator Elliott (all the Senators as co-sponsors) introduced **SR 238** and moved that it be adopted.

SR 238 — “Congratulating Sussex Countians, Mrs. Harold Jones, Judy Helgeson, and Rosemary K. Ketts for outstanding performances during the 27th Annual Delmarva Poultry Festival.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cordrey, duPont, Elliott, Hale, Hughes, Jarvis, Kearns, Manning, Martin, Murphy, Schlör, Steele — 16.

ABSENT: Senators Cook, Holloway, Isaacs, McCullough, Zimmerman — 5.

Therefore, the Resolution was adopted.

Senator Kearns, Chairman of the Judiciary and Elections Committee, reported back to the Senate: **HB 899** — 4 Merits; **HB 500** — 4 Merits.

Senator Steele, Chairman of the Finance Committee reported back to the Senate: **SB 688** — 5 Merits.

Senator Elliott introduced **SA 1 to SB 453**. Placed with the Bill.

Senator Schlör introduced **SA 1 to SB 641**. Placed with the Bill.

Senator Kearns introduced **SA 41 to SB 584**. Placed with the Bill.

Senator McCullough introduced **SA 42 to SB 584**. Placed with the Bill.

Senator Zimmerman introduced **SA 43, SA 44 to SB 584**. Placed with the Bill.

Senator McCullough introduced **SA 45 to SB 584**. Placed with the Bill.

Senator Berndt introduced **SA 31 to HB 822**. Placed with the Bill.

Senators Kearns introduced **SA 32 to HB 822**. Placed with the Bill.

Senator Zimmerman and Representative duPont introduced **SA 6 to HB 950**. Placed with the Bill.

Senator Martin introduced **SA 7 to HB 950**. Placed with the Bill.

Senator Berndt introduced **SA 8 to HB 950**. Placed with the Bill.

Senator Schlör introduced **SA 1 to HB 898**. Placed with the Bill.

Senator duPont introduced **SA 1 to SB 684**. Placed with the Bill.

Senator duPont introduced **SA 1 to SB 685**. Placed with the Bill.

Senator McCullough, Chairman of the Education Committee, reported back to the Senate: **HB 608** — 3 Merits, 1 Unfavorable.

The Secretary read the following message from the House

6—25—74

Mr. President

The House wishes to inform the Senate that it has passed: **HB 830; HB 832 w HA 1; HB 833; HB 834; HB 835; HB 836; HB 837; HB 838; HB 839; HB 840; HB 860; HB 924; HB 968; HB 1033; HB 843; HB 909** and requests the concurrence of the Senate.

The House also passed **SB 578 w SA 1** and is returning same to the Senate.

The Chair introduced the following House Bills:

HB 924 — “An Act to provide a supplementary appropriation to the Department of Highways and Transportation to be used in compensating Richard H. Lee.” Assigned to Highways, Transportation and Insurance Committee.

HB 843 — “An Act to amend Chapter 225, Volume 59, Laws of Delaware, as amended, and Chapter 31, Title 10 of the Delaware Code relating to the additional powers of the Governor during a state of emergency; and providing authorization for the Governor to institute gasoline rationing when such is deemed to be necessary and just.” Assigned to Energy Committee.

HB 909 — “An Act to amend Chapter 17, Title 14, Delaware Code, relating to the definition of full valuation as a factor in formula for determining Division III funds.” Assigned to Education Committee.

HB 968 — “An Act to amend Title 29, Delaware Code to authorize the Secretary to establish an office of Environmental Protection, to specify the power, duties, and responsibilities of the Environmental Protection Officers.” Assigned to Natural Resources and Environmental Control Committee.

HB 1033 — “An Act to amend Chapters 9 and 11, Title 13, Delaware Code relating to adoption and termination of parental rights.” Assigned to Judiciary and Elections Committee.

On motion of Senator Steele, the necessary rules were suspended for the purpose of considering the following Grant-in-Aid House Bills:

HB 830 — “An Act making an appropriation to Big Brothers Association of Northern Delaware, Inc.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Isaacs, Jarvis, Kearns, Manning, Martin, Murphy, Schlör, Steele, Zimmerman — 19.

ABSENT: Senators Hughes and McCullough — 2.

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

HB 832 — “An Act to aid certain fire companies which are organized to extinguish fires or maintain ambulances or rescue trucks, by making appropriations therefor.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Isaacs, Jarvis, Kearns, Manning, Martin, Murphy, Schlör, Steele, Zimmerman — 19.

ABSENT: Senators Hughes and McCullough — 2.

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

HB 833 — “An Act to aid WHY, Inc. engaged in educating the people of this State by making an appropriation therefor.”

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Zimmerman — 19.

NO: Senator Steele — 1.

NOT VOTING: Senator Cicione — 1.

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

HB 834 — “An Act to aid Delaware Safety Council, Inc. engaged in educating the people of this State as to safety, by making an appropriation therefor.”

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

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

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

HB 835 — “An Act to aid Delaware State Fair, Inc. by making an appropriation therefor.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Martin, McCullough, Murphy, Schlor, Steele, Zimmerman — 20.

ABSENT: Senator Manning — 1.

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

HB 836 — “An Act to aid Mid-Sussex Rescue Squad, Inc. which is organized to operate and maintain an ambulance in the public service, by making an appropriation therefor.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Martin, McCullough, Murphy, Schlor, Steele — 19.

ABSENT: Senators Manning and Zimmerman — 2.

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

HB 837 — “An Act to aid certain civic organizations which maintain emergency vehicles by making appropriations therefor.”

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

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

ABSENT: Senator Elliott — 1.

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

HB 838 — “An Act making an appropriation to Diamond State Youth Inc.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlor, Steele, Zimmerman — 20.

ABSENT: Senator Hughes — 1..

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

HB 839 — “An Act to aid organizations maintaining residential facilities by making appropriations therefor.”

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

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

ABSENT: Senator Jarvis — 1.

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

HB 840 — “An Act to aid Veterans’ Organizations by making an appropriation therefor.”

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

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

ABSENT: Senator Elliott — 1.

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

HB 860 — “An Act to aid the Delaware Guidance Services for Children and Youth, Inc. by making an appropriation therefor.”

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

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

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

Senators Elliott, Isaacs and Cordrey introduced **SB 697**:

SB 697 — “An Act to amend Chapter 9, Title 7 of the Delaware Code relating to Menhaden Fishing.” Assigned to Judiciary and Elections Committee.

Senator Adams introduced **SA 9 to HB 950**. Placed with the Bill.

Senator Holloway, Chairman of the Health and Social Services Committee, reported back to the Senate: **SB 696** — 5 Merits.

Senator Schlör, Chairman of the Public Safety Committee, reported back to the Senate **HJR 28** — 4 Merits.

On motion of Senator Murphy, **HB 946** was taken up for consideration and read by title only:

HB 946 — “An Act to amend an Act entitled: “An Act to reincorporate the Town of Smyrna”, relating to the elected officers of said town.”

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

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

ABSENT: Senator Holloway — 1.

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

At 2:47 p.m. on motion of Senator Isaacs, the Senate recessed for half an hour.

The Senate reconvened at 3:57 p.m., Lt. Governor Bookhammer presiding.

On motion of Senator Martin, **HB 950** was taken up for consideration and read by title only:

HB 950 — “An Act to amend Chapter 29, Part II, Title 6 of the Delaware Code relating to commerce and trade; and regulating certain trade practices which affect the distribution of motor fuels.”

On motion of Senator Zimmerman, **SA 1** to the Bill was stricken.

On motion of Senator Hughes, **SA 2** to the Bill was stricken.

On motion of Senator Berndt, the roll call vote on **SA 3** to the Bill was taken and announced to be:

YES: Senators Berndt, Castle, Hale, Steele — 4.

NO: Senators Adams, Cicione, Cook, Cordrey, duPont, Elliott, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Schlör, Zimmerman — 16.

ABSENT: Senator Murphy — 1.

Therefore, the Amendment was lost.

On motion of Senator Isaacs, the roll call vote on **SA 4** to the Bill was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Martin, McCullough, Schlör, Steele, Zimmerman — 19.

ABSENT: Senators Manning and Murphy — 2.

Therefore, the Amendment was adopted.

On motion of Senator Kearns, the roll call vote on **SA 5** to the Bill was taken and announced to be:

YES: Senators Berndt, Castle, duPont, Holloway, Hughes, Kearns, Steele — 7.

NO: Senators Adams, Cicione, Cook, Cordrey, Elliott, Hale, Isaacs, Jarvis, Martin, McCullough, Schlör, Zimmerman — 12.

NOT VOTING: Senator Manning — 1.

ABSENT: Senator Murphy — 1.

Therefore, the Amendment was defeated.

Senator Zimmerman introduced **SA 6** to the Bill.

Senator Berndt introduced **SA 1 to SA 6** and moved that it be adopted.

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

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Manning, Martin, Murphy, Schlör, Zimmerman — 17.

NO: Senators Castle and Steele — 2.

NOT VOTING: Senator McCullough — 1.

ABSENT: Senator Jarvis — 1.

Therefore, the Amendment to the Amendment was adopted.

On motion of Senator Zimmerman, the roll call vote on **SA 6** (as amended) was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Manning, Martin, Murphy, Schlör, Steele, Zimmerman — 18.

NO: Senator McCullough — 1.

NOT VOTING: Senator Castle — 1.

ABSENT: Senator Jarvis — 1.

Therefore, the Amendment was adopted.

On motion of Senator Martin, the roll call vote on **SA 7** to the Bill was taken and announced to be:

YES: Senators Adams, Cicione, Cook, Cordrey, duPont, Elliott, Holloway, Isaacs, Jarvis, Kearns, Martin, McCullough, Murphy, Schlör, Zimmerman — 15.

NO: Senators Manning and Steele — 2.

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

Therefore, the Amendment was adopted.

On motion of Senator Berndt, **SA 8** to the Bill was stricken.

Senator Adams introduced **SA 9** to the Bill and moved that it be adopted; but before the roll call vote was announced, Senator Adams moved that the roll call vote be tabled.

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

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Isaacs, Jarvis, Kearns, Martin, McCullough, Murphy, Schlör, Steele — 17.

NOT VOTING: Senator Zimmerman — 1.

ABSENT: Senators Castle, Hughes, Manning — 3.

Therefore, the motion prevailed and the roll call vote on **SA 9** to the Bill was tabled.

On motion of Senator Adams, **SA 10** to the Bill was stricken.

On motion of Senator Martin, the roll call vote on **HB 950 w HA 1, SA 4, SA 6** (as amended), **SA 7** was taken and announced to be:

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

Therefore, the Bill passed the Senate and was returned to the House for concurrence in the Senate Amendments.

On motion of Senator Kearns, **HB 913 w HA 4** was taken up for consideration and read by title only:

HB 913 w HA 4 — “An Act to amend Chapter 7, Title 13, Delaware Code relating to minors consent to diagnostic and lawful therapeutic procedures.”

Senator Kearns introduced **SA 1** to the Bill, but on his motion the Amendment was immediately stricken.

The roll call vote on **HB 913 w HA 4** was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Isaacs, Jarvis, Kearns, Manning, Schlör, Steele — 15.

NOT VOTING: Senator Zimmerman — 1.

ABSENT: Senators Cicione, Hughes, Martin, McCullough, Murphy — 5.

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

On motion of Senator Holloway, **SB 291** was taken up for consideration and read by title only:

SB 291 — “An Act to amend Chapter 5, Title 4, Delaware Code, relating to the grounds for refusal of license.”

At the request of Senator Holloway, the privilege of the floor was extended to Robert A. Hemphill, Retail Liquor Dealers, to speak on the Bill.

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

YES: Senators Adams, Berndt, Cook, Cordrey, duPont, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 17.

NOT VOTING: Senators Cicione and Elliott — 2.

ABSENT: Senators Castle and Hale — 2.

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

On motion of Senator Cicione, **HB 692** was taken up for consideration and read by title only:

HB 692 — “An Act to amend Chapter 39, Part II, Title 6 of

the Delaware Code relating to newspapers; and providing that the editorials of newspapers published within the State be signed by the persons writing the editorials.”

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

YES: Senators Cicione, Cook, Cordrey, duPont, Hughes, Isaacs, Kearns, Murphy, Schlör, Steele, Zimmerman — 11.

NO: Senators Adams, Berndt, Castle, Elliott, Jarvis, Manning, Martin, McCullough — 8.

NOT VOTING: Senators Hale and Holloway — 2.

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

On motion of Senator Cook, **HB 664** was taken up for consideration and read by title only:

HB 664 — “An Act to amend Chapter 71, Title 29, Delaware Code, relating to use of State owned vehicles; and providing a penalty therefor.”

On motion of Senator Hughes, **SA 1** to the Bill was taken up for consideration.

Senator Manning moved that the Senate recess for dinner.

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

YES: Senators duPont, Hale, Hughes, Jarvis, Manning, Steele — 6.

NO: Senators Adams, Berndt, Castle, Cook, Cordrey, Elliott, Holloway, Isaacs, Kearns, Martin, McCullough, Murphy, Schlör, Zimmerman — 14.

ABSENT: Senator Cicione — 1.

Therefore, the motion was defeated.

The Chair ruled that a motion made by Senator Isaacs was out of order and Senator Isaacs requested a vote by the Senate to override the Chair’s ruling.

The roll call vote was taken and announced to be:

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

NO; Senator duPont — 1.

NOT VOTING: Senators Berndt, Castle, Hale, Isaacs, Jarvis, Manning, Steele — 7.

Therefore, the ruling by the Chair was overridden.

Senator McCullough moved that **SA 1** to **HB 664** be deferred.

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

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

NO: Senators Berndt, Cook, duPont, Hughes, Jarvis, Steele — 6.

NOT VOTING: Senators Castle, Elliott and Hale — 3.

Therefore, the motion prevailed.

The roll call vote on **HB 664** was then taken, but on motion of Senator Cook, was tabled before being announced.

At 6:38 p.m. on motion of Senator Isaacs, the Senate recessed until 8:00 p.m.

The Senate reconvened at 8:43 p.m.

Senator Kearns, Chairman of the Judiciary and Elections Committee, reported back to the Senate: **SB 690** — 5 Merits.

Senator McCullough, Chairman of the Education Committee, reported back to the Senate: **HB 909** — 4 Merits.

On motion of Senator Zimmerman, **SB 582** final consideration of which had been deferred, was again taken up for consideration, the roll call vote taken and announced to be:

YES: Senators Adams, Castle, Cicione, Cook, Cordrey, Elliott, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Zimmerman — 17.

NO: Senators Berndt, duPont, Steele — 3.

NOT VOTING: Senator Hale — 1.

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

On motion of Senator Zimmerman, **HB 340** was taken up for consideration and read by title only:

HB 340 — “An Act to amend Chapter 69, Title 29 of the Delaware Code relating to the procurement of material and the award of contracts for public works by State Agencies respecting the prevention of Environmental Pollution in the performance of Public Contracts and the risk of additional construction costs due to anti-pollution, conservation or environmental protection requirements enacted after the submission of bids.”

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

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

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

On motion of Senator Zimmerman, **SS 1 for SB 587** was taken up for consideration and read by title only:

SS 1 for SB 587 — “An Act to amend Chapter 55, Title 29, Delaware Code relating to State Employees Pension Plan.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis,

Kearns, Manning, Martin, McCullough, Murphy, Schlör, Zimmerman — 20.

NO: Senator Steele — 1.

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

On motion of Senator Cordrey, the necessary rules were suspended for the purpose of considering **SB 584**:

SB 584 — “An Act authorizing the State of Delaware to borrow money to be used for Capital Improvements and Expenditures in the nature of Capital Investments and to issue Bonds and Notes therefor and appropriating the monies to various Agencies of the State and to borrow money to be used for the local share of School Construction Programs and to issue Bonds and Notes therefor and appropriating the monies to the State Board of Education on behalf of Local School Districts.”

On motion of Senator Adams, the roll call vote on **SA 1** to the Bill was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Martin, McCullough, Murphy, Schlör, Zimmerman — 18.

NO: Senators Castle, Manning and Steele — 3.

Therefore, the Amendment was adopted.

On motion of Senator Zimmerman **SA 2** to the Bill was stricken and **SA 33** to the Bill was considered for adoption.

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

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Zimmerman — 19.

NO: Senators Castle and Steele — 2.

Therefore, the Amendment was adopted.

On motion of Senator Adams, **SA 3** to the Bill was stricken.

On motion of Senator Hale, the roll call vote on **SA 4** to the Bill was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Zimmerman — 19.

NO: Senators Castle and Steele — 2.

Therefore, the Amendment was adopted.

On motion of Senator Cordrey, the roll call vote on **SA 5** to the Bill was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Zimmerman — 19.

NO: Senators Castle and Steele — 2.

Therefore, the Amendment was adopted.

On motion of Senator Cordrey, **SA 6** to the Bill was stricken.

On motion of Senator Cordrey, the roll call vote on **SA 52** to the Bill was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Zimmerman — 19.

NO: Senators Castle and Steele — 2.

Therefore, the Amendment was adopted.

On motion of Senator Elliott, **SA 7** to the Bill was stricken.

On motion of Senator Elliott, the roll call vote on **SA 51** to the Bill was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Zimmerman — 18.

NO: Senators Castle and Steele — 2.

ABSENT: Senator Jarvis — 1.

Therefore, the Amendment was adopted.

On motion of Senator duPont, **SA 8** to the Bill was stricken.

On motion of Senator duPont, the roll call vote on **SA 32** to the Bill was taken but was tabled before being announced.

On motion of Senator Elliott, **SA 9** to the Bill was stricken.

On motion of Senator Elliott, the roll call vote on **SA 50** to the Bill was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Martin, McCullough, Murphy, Schlör, Zimmerman — 17.

NO: Senators Castle, Manning and Steele — 3.

ABSENT: Senator Jarvis — 1.

Therefore, the Amendment was adopted.

At 9:45 p.m. on motion of Senator Manning, the Senate recessed for five minutes.

The Senate reconvened at 9:57 p.m., President Pro Tempore Isaacs presiding.

On motion of Senator Cordrey, the roll call vote on **SA 11** was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Martin, McCullough, Murphy, Schlör, Zimmerman — 18.

NO: Senators Castle, Manning and Steele — 3.

Therefore, the Amendment was adopted.

On motion of Senator Zimmerman, the roll call vote on **SA 10** to the Bill was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns,

Manning, Martin, McCullough, Murphy, Schlör, Zimmerman — 19.

NO: Senators Castle and Steele — 2.

Therefore, the Amendment was adopted.

On motion of Senator Hughes, the roll call vote on **SA 12** to the Bill, but before being announced the roll call was tabled.

On motion of Senator Cicione, **SA 13** to the Bill was stricken.

On motion of Senator Adams, the roll call vote on **SA 14** to the Bill was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Martin, McCullough, Murphy, Schlör, Zimmerman — 17.

NO: Senators Castle and Steele — 2.

NOT VOTING: Senator Manning — 1.

ABSENT: Senator Jarvis, — 1.

Therefore, the Amendment was adopted.

On motion of Senator Berndt, **SA 15** to the Bill was stricken.

On motion of Senator Berndt, the roll call vote on **SA 38** to the Bill was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Zimmerman — 18.

NO: Senators Castle and Steele — 2.

ABSENT: Senator Elliott — 1.

Therefore, the Amendment was adopted.

At 10:20 p.m. on motion of Senator Cordrey, the Senate recessed until 1:30 p.m. June 26, 1974.

The Senate reconvened at 2:05 p.m. June 26, 1974, Lt. Governor Bookhammer presiding.

The Chair ruled that **SB 584** was still before the Senate.

On motion of Senator Schlör, **SA 16** to the Bill was laid on the table and **SA 17** to the Bill was stricken.

On motion of Senator Schlör, the roll call vote on **SA 58** to the Bill was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Zimmerman — 19.

NO: Senators Castle and Steele — 2.

Therefore, the Amendment was adopted.

On motion of Senator Isaacs, **SA 18** was laid on the table.

On motion of Senator Holloway, the roll call vote on **SA 19** to the Bill was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns,

Manning, Martin, McCullough, Murphy, Schlör, Zimmerman — 19.

NO: Senators Castle and Steele — 2.

Therefore, the Amendment was adopted.

On motion of Senator Martin **SA 20** was laid on the table.

On motion of Senator Isaacs **SA 21** was stricken.

On motion of Senator Adams, **SA 22** was stricken.

On motion of Senator Isaacs, **SA 23** was stricken.

On motion of Senator Isaacs, the roll call vote on **SA 59** was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Zimmerman — 19.

NO: Senator Steele — 1.

ABSENT: Senator Holloway — 1.

Therefore, the Amendment was adopted.

On motion of Senator Cordrey, **SA 24** was stricken.

On motion of Senator Cordrey, the roll call vote on **SA 49** was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Zimmerman — 19.

NO: Senators Castle and Steele — 2.

Therefore, the Amendment was adopted.

On motion of Senator Isaacs, the roll call vote on **SA 25** was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Zimmerman — 19.

NO: Senators Castle and Steele — 2.

Therefore, the Amendment was adopted.

On motion of Senator Kearns, **SA 26** was stricken.

On motion of Senator Kearns, the roll call vote on **SA 60** was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Manning, Martin, McCullough, Murphy, Schlör — 17.

NO: Senators Castle and Steele — 2.

ABSENT: Senators Jarvis and Zimmerman — 2.

Therefore, the Amendment was adopted.

On motion of Senator Cicione, **SA 27** was stricken.

On motion of Senator McCullough, the names of Senators Hughes and Berndt were added as co-sponsors of **SA 28** and the roll call vote was taken for its adoption.

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, du-

Pont, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Manning, Martin, McCullough, Murphy, Schlör — 17.

NO: Senators Castle and Steele — 2.

ABSENT: Senators Jarvis and Zimmerman — 2.

Therefore, the Amendment was adopted.

On motion of Senator Cook, **SA 29** was tabled.

On motion of Senator Isaacs, the roll call vote on **SA 30** was taken and announced to be:

YES: Senators Adams, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Zimmerman — 17.

NO: Senators Castle and Steele — 2.

NOT VOTING: Senators Berndt and duPont — 2.

Therefore, the Amendment was adopted.

On motion of Senator Adams, the roll call vote on **SA 31** was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Manning, McCullough, Murphy, Schlör — 17.

NO: Senator Steele — 1.

ABSENT: Senators Jarvis, Martin and Zimmerman — 3.

Therefore, the Amendment was adopted.

On motion of Senator Schlör, the roll call vote on **SA 34** was taken and announced to be:

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

NO: Senators Castle, Manning and Steele — 3.

NOT VOTING: Senators Berndt and duPont — 2.

ABSENT: Senators Elliott, Hale, Jarvis, Zimmerman — 4.

Therefore, the Amendment was adopted.

On motion of Senator Manning, the roll call vote on **SA 35** was taken but before it was announced was tabled on motion of Senator Manning.

On motion of Senator Murphy, **SA 36** and **SA 48** were stricken.

On motion of Senator Murphy, the roll call vote on **SA 57** was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Hughes, Isaacs, Kearns, Martin, McCullough, Murphy, Schlör — 15.

NO: Senators Castle and Steele — 2.

ABSENT: Senators Holloway, Jarvis, Manning, Zimmerman — 4.

Therefore, the Amendment was adopted.

On motion of Senator Cordrey, the roll call vote on **SA 37** was taken and announced to be:

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

NO: Senators Castle and Steele — 2.

ABSENT: Senators duPont, Hale, Holloway, Jarvis, Manning, Zimmerman — 6.

Therefore, the Amendment was adopted.

On motion of Senator Steele, the roll call vote on **SA 39** was taken but before being announced was tabled on motion of Senator Cordrey.

On motion of Senator Kearns, **SA 40** was stricken.

On motion of Senator Kearns, the roll call vote on **SA 67** was taken and announced to be:

YES: Senators Adams, Cicione, Cordrey, duPont, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Martin, McCullough, Murphy, Schlör, Zimmerman — 15.

NO: Senators Castle and Steele — 2.

ABSENT: Senators Berndt, Cook, Elliott, Manning — 4.

Therefore, the Amendment was adopted.

On motion of Senator Kearns, **SA 41** was tabled.

On motion of Senator McCullough, the roll call vote on **SA 42** was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Hale, Holloway, Hughes, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 17.

NO: Senator Castle — 1.

NOT VOTING: Senator Isaacs — 1.

ABSENT: Senators Elliott and Jarvis — 2.

Therefore, the Amendment was adopted.

On motion of Senator Zimmerman, the roll call vote on **SA 43** was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, McCullough, Murphy, Schlör, Zimmerman — 17.

NO: Senators Castle and Steele — 2.

ABSENT: Senators Elliott and Martin — 2.

Therefore, the Amendment was adopted.

On motion of Senator Zimmerman **SA 44** was stricken.

On motion of Senator Zimmerman, the roll call vote on **SA 56** was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Hale, Holloway, Hughes, Isaacs, Jarvis, Manning, McCullough, Murphy, Steele, Zimmerman — 17.

ABSENT: Senators Elliott, Kearns, Martin and Schlör — 4.

Therefore, the Amendment was adopted.

On motion of Senator McCullough, the roll call vote on **SA 45** was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Zimmerman — 18.

NO: Senators Castle and Steele — 2.

ABSENT: Senator Hale — 1.

Therefore, the Amendment was adopted.

On motion of Senator Elliott, **SA 46** was stricken.

On motion of Senator Elliott, the roll call vote on **SA 69** was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör — 17.

NO: Senators Castle and Steele — 2.

ABSENT: Senators Hughes and Zimmerman — 2.

Therefore, the Amendment was adopted.

On motion of Senator Murphy, the roll call vote on **SA 47** was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Hale, Holloway, Isaacs, Kearns, McCullough, Murphy, Schlör, Zimmerman — 14.

NO: Senators Castle, Manning and Steele — 3.

ABSENT: Senators Elliott, Hughes, Jarvis and Martin —

4.

Therefore, the Amendment was adopted.

On motion of Senator Adams, **SA 53** was tabled.

On motion of Senator Cordrey, **SA 54** was stricken.

On motion of Senator Cordrey, **SA 62** was tabled.

On motion of Senator Cordrey, **SA 55** was stricken.

On motion of Senator Cordrey, **SA 63** was tabled.

On motion of Senator Murphy, **SA 61** was tabled.

On motion of Senator Martin, the roll call vote on **SA 64** was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Schlör — 16.

NO: Senators Castle and Steele — 2.

ABSENT: Senators Elliott, Murphy and Zimmerman — 3.

Therefore, the Amendment was adopted.

On motion of Senator Isaacs, the roll call vote on **SA 65** to the Bill was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Martin, McCullough, Schlör, Zimmerman — 16.

NO: Senators Castle and Steele — 2.

NOT VOTING: Senator Manning — 1.

ABSENT: Senators Elliott and Murphy — 2.

Therefore, the Amendment was adopted.

On motion of Senator Zimmerman, **SA 66** was tabled.

On motion of Senator Schlör, the roll call vote on **SA 68** was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Zimmerman — 19.

NO: Senators Castle and Steele — 2.

Therefore, the Amendment was adopted.

On motion of Senator Schlör, **SA 16** was stricken.

At 4:24 p.m. on motion of Senator Isaacs, the Senate recessed for half an hour.

The Senate reconvened at 5:17 p.m., Lt. Governor Bookhammer presiding.

SB 584 was still before the Senate.

On motion of Senator Cicione, **SA 70** was stricken.

On motion of Senator Holloway, the roll call vote on **SA 71** was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Manning, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 18.

NO: Senator Castle — 1.

ABSENT: Senators duPont and Kearns — 2.

Therefore, the Amendment was adopted.

On motion of Senator Hale, **SA 72** was stricken.

On motion of Senator Kearns, **SA 41** was stricken.

On motion of Senator Kearns, the roll call vote on **SA 73** was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Murphy, Schlör, Zimmerman — 16.

NO: Senators Castle, Manning, McCullough and Steele — 4.

ABSENT: Senator Martin — 1.

Therefore, the Amendment was adopted.

On motion of Senator Adams, **SA 74** was tabled.

On motion of Senator Hughes, the roll call vote on **SA 75** was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Holloway, Hughes, Isaacs, Kearns, Manning, Murphy, Schlör, Zimmerman — 15.

NO: Senators Castle, McCullough and Steele — 3.

ABSENT: Senators Hale, Jarvis, and Martin — 3.

Therefore, the Amendment was adopted.

On motion of Senator Isaacs, the roll call vote on **SA 76** was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, McCullough, Murphy, Schlör, Zimmerman — 17.

NO: Senators Castle and Steele — 2.

ABSENT: Senators Hale and Martin — 2.

Therefore, the Amendment was adopted.

On motion of Senator duPont, the roll call vote on **SA 32** was lifted and announced to be:

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

NO: Senator Castle — 1.

Therefore, the Amendment was adopted.

On motion of Senator Cordrey, **SA 77** and **SA 78** were tabled.

On motion of Senator Cordrey, **SA 62** and **SA 63** were stricken.

On motion of Senator Adams, the roll call vote on **SA 79** was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Martin, Murphy, Schlör, Zimmerman — 17.

NO: Senators Castle, Manning and Steele — 3.

ABSENT: Senator McCullough — 1.

Therefore, the Amendment was adopted.

On motion of Senator Isaacs, the roll call vote on **SA 80** was taken and announced to be:

YES: Senators Adams, Cicione, Cook, duPont, Elliott, Hale, Hughes, Isaacs, Kearns, Manning, Martin, Murphy, Schlör, Zimmerman — 14.

NO: Senators Castle and Steele — 2.

ABSENT: Senators Berndt, Cordrey, Holloway, Jarvis, McCullough — 5.

Therefore, the Amendment was adopted.

Senator Hale requested that **SA 81** be considered but Senator Martin moved that the Amendment be tabled.

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

YES: Senators Adams, Cicione, Cook, Cordrey, Holloway, Isaacs, Kearns, Martin, Murphy, Schlör, Zimmerman — 11.

NO: Senators Berndt, Castle, duPont, Manning, Steele — 5.

NOT VOTING: Senators Elliott and Hughes — 2.

ABSENT: Senators Hale, Jarvis, McCullough — 3.

Therefore, the motion prevailed and **SA 81** was tabled.

On motion of Senator Zimmerman **SA 29** and **SA 66** were stricken.

On motion of Senator Zimmerman (Senator Cook, as co-sponsor), the roll call vote on **SA 82** was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Murphy, Schlör, Zimmerman — 16.

NO: Senators Castle and Steele — 2.

ABSENT: Senators Hale, Martin and McCullough — 3.

Therefore, the Amendment was adopted.

On motion of Senator Berndt, the roll call vote on **SA 83** was taken and announced to be:

YES: Senators Adams, Berndt, Cook, Cordrey, duPont, Elliott, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Murphy, Schlör, Zimmerman — 15.

NO: Senators Castle and Steele — 2.

ABSENT: Senators Cicione, Hale, Martin, McCullough —

4.

Therefore, the Amendment was adopted.

On motion of Senator Adams, **SA 53** and **SA 54** were stricken.

On motion of Senator Murphy, the roll call vote on **SA 84** was taken and announced to be:

YES: Senators Adams, Berndt, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, Murphy, Schlör, Zimmerman — 17.

NO: Senators Castle and Steele — 2.

ABSENT: Senators Cicione and McCullough — 2.

Therefore, the Amendment was adopted.

On motion of Senator Martin, **SA 85** was tabled.

On motion of Senator Cordrey, the roll call vote on **SA 77** was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, Murphy, Schlör, Zimmerman — 16.

NO: Senators Castle and Steele — 2.

ABSENT: Senators Hale, Holloway and McCullough — 3.

Therefore, the Amendment was adopted.

On motion of Senator Cordrey, the roll call vote on **SA 78** was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, Murphy, Schlör, Zimmerman — 18.

NO: Senators Castle and Steele — 2.

ABSENT: Senator McCullough — 1.

Therefore, the Amendment was adopted.

On motion of Senator Cicone, the roll call vote on **SA 86** was taken and announced to be:

YES: Senators Adams, Berndt, Cicone, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, Murphy, Schlör, Zimmerman — 18.

NO: Senators Castle and Steele — 2.

ABSENT: Senator McCullough — 1.

Therefore, the Amendment was adopted.

On motion of Senator Steele, the roll call vote on **SA 39** was lifted and announced to be:

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Murphy, Schlör, Steele — 16.

NO: Senators Manning, McCullough and Zimmerman — 3.

NOT VOTING: Senator Martin — 1.

ABSENT: Senator Jarvis — 1.

Therefore, the Amendment was adopted.

On motion of Senator Hale, the names of Senators Jarvis and Martin were added as co-sponsors of **SA 81** and the roll call vote was taken on its adoption:

YES: Senators Adams, Berndt, Cicone, Cook, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, Murphy, Schlör, Zimmerman — 17.

NO: Senators Castle and Steele — 2.

ABSENT: Senators Cordrey and McCullough — 2.

Therefore, the Amendment was adopted.

On motion of Senator Manning, the roll call vote on **SA 35** was lifted and announced to be:

YES: Senators Adams, Berndt, Cicone, Cook, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, Murphy — 15.

NO: Senators Castle, Cordrey, Steele — 3.

NOT VOTING: Senators McCullough and Schlör — 2.

ABSENT: Senator Zimmerman — 1.

Therefore, the Amendment was adopted.

On motion of Senator Isaacs, all the Amendments to the Bill which had not been acted on, were stricken and the roll call vote on **SB 584 w SA 1, 4, 5, 10, 11, 14, 19, 25, 28, 30, 31, 32, 33, 34, 35, 37, 38, 39, 42, 43, 45, 47, 49, 50, 51, 52, 56, 57, 58, 59, 60, 64, 65, 67, 68, 69, 71, 73, 75, 76, 79, 80, 81, 82, 83, 84, 86** was taken and announced to be:

YES: Senators Adams, Berndt, Cicone, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Martin, Murphy, Schlör, Zimmerman — 18.

NO: Senators Castle and Steele — 2.

ABSENT: Senator McCullough — 1.

Therefore, the Bill passed the Senate and was ordered to

the House for concurrence.

At 6:07 p.m. on motion of Senator Isaacs, the Senate recessed until 8:00 p.m.

The Senate reconvened at 8:18 p.m., Lt. Governor Bookhammer presiding.

On motion of Senator Isaacs, **HB 319** was taken up for consideration and read by title only:

HB 319 — "An Act relating to a pension for Edna Wright, widow of the lately retired Roy Wright, a former employee of the New Castle-Gunning Bedford School District."

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

YES: Senators Adams, Cicione, Cook, Cordrey, Hale, Hughes, Isaacs, Kearns, Martin, Murphy, Zimmerman — 11.

NO: Senator Steele — 1.

NOT VOTING: Senators duPont and Manning — 2.

ABSENT: Senators Berndt, Castle, Elliott, Holloway, Jarvis, McCullough, Schlör — 7.

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

At 8:20 p.m. on motion of Senator Isaacs, the Senate adjourned to immediately convene for the 53rd Legislative Day.

53RD LEGISLATIVE DAY

The Senate convened at 8:20 p.m. June 26, 1974, Lt. Governor Bookhammer presiding.

A prayer was offered by the Chaplain

Pledge of Allegiance to the Flag

By roll call, the following Senators were present:

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

The Journal was approved as read.

Senator Isaacs presented a Petition for **SB 453** from Committee, but on motion of Senator Isaacs, the Petition was stricken.

Senator Isaacs, Chairman of the Natural Resources and Environmental Control Committee, reported back to the Senate: **HB 365** — 4 Merits; **HB 510** — 5 Merits.

Senator Cicione, Chairman of the Labor and Industrial Relations Committee, reported back to the Senate: **HB 801** — 3 Merits; **HB 921** — 3 Merits.

Senator Schlör, Chairman of the Public Safety Committee, reported back to the Senate: **HB 328** — 5 Merits; **HB 744** — 4 Merits; **HB 894** — 4 Merits; **HB 895** — 4 Merits; **HB 896** — 4 Merits; **HB 897** — 4 Merits; **HB 898** — 4 Merits; **HB 918** — 4 Merits; **HB 919** — 4 Merits; **HB 982** — 4 Merits.

Senator Murphy, Chairman of the Community Affairs Committee, reported back to the Senate: **SB 604** — 3 Merits, 1 Unfavorable; **SB 605** — 3 Merits, 1 Unfavorable; **HJR 40** — 4 Merits.

Senator Holloway, Chairman of the Health and Social Service Committee, reported back to the Senate: **SB 636** — 5 Merits.

Senator Holloway, Chairman of the Revenue and Taxation Committee, reported back to the Senate: **SB 693** — 2 Favorable, 1 Merits; **HB 753** — 5 Merits.

Senator Kearns, Chairman of the Judiciary and Elections Committee, reported back to the Senate: **HB 1033** — 4 Merits; **HB 626** — 4 Merits.

Senator Cook, Chairman of the Administrative Services Committee, reported back to the Senate: **HB 901** — 4 Merits; **HB 947** — 4 Merits; **HB 932** — 4 Merits.

On motion of Senator Isaacs, the roll call vote on the Governor's nomination for appointment of Ernst Danneman was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, duPont, Holloway, Hughes, Isaacs, Kearns, Manning, Martin, Murphy, Schlor, Zimmerman — 15.

NO: Senator Steele — 1.

ABSENT: Senators Cordrey, Elliott, Hale, Jarvis, McCullough — 5.

Therefore, the appointment was confirmed.

Senator Murphy introduced **SA 3 to HB 719**. Placed with the Bill.

Senator Isaacs introduced **SA 1 to HB 985**. Placed with the Bill.

Senator Holloway introduced **SR 240** and moved that it be adopted.

SR 240 — "Respectfully requesting the Wilmington Housing Authority to judiciously exercise restraint in increasing the rent for senior citizens who reside in Public Housing in the City of Wilmington.

WHEREAS, under the recent spiraling inflationary costs of food and clothing senior citizens are under constant plague in trying to meet everyday living expenses by virtue of the fact that they live on fixed incomes; and

WHEREAS, it has only been within the two or three years that Congress has recognized and faced up to the plight of our senior citizens by attempting to give those living on Social Security income a modest increase to off-set the high cost of living; and

WHEREAS, there is an evidential pattern which indicates that every time Social Security recipients receive an increase,

modest as it is, there is simultaneously an increase in their rent.

NOW, THEREFORE:

BE IT RESOLVED by the members of the Senate of the 127th General Assembly of the State of Delaware that the Wilmington Housing Authority is hereby respectfully requested to judiciously exercise the greatest restraint, however compatible with sound economic rationale, in increasing the rent for senior citizens who reside in public housing within the City of Wilmington.

BE IT FURTHER RESOLVED that should this pattern be the policy and or regulation of the Wilmington Housing Authority that said policy and or regulation be modified to take into consideration the economic hardship which many of our senior citizens have to live under.

BE IT FURTHER RESOLVED that this Resolution be made a part of the Senate Journal and that a copy be forwarded to the Wilmington Housing Authority.

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Hale, Holloway, Hughes, Isaacs, Kearns, Manning, Martin, Murphy, Schlor, Steele, Zimmerman — 18.

ABSENT: Senators Elliott, Jarvis and McCullough — 3.
Therefore, the Resolution was adopted.

Senators McCullough and Hughes introduced **SJR 62:**

SJR 62 — “Authorizing the Governor to designate the Secretary of State to negotiate the purchase of “Bellevue”, the estate of the late William duPont, Jr., immediately on passage by the 127th General Assembly of the necessary appropriation therefor.” Assigned to Executive Committee.

Senator Isaacs introduced **SB 698:**

SB 698 — “An Act to amend Chapter 9, Title 29, Delaware Code relating to the contract for the publication of the Senate and House Journals.” Assigned to Executive Committee.

Senators Cordrey, Adams and Elliott; Representatives Gordy, Clendaniel, Harrington, Lynch, Temple, Derrickson introduced **SB 699:**

SB 699 — “An Act authorizing the expenditure of monies from the Capital Investment Fund by the Department of State for purposes of financing the restoration of the Old Sussex County Courthouse.” Assigned to Finance Committee.

Senator Isaacs introduced **SB 700:**

SB 700 — “An Act to provide a supplementary appropriation to the State Board of Education for the purpose of increasing the amounts to be allocated to the School Districts as equalization funds for the Fiscal Year ending June 30, 1975.” Assigned to Education Committee.

Senators Cook and Manning introduced **SB 701**:

SB 701 — “An Act to amend Section 7903(b) (2) of Title 29, Delaware Code relating to the qualifications of the Director of the Division of Mental Health.” Assigned to Health and Social Services Committee.

Senator Elliott introduced **SB 702**:

SB 702 — “An Act making a supplementary appropriation to the Department of Health and Social Services, Division of Mental Health, for the purpose of employing additional personnel for the Sussex County Mental Health Center to include the clinic.” Assigned to Finance Committee,

The Secretary read the following message from the House:

6—26—74

Mr. President:

The House wishes to inform the Senate that it has passed **HB 751 w HA 1, 4; HB 1044; HB 1048; HB 1058; HB 717 w HA 1; HB 880; HB 780; HS 1 for HB 533 w HA 1; HB 772; HB 879 w HA 1; HB 1037** and requests the concurrence of the Senate.

The House also passed **SS 1 for SB 498; SB 546; SB 631 w HA 1; SB 669 w HA 1; SB 48 w HA 1, 3; SB 623; SB 639 w HA 1; SCR 52** and is returning same to the Senate.

On motion of Senator Cordrey, the necessary rules were suspended for the purpose of reconsidering **SB 631** as now further amended by **HA 1**.

The roll call vote on the Bill (as so amended) was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Cordrey, duPont, Hale, Holloway, Hughes, Isaacs, Kearns, Manning, Murphy, Schlor — 15.

NO: Senator Steele — 1.

ABSENT: Senators Elliott, Jarvis, Martin, McCullough and Zimmerman — 5.

Therefore, the Bill (as so amended) passed the Senate.

On motion of Senator Isaacs, the necessary rules were suspended for the purpose of reconsidering **SB 669** as further amended by **HA 1**.

The roll call vote on the Bill (as so amended) was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Cordrey, duPont, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Manning, Murphy, Schlor, Steele — 17.

ABSENT: Senators Elliott, Martin, McCullough, Zimmerman — 4.

Therefore, the Bill (as so amended) passed the Senate.

On motion of Senator Schlor, the necessary rules were suspended for the purpose of reconsidering **SB 48** as further amended by **HA 1, 3**.

The roll call vote on the Bill (as so amended) was taken and announced to be:

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

NOT VOTING: Senators Berndt, Castle, duPont, Hughes, Manning, Steele — 6.

ABSENT: Senators Elliott, Hale, and Zimmerman — 3.

Therefore, the Bill (as so amended) passed the Senate.

On motion of Senator Kearns, the roll call vote on **HB 846** was lifted from the table and rescinded.

On motion of Senator Castle, **SA 2** to the Bill was stricken.

On motion of Senator Castle, the roll call vote on **SA 1** to the Bill was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele — 18.

NO: Senator Isaacs — 1.

NOT VOTING: Senator Hughes — 1.

ABSENT: Senator Zimmerman — 1.

Therefore, the Amendment was adopted.

On motion of Senator Kearns, the roll call vote on **HB 846 w SA 1** was taken but before being announced, was tabled.

On motion of Senator Adams, **SB 679** was taken up for consideration and read by title only:

SB 679 — “An Act to authorize and direct the transfer of Milton School No. 196 to the Town of Milton.”

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

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Holloway, Hughes, Isaacs, Kearns, Manning, Martin, McCullough, Schlör — 13.

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

ABSENT: Senators Elliott, Jarvis, Murphy, Zimmerman — 4.

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

On motion of Senator Castle, **SB 654** was taken up for consideration and read by title only:

SB 654 — “An Act to amend Subchapter 27, Title 21, Delaware Code, providing for the mandatory revocation of motor vehicle operator’s license upon conviction of certain crimes involving motor vehicles or upon a finding of delinquency, pursuant thereto.”

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

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

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

NOT VOTING: Senator Isaacs — 1.

ABSENT: Senators Elliott and Jarvis — 2.

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

On motion of Senator Martin, **SB 638** was taken up for consideration and read by title only:

SB 638 — “An Act to amend Sections 2324, 2325, 2326, and 2330, Title 19, Delaware Code relating to the maximum amount of compensation awarded to the injured employee, or his widow or children.”

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Hale, Holloway, Hughes, Isaacs, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Zimmerman — 17.

NO: Senator Steele — 1.

ABSENT: Senators Cicione, Elliott, Jarvis — 3.

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

On motion of Senator Holloway, **HB 854 w HA 1, 2, 3, 5, 6** was taken up for consideration and read by title only:

HB 854 w HA 1, 2, 3, 5, 6 — “An Act to amend Chapter 51, Title 16, Delaware Code by adding a new subchapter thereto establishing a bill of rights for patients in hospitals for the mentally ill.”

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes, Jarvis, Kearns, Manning, Martin, Murphy, Schlör, Zimmerman — 17.

NO: Senators McCullough and Steele — 2.

NOT VOTING: Senators Cicione and Isaacs — 2.

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

At 10:20 p.m. on motion of Senator Isaacs, the Senate adjourned until 1:30 p.m. June 27, 1974.

54TH LEGISLATIVE DAY

The Senate convened at 1:47 p.m. June 27, 1974, Lt. Governor Bookhammer presiding.

A Prayer was offered by Senator Berndt.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

PRESENT: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, duPont, Elliott, Hale, Holloway, Hughes,

Isaacs, Jarvis, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 21.

The Journal was approved as read.

Senator Isaacs, Chairman of the Natural Resources and Environmental Control Committee, reported back to the Senate: **HB 1015** — 3 Merits; **HB 686** — 3 Merits.

Senator Isaacs, Chairman of the Executive Committee, reported back to the Senate: **SB 554** — 3 Merits; **SJR 62** — 1 Favorable, 4 Merits.

Senator Kearns, Chairman of the Judiciary and Elections Committee, reported back to the Senate: **HB 892** — 1 Favorable, 2 Merits.

Senator Berndt introduced **SB 703**:

SB 703 — “An Act to increase the salaries of certain employees classified under the Merit System.” Assigned to Finance Committee.

Senator Berndt introduced **SB 704**:

SB 704 — “An Act to amend Chapter 381, Volume 59, Laws of Delaware, to provide for an equitable salary increase for professional employees of the State.” Assigned to Finance Committee.

At 1:55 p.m. on motion of Senator Isaacs, the Senate recessed for half an hour.

The Senate reconvened at 3:36 p.m.

Lt. Governor Bookhammer introduced the Lt. Governor from the Girls’ State.

On motion of Senator Kearns, **HB 859 w HA 1, 3, 5** was taken up for consideration and read by title only:

HB 859 w HA 1, 3, 5 — “An Act to amend Chapter 51, Title 16, Delaware Code relating to the procedure for the involuntary commitment of mentally ill persons to the Delaware State Hospital and other hospitals and discharge therefrom.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, duPont, Elliott, Hale, Holloway, Hughes, Isaacs, Jarvis, Kearns, Martin, McCullough, Murphy, Schlör, Steele — 18.

ABSENT: Senators Cordrey, Manning, and Zimmerman — 3.

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

On motion of Senator Murphy, **HBs 599 and 820** were tabled.

On motion of Senator Murphy, **HB 644 w HA 1, 2** was taken up for consideration and read by title only:

HB 644 w HA 1, 2 — “An Act to amend Title 9, Title 14 and Title 29 of the Delaware Code relating to Library Services