

ABSENT: Senators Cicione and Knox — 2.

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

At 7:03 on motion of Senator Isaacs, the Senate recessed until 1:30 p.m. June 1, 1976.

The Senate reconvened at 2:10 p.m. June 1, 1976, Lt. Governor Bookhammer presiding.

On motion of Senator Isaacs, the Senate immediately adjourned to convene for the 39th Legislative Day.

39TH LEGISLATIVE DAY

The Senate convened at 2:10 p.m. June 1, 1976, Lt. Governor Bookhammer presiding.

A Prayer was offered by the Chaplain, Rev. S. Ray Habiger, Jr.

Pledge of Allegiance to the Flag.

By roll call, there were 21 Senators PRESENT.

The Journal of the 38th Day was approved as read.

The Secretary announced that a message from the House informed the Senate that it had passed **SB 577; SB 609 and SB745.**

The Secretary announced that a message from the House informed the Senate that it had defeated **SB 671.**

The following House legislation was introduced:

HS 1 for HB 647 — "An Act to amend Chapter 60, Title 7, Delaware Code, relating to water allocation by the Secretary of the Department of Natural Resources and Environmental Control." Sponsor: Representative Worthen. Assigned to Natural Resources and Environmental Control Committee.

HB 994 — "An Act to amend Chapter 7, Title 19 of the Delaware Code relating to employment practices; and prohibiting the hiring of illegal aliens." Sponsor: Representative LeGates. Assigned to Labor Committee.

HB 1015 w HA 1 — "An Act to amend Chapter 21, Title 21, of the Delaware Code relating to "PC" license plates." Sponsors: Representatives Boulden and Billingsley. Assigned to Public Safety Committee.

HB 1025 — "An Act to amend Section 938, Title 10, Delaware Code to allow the Family Court to proceed against an 18 year old as an adult even though charged with the offense while a juvenile." Sponsor: Representative Gordy. Assigned to Judiciary Committee.

HB 1057 — "An Act to amend Chapter 75, Part V, Title 15 of the Delaware Code relating to municipal and town elections;

and providing for a reduction in the amount of time polls must stay open when there is only one candidate for each office." Sponsors: Representatives Riddagh, Morris, Harrington, Miller, Darling and Senator Cook. Assigned to Judiciary Committee.

HB 1061 — "An Act to amend Title 9, relating to counties to correct editorial errors in the Delaware Code annotated." Sponsors: Representatives Gilligan and Sincok. Assigned to Community Affairs Committee.

HB 1072 w HA 1 — "An Act to amend Chapter 3, Title 21, Delaware Code, relating to fees for certified records." Sponsor: Representative Gordy. Assigned to Public Safety Committee.

HB 1136 — "An Act to provide a supplemental appropriation to the Department of Correction for operations for the Fiscal Year ending June 30, 1976." Sponsors: Representatives George, McGinnis, Derrickson, Sincok. Assigned to Corrections Committee.

HJR 44 — "Commending the participants and organizers of the 1976 Delaware Special Olympics." Sponsor: Representative Riddagh. Assigned to Health and Social Services Committee.

SA 1 to SR 167 (Sponsored by Senator Holloway) was introduced and placed with the Bill on motion of Senator Isaacs.

SA 1 to SB 48 (Sponsored by Senator Cicione) was introduced and placed with the Bill on motion of Senator Isaacs.

SA 1 to SB 713 was introduced by Senator Zimmerman and placed with the Bill.

The following Committee reports were announced:

From the Judiciary Committee: **HB 1000** — 3 Merits, 1 Unfavorable.

From the Executive Committee: **HB 356** — 4 Merits.

From the Natural Resources and Environmental Control Committee: **HB 993** — 5 Merits; **HB 832** — 5 Merits.

From the Public Safety Committee: **SB 446** — 5 Merits.

SB 694 was taken up for consideration on motion of Senator Murphy:

SB 694 — "An Act to amend Chapter 7, Title 18, Delaware Code, by exempting from General Premium Tax on Insurance Premiums or Subscription Charges for Basic Health Care Insurance Plans for State employees."

The roll call vote on the Bill was taken on motion of

Senator Murphy and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Hughes, Isaacs, Kearns, Knox, Manning, Murphy, Schlor, Steele, Zimmerman — 17.

ABSENT: Senators Holloway, Martin, McCullough and Sharp — 4.

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

SB 695 was taken up for consideration on motion of Senator Murphy:

SB 695 — "An Act to amend Chapter 52, Title 29, Delaware Code, relating to Health Care Insurance for State employees."

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Murphy and the following letter was read into the record at the request of Senator Murphy:

**STATE OF DELAWARE
DEPARTMENT OF INSURANCE**

May 26, 1976

Mrs. Heide F. McWharf
Christian Science Committee
on Publication for Delaware
Wilmington, Delaware

RE: Senate Bill 695 — General Pricing Comments

Dear Mrs. McWharf:

It is my opinion, that in Delaware, based on the limited number of participants, expected number of claims, a rather low claims cost, a quite low require premium for such a rider would result.

It is worthwhile to note that in many instances private insurance companies do offer such coverage on a contracted basis and in most instances do not charge additional premium.

I admit that this represents only my comments; however, if you require technical demonstration to support this, I shall be happy to comply with any future directive you may present.

In the meantime, I trust that this represents an adequate commentary. However, if I can be of further assistance, please don't hesitate to give me a call.

Very truly yours,
John F. Richardson,
Insurance Commissioner
By: Everett E. Gale, Jr.,
Actuarial Supervisor

* * * * *

The roll call vote on SA 1 was then taken on motion of Senator Murphy and announced:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Hughes, Isaacs, Kearns, Knox, Manning, Murphy, Schlör, Sharp, Zimmerman — 16.

NO: Senator Steele — 1.

NOT VOTING: Senator Castle — 1.

ABSENT: Senators Holloway, Martin and McCullough —

3.

Therefore, the Amendment was adopted.

Then on further motion of Senator Murphy, final consideration of SB 695 w SA 1 was deferred.

SB 712 was taken up for consideration on motion of Senator Zimmerman:

SB 712 — “An Act to amend Chapter 25 of Title 29, Delaware Code, relating to the Department of Justice supplying legal advice and council to the Delaware State College.”

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

**DELAWARE STATE COLLEGE
DOVER, DELAWARE**

May 19, 1976

The Honorable Jacob Zimmerman
The Senate
Dover, Delaware

Dear Senator Zimmerman:

RE: A breif explanation on the need of Senate Bill No. 712.

AN ACT TO AMEND CHAPTER 25 of TITLE 29,
DELAWARE CODE, RELATING TO THE DEPARTMENT
OF JUSTICE SUPPLYING LEGAL ADVICE AND
COUNSEL TO DELAWARE STATE COLLEGE.

NEED:

Title 29, Chapter 25, Paragraph 2515, exempts all School Districts, Special School Districts and the University of Delaware from being bound to the Attorney General's Office for Legal Service.

The greatly accelerated demand for almost instant and daily legal advice on a large number of legal matters including: Employment, Labor Unions, Civil Rights, Accidents and Insurance Matters; has caused Delaware State College to reach

the conclusion that it would be in the best interest of the College and consequently the State, to include the College in the exemptions along with School Districts and the University of Delaware.

Sincerely yours,
Luna I. Mishoe, President

* * * * *

The roll call vote on the Bill was then taken on motion of Senator Zimmerman and revealed 21 Senators voting YES. Therefore, the Bill passed the Senate and was ordered to the House.

SB 713 was taken up for consideration on motion of Senator Zimmerman:

SB 713 — "An Act to amend Chapter 65 of Title 29, Delaware Code relating to cost of living salary supplements for employees at Delaware State College."

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

**DELAWARE STATE COLLEGE
DOVER, DELAWARE**

May 19, 1976

The Honorable Jacob Zimmerman

The Senate

Dover, Delaware

Dear Senator Zimmerman:

RE: A brief explanation on the need of Senate Bill No. 713.

AN ACT TO AMEND CHAPTER 65 OF TITLE 29, DELAWARE CODE, RELATING TO COST OF LIVING SALARY SUPPLEMENTS FOR EMPLOYEES AT DELAWARE STATE COLLEGE.

NEED:

There are several factors which figure into the compensation of Faculty at Delaware State College, among which are:

1. Teaching effectiveness
2. Research productivity or other creative activities
3. Community Service
4. Formal education in terms of advanced degrees
5. Extra classroom services in terms of committee assignments, etc.
6. Interest and ability to work with students, etc. etc.

The College employs an Administration to continuously evaluate the Faculty in terms of performance and make appropriate recommendations to the Board of Trustees with

respect to proper compensation. It is, therefore, our firm belief that the College's thrust toward true academic excellence would be better preserved and achieved by leaving the matter of Faculty compensation in the hands of the Administration and Trustees of the College. This seems to be the true and tried practice in Institutions of Higher Learning all over the Country. We feel both the Faculty and non-Faculty employees of Delaware State College should have the same exemption.

Sincerely yours,
Luna I. Mishoe, President

* * * * *

SA 1 to the Bill was introduced by Senator Zimmerman and considered for adoption. The roll call vote on the Amendment was taken and announced:

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

Therefore, the Amendment was adopted.

The privilege of the floor was extended to Dr. Luna I. Mishoe, President of Delaware State College, to speak on the Bill after which the roll call vote on **SB 713 w SA 1** was taken and announced:

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

NO: Senator Isaacs — 1.

NOT VOTING: Senator Cicione — 1.

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

SB 690 was taken up for consideration on motion of Senator Adams:

SB 690 — "An Act to amend an Act entitled 'An Act to reincorporate the Town of Milton' to provide a sum which may be borrowed upon anticipation of revenues."

The roll call vote on the Bill was taken up for consideration on motion of Senator Adams and revealed 21 Senators voting YES. Therefore, the Bill passed the Senate and was ordered to the House.

SS 1 to **SB 711** was taken up for consideration on motion of Senator Zimmerman:

SS 1 for **SB 711** — "An Act to affirm the authority and

responsibility of the Board of Trustees of Delaware State College in connection with the control of the College's fees, tuition and other revenues including funds received by gift, devise or grant; and further providing that the Board of Trustees furnish annually a financial report to the Governor and give the State Auditor access to all books and records of the College."

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

**DELAWARE STATE COLLEGE
DOVER, DELAWARE**

May 19, 1976

The Honorable Jacob Zimmerman
The Senate
Dover, Delaware

Dear Senator Zimmerman:

RE: A brief explanation on the need of Senate Bill No. SS 1 for SB 711.

AN ACT TO AFFIRM THE AUTHORITY AND RESPONSIBILITY OF THE BOARD OF TRUSTEES OF DELAWARE STATE COLLEGE IN CONNECTION WITH THE CONTROL OF THE COLLEGE'S FEES, TUITIONS AND OTHER REVENUES INCLUDING FUNDS RECEIVED BY GIFT, DEVISE OR GRANT; AND FURTHER PROVIDING THAT THE BOARD OF TRUSTEES FURNISH ANNUALLY A FINANCIAL REPORT TO THE GOVERNOR AND GIVE THE STATE AUDITOR ACCESS TO ALL APPROPRIATE FINANCIAL BOOKS AND RECORDS OF THE COLLEGE.

NEED:

The contents of this bill are implicit in the Charter of Delaware State College, Title 14, Chapter 65, Paragraph 6505 of Delaware Code of 1953. However, in view of the several private gifts and large amounts of Federal Funds awarded to Delaware State College, which now amount to several millions of dollars, it seems essential that the control of these funds by the Board of Trustees of Delaware State College should be EXPLICITLY STATED BY Law.

Please note that we have the words "Appropriate financial" in the last sentence of the above title and we would like that revision included in the Bill submitted. Please submit the enclosed revised Bill.

Sincerely yours,
Luna I. Mishoe, President

* * * * *

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

The roll call vote on **SS 1** for **SB 711 w SA 1** was then taken on motion of Senator Zimmerman and revealed 21 Senators voting YES. Therefore, the Bill passed the Senate and was ordered to the House.

At 3:16 p.m. on motion of Senator Cordrey, the Senate recessed for Party Caucuses for forty-five minutes.

The Senate reconvened at 4:38 p.m., Lt. Governor Bookhammer presiding.

The Secretary announced that a message from the House informed the Senate that it had passed **SB 126 w SA 1, 2, 3.**

SB 695 w SA 1 final consideration of which had been deferred was again taken up for consideration on motion of Senator Murphy.

SA 2 to the Bill was introduced by Senator Manning who moved for its adoption.

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Hale, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 16.

NO: Senator Isaacs — 1.

NOT VOTING: Senators Cicione, Elliott, Holloway and Sharp — 4.

Therefore, the Amendment was declared adopted.

The roll call vote on **SB 695 w SA 1, 2** was then taken on motion of Senator Murphy; however, before it was announced it was tabled on further motion of Senator Murphy.

HJR 41 was taken up for consideration on motion of Senator Murphy:

HJR 41 — "Requesting Blue Cross and Blue Shield of Delaware, Inc. to study the costs of an additional plan which would lower the costs of protection for certain family clients."

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Kearns, Knox, Martin, McCullough,

Murphy, Schlör, Zimmerman — 15.

NOT VOTING: Senators Holloway, Hughes, Isaacs, Manning, Sharp and Steele — 6.

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

SB 729 was taken up for consideration on motion of Senator Cordrey:

SB 729 — “An Act to amend an Act being Chapter 197, Volume 54, Laws of Delaware, as amended, entitled ‘An Act revising the Prior Charter of the City of Rehoboth Beach and establishing a new Charter therefor and prescribing the powers and duties of the Commissioners of Rehoboth Beach’ to provide a day when voters must register in order to vote in the Annual Municipal Elections.”

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

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

NO: Senators Castle, Hale and Hughes — 3.

ABSENT: Senators Sharp and Zimmerman — 2.

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

SB 742 was taken up for consideration on motion of Senator Holloway:

SB 742 — “An Act to amend Title 31, Delaware Code, relating to licensed Clinical Social Workers.”

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

SB 738 was taken up for consideration on motion of Senator Adams:

SB 738 — “An Act to amend Chapter 19 and 20, Title 14 of the Delaware Code relating to Local School Taxes and Local Bonds.”

The roll call vote on the Bill was taken and revealed 21 Senators voting YES. Therefore, the Bill passed the Senate and was ordered to the House.

SB 553 was taken up for consideration on motion of Senator Martin:

SB 553 — “An Act to amend Subchapter 23, Title 19, Delaware Code by providing for aid and attendance to persons totally disabled.”

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

On further motion of Senator Martin, final consideration of the Bill and the Amendment was deferred.

SB 630 was taken up for consideration on motion of Senator Adams:

SB 630 — “An Act to amend Chapter 52 of Title 30, Delaware Code, relating to penalty assessments payable by mail.”

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

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

NOT VOTING: Senator Manning — 1.

ABSENT: Senator Cicione — 1.

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

HB 1076 was taken up for consideration on motion of Senator Cordrey:

HB 1076 — “An Act to amend Chapter 7, Title 5, Delaware Code, relating to payment of dividends by Banks and Trust Companies.”

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

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

ABSENT: Senator Cicione — 1.

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

SB 699 was taken up for consideration on motion of Senator Steele:

SB 699 — “An Act to amend Chapter 5 of Title 21, Delaware Code relating to the Department of Highways and Transportation.”

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

YES: Senators Berndt, Hughes and Steele — 3.

NO: Senators Castle, Cook, Cordrey, Elliott, Holloway, Isaacs, Kearns, McCullough, Schlör, Sharp, Zimmerman — 11.

NOT VOTING: Senators Adams, Hale, Knox, Manning, Martin, Murphy — 6.

ABSENT: Senator Cicione — 1.

Therefore, the Bill was declared lost.

The following Committee reports were read:

From the Health and Social Services Committee: **HJR 44**

— 4 Favorable, 2 Merits.

From the Judiciary Committee: **HB 1042** — 5 Merits.

From the Revenue and Taxation Committee: **SB 688** — 4 Merits.

The following legislation was introduced:

SB 746 — “An Act to amend Subchapter V, Chapter 17, Title 24, Delaware Code relating to continuing education for practicing physicians in this State.” Sponsor: Senator Holloway. Assigned to Administrative Services Committee.

SB 747 — “An Act to amend Chapter 17, Title 24, Delaware Code relating to higher education funding for foreign medical students.” Sponsor: Senator Holloway. Assigned to Administrative Services Committee.

SB 748 — “An Act to amend Chapter 31, of Title 20, Delaware Code relating to county organizations for Civil Defense.” Sponsors: Senators Murphy and Zimmerman. Assigned to Executive Committee.

SB 750 — “An Act to amend Chapter 27, Title 21, of the Delaware Code, relating to suspension of driver licenses.” Sponsor: Senator Adams. Assigned to Public Safety Committee.

SB 749 — “An Act to amend Chapter 33, Title 19, Delaware Code, relating to unemployment compensation.” Sponsor: Senator Adams. Assigned to Labor Committee.

SA 1 to SB 466 was introduced by Senator Adams and placed with the Bill.

SA 1 to HB 990 (Sponsored by Senators Cicione and Isaacs) was introduced and placed with the Bill.

SA 1 to SB 737 (Sponsored by Senators Kearns and Isaacs) was introduced and placed with the Bill.

SA 1 to SB 740 was introduced by Senator Steele and placed with the Bill.

SA 1 to SS 1 for SB 320 was introduced by Senator Manning and placed with the Bill.

HB 1110 — “An Act to amend Section 13, Paragraph 13 of the Charter of the City of Harrington to permit the City of Harrington to collect their separate garbage fee in certain ways.” Sponsor: Representative Darling. Assigned to Community Affairs Committee.

HCR 83 — “Requesting the Delaware River and Bay Authority to enlarge the War Memorial Plaque to provide sufficient space for the names of the dead of World War II, the Korean War and the Vietnam War from New Jersey and

Delaware." Sponsor: Representative Matushefske. The Resolution was laid on the table on motion of Senator Isaacs.

SB 716 was stricken on motion of Senator Sharp.

Senator Adams moved that the necessary rules be suspended to lift the roll call on **SA 1** to **HB 748**. The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Cook, Cordrey, Elliott, Holloway, Isaacs, McCullough, Murphy, Zimmerman — 9.

NO: Senators Castle, Hughes, Sharp, Steele — 4.

NOT VOTING: Senators Berndt and Schlör — 2.

ABSENT: Senators Cicione, Hale, Kearns, Knox, Manning, Martin — 6.

Therefore, the motion was defeated and the roll call vote on **SA 1** to **HB 748** remained on the table.

At 6:00 p.m. on motion of Senator Isaacs, the Senate adjourned until 1:30 p.m. June 2, 1976.

40TH LEGISLATIVE DAY

The Senate convened at 2:05 p.m. June 2, 1976, President Pro Tempore Isaacs presiding.

A Prayer was offered by the Chaplain, Rev. S. Ray Habiger, Jr.

Call of the roll showed the following attendance:

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

ABSENT: Senator Schlör — 1.

The Journal of the 39th Day was approved as read.

The Secretary announced that a message from the House informed the Senate that it had passed **SB 531; SB 614; SB 686; SB 702** and **SB 674**.

Legislative Advisory No. 82 received from the Office of the Counsel to the Governor informed the Senate that the Governor approved the following legislation: On May 28, 1976 — **SB 4; SB 7 w HA 1; SB 426; SB 469 w SA 1; SB 517; SB 575 w SA 1, HA 3, 4, 5, 9; SCR 75; SCR 76**; On May 26 — **SB 745**. **SB 5** was received in the Governor's Office on May 18, 1976 and was determined to be invalid.

* * * * *

SB 751 (Sponsored by Senator Cicione; Representatives Kelly, Byrd, Maxwell and Gilligan) was introduced and assigned to Finance Committee:

SB 751 — "An Act making a supplementary

appropriation to the Department of Finance for payment of claims relating to "Veterans' Military Pay Act. No. 111."

SA 2 to SB 553 was introduced by Senator Martin and placed with the Bill.

HB 1135 w HA 1, 2 (Sponsored by Representative Byrd) was introduced and laid on the table on motion of Senator Zimmerman:

HB 1135 w HA 1, 2 — "An Act to amend Title 4 of the Delaware Code relating to licenses for non-profit groups and organizations; and to Licenses for caterers."

HB 1013 (Sponsored by Representative Gordy and Senator Elliott) was introduced and assigned to Community Affairs Committee:

HB 1013 — "An Act to amend Chapter 182, Section 1, Volume 45 Laws of Delaware, as amended, relating to the Town of Delmar, by providing a method of annexation."

SB 680 was taken up for consideration on motion of Senator Kearns:

SB 680 — "An Act to amend Chapter 69, Title 29, Delaware Code relating to the establishment of policies and procedures for contracting professional services by the State, its Agencies, Municipalities or Political Subdivisions, School Boards; defining professional services establishing competitive selection procedures and competitive negotiations for firms or individuals providing professional services; establishing truth in negotiation requirements for professional service contracts and setting penalties therefor; and providing for State professional assistance to Municipalities and Political Subdivisions in the selection and negotiation of professional service contracts."

The privilege of the floor was extended to Thomas B. Evans, Sr., Delaware Society of Professional Engineers; C. M. Weymouth, Delaware Society of American Institute of Architects and Senate Attorney, Eberly to speak on the Bill after which the roll call vote was taken and announced:

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

ABSENT: Senators Martin, McCullough, Schlör and Sharp — 4.

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

HB 990 w HA 2, 3, 4 was taken up for consideration on

motion of Senator Holloway:

HB 990 w HA 2, 3, 4 — “An Act to amend Chapter 17, Title 24, Delaware Code, relating to medicine, surgery and osteopathy; and providing for Delaware Medical Practices Act.”

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cicione and the privilege of the floor extended to Calvin B. Hearne, M.D. of the Medical Society of Delaware, to speak on the Amendment. The roll call vote on the Amendment was then taken and revealed:

YES: Senators Adams, Castle, Cicione, Cook, Cordrey, Holloway, Hughes, Isaacs, Kearns, Manning, Martin, Sharp — 12.

NO: Senators Berndt, Elliott, Hale, Knox, Murphy, Steele — 6.

ABSENT: Senators McCullough, Schlör and Zimmerman — 3.

Therefore, the Amendment was adopted.

The roll call vote on **HB 990 w HA 2, 3, 4, SA 1** was then taken and announced:

YES: Senators Adams, Castle, Cicione, Cook, Elliott, Hale, Holloway, Hughes, Isaacs, Knox, Manning, Martin, Murphy, Sharp, Steele — 15.

NO: Senator Cordrey — 1.

NOT VOTING: Senator Kearns — 1.

ABSENT: Senators Berndt, McCullough, Schlör and Zimmerman — 4.

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

SB 466 was taken up for consideration on motion of Senator Adams:

SB 466 — “An Act to amend Chapter 43, Title 21, Delaware Code, relating to tires.”

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

YES: Senators Adams, Berndt, Cook, Cordrey, Elliott, Hale, Hughes, Isaacs, Kearns, Knox, Manning, Murphy, Sharp — 13.

NOT VOTING: Senator Steele — 1.

ABSENT: Senators Castle, Cicione, Holloway, Martin, McCullough, Schlör and Zimmerman — 7.

Therefore, the Amendment was adopted.

The roll call vote on **SB 466 w SA 1** was then taken and revealed:

YES: Senators Adams, Berndt, Castle, Cook, Elliott, Hale, Hughes, Isaacs, Kearns, Knox, Manning, Martin, Murphy, Sharp, Zimmerman — 15.

NO: Senator Cordrey — 1.

NOT VOTING: Senator Steele — 1.

ABSENT: Senators Cicione, Holloway, McCullough and Schlör — 4.

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

At 3:27 p.m. on motion of Senator Cordrey, the Senate recessed for Party caucuses.

The Senate reconvened at 4:51 p.m., President Pro Tempore Isaacs presiding.

Senator Zimmerman moved that the necessary rules be suspended for consideration on **HB 1135 w HA 1, 2**. The roll call vote on the motion was taken and announced:

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

NO: Senator Steele — 1.

NOT VOTING: Senators Berndt, Castle, Elliott, Hale, Hughes, Knox — 6.

ABSENT: Senators Cook, Manning and Schlör — 3.

Therefore, the motion prevailed and the Bill was taken up for consideration.

HB 1135 w HA 1, 2 — “An Act to amend Title 4 of the Delaware Code relating to licenses for non-profit groups and organizations; and to licenses for caterers.”

At the request of Senator Zimmerman the privilege of the floor was extended to Joseph R. Walling, Delaware Alcoholic Beverage Control Commission, to speak on the Bill.

The roll call vote was then taken on motion of Senator Zimmerman and revealed:

YES: Senators Berndt, Cicione, Hale, Holloway, Hughes, Kearns, Knox, Martin, McCullough, Murphy, Sharp, Steele, Zimmerman — 13.

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

NOT VOTING: Senators Castle and Manning — 2.

ABSENT: Senator Schlör — 1.

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

The following legislation was reported out of Committee:

From the Finance Committee: **SB 751** — 5 Merits.

From the Public Safety Committee: **SB 736** — 3 Merits;
HB 1072 — 5 Merits; **HB 1066** — 5 Merits.

From the Health and Social Services Committee: **SB 691** — 4 Merits, 1 Unfavorable; **HJR 39** — 5 Merits; **HB 735 w HA 1, 2** — 5 Merits; **HB 944** — 5 Merits; **HB 185** — 4 Merits.

SA 1 to HB 832 was introduced by Senator Elliott and placed with the Bill.

The following legislation was introduced:

SB 752 — "An Act to amend Part VIII, Subchapter I, Chapter 79, Title 29, Delaware Code relating to the qualifications of the Director of the Division of Mental Health." Sponsor: Senator Elliott. Assigned to Health and Social Services Committee.

SB 753 — "An Act to amend Chapter 64, Title 7 of the Delaware Code relating to the Delaware Solid Waste Authority; and providing for a means of replacing Directors on the Delaware Solid Waste Authority, clarifying meeting and voting requirements, indicating pension coverage of Authority employees, clarifying Bonding capabilities, clarifying definitions, and allowing for imposition of sanctions for violations of regulations and license conditions." Sponsors: Senators Berndt and Isaacs; Representative Jonkiert. Assigned to Natural Resources and Environmental Control Committee.

At the request of Senator Holloway, his name was removed as co-sponsor of **SB 752**.

At 5:49 p.m. on motion of Senator Cordrey, the Senate adjourned until 1:30 p.m. June 3, 1976.

41ST LEGISLATIVE DAY

The Senate convened at 2:03 p.m. June 3, 1976, President Pro Tempore Isaacs presiding.

A Prayer was offered by Rev. S. Ray Habiger, Jr.

Pledge of Allegiance to the Flag.

By roll call, there were 21 Senators PRESENT.

The Journal of the previous day was approved as read.

SB 754, sponsored by Senator Murphy, was introduced and assigned to Banking, Insurance and Elections Committee:

SB 754 — "An Act to amend Chapter 17, Title 18, Delaware Code relating to requirements for various insurance licenses to transact insurance in Delaware."

SA 2 to SB 737 was introduced by Senator Kearns and

placed with the Bill.

The following House legislation was introduced:

HB 838 — "An Act to amend Chapter 5, Title 1 of the Delaware Code relating to legal holidays, and designating May 30 as Memorial Day." Sponsors: Representatives Gilligan and Riddagh. Assigned to Finance Committee.

HCR 84 — "Commending the Wilmington City Administration for its part in encouraging the Concert Series of the Philadelphia Orchestra at the Grand Opera House." Sponsors: Representatives Rispoli, Jonkiert; Senator Schlör. Assigned to Executive Committee.

HCR 85 — "Providing for the establishment of a Committee designated as "The Bonds Authorizations and Review Committee", to review previous Bonds Authorizations and to draft the Capital Improvements Act for Fiscal Year 1977 and to submit appropriate legislation to the General Assembly." Sponsor: Representative Derrickson. Assigned to Finance Committee.

HJR 48 — "Relative to the observance of Delaware Family Week." Sponsors: Representatives Leshner and Smith. Assigned to Energy Committee.

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

HB 920 w HA 1 was taken up for consideration on motion of Senator Cook:

HB 920 w HA 1 — "An Act to amend Chapter 21, Title 24 of the Delaware Code relating to Optometry."

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

YES: Senators Berndt, Cicone, Cook, Elliott, Hale, Isaacs, Kearns, Knox, Martin, McCullough, Murphy, Schlör, Zimmerman — 13.

NO: Senators Castle and Cordrey — 2.

NOT VOTING: Senator Steele — 1.

ABSENT: Senators Adams, Holloway, Hughes, Manning and Sharp — 5.

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

HB 790 was laid on the table on motion of Senator Cordrey.

SB 706 was taken up for consideration on motion of Senator Kearns:

SB 706 — "An Act to amend Part IV, Title 10 of the Delaware Code relating to crimes and criminal procedures; and providing for a Criminal Sentencing Review Board."

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

YES: Senator Kearns — 1.

NO: Senators Adams, Berndt, Castle, Cook, Cordrey, Elliott, Hale, Hughes, Isaacs, Knox, Martin, McCullough, Murphy, Schlor, Steele, Zimmerman — 16.

NOT VOTING: Senator Cicione — 1.

ABSENT: Senators Holloway, Manning and Sharp — 3.

Therefore, the Bill was declared lost.

HB 993 was taken up for consideration on motion of Senator Isaacs:

HB 993 — “An Act to amend Chapter 7, Title 7, Delaware Code relating to regulations and prohibitions concerning game and fish permitting the use of a single shot muzzle loading pistol under certain circumstances.”

The privilege of the floor was extended to Darrell E. Louder, Delaware Division of Fish and Wild Life, after which the roll call vote on the Bill was taken. The roll call vote revealed:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Hughes, Isaacs, Knox, Martin, McCullough, Murphy, Schlor, Steele, Zimmerman — 17.

NO: Senator Kearns — 1.

NOT VOTING: Senators Holloway and Manning — 2.

ABSENT: Senator Sharp — 1.

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

HB 832 was taken up for consideration on motion of Senator Isaacs:

HB 832 — “An Act to amend Chapter 7, Part I, Title 7, of the Delaware Code relating to primitive weapons season; and prohibiting the attachment and use of telescopic sights on muzzle-loading rifles during such seasons.”

The privilege of the floor was extended to Darrel Louder to speak on the Bill.

SA 1 to the Bill which had been introduced and placed with the Bill by Senator Elliott was taken up for consideration on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Castle, Cordrey, Elliott, Kearns, Knox, McCullough — 7.

NO: Senators Berndt, Cook, Hale, Manning, Martin, Murphy, Steele, Zimmerman — 8.

NOT VOTING: Senators Cicione, Holloway, Hughes,

Isaacs, Schlor — 5.

ABSENT: Senator Sharp — 1.

Therefore, the Amendment was declared lost.

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

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Cordrey, Hale, Hughes, Isaacs, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlor, Steele, Zimmerman — 18.

NO: Senator Elliott — 1.

NOT VOTING: Senator Holloway — 1.

ABSENT: Senator Sharp — 1.

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

HB 356 was taken up for consideration on motion of Senator Isaacs:

HB 356 — “An Act repealing Chapter 19 of Title 6, Delaware Code, relating to “Fair Trade Laws.”

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

HB 1016 w HA 1 was taken up for consideration on motion of Senator Cicone:

HB 1016 w HA 1 — “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 on the Bill was taken and revealed:

YES: Senators Adams, Berndt, Cicone, Cook, Cordrey, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlor — 15.

NO: Senators Castle, Elliott, Hale, Steele, Zimmerman — 5.

ABSENT: Senator Sharp — 1.

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

HB 1000 was taken up for consideration on motion of Senator Kearns:

HB 1000 — “An Act to amend Chapter 27, Title 25, Delaware Code, relating to Mechanics’ Liens.”

The privilege of the floor was extended to Representative McGinnis to speak on the Bill after which on further motion of Senator Kearns, final consideration was deferred.

SB 737 was taken up for consideration on motion of Senator Kearns:

SB 737 — “An Act transferring juvenile motor vehicle

violations from the exclusive jurisdiction of the Family Court to the Justice of the Peace Courts, with certain exceptions, by amending Title 10 and Title 21 of the Delaware Code."

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

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

ABSENT: Senators Holloway, Murphy and Sharp — 3.
Therefore, the Amendment was declared adopted.

SA 2 to the Bill was introduced by Senator Kearns who moved for its adoption. The roll call vote on the Amendment was taken and revealed:

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

ABSENT: Senators Holloway and Sharp — 2.
Therefore, the Amendment was adopted.

The roll call vote on **SB 737 w SA 1, 2** was then taken and revealed:

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

NOT VOTING: Senator Holloway — 1.

ABSENT: Senators Cicione and Sharp — 2.

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

HB 1042 was taken up for consideration on motion of Senator Kearns:

HB 1042 — "An Act to amend Chapter 41, Title 11, Delaware Code relating to the hourly rates of payment allowable to defendants towards payment of fines and costs."

The privilege of the floor was extended to Representative Minner to speak on the Bill after which the roll call vote was taken and revealed:

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

ABSENT: Senator Martin — 1.

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

SB 596 was taken up for consideration on motion of Senator McCullough:

SB 596 — "An Act relating to the salary of Roland R. Harbin, a teacher employed by New Castle-Gunning Bedford School District."

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

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

ABSENT: Senators Martin and Sharp — 2.

Therefore, the Amendment was adopted.

The roll call vote on **SB 596 w SA 1** was then taken and revealed:

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

ABSENT: Senator Martin — 1.

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

SB 688 was taken up for consideration on motion of Senator Murphy:

SB 688 — "An Act to amend Chapter 23, Title 30 and Title 31 of the Delaware Code relating to special licenses for peddlers who are handicapped and relating to the definition of handicapped persons."

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

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Cordrey, Elliott, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, Schlör, Sharp, Steele, Zimmerman — 18.

ABSENT: Senators Hale, Martin and McCullough — 3.

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

HB 356 was lifted for consideration on motion of Senator Isaacs:

HB 356 — "An Act repealing Chapter 19 of Title 6, Delaware Code, relating to "Fair Trade Laws."

SA 1 to the Bill was introduced by Senator Isaacs who

moved for its adoption. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, McCullough, Murphy, Schlor, Sharp, Zimmerman — 19.

NO: Senator Steele — 1.

ABSENT: Senator Martin — 1.

Therefore, the Amendment was adopted.

The roll call vote on **HB 356 w SA 1** was then taken and revealed:

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Murphy, Schlor, Sharp, Zimmerman — 18.

NO: Senators McCullough and Steele — 2.

ABSENT: Senator Martin — 1.

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

HB 735 w HA 1, 2 was taken up for consideration on motion of Senator Holloway:

HB 735 w HA 1, 2 — “An Act to amend Chapter 11, Title 24, Delaware Code relating to Dentistry and Oral Hygiene.”

The privilege of the floor was extended to Gene I. Slacum to speak on the Bill after which the roll call vote was taken and revealed:

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, McCullough, Schlor, Sharp, Steele — 18.

NO: Senator Cordrey — 1.

ABSENT: Senators Murphy and Zimmerman — 2.

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

HB 944 was taken up for consideration on motion of Senator Holloway:

HB 944 — “An Act to amend Chapter 20 Title 16 of the Delaware Code relating to Hearing Aid Dealers.”

The privilege of the floor was extended to Gene I. Slacum to speak on the Bill after which the roll call vote was taken and revealed:

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

ABSENT: Senator Zimmerman — 1.

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

HB 790 was lifted for consideration on motion of Senator Adams:

HB 790 — “An Act to amend Chapter 21, Part II, Title 21 of the Delaware Code relating to the priority of a claim of an insured person over the subrogation claims of an insurer and arbitration rights as to losses to a motor vehicle”, and the privilege of the floor was extended to Mr. Darling of the Insurance Department to speak on the Bill after which the roll call vote was taken and revealed:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, McCullough, Murphy, Sharp, Steele, Zimmerman — 19.

ABSENT: Senators Castle and Schlor — 2.

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

At 3:59 p.m. on motion of Senator Cordrey, the Senate recessed for Party caucuses and reconvened at 5:25 p.m., President Pro Tempore Isaacs presiding.

HJR 39 was taken up for consideration on motion of Senator Holloway:

HJR 39 — “Adopting the World Wheelchair Symbol as the Wheelchair user Symbol for the State of Delaware.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, Murphy, Schlor, Sharp, Steele, Zimmerman — 19.

ABSENT: Senators Hale and McCullough — 2.

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

On motion of Senator Holloway, the necessary rules were suspended for consideration of **HJR 44**:

HJR 44 — “Commending the participants and organizers of the 1976 Delaware Special Olympics.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, Murphy, Schlor, Sharp, Steele, Zimmerman

— 19.

ABSENT: Senators Hale and McCullough — 2.

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

HCR 86 (Sponsored by Representatives Gordy, Clendaniel, Darling, Lynch, Minner, Morris and Temple and Senator Hughes) was introduced by the Chair and considered for adoption on motion of Senator Cordrey:

HCR 86 — “Expressing the sympathy of the General Assembly to Representative John P. Ferguson on the death of his brother, Guy Ferguson.”

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

SB 553 was taken up for consideration on motion of Senator Martin:

SB 553 — “An Act to amend Subchapter 23, Title 19, Delaware Code, by providing for aid and attendance to persons totally disabled.”

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

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

The privilege of the floor was extended to Duane Olsen, Controller General, to speak on the Bill after which the roll call vote on **SB 553 w SA 2** was taken and revealed:

YES: Senators Cook, Isaacs, Martin and Schlör — 4.

NO: Senators Adams, Castle, Cordrey, Elliott, Hale, Holloway, Kearns, Knox, Manning, Steele — 10.

NOT VOTING: Senators Berndt, Cicione, Hughes, McCullough, Sharp, Zimmerman — 6.

ABSENT: Senator Murphy — 1.

Therefore, the Bill was declared lost.

The following Bills were reported out of Committee:

From the Natural Resources and Environment Control Committee: **SB 411** — 4 Merits, 1 Unfavorable; **SB 143** — 4 Merits; **HB 468** — 5 Merits.

From and Banking, Insurance and Elections Committee: **SB 754** — 4 Merits.

From the Energy Committee: **HJR 48** — 4 Merits.

From the Community Affairs Committee: **HB 1013** — 5

Merits; **HB 1061** — 5 Merits.

From the Finance Committee: **HB 838** — 1 Favorable, 5 Merits; **HB 1014** — 6 Merits.

From the Judiciary Committee: **HJR 43** — 3 Merits, 2 Unfavorable.

The following legislation was introduced:

SB 755 — "An Act to make an appropriation to the Department of Corrections for back pay for an employee whose annual increment was omitted through administrative error." Sponsor: Senator Holloway. Assigned to Corrections Committee.

SB 756 — "An Act making a supplementary appropriation to the Department of Health and Social Services for the establishment of a First-Phase Virus Diagnostic Laboratory." Sponsor: Senator Holloway. Assigned to Health and Social Services Committee.

SB 757 — "An Act to amend Section 1106, Title 30, Delaware Code, relating to modifications of Taxable Income." Sponsor: Senator Holloway. Assigned to Revenue and Taxation Committee.

SB 758 — "An Act to make a supplemental appropriation to the Department of Corrections for the purpose of meeting certain payroll obligations necessitated by an arbitration ruling." Sponsor: Senator Holloway. Assigned to Corrections Committee.

SB 759 — "An Act to make a supplemental appropriation to the Department of Corrections for the purpose of granting pay raises to certain teachers who failed to receive proper pay based upon degrees earned." Sponsor: Senator Holloway. Assigned to Corrections Committee.

SB 760 — "An Act to amend Chapter 45, of Title 21, Delaware Code, relating to use of Highways by Department of Highways and Transportation vehicles." Sponsors: Senators Steele, Berndt and Hughes. Assigned to Public Safety Committee.

SB 761 — "An Act making a supplementary appropriation to the Delaware Institute for Veterinary Medical Education for the purpose of entering into contractual arrangements with the University of Pennsylvania and Cornell University for positions in their entering classes in Veterinary Medicine for the Academic Year beginning September 1977; and further providing a pay back system for recipients of financial assistance." Sponsors: Senators Adams, Cordrey, Knox,

Kearns, Hughes, Berndt, Elliott, Isaacs. Assigned to Agriculture Committee.

SB 762 — "An Act to amend Part V, Chapter 83, Title 11, Delaware Code relating to authorized strength of the Delaware State Police." Sponsor: Senator Adams. Assigned to Public Safety Committee.

SB 763 — "An Act to amend Chapter 5, Title 4, Delaware Code, relating to grounds for refusal of alcoholic liquor licenses." Sponsor: Senator Cordrey. Assigned to Administrative Services Committee.

SB 764 — "An Act making a supplementary appropriation to Geriatric Services of Delaware, Inc." Sponsor: Senator Holloway. Assigned to Finance Committee.

SB 765 — "An Act to amend Subchapter I, Chapter 25, Title 24, Delaware Code relating to composition of the State Board of Pharmacy." Sponsor: Senator Schlor. Assigned to Administrative Services Committee.

SA 1 to SB 731 was introduced by Senator Adams and placed with the Bill.

SA 1 to SB 430 was introduced by Senator Holloway and placed with the Bill.

SA 1 to SB 518 was introduced by Senator Isaacs and placed with the Bill.

SR 169 (Sponsored by Senators Isaacs and Cordrey) was introduced and considered for adoption:

SR 169 — "To debit Senate Travel Account for legislators' mileage of the present Session of the 128th General Assembly."

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

SR 170 (Sponsored by Senators Isaacs and Cordrey) was introduced and considered for adoption:

SR 170 — "Authorizing payments for services rendered by the Staff of the Senate for the 128th General Assembly."

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

SR 171 was introduced by Senator Holloway and considered for adoption:

SR 171 — "Welcoming Mr. Roy Wilkins, Executive Director of the National Association for the Advancement of Colored People, to the State of Delaware on June 4, 1976."

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

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

NOT VOTING: Senator Steele — 1.

Therefore, the Resolution was adopted.

On motion of Senator Sharp, the necessary rules were suspended for the introduction and consideration of **SJR 61** (Sponsored by Senator Sharp and Representative Morris):

SJR 61 — “Regarding the extension of the reporting date of the Ad Hoc Committee to Study the Prisoners’ Bill of Rights established pursuant to Senate Joint Resolution No. 58.”

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

The following Bills were stricken at the request of Senator Elliott: **SB 503; SB 666; SB 654 and SB 94.**

At 6:36 p.m. on motion of Senator Cordrey, the Senate recessed until June 8, 1976 at 1:30 p.m.

The Senate reconvened at 1:55 p.m. June 8, 1976, President Pro Tempore Isaacs presiding.

On motion of Senator Cordrey, the Senate immediately adjourned to convene for the 42nd Legislative Day.

42ND LEGISLATIVE DAY

The Senate convened at 1:55 p.m., June 8, 1976, President Pro Tempore Isaacs presiding.

A Prayer was offered by the Chaplain, Rev. Charles B. Hart.

Pledge of Allegiance to the Flag.

Call of the roll, revealed less than a quorum of Senators present and the Senate temporarily recessed until 2:08 p.m.

Call of the roll, revealed 21 Senators PRESENT.

The Journal of the 41st Legislative Day was approved as read.

Legislative Advisory No. 83 received from the Office of the Counsel to the Governor informed the Senate that the Governor approved the following legislation: On June 4, 1976 — **SB 635; SCR 77 w HA 1; SCR 78.**

SB 761 was reported out of Agriculture Committee: 4 Favorable, 1 Merits.

SB 766 (Sponsored by Senators Adams, Cordrey, Knox and Isaacs) was introduced and assigned to Agriculture Committee:

SB 766 — “An Act authorizing the Delaware Institute for Veterinary Medical Education to enter in contractual arrangements with the University of Pennsylvania and Cornell University for position in their entering classes in Veterinary Medicine for the Academic Year 1977; and further providing a pay-back system for recipients of financial assistance.”

SA 3 to SB 742 was introduced by Senator Holloway and placed with the Bill.

The following Bills were reported back from the Revenue and Taxation Committee: **HB 621** — 4 Merits; **HB 1021** — 4 Merits.

SA 2 to SB 742 was introduced by Senator Holloway and placed with the Bill.

SR 172 (Sponsored by Senators Holloway, Schlör, Castle and Berndt) was introduced and considered for adoption:

SR 172 — “Commending all of those who organized and made possible the Historic Day, Super Sunday, June 6, 1976, in Wilmington.”

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

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

ABSENT: Senators Hughes and Manning — 2.

Therefore, the Resolution was declared adopted.

SJR 62 was introduced by Senator Isaacs:

SJR 62 — “Commending the Townsend Women’s Club, the Official Townsend Bicentennial Committee and the New Castle County Government for jointly sponsoring an extraordinary and transcendently impressive Bicentennial tribute to the Town of Townsend, Delaware on June 12th and 13th.”

Senator Isaacs requested Senator Cordrey to floor manage the Resolution and on motion of Senator Cordrey, the necessary rules were suspended for consideration of the Resolution. The roll call vote was then taken and revealed:

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

ABSENT: Senators Holloway and Hughes — 2.

Therefore, the Resolution was declared adopted and sent

to the House.

SB 766 was reported out of Agriculture Committee: 4 Favorable, 1 Merits.

SJR 63 was introduced by Senator Holloway and assigned to the Executive Committee:

SJR 63 — "Requesting heads of Departments, Agencies, Boards, Commissions and Authorities of this State to contract with and utilize the services of In-State Architects, Engineers, Landscape Architects, Geologists and Land Surveyors whenever possible and especially when it is in the best interest of the State of Delaware."

HB 1113 w HA 1 was introduced by the Chair and assigned to Health and Social Services Committee:

HB 1113 w HA 1 — "An Act to amend Chapter 11, Part II, Title 16 of the Delaware Code relating to Sanatoria, Rest Homes, Boarding Homes and related Institutions."

HB 1072 w HA 1 was taken up for consideration on motion of Senator Adams:

HB 1072 w HA 1 — "An Act to amend Chapter 3, Title 21, Delaware Code, relating to Fees for Certified Records."

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

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

ABSENT: Senators Hughes and Kearns — 2.

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

SB 742 was laid on the table on motion of Senator Holloway.

On motion of Senator Cordrey, **SB 736** was laid on the table in the absence of Senator Cicione, the Sponsor.

On motion of Senator Adams, **HB 748** was lifted for consideration.

The roll call vote on **SA 1** to the Bill was lifted on motion of Senator Adams and revealed:

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

NO: Senators Berndt, Castle, Hale, Hughes, Knox, Schlör, Sharp, and Steele — 8.

NOT VOTING: Senator Manning — 1.

Therefore, the Amendment was declared adopted.

The roll call vote on **HB 748 w SA 1** was then taken on motion of Senator Adams; however, before it was announced, it was tabled on motion of Senator Adams.

SB 736 was lifted for consideration on motion of Senator Cicione:

SB 736 — “An Act to amend Chapter 21, Part II, Title 21 of the Delaware Code relating to the registration of motor vehicles owned by disabled veterans.”

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

HB 838 was taken up for consideration on motion of Senator Cicione:

HB 838 — “An Act to amend Chapter 5, Title 1 of the Delaware Code relating to Legal Holidays, and designating May 30 as Memorial Day.”

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

YES: Senators Adams, Cicione, Cook, Elliott, McCullough, Sharp — 6.

NO: Senators Castle, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, Schlör, Steele — 11.

NOT VOTING: Senators Berndt, Isaacs and Murphy — 3.

ABSENT: Senator Zimmerman — 1.

Therefore, the Bill was declared lost in the Senate.

SB 754 was taken up for consideration on motion of Senator Murphy:

SB 754 — “An Act to amend Chapter 17, Title 18, Delaware Code, relating to requirements for various insurance licenses to transact insurance in Delaware.”

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

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

YES: Senators Adams, Berndt, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, Murphy, Zimmerman — 15.

NO: Senators Castle and Steele — 2.

NOT VOTING: Senator Cicione — 1.

ABSENT: Senators McCullough, Schlör and Sharp — 3.

Therefore, the motion prevailed and the roll call vote on **SB 754** was tabled.

At 3:15 p.m. Lt. Governor Bookhammer presiding.

SB 742 was lifted from the table for consideration on motion of Senator Holloway.

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, Steele — 16.

NOT VOTING: Senators McCullough and Murphy — 2.

ABSENT: Senators Schlor, Sharp and Zimmerman — 3.

Therefore, the Amendment was declared adopted.

SA 2 to the Bill was introduced by Senator Holloway; however, before consideration of the Amendment, the Bill was laid on the table on motion of Senator Holloway.

At 3:29 p.m. on motion of Senator Cordrey, the Senate recessed for Party caucuses and reconvened at 5:10 p.m., Lt. Governor Bookhammer presiding.

Senator Berndt moved that the roll call vote on **HB 838** be rescinded and the Bill be restored to the Calendar; however, since the Bill had already been returned to the House, the Chair ruled that a Resolution would be needed to have it returned to the Senate.

HB 1110 was reported out of Community Affairs Committee: 4 Merits.

HB 1113 w **HA 1** was reported out of the Health and Social Services Committee — 5 Merits.

The following legislation was introduced:

SB 767 — "An Act authorizing the adoption of the World Wheelchair Symbol as the Wheelchair-user Symbol for the State of Delaware." Sponsors: Senators Holloway and Manning. Assigned to Health and Social Services Committee.

SB 768 — "An Act to amend Subchapter I, Chapter 87, Title 9, Delaware Code relating to the lien for unpaid taxes in Kent County." Sponsor: Senator Cook. Assigned to Community Affairs committee.

SB 769 — "An Act to amend Subchapter II, Chapter 87, Title 9, Delaware Code relating to the Monition Method of sale of lands for delinquent taxes." Sponsor: Senator Cook. Assigned to Community Affairs Committee.

SS 1 for **SB 730** (Sponsored by Senators Isaacs and Berndt) was introduced, adopted in lieu of the Original and assigned to Natural Resources and Environmental Control Committee:

SS 1 for SB 730 — “An Act to amend Chapter 1, Title 26, Delaware Code and Chapter 60, Title 7, Delaware Code relating to jurisdiction over Water Companies.”

SA 4 to SB 742 (Sponsored by Senators Manning and Hughes) was introduced and placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had adopted **SJR 61**.

SA 2 to SB 742 was stricken on motion of Senator Holloway.

SB 742 w SA 1 was lifted from the table for consideration on motion of Senator Holloway.

SB 742 — “An Act to amend Title 31, Delaware Code, relating to licensed Clinical Social Workers.”

SA 3 to the Bill which had been placed with the Bill was stricken at the request of Senator Holloway.

SA 4 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Manning and the privilege of the floor extended to Frank Everett, Delaware Chapter of the National Association of Social Workers, to speak on the Bill and Amendment. The roll call vote on the Amendment was then taken and revealed:

YES: Senators Adams, Berndt, Castle, Ciciono, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Knox, Manning, Martin, McCullough, Murphy, Sharp, Steele — 17.

NO: Senators Kearns and Zimmerman — 2.

NOT VOTING: Senator Isaacs — 1.

ABSENT: Senator Schlor — 1.

Therefore, the Amendment was declared adopted.

The roll call vote on **SB 742 w SA 1, 4** was then taken on motion of Senator Holloway and revealed:

YES: Senators Adams, Berndt, Castle, Cook, Elliott, Hale, Holloway, Hughes, Knox, Manning, Schlor, Steele — 12.

NO: Senators Cordrey, Isaacs, Kearns, Martin, McCullough, Murphy, Sharp and Zimmerman — 8.

ABSENT: Senator Ciciono — 1.

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

SB 763 was reported out of the Administrative Services Committee: 3 Merits, 1 Unfavorable.

The following House legislation was introduced by the Chair:

HB 1048 — “An Act to provide a supplemental appropriation to the State Treasurer for interest due on

obligations through June 30, 1976." Sponsor: Representative George. Assigned to Finance Committee.

HJR 49 — "To adopt Energy Conservation as a State Policy and to set goals for the State of Delaware." Sponsors: Representatives Smith and LeGates; Senators Martin and Knox. Assigned to Energy Committee.

HCR 87 — "Congratulating the Milford High School Softball Team upon winning the State's First Championship Tourney." Sponsors: Representatives Minner and Harrington; Senator Cook.

The Resolution was taken up for consideration on motion of Senator Cook and the roll call vote taken which revealed:

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

ABSENT: Senators Castle, Cicone and Hale — 3.

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

At 6:01 p.m. on motion of Senator Isaacs, the Senate adjourned until 1:30 p.m. June 9, 1976.

43RD LEGISLATIVE DAY

The Senate convened at 2:06 p.m. June 9, 1976, President Pro Tempore Isaacs presiding.

A Prayer was offered by Rev. Charles B. Hart.

Pledge of Allegiance to the Flag.

By roll call, there were 21 Senators PRESENT.

The Journal of the 42nd Day was approved as read.

SB 752 was stricken at the request of Senator Elliott.

Legislative Advisory No. 84 received from the Office of Counsel to the Governor informed the Senate that the Governor approved on June 7, 1976: **SB 555 w HA 1; SB 556 w SA 1, HA 1.**

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HJR 49 was reported out of the Energy Committee — 6 Merits.

The following legislation was introduced:

SB 770 — "An Act to amend Subchapter II, Chapter 3, Title 31, Delaware Code relating to Boarding Homes for Children and providing certain exemptions." Sponsors: Senator Isaacs; Representatives Minner and Spence. Assigned to Health and Social Services Committee.

SB 771 — "An Act to amend Chapter 23, Title 10, Delaware Code relating to Deputies and Clerks." Sponsors:

Senators Adams and Cordrey. Assigned to Judiciary Committee.

HB 1155 w HA 3 — “An Act to amend Chapter 55, Title 29, and Chapter 39, Title 14, Delaware Code, relating to State employees Pension Plan and Teacher’s Retirement and Disability Pensions.” Sponsors: Representatives Ferguson, Gordy and Rispoli; Senators Cook, Berndt, Murphy and McCullough.

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

HB 1013 was taken up for consideration on motion of Senator Schlor:

HB 1013 — “An Act to amend Chapter 182, Section 1, Volume 45 Laws of Delaware, as amended, relating to the Town of Delmar, by providing a method of annexation.”

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Elliott, Hale, Hughes, Isaacs, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Steele, Zimmerman — 19.

ABSENT: Senators Cicione and Holloway — 2.

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

At 2:23 p.m. Lt. Governor Bookhammer presiding.

HB 1061 was taken up for consideration on motion of Senator Schlor:

HB 1061 — “An Act to amend Title 9, relating to counties to correct editorial errors in the Delaware Code Annotated.”

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Elliott, Hale, Hughes, Isaacs, Knox, Manning, McCullough, Murphy, Schlor, Sharp, Steele — 16.

ABSENT: Senators Cicione, Holloway, Kearns, Martin and Zimmerman — 5.

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

On motion of Senator Isaacs, the necessary rules were suspended for consideration of **SB 411**:

SB 411 — “An Act to grant approval to the Department of Natural Resources and Environmental Control to purchase approximately 565 acres of valuable lands and marsh adjacent to existing State Wildlife Areas.”

The privilege of the floor was extended to Anthony J. Florio, Division of Fish and Wildlife, to speak on the Bill.

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

YES: Senators Berndt, Cicione, Cook, Elliott, Hughes, Isaacs, Kearns, Knox, Manning, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman — 15.

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

ABSENT: Senators Holloway and Martin — 2.

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

HB 1014 was taken up for consideration on motion of Senator Cicione:

HB 1014 — “An Act making supplemental appropriations to the Department of State for the purpose of paying employees who failed to receive their proper annual salaries.”

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

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

ABSENT: Senator Martin — 1.

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

At 2:40 p.m. on motion of Senator Cordrey, the Senate recessed for party caucus.

The Senate reconvened at 4:16 p.m., Lt. Governor Bookhammer presiding.

The following legislation was reported out of Committee:

From the Banking, Insurance and Elections Committee:

HB 845 — 5 Merits.

From the Finance Committee: **HB 1048** — 5 Merits; **SB 701** — 4 Merits.

From the Administrative Services Committee: **SB 765** — 4 Merits.

From the Health the Social Services Committee: **SB 756** — 5 Merits; **SB 767** — 4 Merits; **SB 770** — 5 Merits.

From the Public Safety Committee: **SB 679** — 1 Favorable, 2 Merits; **SB 741** — 3 Merits; **SB 762** — 3 Merits; **SB 750** — 3 Merits; **SB 705** — 3 Merits.

The following legislation was introduced:

SB 772 — “An Act to provide for an interim Desegregation School Board consisting of eleven members, each member to be appointed by a School Board.” Sponsors: Senators Cicione, Isaacs and McCullough. Assigned to

Education Committee.

SB 773 — “An Act to amend Chapter 50, Part I, Title 18, Delaware Code, relating to insurance holding companies in order to provide notice to the Commissioner of any declaration of extraordinary dividend or other distribution and to require the approval of the Commissioner in connection with certain transactions between insurance companies and insurance holding company systems.” Sponsors: Senators Murphy and Hughes. Assigned to Banking, Insurance and Elections Committee.

SB 774 — “An Act to amend Subchapter III, Chapter 17, Title 24, Delaware Code, relating to qualifications required of applicants who are graduates of foreign medical schools.” Sponsor: Senator Holloway. Assigned to Health and Social Services Committee.

SA 1 to HB 845 was introduced by Senator Zimmerman and placed with the Bill.

SA 2 to SS 1 for SB 320 was introduced by Senator Kearns and placed with the Bill.

SS 1 for SB 320 was taken up for consideration on motion of Senator Kearns:

SS 1 for SB 320 — “An Act to amend Title 29, Delaware Code relating to administrative procedures governing certain State Agencies.”

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

YES: Senators Adams, Berndt, Castle, Cicone, Cordrey, Elliott, Hale, Hughes, Kearns, Knox, Manning, Martin, McCullough, Schlor, Sharp, Steele — 16.

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

ABSENT: Senators Cook and Holloway — 2.

Therefore, the Amendment was declared adopted.

SA 2 to the Bill was taken up for consideration on motion of Senator Kearns and the roll call vote taken which revealed:

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Hale, Kearns, Knox, Manning, Martin, Steele, Zimmerman — 12.

NO: Senator McCullough — 1.

NOT VOTING: Senators Cicone, Elliott, Holloway, Hughes, Isaacs, Murphy, Schlor, Sharp — 8.

Therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Maurice A. Hartnett, Jr., Courts Long Range Planning Committee, to speak on the various Amendments.

Senator Cicione moved that the Bill be laid on the table and the roll call vote on the tabling motion was taken and revealed:

YES: Senators Berndt and Cicione — 2.

NO: Senators Adams, Castle, Cook, Cordrey, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, Murphy, Schlör, Sharp, Steele, Zimmerman — 17.

NOT VOTING: Senators Elliott and McCullough — 2.

Therefore, the motion failed and the Bill remained before the Senate.

On motion of Senator Kearns, the roll call vote on **SS 1 for SB 320 w SA1, 2** was then taken; however, before it was announced it was laid on the table on motion of Senator Kearns.

At 5:07 p.m President Pro Tempore Isaacs presiding.

On motion of Senator Holloway, the necessary rules were suspended for consideration of **SB 430**:

SB 430 — "An Act to amend Chapter 47, Title 16, Delaware Code, relating to controller substances."

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Holloway and the privilege of the floor was extended to Kline Kemp of the Office of Narcotics and Dangerous Drugs and Martin Golden of the Division of Public Health to speak on the Amendment. The roll call vote on the Amendment was then taken and revealed:

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

ABSENT: Senator Cicione — 1.

Therefore, the Amendment was declared adopted.

SA 2 to the Bill was stricken on motion of Senator Holloway.

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

On motion of Senator Holloway, **SA 2** to the Bill was restored and considered for adoption.

The roll call vote on **SA 2 to SB 430** was then taken and revealed:

YES: Senators Adams, Berndt, Castle, Cook, Cordrey,

Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, Murphy, Schlör, Sharp, Steele, Zimmerman — 19.

ABSENT: Senators Cicione and McCullough — 2.

Therefore, the Amendment was declared adopted.

The roll call vote on **SB 430 w SA 2** was then taken on motion of Senator Holloway and revealed:

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

ABSENT: Senator Cicione — 1.

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

SB 95 was taken up for consideration on motion of Senator Elliott:

SB 95 — “An Act to amend Chapter 9, Title 7 of the Delaware Code relating to menhaden fishing.”

At his request, the name of Senator Cordrey was removed as co-sponsor of the Bill.

The roll call vote on the Bill was then taken on motion of Senator Elliott and revealed:

YES: Senators Adams, Berndt, Castle, Cicione, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp — 17.

NO: Senators Cook and Cordrey — 2.

NOT VOTING: Senators Steele and Zimmerman — 2.

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

SB 772 was reported out of Education Committee: 1 Favorable, 4 Merits.

The following legislation was introduced:

SB 775 — “An Act authorizing the State of Delaware to borrow money to be used for the construction of a forty bed maximum security unit and a ten bed mental patient unit at the Delaware Correctional Center, Smyrna, Delaware and to issue Bonds and Notes therefor and appropriating the money borrowed to the Department of Corrections.” Sponsors: Senators Sharp, Isaacs, Holloway; Representative Morris. Assigned to Corrections Committee.

SB 776 — “An Act to amend Subchapter I, Chapter 7, Title 19, Delaware Code relating to the permissible scope of rise of the polygraph by law enforcement Agencies.” Sponsors:

Senators Sharp and Adams. Assigned to Public Safety Committee.

At 5:36 p.m. on motion of Senator Cordrey, the Senate adjourned until 1:30 p.m. June 10, 1976.

44TH LEGISLATIVE DAY

The Senate convened at 1:56 p.m. June 10, 1976, Lt. Governor Bookhammer presiding.

A Prayer was offered by Rev. Charles B. Hart.

Pledge of Allegiance to the Flag.

By roll call, there were 21 Senators PRESENT.

The Journal of the previous day was approved as read.

The Secretary announced that a message from the House informed the Senate that it had passed **SS 1 for SB 235; SJR 62; SB 718 w HA 1; SB 613 and SB 712.**

The following legislation was introduced:

SB 777 — "An Act to amend Section 4177 (A), Chapter 41, Title 21 of the Delaware Code relating to suspended sentences for second offenses of driving under the influence of intoxicating liquor or drug." The two Prime Sponsors of the Bill were Senators Knox and Holloway. Assigned to Public Safety Committee.

SB 778 — "An Act to amend Title 11, Section 4105 of the Delaware Code relating to work assignments for convicted persons under the control of the Department of Corrections." The Prime Sponsors of the Bill were Senators Knox and Holloway. Assigned to Corrections Committee.

SB 779 — "An Act to amend Chapter 3, Title 4; Chapter 1, Title 5; Chapter 41, Title 7; Chapter 43, Title 11; Chapter 1, Title 16; Chapter 66, Title 16; Chapter 21, Title 19; Chapter 27, Title 24; Chapter 29, Title 24; Chapter 1, Title 28; Chapter 3, Title 28; Chapter 5, Title 28; Chapter 11, Title 29; Chapter 29, Title 29; Chapter 39, Title 29; Chapter 63, Title 29; Chapter 66, Title 29; Chapter 79, Title 29; Chapter 91, Title 29; relating to the power of various Boards, Commissions, Councils, and Agencies of the State of Delaware to employ, dismiss, and fix the compensation of classified personnel." Sponsor: Senator Cook. Assigned to Administrative Services Committee.

SA 1 to SB 772 was introduced by Senator Cicione and placed with the Bill.

SA 2 to SB 740 was introduced by Senator Zimmerman and placed with the Bill.

HS 1 for HB 815 — "An Act to amend Chapter 23, Title 30, Delaware Code, relating to Occupational Licenses to exempt

certain incidental sales from the Retailer Licensing requirements." Sponsor: Representative Cain. Assigned to Revenue and Taxation Committee.

HB 816 w HA 1, 2 — "An Act to amend Chapter 21, Title 30, Delaware Code, relating to general provisions concerning Occupational and Business Licenses, to provide for prorationing of fees, and for other purposes." Sponsor: Representative Cain. Assigned to Revenue and Taxation Committee.

HB 818 w HA 1 — "An Act to amend Chapter 53, Part IV, Title 30, Delaware Code, relating to Tobacco Products Licenses and fees." Sponsor: Representative Cain. Assigned to Revenue and Taxation Committee.

HB 819 w HA 1, 3 — "An Act to amend Chapter 23, Title 30, Delaware Code, relating to Occupational License for Mobile Home Parks." Sponsors: Representative Cain and Senator Murphy. On motion of Senator Murphy, the Bill was laid on the table.

HB 901 — "An Act to amend Chapter 27, Title 30, Delaware Code relating to Manufacturers' License requirements and taxes." Sponsor: Representative Cain. Assigned to Revenue and Taxation Committee.

HB 1031 w HA 1 — "An Act to amend Chapter 11, Title 12, Delaware Code, relating to abandoned property funds resulting from escheats." Sponsor: Representative Cain. Assigned to Judiciary Committee.

HB 1069 — "An Act to amend Chapter 21, Title 21 of the Delaware Code, relating to farm trucks." Sponsors: Representatives Minner and Darling; Senators Zimmerman and Murphy. Assigned to Public Safety Committee.

HB 1098 — "An Act to amend Chapter 11, Title 30, Delaware Code relating to the limitation on itemized deductions and personal exemptions." Sponsor: Representative Cain. Assigned to Revenue and Taxation Committee.

HB 1134 — "An Act to amend Part IV, Title 29, Delaware Code, establishing an Office of Highway Safety and transferring to said Office all the duties, powers, functions and employees of the Office of Federal-State Highways Safety Coordinator." Sponsor: Representative Harrington. Assigned to Executive Committee.

HB 1139 — "An Act to amend Chapter 59, Title 29, Delaware Code, to provide for vacant position in Pay Grades 5-

10 to be filled by Agency recruitment efforts and to give employment preference to the unemployed with no other source of income surpassing poverty level." Sponsor: Representative Minner. Assigned to Labor Committee.

SS 1 for SB 691 — "An Act to amend Chapter 17, Title 24 of the Delaware Code relating to medicine, surgery and osteopathy; and providing for a definition of death." Sponsors: Senator Berndt and Representative Smith. Assigned to Health and Social Services Committee.

SB 780 — "An Act to amend Chapter 59, Title 29 of the Delaware Code, providing for extension of probation period for certain employees under Merit System." Sponsors: Senator Berndt and Representative LeGates. Assigned to Natural Resources and Environmental Control Committee.

SB 775 was reported out of the Corrections Committee: 4 Favorable, 2 Merits.

SR 173 was introduced by Senator Berndt who moved for its adoption:

SR 173 — "Requesting the House of Representatives to return House Bill No. 838 to the Senate of the 128th General Assembly."

The roll call vote on the Resolution was taken; however, Senator Berndt moved that it be tabled before being announced. The roll call vote on the tabling motion was taken and revealed:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Martin, McCullough, Sharp — 9.

NO: Senators Castle, Hale, Hughes, Isaacs, Knox, Manning, Schlor, Steele, Zimmerman — 9.

NOT VOTING: Senators Holloway and Murphy — 2.

ABSENT: Senator Kearns — 1.

Therefore, the motion was defeated and the roll call vote on **SR 173** was announced:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Holloway, Martin, McCullough, Sharp — 10.

NO: Senators Castle, Hale, Hughes, Isaacs, Knox, Manning, Schlor, Steele, Zimmerman — 9.

ABSENT: Senators Kearns and Murphy — 2.

Therefore, the Resolution was declared lost.

On motion of Senator Cordrey, **SB 718** which had passed the Senate was taken up for reconsideration as now further amended by **HA 1**.

SB 718 w HA 1 — "An Act directing the Secretary of

State to execute and deliver Deeds to certain persons for land in Baltimore Hundred, Sussex County, Delaware."

The roll call vote on **SB 718 w HA 1** was then taken and revealed:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Holloway, Isaacs, Knox, Manning, Martin, Schlör, Sharp, Steele, Zimmerman — 15.

NO: Senator Hale — 1.

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

ABSENT: Senators Kearns and Murphy — 2.

Therefore, the Bill passed the Senate.

HB 1155 w HA 3 was taken up for consideration on motion of Senator Cordrey:

HB 1155 w HA 3 — "An Act to amend Chapter 55, Title 29, and Chapter 39, Title 14, Delaware Code, relating to State Employees Pension Plan and Teachers' Retirement and Disability Pension."

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

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

ABSENT: Senator Kearns — 1.

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

SB 679 was laid on the table on motion of Senator Adams.

HB 1113 w HA 1 was taken up for consideration on motion of Senator Holloway:

HB 1113 w HA 1 — "An Act to amend Chapter 11, Part II, Title 16 of the Delaware Code relating to Sanatoria, Rest Homes, Boarding Homes and related Institutions."

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

HB 621 was taken up for consideration on motion of Senator Cordrey:

HB 621 — "An Act to amend Chapter 51, Title 30, Delaware Code, relating to Motor Fuel Tax Licenses."

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

YES: Senators Adams, Berndt, Castle, Cicione, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman — 19.

ABSENT: Senators Cook and Kearns — 2.

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

HB 1021 was taken up for consideration on motion of Senator Cordrey:

HB 1021 — "An Act to amend Chapter 51, Title 30, Delaware Code relating to retention of Special Fuel Records."

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

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

ABSENT: Senators Holloway and Kearns — 2.

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

SB 679 was taken up for consideration on motion of Senator Adams:

SB 679 — "An Act to amend Chapter 83, Title 11, Delaware Code, relating to State Police Pensions."

At the request of Senator Holloway, the privilege of the floor was extended to Col. Irvin B. Smith, Jr. of the Delaware State Police to speak on the Bill.

On motion of Senator Adams, the roll call vote on the Bill was taken. Before the roll call was announced, Senator Adams moved that it be tabled.

The roll call vote on the motion to table the roll call on the Bill was taken; however, before that roll call was announced, Senator McCullough moved that it be tabled.

At 4:27 p.m. on motion of Senator Cordrey, the Senate recessed and reconvened at 5:29 p.m., Lt. Governor Bookhammer presiding.

Senator Isaacs moved that the previous motions before the Senate be tabled and that the roll call vote on the first motion of Senator Adams to table the roll call on **SB 679** be announced. The motion was granted by the Chair and the roll call vote to table the roll call on **SB 679** was announced:

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

NOT VOTING: Senators Hughes and McCullough — 2.

ABSENT: Senator Castle — 1.

Therefore, the motion prevailed and the roll call vote on **SB 679** was laid on the table.

Senator Adams immediately moved that the roll call again be lifted. The roll call vote on the lifting motion was taken and revealed:

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Hale, Kearns, Knox, Manning, Murphy, Schlör, Steele, Zimmerman — 13.

NO: Senators Elliott and Sharp — 2.

NOT VOTING: Senators Cicione, Holloway, Hughes and Isaacs — 4.

ABSENT: Senators Martin and McCullough — 2.

Therefore, the motion prevailed.

Before the roll call vote on the Bill was announced, however, Senator Adams moved that it be again tabled and his motion prevailed without objection.

Senator Cicione moved that **SB 751** which was next on the Agenda be moved to the bottom of the Agenda and **SB 772** be considered instead. The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Cicione, Cook, Cordrey, Hughes, Isaacs, Kearns, Martin, McCullough, Murphy, Sharp, Steele, Zimmerman — 13.

NO: Senators Berndt, Castle, Elliott, Hale, Holloway, Knox, Manning, Schlör — 8.

Therefore, the motion prevailed and **SB 772** was taken up for consideration:

SB 772 — “An Act to provide for an Interim Desegregation School Board consisting of eleven members, each member to be appointed by a School Board.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hughes, Isaacs, Kearns, Knox, Manning, Martin, Murphy, Sharp, Steele, Zimmerman — 17.

NO: Senators Hale, Holloway, McCullough and Schlör — 4.

Therefore, the Amendment was declared adopted.

Senator Hughes moved that **SB 772 w SA 1** be laid on the table and the roll call vote on the motion was taken and revealed:

YES: Senators Berndt, Castle, Hale, Holloway, Hughes, Knox, Manning, Schlör — 8.

NO: Senators Adams, Cicione, Cook, Cordrey, Isaacs,

Kearns, Martin, McCullough, Murphy, Sharp, Steele, Zimmerman — 12.

NOT VOTING: Senator Elliott — 1.

Therefore, the motion was defeated and the Bill remained before the Senate.

Senator Cicione then moved that the Bill be tabled and his motion prevailed without objection.

The following legislation was reported out of Committee.

From the Banking, Insurance and Elections Committee:
SB 564 — 4 Merits.

From the Revenue and Taxation Committee: **HB 1098** — 1 Favorable, 5 Merits; **HB 901** — 1 Favorable, 5 Merits; **HB 816 w HA 1, 2** — 1 Favorable, 5 Merits; **HS 1 for HB 815** — 6 Merits; **HB 818 w HA 1** — 6 Merits.

From the Health and Social Services Committee: **SS 1 for SB 691** — 1 Favorable, 2 Merits; 1 Unfavorable.

The following legislation was introduced:

SB 781 — "An Act directing the Secretary of State to execute and deliver a deed to Port Mahon Wharf Co., Inc. of lands previously deeded to the State of Delaware by Port Mahon Wharf Co., Inc." Sponsor: Senator Zimmerman. Assigned to Highways and Transportation Committee.

SB 782 — "An Act to amend Subchapter VIII, Chapter 65, Title 11, Delaware Code relating to mandatory training of correctional officers." Sponsors: Senators Sharp, McCullough, Cicione, Cook, Hughes and Elliott. Assigned to Corrections Committee.

SR 174 — "Requesting the House of Representatives to return House Bill No. 838 to the Senate of the 128th General Assembly." Sponsor: Senator Cicione. In the absence of Senator Cicione, the Resolution was laid on the table on motion of Senator Cordrey.

At 5:57 p.m. on motion of Senator Isaacs, the Senate recessed until 1:30 p.m. June 14, 1976.

The Senate reconvened at 1:40 p.m., President Pro Tempore Isaacs presiding.

SB 782 was reported out of the Corrections Committee: 2 Favorable, 3 Merits.

At 1:42 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 45th Legislative Day.

45TH LEGISLATIVE DAY

The Senate convened at 1:40 p.m. June 14, 1976, President Pro Tempore Isaacs presiding.

A Prayer was offered by Senator Martin.

Pledge of Allegiance to the Flag.

By roll call there were 21 Senators PRESENT.

The Journal of the 44th Legislative Day was approved as read.

The Secretary announced that a message from the House informed the Senate that it had passed: **SB 454 w SA 1; SB 507 w SA 1, 2; SB 548; SB 622 w SA 1.**

* * * * *

The following legislation was introduced:

HB 257 — "An Act to amend Chapter 1, Title 26 of the Delaware Code relating to the Public Service Commission; and providing public access to certain information." Sponsor: Representative Ambrosino. Assigned to Administrative Services Committee.

HB 262 w HA 1, 2, 3, 5 — "An Act to amend Chapter 21, Title 21 of the Delaware Code relating to vehicle registration by non-residents." Sponsor: Representative McGinnis. Assigned to Public Safety Committee.

HB 629 w HA 1 — "An Act to amend Subchapter III, Chapter 1, Title 17 of the Delaware Code, relating to highways and providing for control of entrances and exits onto State maintained highways, streets and roads, and to provide for penalties for violations thereof." Sponsor: Representative Boulden. Assigned to Highways and Transportation Committee.

HB 724 — "An Act to amend Article I, Section 9 of the Constitution of the State of Delaware by eliminating the prohibitions against change of venue." Sponsor: Representative Riddagh. Assigned to Executive Committee.

HB 762 — "An Act proposing an Amendment to Article V, Section 4A of the Constitution of the State of Delaware to permit a registered voter to vote an Absentee Ballot if the voter is on vacation." Sponsor: Representative Gordy. Assigned to Banking, Insurance and Elections Committee.

HB 842 w HA 1 — "An Act to amend Title 24 of the Delaware Code relating to the registration and licensing of Marriage Counselors." Sponsor: Representative Leshner. Assigned to Administrative Services Committee.

HB 854 — "An Act to amend Chapter 5, Part I, Title 11 of

the Delaware Code relating to burglary in the first degree; and providing that a mandatory sentence of imprisonment for one year be imposed upon conviction." Sponsor: Representative Connor. Assigned to Judiciary Committee.

HS 1 for HB 915 — "An Act to amend Chapter 29, Part III, Title 30 of the Delaware Code by requiring a special license for a transient retailer and providing for an additional fee on Aggregate Gross Receipts." Sponsor: Representative Cain. Assigned to Revenue and Taxation Committee.

HB 1055 — "An Act to provide a supplemental appropriation to the Department of Administrative Services, for operational costs for Fiscal Year 1976." Sponsor: Representative George. Assigned to Finance Committee.

HB 1094 — "An Act to amend an Act entitled "An Act amending revising and consolidating the Charter of the City of Seaford" to increase the amount which may be borrowed by the City of Seaford in anticipation of revenues." Sponsors: Representative Temple and Senator Elliott. Assigned to Community Affairs Committee.

HB 1111 w HA 1 — "An Act to amend Chapter 9, Title 16, Delaware Code, so as to improve and expand procedures for reporting incidents of child abuse to appropriate State agencies." Sponsor: Representative Worthen. Assigned to Health and Social Services Committee.

HB 1156 w HA 1 — "An Act to amend Title 10 and Title 31 of the Delaware Code relating to mandatory commitment of minors who have been adjudicated delinquent by Family Court for having committed certain designated Acts." Sponsors: Representatives Jonkiert, George and Rispoli.

Senator Schlör moved that the Bill be laid on the table and the roll call vote on the motion revealed:

YES: Senators Adams, Berndt, Cicione, Hale, Hughes, Isaacs, Knox, Murphy, Schlör, Sharp, Steele — 11.

NO: Senator Kearns — 1.

NOT VOTING: Senators Elliott and Zimmerman — 2.

ABSENT: Senators Castle, Cook, Cordrey, Holloway, Manning, Martin and McCullough — 7.

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

HB 1160 — "An Act authorizing the Department of Highways and Transportation to use certain funds appropriated by the "Annual Capital Improvements Act of 1976" for the purchase and erection of a new water tower in the

Town of Newport." Sponsor: Representative Kelly.

Senator Sharp moved that the Bill be laid on the table and the roll call vote on the motion was taken; however, before it was announced, Senator Cicione moved that it be tabled. The roll call vote on Senator Cicione's motion was taken and revealed:

YES: Senators Adams, Cicione, Hale, Hughes, Isaacs, Martin, Murphy, Schlör, Sharp, Steele — 10.

NO: Senator Kearns — 1.

NOT VOTING: Senators Berndt, Castle, Elliott, Knox, Zimmerman — 5.

ABSENT: Senators Cook, Cordrey, Holloway, Manning and McCullough — 5.

Therefore, the motion was defeated and the roll call vote on the motion to lay **HB 1160** on the table was taken and revealed:

YES: Senators Cicione, Hale, Hughes, Isaacs, Schlör, Sharp, Steele — 7.

NO: Senator Kearns — 1.

NOT VOTING: Senators Berndt, Elliott, Knox, Martin, Murphy and Zimmerman — 6.

ABSENT: Senators Adams, Castle, Cook, Cordrey, Holloway, Manning, McCullough — 7.

Therefore, the motion was defeated and **HB 1160** was assigned to Finance Committee.

HB 1171 — "An Act to Incorporate the Village of Ardencroft." Sponsor: Representative Smith. Assigned to Community Affairs Committee.

HB 1180 — "An Act to permit the Board of Education of the Mount Pleasant Reorganized School District to transfer certain funds from its Debt Service Account to its Current Operating Account." Sponsors: Representatives George, Ambrosino, Hebner, Leshner, Smith, Sincok; Senators Berndt and Hughes. Assigned to Finance Committee.

SB 783 — "An Act to amend Chapter 5, Part I, Title 11 of the Delaware Code relating to the unlawful conversion of rented personal property." Sponsor: Senator Kearns. Assigned to Judiciary Committee.

SR 175 was introduced by Senator Hughes and laid on the table at his request.

SR 175 — "Extending Happy Birthday wishes to Lieutenant Governor Eugene D. Bookhammer as he celebrates his 58th."

SR 174 was lifted from the table for consideration on motion of Senator Cicone:

SR 174 — "Requesting the House of Representatives to return House Bill No. 838 to the Senate of the 128th General Assembly", and the roll call vote taken which revealed:

YES: Senators Adams, Berndt, Cicone, Cordrey, Elliott, Holloway, Isaacs, Kearns, Martin, Murphy, Sharp — 11.

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

NOT VOTING: Senators Hughes, Schlör and Zimmerman — 3.

ABSENT: Senators Cook, Manning and McCullough — 3.
Therefore, the Resolution was adopted.

SB 766 was taken up for consideration on motion of Senator Adams:

SB 766 — "An Act authorizing the Delaware Institute for Veterinary Medical Education to enter into contractual arrangements with the University of Pennsylvania and Cornell University for positions in their entering classes in Veterinary Medicine for the Academic Year 1977; and further providing a pay-back system for recipients of financial assistance."

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

YES: Senators Adams, Berndt, Cook, Cordrey, Elliott, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Murphy, Schlör, Sharp, Zimmerman — 15.

NO: Senators Castle, Hale and Steele — 3.

ABSENT: Senators Cicone, Martin and McCullough — 3.

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

HB 1110 was taken up for consideration on motion of Senator Schlör:

HB 1110 — "An Act to amend Section 13, Paragraph 13 of the Charter of the City of Harrington to collect their separate garbage fee in certain ways."

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

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Murphy, Schlör, Sharp, Steele, Zimmerman — 19.

ABSENT: Senators Martin and McCullough — 2.

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

HJR 43 was taken up for consideration on motion of

Senator Kearns:

HJR 43 — "Memorializing the Congress of the United States to call a Congressional Convention for the purpose of proposing an Amendment to the Constitution of the United States."

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

YES: Senators Adams, Cicione, Cook, Cordrey, Elliott, Hughes, Isaacs, Murphy, Schlör, Sharp, Steele — 11.

NO: Senators Berndt, Holloway, Kearns, Knox, Manning — 5.

NOT VOTING: Senators Castle, Hale, Martin, Zimmerman — 4.

ABSENT: Senator McCullough — 1.

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

SB 784 (Sponsored by Senators Isaacs and Kearns; Representatives Jonkiert, McGinnis and Harrington) was introduced and assigned to Executive Committee:

SB 784 — "An Act amending Titles 1, 2, 3, 5, 7, 9, 11, 16, 17, 19, 20, 21, 23, 24, 26, 27, 28, 29, 30 and 31 of the Delaware Code providing for reorganization of State Government and making an appropriation for preliminary expenses for the Department of Transportation from the Capital Investment Fund."

The name of Representative Gordy was added as a co-sponsor of **SB 679** pursuant to a letter received by the Secretary from the Representative.

SB 765 was taken up for consideration on motion of Senator Schlör:

SB 765 — "An Act to amend Subchapter I, Chapter 25, Title 24, Delaware Code relating to composition of the State Board of Pharmacy."

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

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

ABSENT: Senator McCullough — 1.

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

SB 756 was taken up for consideration on motion of Senator Holloway:

SB 756 — "An Act making a supplementary

appropriation to the Department of Health and Social Services for the establishment of a First-phase Virus Diagnostic Laboratory."

The privilege of the floor was extended to Dr. Mahadeo P. Verma, Division of Public Health, to speak on the Bill after which the Bill was laid on the table on motion of Senator Holloway.

SB 767 was taken up for consideration on motion of Senator Holloway:

SB 767 — "An Act authorizing the adoption of the World Wheelchair Symbol as the Wheelchair User Symbol for the State of Delaware."

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Schlör, Sharp, Steele, Zimmerman — 18.

ABSENT: Senators Martin, McCullough and Murphy —

3.

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

HB 1048 was taken up for consideration on motion of Senator Cicione:

HB 1048 — "An Act to provide a supplemental appropriation to the State Treasurer for interest due on obligations through June 30, 1976."

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Hale, Hughes, Isaacs, Kearns, Martin, Murphy, Schlör, Sharp, Zimmerman — 15.

NO: Senators Elliott, Manning and Steele — 3.

NOT VOTING: Senator Knox — 1.

ABSENT: Senators Holloway and McCullough — 2.

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

SB 741 was taken up for consideration on motion of Senator Adams:

SB 741 — "An Act to amend Chapter 3, Title 21, Delaware Code relating to uncollectible checks."

The privilege of the floor was extended to Robert J. Voshell, Delaware Motor Vehicle Division, to speak on the Bill after which the roll call vote was taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns,

Knox, Martin, Murphy, Schlor, Sharp, Steele, Zimmerman — 19.

NOT VOTING: Senator Manning — 1.

ABSENT: Senator McCullough — 1.

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

At 3:27 p.m. Lt. Governor Bookhammer presiding.

SB 750 was taken up for consideration on motion of Senator Adams:

SB 750 — “An Act to amend Chapter 27, Title 21 of the Delaware Code relating to suspension of Drivers Licenses.”

The privilege of the floor was extended to Robert J. Voshell, Delaware Motor Vehicle Division, to speak on the Bill. The Bill was then laid on the table on motion of Senator Adams.

SB 762 was taken up for consideration on motion of Senator Adams:

SB 762 — “An Act to amend Part V, Chapter 83, Title 11, Delaware Code relating to authorized strength of the Delaware State Police.”

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

SR 175 was lifted for consideration on motion of Senator Hughes and all the Senators were added as co-sponsors.

SR 175 — “Extending Happy Birthday wishes to Lieutenant Governor Eugene D. Bookhammer as he celebrates his 58th.”

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

At 3:50 p.m. on motion of Senator Cordrey, the Senate recessed for Party caucuses and reconvened at 5:37 p.m. Lt. Governor Bookhammer presiding.

The following legislation was reported out of Committee:

From the Judiciary Committee: **SB 783** — 5 Merits; **HB 1031 w HA 1** — 5 Merits; **HB 1057** — 5 Merits; **HB 622** — 5 Merits; **SB 583** — 4 Merits; **SB 771** — 5 Merits; **SB 670** — 5 Merits.

From the Executive Committee: **HB 724** — 5 Merits.

From the Revenue and Taxation Committee: **HS 1** for **HB 915** — 5 Merits.

From the Labor Committee: **HB 994** — 4 Merits.

From the Community Affairs Committee: **HB 1094** — 5 Merits.

From the Highways and Transportation Committee: **SB 781** — 1 Favorable, 4 Merits.

The following legislation was introduced:

SB 786 — “An Act to amend Chapter 87, Part VIII, Title 29 of the Delaware Code relating to the Departments of Government; and providing for the partial reorganization of the Department of State.” Sponsor: Senator Isaacs. Assigned to Executive Committee.

SB 785 — “An Act to amend Chapter 83, Part VIII, Title 29 of the Delaware Code relating to the Departments of Government; and providing for a partial reorganization of the Department of Finance.” Sponsor: Senator Isaacs. Assigned to Executive Committee.

SA 1 to SB 701 was introduced by Senator Adams and placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had passed: **SS 2** for **SB 256 w SA 1, 2, 5, HA 1, 3, 5, 6**.

SB 787 — “An Act to amend Title 11 and Title 29, Delaware Code, relating to pension benefits for Corrections Officers.” Sponsors: Senators Isaacs and Sharp. Assigned to Corrections Committee.

SB 788 — “An Act to amend Chapter 87, Part VI, Title 10 of the Delaware Code relating to fees charged by the Family Court in divorce proceedings.” Sponsor: Senator Kearns. Assigned to Judiciary Committee.

SA 1 to SB 750 was introduced by Senator Hughes and placed with the Bill.

SA 2 to SB 750 was introduced by Senator Adams and placed with the Bill.

HB 1069 was reported out of the Public Safety Committee — 5 Merits.

SB 773 was reported out of the Banking, Insurance and Elections Committee: 5 Merits.

On motion of Senator Kearns, the roll call vote on **SS 1** for **SB 320 w SA 1, 2** was lifted:

SS 1 for SB 320 — “An Act to amend Title 29, Delaware Code relating to Administrative procedures governing certain State Agencies.”

Roll call was announced:

YES: Senators Berndt, Castle, Cook, Hale, Holloway, Kearns, Knox, Manning, Martin, Murphy, Schlör, Zimmerman — 12.

NO: Senators Adams, Cicione, Cordrey, Hughes, Isaacs, McCullough and Steele — 7.

NOT VOTING: Senators Elliott and Sharp — 2.

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

SB 705 was taken up for consideration on motion of Senator Cook:

SB 705 — “An Act to amend Chapter 6, Title 29, Delaware Code, relating to identification of State vehicles.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Isaacs, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman — 18.

NOT VOTING: Senators Hughes and Steele — 2.

ABSENT: Senator Martin — 1.

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

SB 750 was lifted from the table for consideration on motion of Senator Adams.

SB 750 — “An Act to amend Chapter 27 Title 21 of the Delaware Code relating to suspension of Drivers Licenses.”

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

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Adams and the name of Senator Hughes added as co-sponsor. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman — 19.

ABSENT: Senators Manning and Martin — 2.

Therefore, the Amendment was declared adopted.

On motion of Senator Berndt, the roll call vote on **SA 2** to **SB 750** was rescinded and the Amendment was stricken without objection.

SA 1 to the Bill was restored at the request of Senator Hughes without objection.

SA 1 to the Bill was then considered for adoption on motion of Senator Hughes and the roll call vote taken which revealed:

YES: Senators Adams, Berndt, Castle, Cook, Cordrey,

Hale, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Steele — 16.

NO: Senator Elliott — 1.

NOT VOTING: Senators Cicione, Holloway and Isaacs —

3.

ABSENT: Senator Zimmerman — 1.

Therefore, the Amendment was declared adopted.

On motion of Senator Adams, the roll call vote on **SB 750 w SA 1** was then taken and revealed:

YES: Senators Adams, Berndt, Cook, Cordrey, Hale, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Steele — 15.

NO: Senators Castle and Elliott — 2.

NOT VOTING: Senators Cicione, Holloway and Isaacs —

3.

ABSENT: Senator Zimmerman — 1.

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

HB 1160 was reported out of the Finance Committee: 5 Merits.

SB 788 was reported out of the Judiciary Committee — 5 Merits.

SS 2 for **SB 256 w SA 1, 2, 5** which had been received back from the House as further amended by **HA 1, 3, 5, 6** was laid on the table on motion of Senator Holloway.

At 6:17 p.m. on motion of Senator Isaacs, the Senate recessed until 1:30 p.m. June 16, 1976.

The Senate reconvened at 2:00 p.m. June 16, 1976, President Pro Tempore Isaacs presiding.

On motion of Senator Kearns, the Senate immediately adjourned to convene for the 46th Legislative Day.

46TH LEGISLATIVE DAY

The Senate convened at 2:00 p.m. June 16, 1976, President Pro Tempore Isaacs presiding.

A Prayer was offered by the Chaplain, Rev. Thomas E. Freeman.

Pledge of Allegiance to the Flag.

By roll call, there were 21 Senators PRESENT.

The Journal of the 45th Legislative Day was approved as read.

The Secretary announced that Legislative Advisory No. 85 received from the Office of Counsel to the Governor informed the Senate that the Governor approved the following

legislation: On June 10, 1976: **SB 577; SB 609**; On June 11: **SB 126 w SA 1, 2, 3; SB 531; SB 614; SB 674; SB 686; SB 702.**

* * * * *

The following legislation was introduced:

SB 789 — “An Act to amend Title 6 and Title 29 of the Delaware Code relating to the Departments of Government; and providing for a Department of Commerce and Economic Development.” Sponsor: Senator Isaacs. Assigned to Executive Committee.

SB 790 — “An Act to amend Title 16 and Title 29 of the Delaware Code relating to the Departments of Government; and providing for a Department of Health and Safety.” Sponsor: Senator Isaacs. Assigned to Executive Committee.

SR 176 (Sponsored by Senators Isaacs and Cordrey) was introduced and considered for adoption:

SR 176 — “In reference to election of staff members.”

The roll call vote on the Resolution was taken on motion of Senator Kearns and announced:

YES: Senators Adams, Berndt, Cordrey, Elliott, Hughes, Isaacs, Kearns, Knox, Martin, McCullough, Murphy, Schlör, Steele — 13.

NOT VOTING: Senator Castle — 1.

ABSENT: Senators Cicione, Cook, Hale, Holloway, Manning, Sharp, Zimmerman — 7.

Therefore, the Resolution was declared adopted.

The following House legislation was introduced:

HB 567 w HA 1 — “An Act to amend Chapter 27, Title 21, Delaware Code, relating to suspension and revocation of license for refusal to submit to a chemical test.” Sponsor: Representative Gordy. Assigned to Public Safety Committee.

HB 1035 w HA 2 — “An Act to amend Chapter 23, Title 30, Delaware Code, relating to Occupational License requirements and fees, to require lessors of commercial property to be licensed thereunder, and to repeal the provision in Chapter 54, Title 30, Delaware Code, relating to the Realty Transfer Tax on leases.” Sponsor: Representative Cain. Assigned to Revenue and Taxation Committee.

HB 1128 — “An Act to amend Chapter 496, Volume 57, Laws of Delaware and Chapter 52, Title 30, Delaware Code relating to registration of private motor carriers.” Sponsor: Representative Minner. Assigned to Revenue and Taxation Committee.

HCR 89 — “Congratulating the Salesianum School

Baseball Team on winning the 1976 Delaware High School Baseball Tournament." Sponsors: Representative Ambrosino and Senator Kearns.

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

YES: Senators Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Isaacs, Kearns, Knox, Martin, Murphy, Schlör, Steele, Zimmerman — 15.

ABSENT: Senators Adams, Holloway, Hughes, Manning, McCullough and Sharp — 6.

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

HCR 90 — "According sincere thanks to William Bradford, Jr., for forty-four years of exemplary service to his bank, community and State." Sponsors: Representative Cain and Senator Berndt.

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Isaacs, Kearns, Knox, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 17.

ABSENT: Senators Holloway, Hughes, Manning and Sharp — 4.

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

SB 763 was taken up for consideration on motion of Senator Cordrey:

SB 763 — "An Act to amend Chapter 5, Title 4, Delaware Code, relating to grounds for refusal of alcoholic liquor licenses."

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

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Isaacs, Manning, Martin, McCullough, Schlör, Steele — 12.

NO: Senators Hale, Holloway, Hughes, Kearns, Knox, Murphy, Sharp — 7.

NOT VOTING: Senators Castle and Zimmerman — 2.

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

HCR 91 (Sponsored by Representatives Minner, Darling, Harrington, Sincock, Leshner, Arnold, McGinnis, Connor,

Temple, Maxwell, Powell; Senators Cook, Adams, Cordrey, Holloway, Castle, Martin, Elliott and Zimmerman) was introduced and considered for adoption on motion of Senator Cook:

HCR 91 — "Saluting the players, cheerleaders, coaches, the Delaware 1976 All-Star Football Game Child and other associated with this outstanding Annual Event benefitting the Delaware Association for retarded children, and designating August 21, 1976, as Delaware All-Star Football Day in Delaware."

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

At the request of Senator Cook, the privilege of the floor was extended to Adele Rugg of the Delaware All-Star Football Game Committee.

SB 566 was reported out of the Finance Committee: 1 Favorable, 4 Merits.

SB 775 was taken up for consideration on motion of Senator Sharp and the name of Senator Hughes added as co-sponsor:

SB 775 — "An Act authorizing the State of Delaware to borrow money to be used for the construction of a forty bed Maximum Security Unit and a ten bed Mental Patient Unit at the Delaware Correctional Center, Smyrna, Delaware and to issue Bonds and Notes therefor and appropriating the money borrowed to the Department of Corrections."

The roll call vote on the Bill was taken on motion of Senator Sharp and revealed:

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, Murphy, Schlör, Sharp — 18.

NO: Senator Zimmerman — 1.

ABSENT: Senators McCullough and Zimmerman — 2.

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

At 3:00 p.m. on motion of Senator Cordrey, the Senate recessed for Party caucuses.

The Senate reconvened at 4:12 p.m., President Pro Tempore Isaacs presiding.

On motion of Senator Cicone, the necessary rules were suspended to lift **SB 772 w SA 1** for consideration.

At 4:14 p.m. Lt. Governor Bookhammer presiding.

Senator Hughes moved that **SB 772 w SA 1** be again tabled. The roll call vote on the motion was taken and revealed:

YES: Senators Berndt, Castle, Elliott, Hale, Holloway, Hughes, Knox, Manning, Martin, Schlör, Steele — 11.

NO: Senators Adams, Cicione, Cook, Cordrey, Isaacs, Kearns, Murphy, Sharp, Zimmerman — 9.

ABSENT: Senator McCullough — 1.

Therefore, the motion prevailed and the Bill was tabled.

SB 770 was taken up for consideration on motion of Senator Isaacs:

SB 770 — “An Act to amend Subchapter II, Chapter 3, Title 31, Delaware Code relating to Boarding Homes for Children and providing certain exemptions.”

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

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Holloway, Isaacs, Murphy, Schlör, Sharp, Zimmerman — 11.

NO: Senators Castle, Hale, Kearns, Knox, Manning — 5.

NOT VOTING: Senators Elliott, Martin and Steele — 3.

ABSENT: Senators Hughes and McCullough — 2.

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

SS 1 for SB 691 was taken up for consideration on motion of Senator Berndt:

SS 1 for SB 691 — “An Act to amend Chapter 17, Title 24 of the Delaware Code relating to medicine, surgery and osteopathy; and providing for a definition of death.”

The privilege of the floor was extended to Calvin B. Hearn, M.D. and William E. Miller, M.D. representing the Medical Society of Delaware to speak on the Bill after which the roll call vote was taken and announced:

YES: Senators Adams, Berndt, Castle, Hale, Hughes, Knox, Manning, Martin, Schlör, Sharp, Steele, Zimmerman — 12.

NO: Senators Cook, Kearns, McCullough — 3.

NOT VOTING: Senators Cicione, Cordrey, Isaacs and Murphy — 4.

ABSENT: Senators Elliott and Holloway — 2.

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

At 5:27 p.m. on motion of Senator Cordrey the Senate recessed and reconvened at 5:38 p.m., President Pro Tempore Isaacs presiding.

The following Committee reports were announced:

From the Energy Committee: **SB 699** — 6 Merits.

From the Labor Committee: **HB 1139** — 4 Merits.

From the Natural Resources and Environmental Control Committee: **SS 1** for **SB 730** — 4 Merits; **SB 753** — 5 Merits.

From the Revenue and Taxation Committee: **HB 1035 w HA 2** — 1 Favorable, 4 Merits; **HB 1128** — 5 Merits.

From the Corrections Committee: **SB 787** — 4 Merits.

On motion of Senator Cicione, the necessary rules were suspended to lift for consideration **SB 772 w SA 1**.

SB 772 w SA 1 — "An Act to provide for an Interim Desegregation School Board consisting of eleven members, each member to be appointed by a School Board."

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

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

NOT VOTING: Senators Berndt and Schlor — 2.

ABSENT: Senators Castle, Hale, Holloway, Hughes, Knox, Manning, Steele — 7.

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

SB 303 was stricken at the request of Senator Martin.

At 5:45 p.m. on motion of Senator Cordrey, the Senate adjourned until 1:30 p.m. June 17th, 1976.

47TH LEGISLATIVE DAY

The Senate convened at 1:59 p.m. June 17, 1976, President Pro Tempore Isaacs presiding.

A Prayer was offered by Rev. Calvin Coolidge Byrd.

Pledge of Allegiance to the Flag.

By roll call, there were 21 Senators PRESENT.

The Journal of the 46th Legislative Day was approved as read.

The Secretary announced that a message from the House informed the Senate that it had passed **SB 681 w SA 1**; **SB 411**; **SB 582**.

On motion of Senator Kearns, the necessary rules were suspended for the lifting and consideration of **HCR 83**.

HCR 83 — "Requesting the Delaware River and Bay Authority to enlarge the War Memorial Plaque to provide sufficient space for the names of the dead of World War II, the Korean War and the Vietnam War from New Jersey and Delaware."

The roll call vote on the Resolution was then taken and

revealed:

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Cordrey, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Martin, McCullough, Murphy, Schlör, Sharp, Steele — 18.

ABSENT: Senators Elliott, Manning and Zimmerman —

3.

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

The following legislation was introduced:

SB 791 — “An Act to amend Volume 60, Chapter 271, Laws of Delaware and to authorize 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.” Sponsors: Senators Isaacs, Cicone, Cordrey and Kearns. Assigned to Finance Committee.

SB 792 — “An Act to amend Chapter 72, Title 16, Delaware Code, relating to liquified petroleum gas containers.” Sponsor: Senator Isaacs (By request). Assigned to Health and Social Services Committee.

SB 793 — “An Act to amend Chapter 21, Part III, Title 29 of the Delaware Code relating to the annual salary of the Governor.” Sponsors: Senators Berndt and Kearns. Assigned to Executive Committee.

SB 794 — “An Act to amend Chapter 1, Title 1 of the Delaware Code relating to the distribution of the Delaware Code to the State Police.” Sponsor: Senator Adams. Assigned to Public Safety Committee.

SA 7, SA 8, SA 9, SA 10 to SS 2 for SB 256 (Sponsored by Senators Adams and Berndt) were introduced and placed with the Bill.

SA 1 to HB 257 was introduced by Senator Cook and placed with the Bill.

SA 1 to SB 791 (Sponsored by Senators Cook, Adams and Cordrey) was introduced and placed with the Bill.

SA 1 to HB 1156 w HA 1 was introduced by Senator Kearns and placed with the Bill.

SA 2 to SB 791 was introduced by Senator Isaacs and placed with the Bill.

SA 1 to SB 784 was introduced by Senator Kearns and placed with the Bill.

HB 869 was reported out of the Revenue and Taxation Committee: 5 Merits.

The following House legislation was introduced:

HCR 92 — "Providing for appointment of a Committee to select a State Poem for Delaware." Sponsor: Representative Maxwell. The Resolution was laid on the table on motion of Senator Hale.

HB 803 — "An Act to amend Chapter 27, Part II, Title 10 of the Delaware Code relating to special constables for railroad companies." Sponsor: Representative Boulden. Assigned to Judiciary Committee.

HB 967 — "An Act to provide a supplementary appropriation to the Town of Bowers Beach for repayment to the State Recreation Assistance Fund." Sponsors: Representative Minner and Senator Murphy. The Bill was laid on the table on motion of Senator Murphy.

HB 1099 w HA 1 — "An Act proposing an Amendment to Article 4; Section 2 of the Constitution of the State of Delaware relating to active judicial duty by retired judges." Sponsor: Representative Boulden. Assigned to Judiciary Committee.

HB 1122 — "An Act to amend Title 24 of the Delaware Code relating to professions and occupations; and providing for a system of legislative oversight and regulatory accountability." Sponsor: Representative Connor. Assigned to Executive Committee.

HB 1196 — "An Act to amend Part C, Subchapter III, Title 10 of the Delaware Code relating to the visitation rights of grandparents." Sponsor: Representative Matushefske. Assigned to Judiciary Committee.

HJR 47 — "Memorializing each member of the Delaware Congressional delegation to do all within his power to ensure that fair consideration is given to the ILC Industries, Inc. Contract application and presentation for the contract (Proposal No. 9-BC7-4-6-1P) to be awarded for the construction of a space suit to be used in the Shuttle Space Program by the National Aeronautics and Space Administration." Sponsors: Representatives Minner, Morris, Miller, McGinnis, Darling; Senator Isaacs. Assigned to Executive committee.

On motion of Senator Murphy, the necessary rules were suspended for the lifting and consideration of **HB 819 w HA 1, 3:**

HB 819 w HA 1, 3 — “An Act to amend Chapter 23, Title 30, Delaware Code, relating to Occupational License for Mobile Home Parks.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Martin, McCullough, Murphy, Schlör, Sharp, Steele — 19.

NOT VOTING: Senator Manning — 1.

ABSENT: Senator Zimmerman — 1.

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

HB 818 w HA 1 was taken up for consideration on motion of Senator Cordrey:

HB 818 w HA 1 — “An Act to amend Chapter 53, Part IV, Title 30, Delaware Code, relating to tobacco products licenses and fees.” The roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Martin, McCullough, Schlör, Sharp, Steele — 16.

NOT VOTING: Senators Elliott and Manning — 2.

ABSENT: Senators Cicione, Murphy and Zimmerman — 3.

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

HB 816 w HA 1, 2 was taken up for consideration on motion of Senator Cordrey:

HB 816 w HA 1, 2 — “An Act to amend Chapter 21, Title 30, Delaware Code, relating to general provisions concerning Occupational and Business Licenses, to provide for prorationing of fees, and for other purposes.”

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Martin, McCullough, Murphy, Schlör, Sharp, Steele — 16.

NOT VOTING: Senators Elliott and Manning — 2.

ABSENT: Senators Cicione, Isaacs and Zimmerman — 3.

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

HS 1 for HB 815 was taken up for consideration on motion of Senator Cordrey:

HS 1 for HB 815 — “An Act to amend Chapter 23, Title 30, Delaware Code, relating to Occupational Licenses to exempt

certain incidental sales from the Retailer Licensing requirements."

The privilege of the floor was extended to John E. Malarkey, Department of Finance, to speak on the Bill after which the roll call vote was taken and revealed:

YES: Senators Adams, Berndt, Cook, Cordrey, Elliott, Hale, Isaacs, Kearns, Knox, Martin, McCullough, Murphy, Schlör, Sharp, Steele — 15.

NOT VOTING: Senators Hughes and Manning — 2.

ABSENT: Senators Castle, Cicione, Holloway and Zimmerman — 4.

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

HB 901 was taken up for consideration on motion of Senator Cordrey:

HB 901 — "An Act to amend Chapter 27, Title 30, Delaware Code, relating to Manufacturers' License requirements and taxes."

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Hale, Isaacs, Kearns, Knox, Martin, McCullough, Murphy, Schlör, Sharp, Steele — 15.

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

ABSENT: Senators Cicione, Holloway and Zimmerman — 3.

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

HB 1098 was taken up for consideration on motion of Senator Cordrey:

HB 1098 — "An Act to amend Chapter 11, Title 30, Delaware Code relating to the limitation on itemized deductions and personnel exemptions."

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

YES: Senators Adams, Berndt, Cook, Cordrey, Hale, Isaacs, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Steele — 13.

NO: Senators Castle and Elliott — 2.

NOT VOTING: Senators Hughes, Knox, Manning — 3.

ABSENT: Senators Cicione, Holloway, Zimmerman — 3.

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

SB 782 was taken up for consideration on motion of

Senator Sharp:

SB 782 — "An Act to amend Subchapter VIII, Chapter 65, Title 11, Delaware Code relating to mandatory training of Correctional Officers."

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

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, Murphy, Schlör, Sharp, Steele — 18.

NOT VOTING: Senator McCullough — 1.

ABSENT: Senators Cordrey and Zimmerman — 2.

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

SB 751 was taken up for consideration on motion of Senator Cicone:

SB 751 — "An Act making a supplementary appropriation to the Department of Finance for payment of claims relating to "Veterans' Military Pay Act. No. 111."

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

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, McCullough, Murphy, Schlör, Sharp, Steele — 18.

ABSENT: Senators Cordrey, Martin and Zimmerman —

3.

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

HB 1156 w HA 1 was lifted from the table for consideration on motion of Senator Schlör:

HB 1156 w HA 1 — "An Act to amend Title 10 and Title 31 of the Delaware Code relating to mandatory commitment of minors who have been adjudicated delinquent by Family Court for having committed certain designated acts."

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Kearns at whose request the following letter is included in this Journal:

The Family Court of the State of Delaware

June 14, 1976

Senator Francis Kearns
Chairman, Senate Judiciary Committee
Dover, Delaware

RE: House Bill 1156

Dear Senator Kearns:

The Family Court Judges wish to go on record as being in

disapproval of **HB 1156** which provides for the mandatory sentencing of juveniles convicted of multiple offenses. With the "new" Chief of the Bureau of Juvenile Corrections working in close coordination with Family Court on juvenile commitments and lengths thereof, to the juvenile institutions, the desired result of removing these hard-core repeater offenders from the streets would become a reality. One unfortunate segment of "mandatory sentencing" is the automatic incarceration of children who could be "saved" but are "lost" by their association with hard-core delinquents in the institutions.

There are also other causes of concern about **HB 1156**, which in my opinion, should be discussed at length prior to the passage of any "Act" which takes the sentencing discretion away from a Judge. Should not such important legislation as **HB 1156** be carried over until next year for more consideration? What about the financial needs of the Court with the passage of **HB 1156**?

Thank you
Yours very truly,
Robert D. Thompson
Chief Judge

* * * * *

The privilege of the floor was extended to David S. Swayze, Esq., Office of the City Solicitor of Wilmington and John J. Mulvena, Bureau of Juvenile Correction, to speak on the Amendment.

The roll call vote on **SA 1 to HB 1156 w HA 1** was then taken and revealed:

YES: Senator Kearns — 1.

NO: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman — 19.

NOT VOTING: Senator Castle — 1.

Therefore, the Amendment was defeated.

SA 2 to the Bill was introduced by Senator Kearns who moved for its adoption. The roll call vote on the Amendment was taken and revealed:

YES: Senators Castle, Cicione, Cook, Cordrey, Isaacs, Kearns, Martin, Murphy, Sharp — 9.

NO: Senators Adams, Hale, Holloway, Hughes, Knox, Manning, McCullough, Schlör, Steele, Zimmerman — 10.

NOT VOTING: Senators Berndt and Elliott — 2.

Therefore, the Amendment was declared defeated.

The roll call vote on **HB 1156 w HA 1** was then taken on motion of Senator Schlör and revealed 21 Senators voting YES. Therefore, the Bill passed the Senate and was returned to the House.

At 4:38 p.m. on motion of Senator Cordrey, the Senate recessed for Party caucuses.

The Senate reconvened at 6:12 p.m., Lt. Governor Bookhammer presiding.

The following Committee reports were announced:

From the Public Safety Committee: **SB 794** — 1 Favorable, 3 Merits.

From the Natural Resources and Environmental Control Committee: **HB 367** — 3 Merits, 1 Unfavorable.

From the Finance Committee: **HB 142** — 5 Merits.

From the Corrections Committee: **SB 735** — 4 Favorable; **SB 734** — 4 Favorable; **SB 724** — 4 Favorable; **SB 725** — 4 Favorable; **SB 726** — 4 Favorable.

From the Judiciary Committee: **HB 803** — 5 Favorable.

The following legislation was introduced:

SB 795 — "An Act to amend Chapter 59, Title 29, Delaware Code, relating to Classified Service and exemptions." Sponsor: Senator Cordrey. Assigned to Executive Committee.

SB 796 — "An Act providing for the interim School Board mandated by the May 19, 1976 Opinion and the June 15, 1976 Order of the United States District Court for the District of Delaware in *Evans v. Buchanan*, civil action Nos. 1816-1822, to consist of thirteen members." Sponsors: Senators Sharp, Elliott, Hughes, Manning; Representatives Arnold, Byrd, Maxwell, Ridings, Sincock, Worthen. Assigned to Education Committee.

SB 797 — "An Act continuing the Special Legislative Committee formed pursuant to House Concurrent Resolution No. 51 of the 128th General Assembly to enable the Committee to continue to study the judicial opinions in the desegregation case of *Evans v. Buchanan* and to make recommendations to the General Assembly." Sponsors: Senators Sharp, Cicione, Elliott, Hughes, Manning, McCullough; Representatives Arnold, Byrd, Maxwell, Ridings, Sincock, Worthen. Assigned to Education Committee.

SB 798 — "An Act to amend Title 14, Chapter 6, of the Delaware Code as it relates to students transferring from one Public School District to another." Sponsors: Senators Sharp,

Cicione, Elliott, Hughes, Manning, McCullough; Representatives Arnold, Byrd, Maxwell, Ridings, Sincok, Worthen. Assigned to Education Committee.

SB 799 — "An Act proposing an Amendment to Article II, Section 19, of the Constitution of the State of Delaware, of 1897, as amended, relating to the power and authority of the General Assembly to pass and enact Local or Special Laws creating or changing the boundaries of School Districts." Sponsors: Senators Sharp, Cicione, Elliott, Hughes, Manning, McCullough; Representatives Arnold, Byrd, Maxwell, Ridings, Sincok, Worthen. Assigned to Education Committee.

SB 800 — "An Act making a supplemental appropriation to the Women's Correctional Institution for the purchase of a new vehicle." Sponsor: Senator Hughes. Assigned to Corrections Committee.

SA 3 to SB 791 was introduced by Senator Hughes and placed with the Bill.

SA 1 to HB 320 w HA 1 was introduced by Senator Kearns and placed with the Bill.

SA 2 to SB 784 was introduced by Senator Cordrey and placed with the Bill.

SA 1 to HB 1035 was introduced by Senator Knox and placed with the Bill.

HB 1027 — "An Act to amend Chapter 27, Title 21, Delaware Code, relating to application by minor for an Operator's License." Sponsor: Representative Gordy. Assigned to Public Safety Committee.

HS 1 for HB 544 w HA 1, 2, 3 — "An Act to amend Title 21, Delaware Code, relating to motor vehicles and requiring the registration and control of off-highway vehicles and providing a supplementary appropriation therefor." Sponsor: Representative Worthen. Assigned to Finance Committee.

HB 952 w HA 1 — "An Act to amend Chapter 65, Part IV, Title 11 of the Delaware Code relating to prisons and prisoners; and granting certain employment powers to the Department of Correction." Sponsors: Representatives Morris and Riddagh. Assigned to Corrections Committee.

HB 1083 — "An Act making a supplementary appropriation to the State Treasurer for operations." Sponsor: Representative Cain. Assigned to Finance Committee.

HS 1 for HB 1105 — "An Act to amend Chapter 5, Title 17, Delaware Code relating to dedication of new road to the public; approval required; bond; penalties." Sponsors:

Representatives Worthen, Cain, Maxwell, Sincock, McKay. Assigned to Highways and Transportation Committee.

SB 801 — "An Act to amend Chapter 9, of Title 10, Delaware Code relating to the legal responsibility of parents or guardians of youth involved in the Criminal Justice System." Sponsor: Senator Holloway. Assigned to Executive Committee.

The following Bills were reported out of the Health and Social Services Committee: **SB 774** — 5 Merits; **HB 1111 w HA 1** — 5 Merits; **SB 321** — 4 Merits.

HCR 93 (Sponsored by Representatives Jonkiert, McGinnis, Harrington and Maxwell; Senator Isaacs):

HCR 93 — "EXPRESSING BEST WISHES TO BOYS STATE OF 1976 AND CONGRATULATING THE NEWLY-ELECTED BOYS STATE OFFICIALS."

WHEREAS, the Delaware Boys State has convened in Dover for their 39th Session during the week of June 14, 1976; and

WHEREAS, the members of the 128th General Assembly recognize the unique educational experience that is afforded these fine young men by the sponsoring organization, the Delaware American Legion, which involves the Boys State members directly in the legislative process; and

WHEREAS, on June 15, 1976, Boys State members elected their State officials, following the proper political procedures; and

WHEREAS, these officials include: Governor — Bob Hupp; Lieutenant Governor — Bryan Stevenson; Attorney General — John Newcomer; Secretary of State — Kevin Donovan; Auditor — Gary Ramos; Insurance Commissioner — James Johnson; Treasurer — Renaldo Jackson; and

WHEREAS, these young men, along with the entire Legislature of Boys State, are to be commended for becoming involved first-hand with Delaware's legislative process.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 128th General Assembly, the Senate concurring therein, that best wishes and congratulations are hereby extended to the officials and members of Boys State of 1976, and additional commendations be extended to the sponsors of this event, the American Legion of Delaware.

BE IT FURTHER RESOLVED that a copy of this Resolution be entered upon the Journals of the House of Representatives and Senate, that a copy be delivered to the

presiding officer of Boys State of 1976, and that an additional copy be sent to the Commander of the American Legion of Delaware."

* * * * *

The roll call vote on the Resolution was taken on motion of Senator Isaacs and revealed 21 Senators voting YES. Therefore, the Resolution was adopted by the Senate and returned to the House.

HB 1094 was taken up for consideration on motion of Senator Schlor:

HB 1094 — "An Act to amend an Act entitled "An Act amending revising and consolidating the Charter of the City of Seaford; to increase the amount which may be borrowed by the City of Seaford in anticipation of revenues." Sponsors: Representative Temple and Senator Elliott.

The roll call vote on the Bill was then taken on motion of Senator Schlor and revealed 21 Senators voting YES. Therefore, the Bill passed the Senate and was returned to the House.

HB 320 w HA 1 was taken up for consideration on motion of Senator Kearns:

HB 320 w HA 1 — "An Act to amend Chapter 89, Title 10, Delaware Code, by changing the Chapter heading of Chapter 89 and providing for interpreters for deaf persons at legal proceedings and fees for such interpreters."

SA 1 to the Bill was introduced by Senator Kearns who moved for its adoption. The roll call vote on the Amendment was taken and revealed 21 Senators voting YES. Therefore, the Amendment was adopted.

The roll call vote on **HB 320 w HA 1, SA 1** was then taken on motion of Senator Kearns and revealed 21 Senators voting YES. Therefore, the Bill passed the Senate and was returned to the House for concurrence in the Senate Amendment.

HB 418 w HA 2, 3 was taken up for consideration on motion of Senator Kearns:

HB 418 w HA 2, 3 — "An Act to amend Chapter 5, Part I, Title 11 Delaware Code relating to offenses involving obstruction of governmental operations."

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

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

ABSENT: Senator Holloway — 1.

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

The Secretary announced that a message from the House informed the Senate that it had passed **SB 714**.

SB 277 and **SB 544** were stricken at the request of Senator Elliott.

SS 1 for **SB 747** was introduced by Senator Holloway and laid on the table on his motion:

SS 1 for **SB 747** — "An Act to amend Chapter 17, Title 24, Delaware Code relating to higher education funding for foreign medical students."

HB 952 w HA 1 was reported out of Corrections Committee: 2 Favorable, 4 Merits.

The following Bills were reported out of Community Affairs Committee: **SB 768** — 4 Merits; **SB 769** — 4 Merits.

At 6:45 p.m. on motion of Senator Isaacs, the Senate recessed until 1:30 p.m. June 21, 1976.

The Senate reconvened at 2:17 p.m. June 21, 1976, Lt. Governor Bookhammer presiding.

On motion of Senator Isaacs, the Senate immediately adjourned to convene for the 48th Legislative Day.

48TH LEGISLATIVE DAY

The Senate convened at 2:17 p.m. June 21, 1976, Lt. Governor Bookhammer presiding.

A Prayer was offered by Senator Steele.

Pledge of Allegiance to the Flag.

By roll call, there were 21 Senators PRESENT.

The Journal of the 47th Legislative Day was approved as read.

The following Bills were stricken at the request of Senator Isaacs: **SB 166**; **SB 194**; **SB 197**; **SB 669**; **SB 790**.

SB 783 was stricken at the request of Senator Kearns.

The Secretary announced that a message from the House informed the Senate that it had passed: **SB 261 w SA 1, 2**; **SB 419**; **SB 451**; **SS 1** for **SB 711 w SA 1**.

Legislative Advisory No. 87 received from the Office of Counsel to the Governor informed the Senate that the Governor approved **SJR 61** on June 18, 1976.

* * * * *

SS 1 for **SB 321** was reported out of Health and Social Services Committee: 4 Merits.

The following House legislation was introduced:

HB 1034 w HA 1 — “An Act to amend Chapter 7, Part I, Title 19 of the Delaware Code relating to liability for inspection of places of employment.” Sponsors Representatives Byrd and Powell; Senators Murphy and Hughes. Assigned to Labor Committee.

HB 1197 — “An Act proposing an Amendment to Article II, Section 19 of the Constitution of the State of Delaware, of 1897, as amended, relating to the power and authority of the General Assembly to pass and enact local or special laws creating or changing the boundaries of School Districts.” Sponsors: Representatives Arnold, Worthen, Byrd, Maxwell, Sincok, Ridings; Senators Sharp, Cicione, Elliott, Hughes, Manning and McCullough. The Bill was laid on the table on motion of Senator Sharp.

HB 1204 w HA 1 — “An Act providing for the Interim School Board mandated by the May 19, 1976 opinion and the June 15, 1976 order of the United States District Court for the District of Delaware in **Evans v. Buchanan** civil action Nos. 1816-1822, to consist of thirteen members.” Sponsors: Representatives Arnold, Worthen, Byrd, Maxwell, Sincok, Ridings; Senators Sharp, Cicione, Elliott, Hughes, Manning and McCullough.

Senator Sharp moved that the Bill be laid on the table and the roll call vote on the motion was taken and revealed:

YES: Senators Cordrey, Hughes, Knox, Manning, Sharp, Steele — 6.

NO: Senators Adams, Castle, Cicione, Isaacs, Kearns, Martin, McCullough, Murphy, Schlor — 9.

NOT VOTING: Senators Cook, Elliott, Hale and Holloway — 4.

ABSENT: Senators Berndt and Zimmerman — 2.

Therefore, the motion was defeated and the Bill was assigned to the Education Committee.

HB 1199 w HA 1 — “An Act continuing the Special Legislative Committee formed pursuant to House Concurrent Resolution No. 51 of the 128th General Assembly to enable the Committee to continue to study the judicial opinions in the desegregation case of **Evans v. Buchanan** and to make recommendations to the General Assembly and further providing a supplementary appropriation therefor.” Sponsor: Representatives Arnold, Worthen, Byrd, Maxwell, Sincok, Ridings; Senators Sharp, Cicione, Elliott, Hughes, Manning,

McCullough.

Senator Sharp moved that the Bill be laid on the table and the roll call vote on the motion was taken and announced:

YES: Senators Elliott, Hughes, Knox, Manning, Sharp — 5.

NO: Senators Adams, Castle, Cicione, Hale, Holloway, Isaacs, Kearns, Martin, McCullough, Murphy, Schlor — 11.

NOT VOTING: Senators Cook, Cordrey and Steele — 3.

ABSENT: Senators Berndt and Zimmerman — 2.

Therefore, the motion was defeated and the Bill was assigned to the Education Committee.

HB 1198 — “An Act to amend Chapter 6, Title 14, Delaware Code as it relates to students transferring from one Public School District to another.” Sponsors: Representatives Arnold, Worthen, Byrd, Maxwell, Sincock, Ridings; Senators Sharp, Cicione, Elliott, Hughes, Manning, McCullough.

Senator Sharp moved that the Bill be laid on the table and the roll call vote on the motion was taken and revealed:

YES: Senators Elliott, Hughes, Knox, Manning, Sharp, Steele — 6.

NO: Senators Adams, Castle, Cicione, Hale, Holloway, Isaacs, Kearns, Martin, McCullough, Murphy, Schlor — 11.

NOT VOTING: Senators Cook and Cordrey — 2.

ABSENT: Senators Berndt and Zimmerman — 2.

Therefore, the motion was defeated and the Bill was assigned to Education Committee.

Senator Manning moved that **HB 1207** which had just been read in and assigned to Executive Committee be returned to the House since it had been sent to the Senate in error. The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Knox, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Steele — 18.

ABSENT: Senators Berndt, Kearns and Zimmerman — 3.

Therefore, the motion prevailed and the Bill was ordered back to the House.

The following legislation was introduced:

SB 802 — “An Act to amend Subchapter II, Chapter 1, Title 26, Delaware Code relating to extensions of Water Utility Service areas.” Sponsor: Senator Isaacs. Assigned to Administrative Services Committee.

SB 803 — “An Act to amend Title 10 and Title 11 of the Delaware Code relating to legal representation for public

officers and employees under certain circumstances." Sponsor: Senator Kearns. Assigned to Judiciary Committee.

SB 805 — "An Act to amend Subchapter II, Chapter 83, Title 11, Delaware Code, relating to pensions benefits for Delaware State Police." Sponsors: Senators Cook and Adams; Representative Minner. Assigned to Public Safety Committee.

SB 804 — "An Act authorizing the New Castle Gunning Bedford School District to pay Mr. Charles E. Stapleford, Sr. six hundred ninety one dollars and twenty cents due to an incorrect calculation on the operating allowance costs of Bus Route No. 28, contract No. 1005 during the 1973-74 School year." Sponsor: Senator Isaacs. Assigned to Education Committee.

SB 806 — "An Act to amend Chapter 79, Delaware Code relating to the establishment of a Division of Mental Retardation." Sponsor: Senator Holloway. Assigned to Health and Social Services Committee.

SA 1 to SB 801 was introduced by Senator Holloway and placed with the Bill.

SA 4 to SB 791 was introduced by Senator Cordrey and placed with the Bill.

The following legislation was reported out of Committee:

From the Public Safety Committee: **SB 760** — 4 Merits; **HB 1027** — 4 Merits.

From the Judiciary Committee: **HB 1099**, **HA 1** — 4 Merits.

From the Natural Resources and Environmental Control Committee: **HB 55**, **HA 1** — 4 Merits.

From the Executive Committee: **HJR 47** — 1 Favorable, 3 Merits.

HJR 52 was introduced by the Chair:

HJR 52 — "Expressing thanks to the people of New Castle, for the splendid hospitality shown to members of the 128th General Assembly of the State of Delaware on the occasion of the celebration of the re-enactment of the 200th anniversary of Delaware's separation from the British Crown, June 15, 1776."

Senator McCullough moved that the necessary rules be suspended for consideration on the Resolution and the roll call vote on the motion was taken; however, before it was announced Senator Isaacs moved that it be tabled.

At 2:45 p.m. on motion of Senator Cordrey the Senate recessed and reconvened at 3:54 p.m., Lt. Governor Bookhammer presiding.

Senator Isaacs withdrew his motion to table the roll call vote to suspend the rules to act on **HJR 52** and the roll call was announced:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Manning, Martin, McCullough, Murphy, Schlor, Steele, Zimmerman — 18.

NOT VOTING: Senators Castle, Knox and Sharp — 3.

Therefore, the motion prevailed and the Resolution was taken up for consideration. The full text of the Resolution is as follows:

HJR 52 — “EXPRESSING THANKS TO THE PEOPLE OF NEW CASTLE, FOR THE SPLENDID HOSPITALITY SHOWN TO MEMBERS OF THE 128TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE ON THE OCCASION OF THE CELEBRATION OF THE RE-ENACTMENT OF THE 200TH ANNIVERSARY OF DELAWARE’S SEPARATION FROM THE BRITISH CROWN, JUNE 15, 1776.

WHEREAS, New Castle, the First Capital of the State of Delaware held its Bicentenary Separation Day Celebration commencing on Saturday, June 12 and climaxing on Tuesday, June 15, 1976; and

WHEREAS, members of the 128th General Assembly of the State of Delaware are elated to have been asked to participate in New Castle’s Bicentenary Separation Day Celebration on June 15, 1976 where unity and cooperation manifested itself in the true American spirit; and

WHEREAS, the many different activities during the four day celebration of New Castle’s 200th Anniversary of Separation Day was exemplary of what citizens of New Castle as well as citizens of the First State are capable of performing; and

WHEREAS, indefatigable energy of the co-chairmen for the overall event, Mr. Robert Appleby and Mr. Daniel Wolcott, are to be commended not only for the many hours of time spent in planning and coordinating a most splendid event, but for their erudition in planning activities with such skills that had appeal to every segment of the populace who attended the four day celebration; and

WHEREAS, Mr. Henry Gambacorta and Mr. Warren Beasley, co-chairmen of the Separation Day activities marked the ceremonial event with great skills for historical detail and

accurateness; and

WHEREAS, high esteem and recognition are altogether fitting and most appropriately given to the following persons who were most instrumental in planning and executing the various programs and activities centered around such a historical event:

Hospitality Co-chair Persons: Mrs. Pamela Shaw Gallery, Mrs. Richard A. Norman and Mr. Wallace Pancost

Ground Chairman - Mr. Julian Cini

Public Relations - Mr. Eugene Wirzman

Parade Chairman - Mr. Jimmy Gambacorta

Refreshments - Mrs. Jane West

Luncheon Chairman - Mrs. Blanche Proud

Legislative Tour - Mrs. Barbara Madden

General Assistance Chair Persons - Mr. Richard Tease and Mrs. Sarah Tease

Cocktail Party Co-chair Persons Mr. and Mrs. Edward Stansky

Re-enactment Ceremonies, Co-chair Persons - Mr. Bill Peden, Jr. and Mrs. Ellen Peden

Court House Lecturer - Mrs. Anne M. Fulmer

Women's Day Activities - Mrs. Teresa Gambacorta

Fashion Show, Co-chair Ladies - Mrs. Sue White and Mrs. Jean Bankert

Town Criers - Mr. Meredith Roberts and Mr. David Jones

WHEREAS, recognition and thanks is given to the religious leaders for the many religious activities planned as a part of the four day celebration:

Rev. Jesse Walker, Rev. Jackson Robinson, Rev. Ralph Johnson, Rev. Eugene Clarahan and the Rev. Miles Edwards; and

WHEREAS, the Honorable John Klingmeyer, Mayor of New Castle, and the President of City Council, Mr. Robert Tillinghast, and Councilmen Willard West, Wallace Cannon, Pasquale Marinelle and Francis Patterson all deserve great praise and commendation for their valuable time spent in assisting and helping to coordinate the entire event; and

WHEREAS, special thanks is given to Mr. William P. Frank of the News-Journal Papers for authoring the script of the re-enactment; and

WHEREAS, all of the news media performed an excellent task of giving comprehensive coverage of the entire four days of celebration; and

WHEREAS, the William Penn High School Band, who participated in the musical activities of the ceremony performed in their usual splendid fashion and deserve great credit; and

WHEREAS, the official photographer for the four day event was Mr. Carlo Viola, who took numerous pictures of the entire event which will be on display at a later time for all to reminisce; and the logistics and traffic problems in New Castle were controlled and coordinated in an excellent manner through the efforts of Captain Cochran of the Delaware State Police and Chief Eugene Petty of the New Castle City Police; and

WHEREAS, Mrs. Lynne Booth, who closed the reenactment by beautifully singing the State Song, Our Delaware; and

WHEREAS, the entire festivities were climaxed on the evening of June 15, 1976 with a beautiful concert performance rendered by the American Wind Symphony on the Delaware River; and

WHEREAS, congratulations are most in order for the many service clubs, organizations and commercial places of business as well as the Towns people all too numerous to mention herein for the fantastic celebration.

NOW, THEREFORE: BE IT RESOLVED by the members of the 128th General Assembly of the State of Delaware, the Governor concurring therein, that congratulations and thanks are hereby extended to the New Castle Historical Society, to the Mayor and Council of New Castle and to every person who participated and made possible the celebration of the 200th Bicentenary Separation Celebration in New Castle on June 12 through June 15, 1976 and a special thanks for having invited us to have participated in such a memorable and historic event.

BE IT FURTHER RESOLVED that this Resolution be made a part of the House and Senate Journals and that copies be forwarded to the Honorable John Klingmeyer, Mayor of New Castle to be read at a Council meeting, to the New Castle Historical Society to be read at their next meeting, and that fifty copies be forwarded to the general co-chairmen of the event, Mr. Robert Appleby and Mr. Daniel Wolcott, who shall circulate them to the various committees, organizations, clubs and persons who participated in the historic event."

* * * * *

The Resolution was sponsored by Representative Connor

and Senator McCullough; Senators Martin and Kearns; Representatives Ferguson, Boulden and Matushefske.

The roll call vote on the Resolution was taken on motion of Senator McCullough and revealed 21 Senators voting YES. Therefore, the Resolution was adopted by the Senate and returned to the House.

The necessary rules were suspended on motion of Senator Murphy for lifting for consideration **HB 967**.

HB 967 — “An Act to provide a supplementary appropriation to the Town of Bowers for repayment to the State Recreation Assistance Fund.”

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Elliott, Hughes, Isaacs, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 17.

ABSENT: Senators Cicione, Hale, Holloway and Sharp — 4.

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

The following legislation was reported out of Committee:

From the Education Committee: **HB 1199 w HA 1** — 1 Favorable, 4 Merits, 1 Unfavorable; **SB 804** — 1 Favorable, 5 Merits; **HB 1198** — 1 Favorable, 4 Merits, 1 Unfavorable.

From the Judiciary Committee: **SB 803** — 4 Merits.

From the Health and Social Services Committee: **SB 806** — 5 Merits.

The following legislation was introduced:

SB 807 — “An Act to amend Subchapter I, Chapter 43, Title 21, Delaware Code relating to equipping Fire Police vehicles with warning devices.” Sponsor: Senator Cordrey. Assigned to Public Safety Committee.

SB 808 — “An Act to amend Chapter 65, of Title 29, Delaware Code, relating to the powers of the Board of Trustees of Delaware State College regarding salary supplements for certain employees.” Sponsor: Senator Zimmerman. The Bill was laid on the table on motion of Senator Zimmerman.

SB 809 — “An Act authorizing and directing the Board of Pension Trustees to accept the application for a survivor’s pension from Mrs. Bessie George, widow of the late John C. George, a former employee of the Division of Highways, and further providing a supplementary appropriation therefor.” Sponsor: Senator Isaacs. Assigned to Finance Committee.

SA 5, SA 6 and SA 8 to SB 791 were introduced by

Senator Elliott and placed with the Bill.

SA 7 to SB 791 was introduced by Senator Hughes and placed with the Bill.

SA 9 to SB 791 (Sponsored by Senators Steele and Holloway) was introduced and placed with the Bill.

SA 10 and SA 11 to SB 791 were introduced by Senator Isaacs and placed with the Bill.

HB 526 was taken up for consideration on motion of Senator Kearns:

HB 526 — "An Act to amend Chapter 44, Title 6, Delaware Code, relating to home solicitations or "Door to Door" sales."

The roll call vote on the Bill was taken up for consideration on motion of Senator Kearns and revealed:

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

ABSENT: Senator Cicione — 1.

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

HB 601 was taken up for consideration on motion of Senator Kearns:

HB 601 — "An Act to amend Chapter 7, Title 13 of the Delaware Code, relating to minors' consent to diagnostic and lawful therapeutic procedures."

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

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

ABSENT: Senators Cicione, Holloway and Sharp — 3.

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

HS 1 for HB 915 was taken up for consideration on motion of Senator Cordrey:

HS 1 for HB 915 — "An Act to amend Chapter 29, Part III, Title 30 of the Delaware Code by requiring a special license for a transient retailer and providing for an additional fee on aggregate gross receipts."

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

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

ABSENT: Senators Cicione and Holloway — 2.

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

SB 701 was taken up for consideration on motion of Senator Adams:

SB 701 — “An Act to amend Chapter 56, Title 29, Delaware Code, entitled “Pension for members of the State Judiciary.”

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

On motion of Senator Adams, the roll call vote on **SB 701** w **SA 1** was then taken and revealed 21 Senators voting YES. Therefore, the Bill passed the Senate and was ordered to the House.

HB 1066 was taken up for consideration on motion of Senator Adams:

HB 1066 — “An Act to amend Chapter 43, Title 21, Delaware Code, relating to motor vehicles used by Railroad Companies to transport employees.”

At the request of Senator Adams, the privilege of the floor was extended to Stephen J. Sloboda, Brotherhood Maintenance of Railway Employees, to speak on the Bill.

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

YES: Senators Adams, Berndt, Castle, Cicione, Cordrey, Elliott, Hale, Holloway, Hughes, Kearns, Knox, Manning, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman — 18.

ABSENT: Senators Cook, Isaacs and Martin — 3.

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

HB 994 was taken up for consideration on motion of Senator Sharp:

HB 994 — “An Act to amend Chapter 7, Title 19 of the Delaware Code relating to employment practices; and prohibiting the hiring of illegal aliens.”

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

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

ABSENT: Senator Martin — 1.

Therefore, the Bill passed the Senate and was returned to

the House.

SB 781 was taken up for consideration on motion of Senator Zimmerman:

SB 781 — "An Act directing the Secretary of State to execute and deliver a deed to Port Mahon Wharf Co., of lands previously deeded to the State of Delaware by Port Mahon Wharf Co., Inc."

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

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Cordrey, Elliott, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, Murphy, Schlör, Sharp, Steele, Zimmerman — 19.

NO: Senator Hale — 1.

ABSENT: Senator McCullough — 1.

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

HB 845 was taken up for consideration on motion of Senator Murphy:

HB 845 — "An Act to amend Part IV, Chapter 21, Title 5, Delaware Code, to remove the prohibition against post-judgement wage attachments."

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Zimmerman. Before, final consideration of the Amendment, however, Senator Murphy moved that the Bill itself be temporarily deferred. The roll call vote on the deferring motion was taken and revealed:

YES: Senators Adams, Cicone, Cook, Cordrey, Elliott, Holloway, Hughes, Isaacs, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman — 15.

NO: Senator Steele — 1.

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

ABSENT: Senators Hale and Manning — 2.

Therefore, the motion prevailed and the Bill was deferred.

SB 670 was taken up for consideration on motion of Senator Kearns:

SB 670 — "An Act to amend Chapter 59, Title 11, Delaware Code relating to Sunday hearings and bail."

The roll call vote on the Bill was taken on motion of Senator McCullough and revealed:

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele,

Zimmerman — 20.

ABSENT: Senator Cicione — 1.

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

SB 771 was taken up for consideration on motion of Senator Adams:

SB 771 — “An Act to amend Chapter 23, Title 10, Delaware Code relating to Deputies and Clerks.”

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

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

ABSENT: Senators Cicione and Schlör — 2.

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

SB 583 was taken up for consideration on motion of Senator Kearns:

SB 583 — “An Act to amend Title 29, Delaware Code, relating to Public Work Contracts and Procurements by exempting the County Library Departments from the requirements thereof.”

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

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

ABSENT: Senator Cicione — 1.

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

HB 622 was taken up for consideration on motion of Senator Kearns:

HB 622 — “An Act to amend Chapter 6, Title 13, Delaware Code, relating to Uniform Reciprocal Enforcement of Support.”

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Elliott, Hale, Isaacs, Kearns, Knox, Martin, Murphy, Schlör, Sharp, Steele, Zimmerman — 16.

NO: Senators Hughes and Manning — 2.

ABSENT: Senators Cicione, Holloway and McCullough

— 3.

Therefore, the Bill passed the Senate and was returned to

the House.

HB 1057 was taken up for consideration on motion of Senator Kearns:

HB 1057 — “An Act to amend Chapter 75, Part V, Title 15 of the Delaware Code relating to Municipal and Town Elections; and providing for a reduction in the amount of time polls must stay open when there is only one candidate for each office.”

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

YES: Senators Adams, Berndt, Cook, Cordrey, Hale, Isaacs, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman — 16.

NO: Senators Holloway and Hughes — 2.

NOT VOTING: Senator Elliott — 1.

ABSENT: Senators Castle and Cicione — 2.

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

HB 1031 w HA 1 was taken up for consideration on motion of Senator Kearns:

HB 1031 w HA 1 — “An Act to amend Chapter 11, Title 12, Delaware Code, relating to abandoned property funds resulting from escheats.”

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

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

ABSENT: Senator Castle — 1.

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

HB 724 was taken up for consideration on motion of Senator Isaacs:

HB 724 — “An Act to amend Article I, Section 9 of the Constitution of the State of Delaware by eliminating the prohibitions against change of venue.”

The privilege of the floor was extended to Representative Riddagh at the request of Senator Isaacs. The roll call vote on the Bill was then taken and revealed:

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

ABSENT: Senator Martin — 1.

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

SB 733 was taken up for consideration on motion of Senator Murphy:

SB 733 — "An Act to amend Chapter 50, Part I, Title 18, Delaware Code, relating to Insurance Holding Companies in order to provide notice to the Commissioner of any declaration of extraordinary dividend or other distribution and to require the approval of the Commissioner in connection with certain transactions between Insurance Companies and Insurance Holding Company Systems."

SA 1 to the Bill was introduced by Senator Murphy who moved for its adoption. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Cordrey, Elliott, Hale, Hughes, Isaacs, Kearns, Knox, Manning, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman — 19.

ABSENT: Senators Holloway and Martin — 2.

Therefore, the Amendment was adopted.

The privilege of the floor was extended to George N. Hudson, I.N.A., to speak on the Bill after which the roll call vote on **SB 773 w SA 1** was taken and revealed:

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

ABSENT: Senators Holloway, McCullough and Sharp — 3.

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

HB 845 which had been temporarily deferred was again taken up for consideration on motion of Senator Murphy.

SA 1 to the Bill was stricken at the request of Senator Zimmerman.

SA 2 to the Bill was introduced by Senator Zimmerman who moved for its adoption. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Cicone, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman — 17.

NO: Senators Berndt, Castle, Knox and Manning — 4.

Therefore, the Amendment was adopted.

The roll call vote on **HB 845 w SA 2** was then taken on

motion of Senator Murphy and revealed 21 Senators voting YES. Therefore, the Bill passed the Senate and was returned to the House for concurrence in the Senate Amendment.

HB 1069 was taken up for consideration on motion of Senator Adams:

HB 1069 — "An Act to amend Chapter 21, Title 21 of the Delaware Code, relating to farm trucks."

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

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Steele, Zimmerman — 17.

NOT VOTING: Senators Castle, Hughes, Isaacs and Sharp — 4.

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

SB 325 was stricken at the request of Senator Martin.

The following Committee reports were announced:

From the Banking, Insurance and Elections Committee:
SB 11 — 1 Favorable, 2 Merits, 1 Unfavorable.

From the Finance Committee: **SB 809** — 4 Merits; **SB 717** — 4 Merits; **HB 683** — 4 Merits; **HB 425** — 4 Merits; **HB 639** — 4 Merits; **HB 634** — 4 Merits; **HB 633** — 4 Merits.

From the Revenue and Taxation Committee: **SB 609** — 1 Favorable, 4 Merits.

From the Community Affairs Committee: **HB 1171** — 4 Merits.

From the Highways and Transportation Committee: **HS 1** for **HB 1105** — 1 Favorable, 5 Merits; **HB 629 w HA 1** — 1 Favorable, 5 Merits.

SB 810 (Sponsored by Senator Elliott and Representative Gordy) was introduced and assigned to Public Safety Committee:

SB 810 — "An Act making a supplementary appropriation to the Department of Highways and Transportation for the purpose of installing traffic signal control equipment in front of the Delmar Fire House on Bi-State Boulevard in Delmar, Delaware."

SA 12 to SB 791 (Sponsored by Senators Castle, Holloway and Schlör; Representatives George, Jonkiert, Rispoli, Johnson, Plant and Brady) was introduced and placed with the Bill.

At 7:20 p.m. on motion of Senator Isaacs, the Senate adjourned until 1:30 p.m. June 22, 1976.

49TH LEGISLATIVE DAY

The Senate convened at 1:54 p.m. June 22, 1976, President Pro Tempore Isaacs presiding.

A Prayer was offered by Senator Hale.

Pledge of Allegiance to the Flag.

By roll call, there were 21 Senators PRESENT.

At 1:55 p.m. Lt. Governor Bookhammer presiding.

The Journal of the previous day was approved as read.

The Secretary announced that a message from the House informed the Senate that it had passed SS 1 for SB 523; SB 690; SB 710; SB 729 w HA 1.

Senator Isaacs moved that the Senate recess until 5 p.m.; however, Senator Cordrey moved that the Senate recess for a short period and the Senate recessed at 1:57 p.m. and reconvened at 2:03 p.m., Lt. Governor Bookhammer presiding.

The Secretary announced that Legislative Advisory No. 88 received from the Office of Counsel to the Governor informed the Senate that the Governor approved: SS 1 for SB 235; SB 613; SB 712 and SJR 62 on the 21st June, 1976.

* * * * *

The following House legislation was introduced:

HB 1146 w HA 1 — "An Act to amend Chapter 37, Volume 60, Laws of Delaware entitled "An Act to amend Chapter 1, Title 8, Delaware Code, relating to the General Corporation Law." Sponsor: Representative McGinnis. Assigned to Executive Committee.

HB 1049 — "An Act to amend Chapter 11, Part II, Title 30, Delaware Code relating to modifications of personal income for purposes of personal income taxes." Sponsors: Representatives McGinnis and Cain. Assigned to Revenue and Taxation Committee.

HB 1081 — "An Act to require the County Council of Sussex County to pay \$7,500 to the Soil and Water Conservation Division of the Department of Natural Resources and Environmental Control to match the County's share of funds appropriated by the State for Tax Ditch Work in Fiscal 1975." Sponsor: Representative Lynch. Assigned to Community Affairs Committee.

HB 1065 — "An Act to amend Chapter 92, Part VII, Title 10 of the Delaware Code relating to Justices of the Peace; and providing for their continuing legal education." Sponsor: Representative Maxwell. Assigned to Judiciary Committee.

HB 1101 — "An Act to amend Chapter 13, Title 10,

Delaware Code, relating to administrative procedure of the Court of Common Pleas of the State of Delaware." Sponsor: Representative Matushefske. Assigned to Judiciary Committee.

HB 1063 w HA 1 — "An Act making a supplementary appropriation to the Department of Highways and Transportation to pay the automobile repair cost incurred by Eskol Mariner, Jr., as the result of an accident on the Poplar Street Bridge at Laurel, Delaware." Sponsor: Representative Gordy. Assigned to Highways and Transportation Committee.

HB 1200 — "An Act to amend Chapter 184, Volume 60, Laws of Delaware, relating to the collection and release of real estate taxes within the City of Wilmington." Sponsor: Representative George. Senator Isaacs moved that the Bill be placed in the Revenue and Taxation Committee and the roll call vote on the motion revealed:

YES: Senators Adams, Berndt, Cook, Cordrey, Hughes, Isaacs, Kearns, Manning, Martin, Murphy, Sharp, Steele — 12.

NO: Senators Holloway and Schlor — 2.

NOT VOTING: Senators Castle, Elliott, Hale, Knox, McCullough and Zimmerman — 6.

ABSENT: Senator Cicione — 1.

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

HB 1190 — "An Act to amend Chapter 87, Title 29, Delaware Code relating to the creation of a Delaware Agriculture Board and further empowering the Department of State to lease 10 acres of land from the Board of Trustees of Delaware State College for the site of the Agriculture Museum; and further providing funds for the design and construction of the Delaware Agriculture Museum by appropriating and transferring funds from the Capital Investment Fund." Sponsors: Representatives Minner and Clendaniel; Senators Isaacs, Cordrey and Cook. Assigned to Finance Committee.

HB 1170 — "An Act to direct the Department of Health and Social Services to correct and close the account of Mrs. Blanche Phillips, a former patient at the Delaware State Hospital." Sponsor: Representative Gordy. Assigned to Finance Committee.

HB 169 w HA 1, 2, 5 — "An Act proposing an Amendment to the Constitution of the State of Delaware, relating to initiative and referendum." Sponsor: Representative Ferguson. Assigned to Executive Committee.

HB 764 — “An Act to amend Chapter 9, Title 22, Delaware Code, relating to the Municipal User Tax.” Sponsor: Representative Plant. Assigned to Labor and Industrial Relations Committee.

HB 953 w HA 1 — “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 and related to qualifications and filing for the Office of Commissioner, to qualifications of voters to Election Day, to the removal of Election Officials, to the procedure for conducting Municipal Elections and to the procedure for enacting Ordinances.” Sponsor: Representative Derrickson. Assigned to Revenue and Taxation Committee.

SB 811 (Sponsored by Senator Isaacs) was introduced and assigned to Agriculture Committee:

SB 811 — “An Act to amend Chapter 25 of Title 6, Delaware Code, by prohibiting the increase of certain commodity unit prices displayed at retail food stores.”

SB 812 (Sponsored by Senator Cook and Representative Darling) was introduced and assigned to Administrative Services Committee.

SB 812 — “An Act to authorize and approve the transfer of certain real property by the State Board of Education to the Department of Administrative Services for sale to a Charitable Organization for a nominal price.”

SA 2 to HB 86 was introduced by Senator Murphy and placed with the Bill.

HCR 94 (Sponsored by Representative Derrickson and Senator Cordrey) was introduced and considered for adoption on motion of Senator Cordrey.

HCR 94 — “Congratulating Deborah Rica Lipford, University of Delaware Senior, on winning the Miss Delaware title at the Rehoboth Beach competition.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, Murphy, Schlör, Sharp, Zimmerman — 19.

ABSENT: Senators McCullough and Steele — 2.

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

On motion of Senator Cordrey, **SB 729** which had

previously passed the Senate was taken up for reconsideration as further amended by **HA 1**.

SB 729 w HA 1 — "An Act to amend an Act being Chapter 197, Volume 54, Laws of Delaware, as amended, entitled "An Act revising the prior Charter of the City of Rehoboth Beach and establishing a new Charter therefor and prescribing the powers and duties of the Commissioners of Rehoboth Beach" to provide a day when voters must register in order to vote in the Annual Municipal Elections." The roll call vote on **SB 729 w HA 1** was then taken and revealed:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Isaacs, Kearns, Knox, Manning, Murphy, Schlör, Sharp, Steele, Zimmerman — 18.

NOT VOTING: Senators Hughes and McCullough — 2.

ABSENT: Senator Martin — 1.

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

At the request of Senator Isaacs, the name of Senator Cicione was added as co-sponsor of **SB 811**.

HB 1160 was taken up for consideration on motion of Senator Cicione:

HB 1160 — "An Act authorizing the Department of Highways and Transportation to use certain funds appropriated by the "Annual Capital Improvements Act of 1976" for the purchase and erection of a new water tower in the Town of Newport."

Senator Cicione yielded to Senator Sharp on whose motion the roll call vote on the Bill was taken; however, before it was announced, Senator Cicione moved that it be tabled. The roll call vote on the tabling motion was taken and revealed:

YES: Senators Adams, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Sharp, Steele, Zimmerman — 18.

NOT VOTING: Senator Schlör — 1.

ABSENT: Senators Berndt and Isaacs — 2.

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

Senator Sharp immediately moved that the roll call be lifted and the motion prevailed without objection. The roll call vote on **HB 1160** was therefore announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, McCullough, Murphy, Sharp, Steele,

Zimmerman — 19.

NOT VOTING: Senators Castle and Schlor — 2.

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

At 2:40 p.m. on motion of Senator Isaacs, the Senate recessed for Party caucuses.

The Senate reconvened at 4:08 p.m., President Pro Tempore Isaacs presiding.

SR 177 (Sponsored by Senators Isaacs and Cordrey) was introduced and considered for adoption:

SR 177 — "To debit Senate Travel Account for legislators' mileage of the present session of the 128th General Assembly."

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Hale, Holloway, Kearns, Knox, Schlor, Sharp, Steele, Zimmerman — 14.

ABSENT: Senators Elliott, Hughes, Isaacs, Manning, Martin, McCullough, Murphy — 7.

Therefore, the Resolution was adopted.

SR 178 (Sponsored Senators Isaacs and Cordrey) was introduced and considered for adoption:

SR 178 — "Authorizing payments for services rendered by the staff of the Senate for the 128th General Assembly."

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Elliott, Hale, Holloway, Isaacs, Kearns, Knox, Martin, McCullough, Schlor, Sharp, Steele, Zimmerman — 17.

ABSENT: Senators Cicione, Hughes, Manning and Murphy — 4.

Therefore, the Resolution was adopted.

SR 179 (Sponsored by Senator Isaacs) was introduced and considered for adoption on motion of Senator Isaacs:

SR 179 — "Expressing the appreciation of the Delaware State Senate for the excellent reporting by Harry C. McSherry as he starts his 57th year as a news writer and correspondent in Dover."

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Hughes and Manning) ABSENT. Therefore, the Resolution was adopted.

At the request of Senator Schlor, **HB 1027** which had been assigned to Community Affairs Committee was

reassigned to Revenue and Taxation Committee.

SA 1 to **HB 914** was introduced by Senator Cicione and placed with the Bill.

SA 2 to **SB 801** was introduced by Senator Holloway and placed with the Bill.

SB 788 was taken up for consideration on motion of Senator Kearns:

SB 788 — "An Act to amend Chapter 87, Part VI, Title 10 of the Delaware Code relating to fees charged by the Family Court in divorce proceedings."

SA 1 to the Bill was introduced by Senator Kearns who moved for its adoption. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Kearns, Knox, Martin, McCullough, Schlör, Steele — 15.

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

ABSENT: Senators Hughes, Manning and Sharp — 3.

Therefore, the Amendment was adopted.

The roll call vote on **SB 788 w SA 1** was taken on motion of Senator Kearns and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Isaacs, Kearns, Knox, Martin, McCullough, Schlör, Steele — 16.

NOT VOTING: Senators Murphy and Zimmerman — 2.

ABSENT: Senators Hughes, Manning and Sharp — 3.

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

The following Committee reports were announced:

From the Executive Committee: **HB 1134** — 1 Favorable, 3 Merits.

From the Labor and Industrial Relations Committee: **HB 553** — 4 Merits; **HB 554** — 4 Merits.

HB 486 was introduced by the Chair and assigned to Health and Social Services Committee:

HB 486 (Sponsored by Representative Morris) — "An Act to amend Subchapter VI, Title 31, Delaware Code, relating to Child Day Care Centers."

HJR 49 was taken up for consideration on motion of Senator Martin:

HJR 49 — "To adopt Energy Conservation as a State Policy and to set goals for the State of Delaware."

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Isaacs, Kearns, Knox, Martin, Murphy, Schlör, Sharp — 16.

NO: Senators Steele and Zimmerman — 2.

ABSENT: Senators Hughes, Manning and McCullough —

3.

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

SS 1 for SB 318 was taken up for consideration on motion of Senator Martin. The Bill had previously passed the Senate but had been recalled for reconsideration by **SR 150**.

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

SS 1 for SB 318 w SA 1 was then laid on the table on motion of Senator Martin.

SB 787 was taken up for consideration on motion of Senator Isaacs:

SB 787 — “An Act to amend Title 11 and Title 29, Delaware Code, relating to pension benefits for Corrections Officers.”

At the request of Senator Isaacs, the privilege of the floor was extended to Chester Gove, Jr., Adult Corrections, to speak on the Bill.

The roll call vote on the Bill was taken; however, before it was announced, Senator Isaacs moved that it be tabled and the motion prevailed without objection.

HB 1139 was taken up for consideration on motion of Senator Sharp:

HB 1139 — “An Act to amend Chapter 59, Title 29, Delaware Code, to provide for vacant position in pay Grades 5-10 to be filled by Agency recruitment efforts and to give employment preference to the unemployed with no other source of income surpassing poverty level.”

At the request of Senator Sharp, the privilege of the floor was extended to Representative Minner to speak on the Bill after which the roll call vote was taken and announced:

YES: Senators Adams, Berndt, Cook, Cordrey, Holloway, Hughes, Isaacs, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman — 15.

NO: Senators Castle, Elliott, Hale, Knox, Manning — 5.

NOT VOTING: Senator Cicione — 1.

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

HB 1035 w HA 2 was taken up for consideration on motion of Senator Cordrey:

HB 1035 w HA 2 — “An Act to amend Chapter 23, Title 30, Delaware Code, relating to Occupation License requirements and fees, to require lessors of commercial property to be licensed thereunder, and to repeal the provision in Chapter 54, Title 30, Delaware Code, relating to the realty transfer tax on leases.”

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

YES: Senators Adams, Castle, Elliott, Knox — 4.

NO: Senators Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Isaacs, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele — 16.

NOT VOTING: Senator Zimmerman — 1.

Therefore, the Amendment was declared lost.

At the request of Senator Cordrey, the privilege of the floor was extended to Secretary of Finance, John E. Malarkey, to speak on the Bill after which the roll call vote was taken and revealed:

YES: Senators Adams, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Isaacs, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman — 15.

NO: Senators Berndt, Castle, Elliott, Knox, Manning, Steele — 6.

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

HB 1128 was taken up for consideration on motion of Senator Cordrey:

HB 1128 — “An Act to amend Chapter 496, Volume 57, Laws of Delaware, and Chapter 52, Title 30, Delaware Code relating to registration of private motor carriers.”

The privilege of the floor was extended to Representative Minner to speak on the Bill after which the roll call vote was taken and revealed:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Hale, Holloway, Hughes, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman — 17.

NO: Senators Cordrey, Elliott and Isaacs — 3.

ABSENT: Senator Kearns — 1.

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

SB 753 was taken up for consideration on motion of Senator Isaacs:

SB 753 — “An Act to amend Chapter 64, Title 7 of the Delaware Code relating to the Delaware Solid Waste Authority and providing for a means of replacing Directors on the Solid Waste Authority, clarifying meetings and voting requirements, indicating pension coverage of Authority employees, clarifying bonding capabilities, clarifying definitions and allowing for imposition of sanctions for violations of regulations and license conditions.”

SA 1 to the Bill was introduced by Senator Isaacs who moved for its adoption. The roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (Schlor) ABSENT. Therefore, the Amendment was adopted.

The roll call vote on **SB 753 w SA 1** was then taken on motion of Senator Isaacs and revealed 21 Senators voting YES. Therefore, the Bill passed the Senate and was ordered to the House.

SS 1 for SB 730 was taken up for consideration on motion of Senator Isaacs:

SS 1 for SB 730 — “An Act to amend Chapter 1, Title 26, Delaware Code and Chapter 60, Title 7, Delaware Code relating to jurisdiction over Water Companies.”

Senator Isaacs then yielded to Senator Berndt to manage the Bill.

The privilege of the floor was extended to Merna Hurd, Water and Sewer Management Office, to speak on the Bill.

The following letter in reference to the Bill is included in this Journal at the request of Senator Holloway:

**DEPARTMENT OF HEALTH AND SOCIAL SERVICES
COMMENT SHEET
PROPOSED LEGISLATION**

REPORT ON: SS 1 for SB 730 Sections 7 and 8

SPONSOR OF BILL: Senators Isaacs and Berndt

REPORTING DIVISION: Public Health

SUMMARY OF BILL:

Would transfer authority for drinking water control from Division of Public Health to Department of Natural Resources by deleting authority in 122(3) (c), Title 16 and giving authority

to Secretary of Department of Natural Resources to adopt drinking water standards.

FINANCIAL IMPLICATIONS: (IDENTIFY COSTS/SAVINGS)

Three (3) environmental health aides spend full time collecting water samples. Federal grant of \$74,900 FY 1976 and proposed grant of \$100,000 for FY 1977 would be lost to the Division of Public Health.

PROGRAM IMPLICATIONS: (PROJECTED AND/OR ANTICIPATED IMPACT ON SERVICE DELIVERY, CLIENTS, FACILITY USE, ETC.)

1. Drinking water has been and can be the cause of water-borne illness and the control of its treatment and distribution should be the responsibility of a health agency which has the expertise needed for proper control.

2. The State Board of Health, in 1970, adopted standards for the chemical, physical, radiological and biological quality for drinking water called for in Section 8(a) of the proposal. These standards are equal to, and in some portions, more stringent than Federal standards. The State of Delaware has not appropriated sufficient funds for a comprehensive program to implement the drinking water standards. The funds appropriated provide three environmental health aides who collect the samples analyzed by the laboratory.

3. The Division of Public Health has, for many years, been analyzing public drinking water supplies in laboratory certified for this purpose by an agency of the Federal Government. The Department of Natural Resources does not have a laboratory which has received such certification.

4. The Division of Public Health has an organization with a central Dover office and established county offices in all three counties. These organizations are supervised by experienced health-oriented personnel.

5. The Division of Public Health has cooperated with the EPA in preparation for the new National Safe Drinking Water Standards. Governor Tribbitt has designated the Department of Health as the Delaware agency to administer the program of implementing these standards. EPA has given approval for the first program grants for this implementation.

I recommend that the Department of Health and Social Services vigorously oppose the passage of this legislation.

Donald K. Harmeson, Chief, Bureau of Environmental Health

Edward F. Gliwa, M.D., Division Director
 John E. Sullivan, Secretary, DHSS

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At the request of Senator Holloway, the privilege of the floor was extended to Secretary John C. Bryson, Department of Natural Resources and Environmental Control, to speak on the Bill.

The following letter is included in this Journal at the request of Senator Steele:

**SUBURBAN NEWARK CIVIC LEAGUE
 NEWARK, DELAWARE**

14 June 1976

REFERENCE: Comments on SB 730 dated 24 May 1976

SUBJECT: SS 1 for SB 730

I commented on 24 May 1976 on the original SB 730, recommending against its passage. I address this time some features peculiar to SS 1.

SS 1 for SB 730 leaves with PSC the authority to establish conditions of franchise, i.e., to prescribe the character of service to be provided by water utilities in areas already franchised. It gives to DNREC the authority to franchise all new service territories with respect to new and/or existing water suppliers **and** to prescribe conditions of franchise with respect to those newly franchised territories only. Even in these newly franchised territories, however, water suppliers which are also public utilities would remain subject as well to the conditions of franchise prescribed by PSC. The conditions established by the two agencies apply cumulatively. Contradictory requirements can be avoided only through intelligent discourse between the two agencies. The two agencies really ought to be capable of getting it all together — capable of promptly arriving, with mutual understanding of one another's situations, at mutually consistent requirements. But the absence of such capability to date is what led to SB 730 in the first place. SS 1 would make it even worse.

SS 1 for SB 730 in Section 7 restricts the authority of the Board of Health to prescribe water quality requirements, upon which the existing Drinking Water Quality Regulation is based. In Section 8, it gives DNREC authority after hearing to adopt a new regulation. And in Section 9 it eliminates PCS's \$1000. per day penalty powers regarding violations of the regulation insofar as concerns a public water supplier which is

not a utility. In the interim, between the cancellation of the existing standard and the adoption of a replacement, it leaves us with virtually nothing. Certainly a smoother transition should have been conceived. By the way, if DNREC can convince neither DPH nor PSC of the properties of whatever it wants to replace the present regulation with, it would seem that somewhere we have a people problem. Can we solve **that** with legislation?

SS 1 for SB 730, in Section 2, removed PSC jurisdiction over all county owned utilities. This is a rather broad question, of larger scope by the way than the title of the bill. I happen to feel that charges for utility services should be related to cost of rendering that service. I happen to feel that public entities which own utilities should be allowed to use utility service sales to produce revenue beyond costs; but the revenue burden should be equitably distributed among the customers. And I think that the rates should be subject to review by that agency whose expertise includes (or should include) the equitable distribution of a revenue requirement. That's PSC, lest we forget. And of course it's easier — and cheaper — to develop this kind of expertise in **one** agency than in two, or three, or more. That thinking is what led (in part) to SB 241, introduced last year and now stalled. But a viewpoint opposite my own has merit as well. It's a complicated matter, and it ought not be considered in the hurried environment of the final few days of the legislative session.

So I think SS 1 for SB 730 ought not be passed. I ask your help.

Very truly yours,
Victor Singer

* * * * *

SS 1 for SB 730 was then laid on the table on motion of Senator Isaacs.

On motion of Senator Isaacs, the roll call vote on **SB 787** was lifted but immediately tabled before being announced.

SB 806 was taken up for consideration on motion of Senator Holloway:

SB 806 — "An Act to amend Chapter 79, Delaware Code relating to the establishment of a Division of Mental Retardation."

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey,

Elliott, Hale, Holloway, Hughes, Isaacs, Knox, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman — 18.

ABSENT: Senators Cicione, Kearns and Manning — 3.

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

HB 869 was taken up for consideration on motion of Senator Cordrey:

HB 869 — “An Act to amend Chapter 55, Title 30, Delaware Code, relating to Public Utility Taxes, and Chapter 43, Delaware Code, relating to use tax on leases of tangible personal property, to change the due dates for filing returns.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Hale, Hughes, Isaacs, Knox, Martin, Murphy, Schlör, Sharp, Steele, Zimmerman — 16.

NOT VOTING: Senator Elliott — 1.

ABSENT: Senators Holloway, Kearns, Manning and McCullough — 4.

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

On motion of Senator Martin **SS 1** for **SB 318 w SA 1** was lifted for consideration.

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Knox, Martin, Murphy, Schlör, Sharp, Steele, Zimmerman — 18.

ABSENT: Senators Kearns, Manning and McCullough — 3.

Therefore, the Amendment was adopted.

SA 3 to the Bill was introduced by Senator Martin who moved for its adoption. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Knox, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman — 19.

ABSENT: Senators Kearns and Manning — 2.

Therefore, the Amendment was adopted.

The roll call vote on **SS 1** for **SB 318 w SA 1, 2, 3** was then taken on motion of Senator Martin and revealed:

YES: Senators Adams, Berndt, Castle, Cicione, Cook,

Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Knox, Martin, McCullough, Murphy, Schlor, Sharp, Steele, Zimmerman — 19.

ABSENT: Senators Kearns and Manning — 2.

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

The roll call vote on **SB 787** was lifted and announced on motion of Senator Isaacs:

YES: Senators Cicione, Cook, Elliott, Holloway, Hughes, Isaacs, Kearns, Martin, McCullough, Murphy, Schlor, Sharp — 12.

NO: Senators Adams, Berndt, Castle, Cordrey, Hale, Knox, Manning, Steele — 8.

NOT VOTING: Senator Zimmerman — 1.

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

HB 367 was taken up for consideration on motion of Senator Martin:

HB 367 — “An Act to grant approval to the Department of Natural Resources and Environmental Control to purchase a tract of land within White Clay Creek State Park, White Clay Creek Hundred, New Castle County, Newark, Delaware.”

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Knox, Martin, Murphy, Schlor, Sharp, Steele, Zimmerman — 17.

NOT VOTING: Senator McCullough — 1.

ABSENT: Senators Cicione, Kearns and Manning — 3.

Therefore, the Amendment was adopted.

Senator Martin requested that Senator Hale be added as co-sponsor.

The privilege of the floor was extended to Secretary John Bryson to speak on the Bill, after which the roll call vote was taken and revealed:

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Knox, Martin, McCullough, Murphy, Schlor, Sharp, Steele, Zimmerman — 18.

ABSENT: Senators Cicione, Kearns and Manning — 3.

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

The following Committee reports were read:

From the Executive Committee: **HB 169 w HA 1, 2, 5** — 6 Merits.

From the Administrative Services Committee: **SB 802** — 4 Merits; **SB 812** — 1 Favorable, 3 Merits.

From the Labor and Industrial Relations Committee: **SB 749** — 4 Merits.

From the Public Safety Committee: **SB 776** — 5 Merits; **SB 805** — 5 Merits; **SB 807** — 5 Merits.

From the Agriculture Committee: **SB 811** — 1 Favorable, 4 Merits, 1 Unfavorable.

From the Revenue and Taxation Committee: **HB 792** — 1 Favorable, 5 Merits; **HB 953 w HA 1** — 6 Merits; **HB 1049** — 5 Merits; **HB 1081** — 5 Merits; **HB 1200** — 1 Favorable, 4 Merits.

From the Judiciary Committee: **HB 1065** — 4 Merits; **HB 1101** — 4 Merits.

HB 845 w SA 2 was received back from the House as further amended by **HA 1**. The Bill was laid on the table on motion of Senator Murphy.

HB 845 w SA 2, HA 1 — “An Act to amend Part IV, Chapter 21, Title 5, Delaware Code, to remove the prohibition against Post-Judgement Wage Attachments.

SB 813 (Sponsored by Senators Cicione and Zimmerman) was introduced and assigned to Finance Committee:

SB 813 — “An Act authorizing the State of Delaware to borrow money and to issue Bonds and Notes therefor; and appropriating the funds thus obtained to the Department of Administrative Services, to be utilized for the improvement and renovation of facilities for Justice of the Peace Court No. 7.”

SA 13 to SB 791 (Sponsored by Senator Cicione; Representatives Maxwell, Kelly and Byrd) was introduced and placed with the Bill.

SA 2 to SB 725 was introduced by Senator Sharp and placed with the Bill.

SA 1 to SB 566 was introduced by Senator Cicione and placed with the Bill.

SA 3 to HB 845 (as amended) was introduced by Senator Zimmerman and placed with the Bill.

The following House Legislation was introduced:

HS 1 for HB 926 — “An Act to amend Chapter 55, Part III, Title 25 of the Delaware Code relating to the Landlord-Tenant Code; and providing limitations upon the amount of which may be demanded as a Security Deposit.” Sponsor: Representative Rispoli. Assigned to Community Affairs

Committee.

HS 1 for HB 927 — "An Act to amend Chapter 55, Part III, Title 25 of the Delaware Code relating to access by a Landlord or tenant to a rental unit." Sponsor: Representative Rispoli. Assigned to Community Affairs Committee.

HB 928 — "An Act to amend Chapter 86, Part VIII, Title 29 of the Delaware Code relating to the Division of Consumer Affairs of the Department of Community Affairs and Economic Development." Sponsor: Representative Rispoli. Assigned to Community Affairs Committee.

At 7:22 p.m. on motion of Senator Isaacs, the Senate adjourned until 12:45 p.m. June 23, 1976.

50TH LEGISLATIVE DAY

The Senate convened at 12:52 p.m. June 23, 1976, Lt. Governor Bookhammer presiding.

A Prayer was offered by Senator Adams.

Pledge of Allegiance to the Flag.

By roll call, there were 21 Senators PRESENT.

The Journal of the 49th Day was approved as read.

On motion of Senator Cordrey, the Senate recessed at 12:57 p.m. and reconvened at 2:15 p.m., Lt. Governor Bookhammer presiding.

The Secretary announced that a message from the House informed the Senate that it had passed: **SB 259 w SA 1, HA 1, 5, 6, 7, 8, 9, 10, 11, 12; SS 1 for SB 247 w SA 2, HA 4; SB 542; SB 574 w SA 1; SB 610; SB 662; SB 678 w SA 1, HA 1; SB 719; SB 736.**

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SB 316 and SB 463 were stricken at the request of Senator Isaacs.

The following Bills were stricken at the request of Senator Murphy: **SB 60; SB 202; SB 271; SB 748; SB 294; SB 499; SB 299.**

HB 86 w HA 1, 2, 3 was reported out of Banking, Insurance and Elections Committee: 1 Favorable, 2 Merits, 1 Unfavorable.

The following Bills were reported out of the Executive Committee: **SB 801 — 5 Merits; SB 795 — 5 Merits.**

The following House legislation was introduced:

HB 781 w HA 1 — "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 the use of voting machines in annexation elections; to provide for appeals from the Assessments; to provide for notice of elections other than the annual Municipal Elections, to provide a new time for filing petitions for nomination, to provide a new time for the review of petitions for nominations, to increase the amount that can be raised by taxation, to provide a procedure for payment of paving, guttering and curbing, to provide a procedure for borrowing money and issuing Notes." Sponsors: Representative Derrickson and Senator Cordrey. Assigned to Community Affairs Committee.

HB 805 w HA 1 — "An Act to amend Subchapter VI, Chapter 5, Title 11, Delaware Code, relating to the definition of Public Servant." Sponsor: Representative McKay. Assigned to Judiciary Committee.

HB 964 — "An Act making a supplemental appropriation to the Department of Finance for the purpose of continuing to fund the Delaware Econometric Model for the remainder of Fiscal Year 1976." Sponsors: Representatives Sincock and Worthen; Senator Berndt. Assigned to Finance Committee.

HB 1003 w HA 1 — "An Act to amend Subchapter I, Chapter 7, Title 7 of the Delaware Code relating to hunting or shooting from vehicles." Sponsor: Representative LeGates. Assigned to Natural Resources and Environmental Control Committee.

HB 1157 — "An Act to amend Chapter 271, Volume 60, Laws of Delaware, entitled "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 therefore and appropriating the monies to the State Board of Education on behalf of Local School Districts." Sponsor: Representative Riddagh. Assigned to Finance Committee.

HB 1189 — "An Act authorizing the Department of Administrative Services to use certain funds appropriated by the "Annual Capital Improvements Act of 1976," for the construction of a building for the use of the Justice of the Peace

Courts." Sponsors: Representatives Gordy and Clendaniel. Assigned to Finance Committee.

The following legislation was introduced:

SB 815 — "An Act to amend Part V, Subchapter I, Chapter 83, Title 11, Delaware Code, relating to salaries of State Police." Sponsor: Senator Isaacs. Assigned to Finance Committee.

SB 814 — "An Act to amend Subchapter II of Chapter 83, Title 11, Delaware Code relating to the Police Retirement Fund." Sponsors: Senators Adams and Isaacs. Assigned to Public Safety Committee.

SA 14 to **SB 791** was introduced by Senator McCullough and placed with the Bill.

SA 1 to **HB 1196** was introduced by Senator Kearns and placed with the Bill.

Miss Delaware Teenager 1976, Shawna Lesa Santos, was introduced to the Senate by Senator Holloway.

Chester Whittaker, State Liason Officer to Delaware of the Pennsylvania Department of Health, Education and Welfare was introduced to the Senate by Senator Holloway.

SB 794 was taken up for consideration on motion of Senator Adams:

SB 794 — "An Act to amend Chapter 1, Title 1 of the Delaware Code relating to the distribution of the Delaware Code to the State Police."

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

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

ABSENT: Senators Cicione and Manning — 2.

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

SB 735 was taken up for consideration on motion of Senator Sharp:

SB 735 — "An Act to amend Chapter 43, Title 11 of the Delaware Code to bar paroles for prisoners who escape or attempt to escape or aid or abet escape or attempts to escape."

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

YES: Senators Adams, Berndt, Cook, Cordrey, Elliott, Hughes, Isaacs, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman — 13.

NO: Senator Holloway — 1.

NOT VOTING: Senators Castle, Hale, Kearns, Knox,

Manning — 5.

ABSENT: Senators Cicone and Martin — 2.

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

SB 734 was taken up for consideration on motion of Senator Sharp:

SB 734 — “An Act to amend Chapter 89, Part VIII, Title 29 of the Delaware Code relating to the Department of Corrections; and providing certain criteria for the employment of personnel.”

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Murphy, Sharp, Steele, Zimmerman — 17.

ABSENT: Senators Cicone, Martin, McCullough and Schlör — 4.

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

SB 724 was taken up for consideration on motion of Senator Sharp:

SB 724 — “An Act to amend Subchapters V and VI of Chapter 65, Title 11, Delaware Code, relating to the establishment of two separate classifications Committee.”

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Elliott, Hughes, Isaacs, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman — 16.

NO: Senator Holloway — 1.

NOT VOTING: Senators Hale, Knox and Manning — 3.

ABSENT: Senator Cicone — 1.

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

SB 725 was taken up for consideration on motion of Senator Sharp:

SB 725 — “An Act to amend Subchapter VII, Chapter 65, Title 11, Delaware Code, relating to furloughs for inmates within the Delaware Correctional System.”

SA 1 to the Bill which had been placed with the Bill was stricken at the request of Senator Knox, Senator Holloway also agreed.

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Sharp and the roll call vote taken which revealed:

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Martin, McCullough, Schlor, Sharp, Steele, Zimmerman — 18.

ABSENT: Senators Cicione, Manning and Murphy — 3.
Therefore, the Amendment was adopted.

The roll call vote on **SB 725 w SA 2** was then taken on motion of Senator Sharp and revealed:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hughes, Isaacs, Kearns, Martin, McCullough, Murphy, Schlor, Sharp, Steele, Zimmerman — 17.

NOT VOTING: Senators Hale, Knox and Manning — 3.

ABSENT: Senator Holloway — 1.

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

SB 726 was taken up for consideration on motion of Senator Sharp:

SB 726 — “An Act to amend Subchapter VI, Chapter 65, Title 11, Delaware Code, relating to Work Release Programs and policies and attending educational classes outside the confines of the Correctional Institution.”

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

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

NOT VOTING: Senator Holloway — 1.

ABSENT: Senator Manning — 1.

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

HB 803 was taken up for consideration on motion of Senator Kearns:

HB 803 — “An Act to amend Chapter 27, Part II, Title 10 of the Delaware Code relating to Special Constables for Railroad Companies.”

The privilege of the floor was extended to Representative Boulden to speak on the Bill after which final consideration of the Bill was deferred on motion of Senator Kearns.

HB 952 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 952 w HA 1 — “An Act to amend Chapter 65, Part IV, Title 11 of the Delaware Code relating to prisons and prisoners; and granting certain employment powers to the Department of Correction.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Holloway, Hughes, Isaacs, Kearns, Martin, Murphy, Sharp, Steele, Zimmerman — 16.

NO: Senators Hale, Knox and Manning — 3.

ABSENT: Senators McCullough and Schlor — 2.

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

Senator Murphy moved that the roll call vote on **SB 362 w SA 1** be lifted. The roll call vote on the lifting motion was taken and revealed:

YES: Senators Adams, Cook, Cordrey, Holloway, Isaacs, Kearns, Martin, Murphy, Sharp, Zimmerman — 10.

NO: Senators Castle, Manning and Steele — 3.

NOT VOTING: Senators Berndt, Hale and Knox — 3.

ABSENT: Senators Cicione, Elliott, Hughes, McCullough, Schlor — 5.

Therefore, the motion was defeated and the roll call remained on the table.

At 4:05 p.m. on motion of Senator Cordrey, the Senate recessed for Party caucus.

The Senate reconvened at 5:07 p.m., Lt. Governor Bookhammer presiding.

The following Committee reports were announced:

From the Education Committee: **SB 796** — 5 Merits, 1 Unfavorable.

From the Judiciary Committee: **HB 1196** — 4 Merits.

From the Community Affairs Committee: **HB 781 w HA 1** — 4 Merits; **HS 1** for **HB 926** — 4 Merits; **HS 1** for **HB 927** — 4 Merits; **HB 928** — 4 Merits.

The following legislation was introduced:

SB 816 — "An Act making a supplementary appropriation to the State Personnel Commission to reimburse the U.S. Civil Service Commission for funds used in an I.P.A. Grant which were not authorized." Sponsor: Senator Cicione. Assigned to Finance Committee.

SA 1 to **SB 805** was introduced by Senator Cook and placed with the Bill.

SA 2 to **SB 259** was introduced by Senator Isaacs and placed with the Bill.

SA 15 to **SB 791** was introduced by Senator Elliott and placed with the Bill.

SJR 64 — "Making Bill Frank, Wilmington Morning News columnist, an Honorary Native of the State of

Delaware.” Sponsor: Senator McCullough.

On motion of Senator McCullough, the necessary rules were suspended to consider **SJR 64** and the roll call vote was taken which revealed:

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

NO: Senators Cicione and Hughes — 2.

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

On motion of Senator Zimmerman, the necessary rules were suspended to reconsider **SB 678 w SA 1** which had previously passed the Senate and as now further amended by **HA 1**.

SB 678 w SA 1, HA 1 — “An Act to permit the Capitol School District to utilize unused portions of its major Capital Improvements Fund for future Capital Improvements.”

The roll call vote on the Bill (as so amended) was taken; however, it was tabled on motion of Senator Zimmerman before being announced.

Senator Murphy moved that the roll call on **SB 352 w SA 1** be lifted.

SB 362 w SA 1 — “An Act to amend Titles 24 and 31, Delaware Code, relating to the eligibility of Chiropractic Physicians for compensation from Insurance, Group Hospitals Services and related plans; and further providing Medical Care to the indigent and medically indigent.

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

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Holloway, Isaacs, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman — 14.

NO: Senators Manning and Steele — 2.

NOT VOTING: Senators Castle, Hale and Knox — 3.

ABSENT: Senators Elliott and Hughes — 2.

Therefore, the motion prevailed and the roll call was lifted and announced:

YES: Senators Cicione, Cook, Holloway, Hughes, Isaacs, Kearns, Martin, McCullough, Murphy, Schlör, Sharp — 11.

NO: Senators Adams, Berndt, Cordrey, Knox, Manning, Steele, Zimmerman — 8.

ABSENT: Senators Elliott and Hale — 2.

Therefore, the Bill passed the Senate and was ordered to

the House.

HB 1207 was introduced by the Chair:

HB 1207 (Sponsored by Representatives Jonkiert, McGinnis and Harrington) — "An Act to amend Title 5, Delaware Code, relating to the Farmers Bank Commission."

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

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

NOT VOTING: Senator Manning — 1.

ABSENT: Senator McCullough — 1.

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

On motion of Senator Murphy, the necessary rules were suspended for reconsideration of **HB 845 w SA 2** which had passed the Senate and as now further amended by **HA 1**.

HB 845 w SA 2, HA 1 — "An Act to amend Part IV, Chapter 21, Title 5, Delaware Code, to remove the prohibition against Post-Judgement Wage Attachments."

The roll call vote on **HB 845 w SA 2, HA 1** was then taken and revealed:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Manning, Murphy, Schlor, Sharp, Steele — 16.

NOT VOTING: Senators Elliott, Isaacs, Martin and Zimmerman — 4.

ABSENT: Senator McCullough — 1.

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

On motion of Senator Holloway, **SS 2 for SB 256 w SA 1, 2, 5** which had previously passed the Senate was taken up for reconsideration as further amended by **HA 1, 3, 5, 6**.

SS 2 for SB 256 w SA 1, 2, 5, HA 1, 3, 5, 6 — "An Act to amend Title 29 of the Delaware Code by adding a new part relating to Freedom of Information and requiring that meetings for Public Bodies and Records of Public Bodies be opened to personal inspection by any citizen of the State of Delaware."

At the request of Senator Holloway, the privilege of the floor was extended to Senate Attorney, Mr. Eberley and House

Attorney, Mr. Rich to speak on the Bill.

SA 7 to the Bill which had been placed with the Bill was laid on the table on motion of Senator Adams.

SA 8 to the Bill which had been placed with the Bill was laid on the table on motion of Senator Adams.

SA 9 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Adams and the roll call vote taken which revealed:

YES: Senators Adams, Cicione, Cook, Cordrey, McCullough, Schlör, Sharp, Steele — 8.

NO: Senators Elliott, Holloway, Isaacs, Kearns, Martin — 5.

NOT VOTING: Senators Berndt, Castle, Hale, Hughes, Knox, Murphy — 6.

ABSENT: Senators Manning and Zimmerman — 2.

Therefore, the Amendment was declared lost.

SA 10 to the Bill which had been placed with the Bill was laid on the table on motion of Senator Adams.

The roll call vote on **SS 2** for **SB 256 w SA 1, 2, 5, HA 1, 3, 5, 6** was then taken and revealed:

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Martin, Murphy, Sharp, Zimmerman — 16.

NO: Senators Cicione, McCullough, Schlör and Steele — 4.

ABSENT: Senator Manning — 1.

Therefore, the Bill passed the Senate.

On motion of Senator Adams, **SS 1** for **SB 247 w SA 2** which had previously passed the Senate was taken up for reconsideration as now further amended by **HA 4**.

SS 1 for **SB 247 w SA 2, HA 4** — "An Act to amend Title 21 and 20 of the Delaware Code relating to certain penalty assessments payable by mail."

The roll call vote on **SS 1** for **SB 247 w SA 2, HA 4** was then taken and revealed:

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Elliott, Hale, Hughes, Isaacs, Kearns, Knox, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman — 17.

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

Therefore, the Bill passed the Senate.

On motion of Senator McCullough, the necessary rules were suspended for consideration of **HB 1198**:

HB 1198 — "An Act to amend Chapter 6, Title 14,

Delaware Code as it relates to students transferring from one Public School District to another.”

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

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Hughes, Isaacs, Kearns, Knox, Manning, Martin, McCullough, Murphy, Sharp, Steele, Zimmerman — 18.

NO: Senators Holloway and Schlor — 2.

NOT VOTING: Senator Castle — 1.

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

On motion of Senator McCullough, the necessary rules were suspended for consideration on **HB 1199 w HA 1**:

HB 1199 w HA 1 — “An Act continuing the Special Legislative Committee formed pursuant to House Concurrent Resolution No. 51 of the 128th General Assembly to enable the Committee to continue to study the judicial opinions in the desegregation case of **Evans v. Buchanan** and to make recommendations to the General Assembly and further providing a supplementary appropriation therefor.”

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

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

NO: Senators Holloway and Schlor — 2.

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

On motion of Senator Sharp, the necessary rules were suspended for consideration of **SB 796**:

SB 796 — “An Act providing for the Interim School Board mandated by the May 19, 1976 opinion and the June 15, 1976 order of the United States District Court for the District of Delaware in **Evans v. Buchanan** Civil Action Nos. 1816-22 to consist of thirteen members.”

SA 1 to the Bill was introduced by Senator Sharp who moved for its adoption. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Cicione, Cook, Cordrey, Elliott, Hale, Hughes, Isaacs, Kearns, Knox, Manning, Martin, McCullough, Sharp, Steele, Zimmerman — 16.

NO: Senators Berndt, Castle, Holloway and Schlor — 4.

ABSENT: Senator Murphy — 1.

Therefore, the Amendment was adopted.

The roll call vote on **SB 796 w SA 1** was then taken and revealed:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Hughes, Isaacs, Kearns, Knox, Manning, Martin, McCullough, Murphy, Sharp, Steele, Zimmerman — 18.

NO: Senators Holloway and Schlör — 2.

NOT VOTING: Senator Castle — 1.

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

On motion of Senator Sharp, the necessary rules were suspended to lift and consider **HB 1197**.

The roll call vote on the Bill was then taken on motion of Senator Sharp; however, before it was announced, Senator Sharp moved that it be tabled. The roll call vote on the motion was taken and revealed:

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

ABSENT: Senators Holloway and Schlör — 2.

Therefore, the motion prevailed and the roll call on **HB 1197** was tabled.

Senator Cicione moved that the necessary rules be suspended for consideration of **HB 1017 w HA 1**.

HB 1017 w HA 1 — “An Act making a supplemental appropriation to the Delaware National Guard for the relief of Dominick E. Scatasti, injured while on duty.”

The roll call vote on the motion was taken; however, before it was announced, Senator Manning moved that the Senate recess. The roll call vote on the motion to recess was taken and revealed:

YES: Senators Berndt, Castle, Elliott, Hale, Hughes, Knox, Manning and Steele — 8.

NO: Senators Adams, Cicione, Cook, Cordrey, Holloway, Isaacs, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman — 13.

Therefore, the motion was defeated.

The roll call vote on the motion to suspend rules to act on **HB 1017 w HA 1** was then announced:

YES: Senators Adams, Cicione, Cook, Cordrey, Holloway, Isaacs, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman — 13.

NO: Senators Berndt, Castle, Elliott, Hale, Hughes, Knox,

Manning, Steele — 8.

Therefore, the motion prevailed and **HB 1017 w HA 1** was before the Senate.

The roll call vote on the Bill was then taken on motion of Senator Cicione and revealed:

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

NO: Senators Adams, Berndt, Castle, Elliott, Hale, Knox, Manning and Steele — 8.

NOT VOTING: Senator Hughes — 1.

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

HB 803 was lifted for consideration on motion of Senator Kearns.

HB 803 — “An Act to amend Chapter 27, Part II, Title 10 of the Delaware Code relating to special Constables for railroad companies.”

SA 1 to the Bill was introduced by Senator Hughes who moved for its adoption. The roll call vote on the Amendment was taken and revealed:

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

ABSENT: Senator Holloway — 1.

Therefore, the Amendment was adopted.

The roll call vote on **HB 803 w SA 1** was then taken and revealed:

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

ABSENT: Senator Holloway — 1.

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

SB 791 w SA 1 thru 15 was reported out of Finance Committee: 1 Favorable, 4 Merits, 1 Unfavorable.

HB 1063 w HA 1 was reported out of the Highways and Transportation Committee: 6 Merits.

SA 16 to **SB 791** was introduced by Senator Isaacs and placed with the Bill.

SA 17 to **SB 791** was introduced by Senator Berndt and

placed with the Bill.

SA 18 to SB 791 was introduced by Senator Cordrey and placed with the Bill.

SA 1 to SB 813 was introduced by Senator Cicione and placed with the Bill.

SJR 65 (Sponsored by Senators Martin and Adams; Representative Clendaniel) was introduced and assigned to Energy Committee:

SJR 65 — "Recognizing Eugene L. Cooper, alias Corporal George C. Morris, as being the only known Delawarean to have taken part in the battle at the Little Big Horn."

HCR 95 was introduced and laid on the table on motion of Senator Cordrey:

HCR 95 (Sponsored by Representative Gilliagn and Senator Manning) — "Congratulating Steve Gregg, of Cooper Farms, on his selection for the United States Olympic Swimming Team."

At 7:15 p.m. on motion of Senator Isaacs, the Senate adjourned until 1:30 p.m. June 24, 1976.

51ST LEGISLATIVE DAY

The Senate convened at 1:53 p.m. June 24, 1976, Lt. Governor Bookhammer presiding.

A Prayer was offered by Senator Elliott.

Pledge of Allegiance to the Flag.

By roll call, there were 21 Senators PRESENT.

The Journal of the 50th Legislative Day was approved as read.

The Secretary announced that a message from the House informed the Senate that it had passed: **SB 209 w SA 2, 3, 4, HA 1; SB 441 w SA 1, HA 1, 2; SB 506; SB 673 w SA 1, HA 1; SB 738; SB 742 w SA 1, 4; SB 767; SB 796 w SA 1.**

The Secretary announced that Legislative Advisory No. 89 received from Office of Counsel to the Governor informed the Senate that the Governor approved **SB 548** on June 22, 1976.

* * * * *

The following Committee reports were announced:

From the Finance Committee: **HB 948** — 6 Merits; **HB 914** — 6 Merits; **HB 1055** — 6 Merits; **HB 1083** — 6 Merits.

From the Judiciary Committee: **SB 177** — 3 Merits.

SB 817 (sponsored by Senator Cicione) was introduced and assigned to Finance Committee:

SB 817 — "An Act to provide a supplemental

appropriation to the Office of the Budget, for salary increases provided by Volume 60, Chapter 187, Laws of Delaware.”

SA 19 to SB 791 was introduced by Senator Cordrey and placed with the Bill.

Senator Holloway introduced to the Senate Mary R. Hartsock representing the Crittenton Rehabilitation Center.

SA 20 to SB 791 was introduced by Senator Martin and placed with the Bill.

SA 21 to SB 791 was introduced by Senator Cordrey and placed with the Bill.

The following House legislation was introduced:

HB 1067 w HA 1 — “An Act to amend Chapter 13, Title 14, Delaware Code, providing for interpreters and or tutors for students with impaired hearing.” Sponsors: Representatives LeGates, Worthen, Billingsley, Seibel. Assigned to Education Committee.

HB 1117 w HA 1, 2 — “An Act to amend Part II, Title 29 of the Delaware Code, to provide for registration of Legislative Agents to require reports by Legislative Agents, to prohibit certain types of compensation for Legislative Agents and to prescribe penalties for violations thereof.” Sponsors: Representatives Worthen, Billingsley, Hebner, Brady, McKay, Temple, Seibel, Smith, McGinnis, Maxwell, LeGates, Miller, Cain and Johnson. Assigned to Executive Committee.

HB 1158 w HA 1, 2 — “An Act to amend the Delaware Code and relating to Doctors of Podiatric Medicine.” Sponsors: Representatives Gilligan and Ridings. Assigned to Health and Social Services Committee.

HB 1220 — “An Act making an appropriation to the Division of Historical Affairs to be used in the renovation and restoration of the Grand Opera House of the City of Wilmington.” Sponsors: Representatives Jonkiert, Ambrosino and Sincock.

The Chair assigned **HB 1220** to the Community Affairs Committee; however, Senator Cicone moved that it be placed in the Finance Committee and the roll call vote on the motion was taken and revealed:

YES: Senators Adams, Cicone, Cook, Kearns, Murphy, Sharp, Steele — 7.

NO: Senators Berndt, Castle, Elliott, Knox, Manning, Schlor — 6.

NOT VOTING: Senators Isaacs, Martin and McCullough — 3.

ABSENT: Senators Cordrey, Hale, Holloway, Hughes and Zimmerman — 5.

Therefore, the motion was defeated and the Bill was assigned to Community Affairs Committee.

HB 1228 — "An Act to amend Chapter 97, Title 16, Delaware Code relating to the Delaware Health Facilities Authority." Sponsors: Representatives Ferguson and Billingsley.

Senator Sharp moved that the Bill be laid on the table and the roll call vote on the motion was taken and revealed:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele — 16.

ABSENT: Senators Hale, Holloway, Hughes, Isaacs and Zimmerman — 5.

Therefore, the motion prevailed and the Bill was tabled.

At 2:10 p.m. on motion of Senator Cordrey, the Senate recessed for Party caucuses.

The Senate reconvened at 3:07 p.m., Lt. Governor Bookhammer presiding.

SB 791 was taken up for consideration on motion of Senator Isaacs:

SB 791 — "An Act to amend Volume 60, Chapter 271, Laws of Delaware and to authorize 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."

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

YES: Senators Adams, Cicione, Cordrey, Elliott, Holloway, Isaacs, Kearns, Martin, McCullough, Murphy, Schlör, Zimmerman — 13.

NO: Senators Castle, Hale and Knox — 3.

NOT VOTING: Senator Steele — 1.

ABSENT: Senators Berndt, Hughes, Manning, Sharp —

4.

Therefore, the Amendment was adopted.

SA 1 to SA 1 for SB 791 was introduced by Senator Cook and the roll call vote on the Amendment to the Amendment was taken and revealed:

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

NO: Senators Castle, Hale and Knox — 3.

NOT VOTING: Senator Steele — 1.

ABSENT: Senator Manning — 1.

Therefore, the Amendment was adopted.

SA 2 to the Bill which had placed with the Bill was taken up for consideration on motion of Senator Isaacs and the roll call vote taken which revealed:

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

ABSENT: Senators Castle and Hale — 2.

Therefore, the Amendment was adopted.

SA 3 to the Bill which had been placed with the Bill was stricken at the request of Senator Hughes.

SA 4 to the Bill which had been placed with the Bill was laid on the table at the request of Senator Cordrey.

SA 5 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Elliott and the roll call vote taken which revealed:

YES: Senators Berndt, Castle, Elliott, Hale, Hughes, Knox, Manning, Steele — 8.

NOT VOTING: Senators Adams, Cook, Cordrey, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman — 10.

ABSENT: Senators Cicione, Holloway and Isaacs — 3.

Therefore, the Amendment was declared lost.

SA 6 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Elliott and the roll call vote taken; however, before it was announced, Senator Elliott moved that it be laid on the table and the motion prevailed without objection.

SA 7 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Hughes and the roll call vote taken which revealed:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox,

Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman — 20.

NO: Senator Castle — 1.

Therefore, the Amendment was adopted.

On motion of Senator Elliott, **SA 5** to the Bill which had been lost was restored to the Calendar and a new roll call vote taken which revealed 21 Senators voting YES. Therefore, the Amendment was declared adopted.

The roll call vote on **SA 6** was lifted on motion of Senator Elliott and announced:

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

NOT VOTING: Senator Castle — 1.

Therefore, the Amendment was declared adopted.

SA 8 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Elliott and the roll call vote taken which revealed:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Holloway, Isaacs, Kearns, Knox, Martin, McCullough, Schlör, Sharp, Zimmerman — 15.

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

NOT VOTING: Senator Steele — 1.

Therefore, the Amendment was declared adopted.

SA 9 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Steele and roll call vote taken which revealed:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Kearns, Knox, Manning, Martin, McCullough, Schlör, Sharp, Steele, Zimmerman — 17.

NO: Senator Castle — 1.

ABSENT: Senators Hughes, Isaacs and Murphy — 3.

Therefore, the Amendment was adopted.

SA 10 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Isaacs and the roll call vote taken which revealed:

YES: Senators Adams, Cicione, Cook, Cordrey, Elliott, Holloway, Isaacs, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele — 15.

NO: Senator Castle — 1.

NOT VOTING: Senators Berndt and Knox — 2.

ABSENT: Senators Hale, Hughes and Zimmerman — 3.
Therefore, the Amendment was adopted.

SA 11 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Isaacs and the roll call vote taken which revealed:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Holloway, Isaacs, Kearns, Knox, Manning, McCullough, Murphy, Schlör, Sharp, Steele — 16.

NO: Senator Castle — 1.

ABSENT: Senators Hale, Hughes, Martin and Zimmerman — 4.

Therefore, the Amendment was adopted.

SA 12 to the Bill which had been placed with the Bill was laid on the table on motion of Senator Holloway.

SA 13 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cicione and the roll call vote taken which revealed:

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

NO: Senators Castle and Hale — 2.

Therefore, the Amendment was adopted.

SA 14 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator McCullough and the roll call vote taken which revealed:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, McCullough, Schlör, Sharp, Steele, Zimmerman — 19.

NO: Senator Castle — 1.

ABSENT: Senator Murphy — 1.

Therefore, the Amendment was adopted.

SA 15 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Elliott and the roll call vote taken which revealed:

YES: Senators Berndt, Cicione, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, McCullough, Steele, Zimmerman — 15.

NO: Senators Adams, Castle and Cook — 3.

NOT VOTING: Senators Murphy and Schlör — 2.

ABSENT: Senator Sharp — 1.

Therefore, the Amendment was adopted.

SA 16 to the Bill which had been placed with the Bill was laid on the table on motion of Senator Isaacs.

SA 17 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Berndt and the roll call vote taken which revealed:

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

NO: Senator Castle — 1.

ABSENT: Senators Cicone, Murphy and Sharp — 3.

Therefore, the Amendment was adopted.

SA 4 to the Bill which had been laid on the table was taken up for consideration on motion of Senator Cordrey and the roll call vote taken which revealed:

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

ABSENT: Senator Cicone — 1.

Therefore, the Amendment was adopted.

SA 18 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cordrey and the roll call vote taken which revealed:

YES: Senators Adams, Berndt, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman — 18.

NO: Senator Castle — 1.

NOT VOTING: Senator Manning — 1.

ABSENT: Senator Cicone — 1.

Therefore, the Amendment was adopted.

SA 19 to the Bill was introduced by Senator Cordrey who moved for its adoption. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Berndt, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, McCullough, Schlör, Sharp, Steele, Zimmerman — 18.

NO: Senator Castle — 1.

ABSENT: Senators Cicone and Murphy — 2.

Therefore, the Amendment was adopted.

SA 20 to the Bill was introduced by Senator Martin and laid on the table at his request.

SA 21 to the Bill was introduced by Senator Cordrey who moved for its adoption. The roll call vote on the Amendment

was taken and revealed:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, McCullough, Murphy, Schlor, Sharp, Steele, Zimmerman — 17.

NO: Senator Castle — 1.

NOT VOTING: Senators Knox and Manning — 2.

ABSENT: Senator Martin — 1.

Therefore, the Amendment was adopted.

SA 22 to the Bill was introduced by Senator Zimmerman who moved for its adoption. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, McCullough, Murphy, Schlor, Sharp, Steele, Zimmerman — 19.

NO: Senator Castle — 1.

ABSENT: Senator Martin — 1.

Therefore, the Amendment was adopted.

SA 23 to the Bill was introduced by Senator Zimmerman who moved for its adoption. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, McCullough, Murphy, Schlor, Sharp, Steele, Zimmerman — 19.

NO: Senator Castle — 1.

ABSENT: Senator Martin — 1.

Therefore, the Amendment was adopted.

SA 24 to the Bill was introduced by Senator Zimmerman who moved for its adoption. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Cicione, Cook, Cordrey, Elliott, Holloway, Isaacs, Kearns, Knox, Martin, McCullough, Murphy, Schlor, Sharp, Steele, Zimmerman — 16.

NO: Senators Castle, Hale, Hughes and Manning — 4.

NOT VOTING: Senator Berndt — 1.

Therefore, the Amendment was adopted.

SA 25 to the Bill was introduced by Senator Cook who moved for its adoption. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Steele

— 19.

NO: Senator Castle — 1.

ABSENT: Senator Zimmerman — 1.

Therefore, the Amendment was adopted.

SA 26 to the Bill was introduced by Senator Kearns who moved for its adoption. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele — 19.

NO: Senator Castle — 1.

ABSENT: Senator Zimmerman — 1.

Therefore, the Amendment was adopted.

SA 27 to the Bill was introduced by Senator Cicione and on his motion was immediately stricken.

SA 28 to the Bill was introduced by Senator Manning. Senator McCullough moved that the Amendment be laid on the table and the roll call vote on the motion was taken and revealed:

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

NO: Senators Berndt, Castle, Elliott, Hale, Holloway, Hughes, Knox, Manning, Steele — 9.

Therefore, the motion prevailed and **SA 28** was laid on the table.

SA 29 to the Bill was introduced by Senator Sharp who moved for its adoption. The roll call vote on the Amendment was taken and revealed:

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

NO: Senator Castle — 1.

ABSENT: Senator Manning — 1.

Therefore, the Amendment was adopted.

SA 30 to the Bill was introduced by Senator Holloway who moved for its adoption. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Knox, Martin, Murphy, Schlör, Sharp, Steele, Zimmerman — 17.

NOT VOTING: Senator Castle — 1.

ABSENT: Senators Kearns, Manning and McCullough — 3.

Therefore, the Amendment was adopted.

SA 31 to the Bill was introduced by Senator Berndt who moved for its adoption. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Holloway, Hughes, Isaacs, Kearns, Knox, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman — 18.

NOT VOTING: Senator Castle — 1.

ABSENT: Senators Hale and Manning — 2.

Therefore, the Amendment was adopted.

SA 32 to the Bill was introduced by Senator Murphy who moved for its adoption. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Isaacs, Kearns, Knox, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman — 17.

NO: Senator Castle — 1.

NOT VOTING: Senators Hughes and Steele — 2.

ABSENT: Senator Manning — 1.

Therefore, the Amendment was adopted.

SA 20 to the Bill which had been laid on the table was taken up for consideration on motion of Senator Martin.

SA 1 to **SA 20** to **SB 791** was introduced by Senator Martin who moved that it be adopted. The roll call vote on the Amendment to the Amendment was taken and revealed:

YES: Senators Adams, Berndt, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Martin, Murphy, Schlör, Sharp, Steele, Zimmerman — 17.

NO: Senator Castle — 1.

NOT VOTING: Senator McCullough — 1.

ABSENT: Senators Cicione and Manning — 2.

Therefore, the Amendment was adopted.

On motion of Senator Martin the roll call vote on **SA 20 w SA 1** to **SB 791** was taken and revealed:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman — 19.

NO: Senator Castle — 1.

ABSENT: Senator Manning — 1.

Therefore, the Amendment was adopted.

SA 33 to the Bill was introduced by Senator Sharp who moved for its adoption. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Isaacs, Kearns, Martin, Murphy, Schlör, Sharp, Zimmerman — 14.

NO: Senators Castle and McCullough — 2.

NOT VOTING: Senators Berndt, Hughes, Knox and Steele — 4.

ABSENT: Senator Manning — 1.

Therefore, the Amendment was adopted.

SA 34 to the Bill was introduced by Senator Isaacs who moved for its adoption. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Martin, Murphy, Schlör, Sharp, Steele, Zimmerman — 17.

NO: Senator Castle — 1.

NOT VOTING: Senator Knox — 1.

ABSENT: Senators Manning and McCullough — 2.

Therefore, the Amendment was adopted.

The privilege of the floor was extended to A. Carello at the request of Senator Steele, to speak on **SA 28** to the Bill.

On motion of Senator Manning, **SA 28** was lifted for consideration and the roll call vote on taken which revealed:

YES: Senators Adams, Berndt, Castle, Cicione, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, Murphy, Schlör, Steele, Zimmerman — 18.

NO: Senators Cook and McCullough — 2.

ABSENT: Senator Sharp — 1.

Therefore, the Amendment was adopted.

On motion of Senator Martin, and without objection, the roll call vote on **SA 20 w SA 1** to **SB 791** was rescinded and stricken.

SA 35 to the Bill was introduced by Senator Martin who moved for its adoption. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, Murphy, Schlör, Steele — 17.

NO: Senator Castle — 1.

ABSENT: Senators McCullough, Sharp and Zimmerman — 3.

Therefore, the Amendment was adopted.

On motion of Senator Isaacs, the roll call vote on **SB 791 w SA 1 w SA 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 17, 18, 19, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32, 33, 34, 35** was taken. Before the roll call was announced however Senator Isaacs moved that it be laid on the table and the motion prevailed without objection.

HB 1111 w HA 1 was taken up for consideration on motion of Senator Holloway:

HB 111 w HA 1 — “An Act to amend Chapter 9, Title 16, Delaware Code, so as to improve and expand procedures for reporting incidents of child abuse to appropriate State Agencies.”

The privilege of the floor was extended to Representative Worthen to speak on the Bill after which the roll call vote was taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, Murphy, Schlör, Sharp, Steele, Zimmerman — 19.

ABSENT: Senators Elliott and McCullough — 2.

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

Senator Manning moved that **SB 209 w SA 2, 3, 4** which had previously passed the Senate be taken up for reconsideration as now further amended by **HA 1**.

SB 209 w SA 2, 3, 4 and HA 1 — “An Act to amend Chapter 33, Part II, Title 6 of the Delaware Code relating to Commerce and Trade; and providing for the Registration and Protection of Trademarks, Brands and Labels.”

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Elliott, Hale, Hughes, Kearns, Knox, Manning, Martin, Sharp, Steele — 14.

NO: Senators Cicione, Isaacs, Schlör and Zimmerman — 4.

ABSENT: Senators Holloway, McCullough and Murphy — 3.

Therefore, the motion prevailed and the Bill (as so amended) was before the Senate.

The roll call vote on **SB 209 w SA 2, 3, 4, HA 1** was then taken and revealed:

YES: Senators Adams, Berndt, Castle, Cicione, Cook,

Cordrey, Elliott, Hale, Hughes, Kearns, Knox, Manning, Martin, Schlör, Steele, Zimmerman — 16.

NO: Senator Isaacs — 1.

NOT VOTING: Senator Sharp — 1.

ABSENT: Senators Holloway, McCullough and Murphy — 3.

Therefore, the Bill passed the Senate.

Senator Zimmerman moved that the roll call vote on **SB 678** be lifted from the table.

At 5:59 p.m. on motion of Senator Cordrey, the Senate recessed and reconvened at 6:10 p.m.

Senator Zimmerman withdrew his pending motion to lift the roll call on **SB 678** and the roll call remained on the table.

SB 768 was taken up for consideration on motion of Senator Cook:

SB 768 — “An Act to amend Subchapter 1, Chapter 87, Title 9, Delaware Code relating to the lien for unpaid taxes in Kent County.”

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

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

ABSENT: Senators Holloway and McCullough — 2.

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

SB 769 was taken up for consideration on motion of Senator Cook:

SB 769 — “An Act to amend Subchapter 11, Chapter 87, Title 9, Delaware Code relating to the Monition Method of sale of land for delinquent taxes.”

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

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

ABSENT: Senator McCullough — 1.

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

SB 566 was taken up for consideration on motion of Senator Cicione:

SB 566 — “An Act to amend Chapter 55 of Title 14, Delaware Code, providing for optometric institutional aid and

further providing a supplementary appropriation therefore.”

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

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Cordrey, Elliott, Holloway, Hughes, Isaacs, Kearns, Knox, Martin, Murphy, Schlör, Sharp, Steele, Zimmerman — 18.

NO: Senators Hale and Manning — 2.

ABSENT: Senator McCullough — 1.

Therefore, the Amendment was adopted.

At the request of Senator Cicone, the privilege of the floor was extended to Dr. Marvin R. Berman, Delaware Optometric Association, to speak on the Bill. The Bill was then laid on the table on motion of Senator Cicone.

HB 55 w HA 1 was taken up for consideration on motion of Senator Isaacs:

HB 55 w HA 1 — “An Act to amend Chapter 5, Part I, Title 7 of the Delaware Code relating to dog licenses; and providing for an increase in the amount which may be retained by the selling agent.”

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

YES: Senators Adams, Berndt, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, Murphy, Schlör, Sharp, Zimmerman — 17.

NOT VOTING: Senator Steele — 1.

ABSENT: Senators Castle, Cicone and McCullough — 3.

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

HJR 47 was taken up for consideration on motion of Senator Isaacs:

HJR 47 — “Memorializing each member of the Delaware Congressional Delegation to do all within his power to ensure that fair consideration is given to the ILC Industries, Inc., contract application and presentation for the Contract (Proposal No. 9-BC7-4-6-1P) to be awarded for the construction of a space suit to be used in the Shuttle Space Program by the National Aeronautics and Space Administration.”

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

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

ABSENT: Senator McCullough — 1.

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

SB 804 was taken up for consideration on motion of Senator Isaacs:

SB 804 — “An Act authorizing the New Castle Gunning Bedford School District to pay Mr. Charles E. Stapleford, Sr., six hundred ninety one dollars and twenty cents due to an incorrect calculation on the operating allowance costs of Bus Route No. 28, Contract No. 1005 during the 1973-74 School Year.”

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

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, Murphy, Schlör, Sharp, Zimmerman — 18.

NOT VOTING: Senators Castle and Steele — 2.

ABSENT: Senator McCullough — 1.

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

SB 145 was taken up for consideration on motion of Senator Martin:

SB 145 — “An Act to amend Subchapter III, Chapter 3, Title 9 of the Delaware Code relating to award of contracts for Public Work or Goods.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Manning, Martin, Murphy, Schlör, Sharp, Steele — 16.

NO: Senators Hale and Isaacs — 2.

NOT VOTING: Senator Elliott — 1.

ABSENT: Senators McCullough and Zimmerman — 2.

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

HCR 95 was lifted from the table for consideration on motion of Senator Manning:

HCR 95 — “Congratulating Steve Gregg of Cooper Farms, on his selection for the United States Olympic Swimming Team”, and the roll call vote taken which revealed:

YES: Senators Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, Murphy, Schlör, Sharp, Steele, Zimmerman — 19.

ABSENT: Senators Adams and McCullough — 2.

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

The following Committee reports were announced:

From the Banking, Insurance and Elections Committee:

HB 762 — 2 Favorable, 2 Merits.

From the Finance Committee: **HB 1190** — 4 Merits; **SB 817** — 6 Merits.

From the Health and Social Services Committee: **HB 486** — 5 Merits; **HB 1158 w HA 1, 2** — 5 Merits.

From the Education Committee: **HB 1067 w HA 1** — 1 Favorable, 4 Merits.

From the Community Affairs Committee: **HB 1220** — 2 Favorable, 2 Merits.

From the Energy Committee: **SJR 65** — 3 Favorable, 3 Merits.

From the Judiciary Committee: **HB 54** — 1 Favorable, 3 Merits; **HB 854** — 3 Merits, 1 Unfavorable; **HB 805 w HA 1** — 3 Merits.

On motion of Senator Martin, the necessary rules were suspended for consideration of **SJR 65**.

SJR 65 — "Recognizing Eugene L. Cooper, Alias Corporal George C. Morris, as being the only known Delawarean to have taken part in the Battle at the Little Big Horn."

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

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

ABSENT: Senators Castle, Cicione, Hale, Knox, McCullough — 5.

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

SR 180 (Sponsored by Senators Holloway and Manning) was introduced and considered for adoption on motion of Senator Holloway:

SR 180 — "Expressing the sympathy of the members of the Senate to the Family of Marjorie Jane McKusick, M.D., one of Delaware's leading women, upon her death on June 22, 1976."

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

YES: Senators Adams, Berndt, Cook, Cordrey, Elliott, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin,

Murphy, Schlor, Steele, Zimmerman — 16.

ABSENT: Senators Castle, Cicione, Hale, McCullough and Sharp — 5.

Therefore, the Resolution was declared adopted.

SB 818 was introduced by Senator Isaacs and laid on the table on his motion:

SB 818 — “An Act to amend Subchapter I, Chapter 3, Title 19, Delaware Code relating to mobile homes on farms.”

SB 819 (Sponsored by Senators Isaacs, Cordrey and Kearns) was introduced and placed on the table on motion of Senator Isaacs:

SB 819 — “An Act to amend Title 29, Delaware Code, relating to the State Lottery and the Department of Finance.”

SB 820 (Sponsored by Senators Sharp, Cook, McCullough, Cicione, Hughes, Elliott and Isaacs) was introduced and placed in the Corrections Committee:

SB 820 — “An Act to amend Chapter 89, Title 29, Delaware Code relating to the authorization and establishment of a program for incentive pay to be administered by the Department of Corrections for Correctional Officers working in maximum security.”

SB 821 (Sponsored by Senators Isaacs and Cicione) was introduced and assigned to Executive Committee:

SB 821 — “An Act proposing an Amendment to Article II, Section 19 of the Constitution of the State of Delaware of 1897, as amended, relating to local or special laws concerning the creation or changing of school district boundaries.”

SA 1 to HB 1055 was introduced by Senator Cicione and placed with the Bill.

SA 3 to SB 259 was introduced by Senator Zimmerman and placed with the Bill.

SA 3 to SB 801 was introduced by Senator Holloway and placed with the Bill.

SA 5 to SB 415 was introduced by Senator Isaacs and placed with the Bill.

SCR 80 was introduced by Senator Isaacs and considered for adoption on his motion:

SCR 80 — “Congratulating the Delaware State Volunteer Firemen’s Association for rededicating the Volunteer Firemen’s Monument as a part of the State’s observance of the Bicentennial Year.”

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

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, Murphy, Schlor, Sharp, Steele, Zimmerman — 18.

ABSENT: Senators Castle, Hale and McCullough — 3.

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

Senator Holloway moved that **SS 1** for **SB 747** be lifted from the table and assigned to the Health and Social Services Committee. The roll call vote on the motion was taken and revealed:

YES: Senators Berndt, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, Murphy, Schlor, Steele, Zimmerman — 14.

NO: Senators Adams and Cook — 2.

ABSENT: Senators Castle, Cicione, Cordrey, McCullough and Sharp — 5.

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

On motion of Senator Isaacs, the roll call vote on **SB 791** (as amended) was lifted; however, on further motion of Senator Isaacs, the roll call was immediately retabled.

At 7:16 p.m., on motion of Senator Isaacs, the Senate recessed until 1:30 p.m. on June 25, 1976.

The Senate reconvened at 1:55 p.m., June 25, 1976, President Pro Tempore Isaacs presiding.

On motion of Senator Cordrey the Senate immediately adjourned to convene for the 52nd Legislative Day.

52ND LEGISLATIVE DAY

The Senate convened at 1:55 p.m. June 25, 1976, President Pro Tempore Isaacs presiding.

A Prayer was offered by Senator Hughes.

Pledge of Allegiance to the Flag.

By roll call, there were 21 Senators PRESENT.

The Journal of the 51st Day was approved as read.

The Secretary announced that a message from the House informed the Senate that it had passed: **SB 701 w SA 1; SB 766; SB 56; SJR 64; SB 628; SB 27.**

Legislative Advisory No. 90 received from the Office of Counsel to the Governor informed the Senate that the Governor approved **SB 582** on June 23 and **SB 718 w HA 1** on June 24, 1976.

* * * * *

HB 1025 was reported out of the Judiciary Committee: 4 Merits.

SB 822 (Sponsored by Senator Cook) was introduced and assigned to Administrative Services Committee:

SB 822 — “An Act authorizing and directing the Board of Pension Trustees to accept the application for a survivor’s pension from Mrs. Kathleen Porter, widow of the late Harry A. Porter, a former employee of the Division of Highways, and further providing a supplementary appropriation therefor.”

SA 2 to SB 566 was introduced by Senator Cicione and placed with the Bill.

SA 2 to HB 805 was introduced by Senator Kearns and placed with the Bill.

SR 181 (Sponsored by Senator Isaacs) was introduced and considered for adoption on motion of Senator Sharp:

SR 181 — “Expressing the wish of the Senate for a quick and full recovery for Mrs. Betty Kearns, wife of Senator Francis J. Kearns, from her current illness.”

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Martin, McCullough, Schlor, Sharp, Steele — 17.

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

Therefore, the Resolution was adopted.

The following House legislation was introduced:

HB 167 w HA 2 — “An Act to amend Chapter 46, Title 6, of the Delaware Code relating to equal rights to housing.” Sponsor: Representative LeGates. Assigned to Judiciary Committee.

HB 694 — “An Act appropriating certain monies to Lois Katherine Hopkins, for the death of her husband, while in the performance of official duties in the line of service of the State of Delaware.” Sponsor: Representative Darling. Assigned to Administrative Services Committee.

HB 849 w HA 2, 7 — “An Act amending Title 30, Chapter 13, of the Delaware Code by repealing and revising certain laws relating to Inheritance Tax.” Sponsors: Representatives Cain and Sincock. Assigned to Revenue and Taxation Committee.

HB 1163 — “An Act to amend Chapter 10, Title 17, Delaware Code relating to Bikeways and use of funds for planning, construction or designation of Bikeways.” Sponsor:

Representative Worthen. Assigned to Highways and Transportation Committee.

HB 1192 — “An Act to amend Chapter 9, and Chapter 11, Title 13 of the Delaware Code relating to adoption and termination of parental rights.” Sponsor: Representative Worthen. Assigned to Judiciary Committee.

HB 1226 — “An Act authorizing the State Treasurer to reimburse certain pensioners for overpayment of Blue Cross premiums; and further providing a supplementary appropriation therefor.” Sponsor: Representative Harrington. The Bill was laid on the table on motion of Senator Kearns.

SB 259 w SA 1 which had previously passed the Senate was returned from the House as further amended by **HA 1, 5, 6, 7, 8, 9, 10, 11, 12** and was laid on the table on motion of Senator Zimmerman without objection.

SA 1 to SS 1 for SB 321 was introduced by Senator Holloway and placed with the Bill.

SB 441 w SA 1 which had previously passed the Senate was returned from the House as further amended by **HA 1** and **2** and was laid on the table on motion of Senator Zimmerman.

SB 673 w SA 1 which had previously passed the Senate was returned from the House as further amended by **HA 1** and was laid on the table on motion of Senator Sharp.

HB 1099 w HA 1 was taken up for consideration on motion of Senator Kearns:

HB 1099 w HA 1 — “An Act proposing an Amendment to Article IV, Section 2 of the Constitution of the State of Delaware relating to active judicial duty by retired judges.”

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, McCullough, Murphy, Schlor, Sharp, Steele, Zimmerman — 19.

ABSENT: Senators Cicione and Martin — 2.

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

HB 1171 was taken up for consideration on motion of Senator Schlor:

HB 1171 — “An Act to incorporate the Village of Ardencroft.”

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Holloway, Hughes, Isaacs, Kearns, Knox,

Manning, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman — 19.

ABSENT: Senators Hale and Martin — 2.

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

SB 760 was taken up for consideration on motion of Senator Steele:

SB 760 — “An Act to amend Chapter 45, of Title 21, Delaware Code, relating to use of Highways by Department of Highways and Transportation vehicles.”

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

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

ABSENT: Senator Martin — 1.

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

SB 808 was taken up for consideration on motion of Senator Zimmerman:

SB 808 — “An Act to amend Chapter 65 of Title 29 Delaware Code relating to the powers of the Board of Trustees of Delaware State College regarding salary supplements for certain employees.”

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

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

ABSENT: Senator McCullough — 1.

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

SB 717 was taken up for consideration on motion of Senator McCullough:

SB 717 — “An Act authorizing and directing the Board of Pension Trustees to process and grant a disability pension for Ann E. Cannon for her years of service as Deputy Clerk for the Magistrate Court No. 11, New Castle, Delaware, and further providing a supplementary appropriation therefor.”

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

SB 809 was taken up for consideration on motion of

Senator Isaacs:

SB 809 — “An Act authorizing and directing the Board of Pension Trustees to accept the application for a Survivors Pension from Mrs. Bessie George, widow of the late John C. George, a former employee of the Division of Highways, and further providing a supplemental appropriation therefor.”

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

YES: Senators Adams, Cicione, Cook, Hale, Holloway, Hughes, Isaacs, Kearns, Manning, McCullough, Murphy, Schlör, Sharp, Zimmerman — 14.

NO: Senators Cordrey, Knox, Martin — 3.

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

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

SB 11 was taken up for consideration on motion of Senator Cicione:

SB 11 — “An Act to amend Chapter 50, Part IV, Title 15 of the Delaware Code relating to Elections and Voting Machine requirements.”

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

YES: Senators Cicione, Kearns, McCullough and Schlör — 4.

NO: Senators Adams, Berndt, Castle, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Knox, Manning, Martin, Murphy, Sharp, Steele, Zimmerman — 16.

NOT VOTING: Senator Isaacs — 1.

Therefore, the Bill was declared lost.

On motion of Senator Zimmerman, the necessary rules were suspended for lifting for consideration of **SB 441 w SA 1** and as now further amended by **HA 1, 2**.

SB 441 w SA 1 and HA 1, 2 — “An Act to amend Part I, Title 7 of the Delaware Code providing restrictions and prohibitions against the killing of red foxes.”

The roll call vote on **SB 441 w SA 1, HA 1, 2** was then taken and revealed:

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

NOT VOTING: Senator McCullough — 1.

Therefore, the Bill passed the Senate.

On motion of Senator Isaacs, the necessary rules were

suspended to reconsider **SB 259 w SA 1** which had previously passed the Senate and as now further amended by **HA 1, 5, 6, 7, 8, 9, 10, 11, 12**.

SB 259 w SA 1, and HA 1, 5, 6, 7, 8, 9, 10, 11, 12 — “An Act to amend Chapters 9 and 19 through 27 of Title 7, Delaware Code relating to the rules and regulations concerning Shellfish.”

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

SA 3 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Zimmerman and the roll call vote taken which revealed:

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

NO: Senators Berndt, Castle, Hale, Knox, Manning, McCullough, Schlor — 7.

NOT VOTING: Senators Hughes and Steele — 2.

Therefore, the Amendment was adopted.

At the request of Senator Isaacs, the privilege of the floor was extended to John C. Bryson, Secretary of the Department of Natural Resources and Environmental Control, to speak on the Bill after which the roll call vote on **SB 259 w SA 1, 3, HA 1, 5, 6, 7, 8, 9, 10, 11, 12** was taken and revealed:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Isaacs, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Steele, Zimmerman — 19.

ABSENT: Senators Holloway and Hughes — 2.

Therefore, the Bill passed the Senate and was ordered back to the House for concurrence in **SA 3**.

HB 1067 w HA 1 was taken up for consideration on motion of Senator McCullough:

HB 1067 w HA 1 — “An Act to amend Chapter 13, Title 14, Delaware Code, providing for interpreters and or tutors for students with impaired hearing.”

At the request of Senator Hale, the privilege of the floor was extended to John H. Dowell, Sterck School, to speak on the Bill after which the roll call vote was taken and announced:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Steele, Zimmerman — 19.

ABSENT: Senators Castle and Isaacs — 2.