

Dear Mr. President:

This is to advise the Senate that I have this day received the resignation of the Honorable Joshua W. Martin, III as Associate Judge of the Superior Court of the State of Delaware, contingent upon his confirmation as Resident Associate Judge of the Superior Court for New Castle County.

I would appreciate this being read into the Senate Journal prior to the Senate's action on my nomination of the Honorable Vincent J. Poppiti to succeed Judge Martin.

Sincerely yours,
Pierre S. duPont, IV, Governor

cc: The Honorable Joshua W. Martin, III
The Honorable Richard Cordrey
The Honorable Thomas Sharp
The Honorable Thurman Adams
The Honorable Andrew Knox

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

SB 170 was taken up for consideration on motion of Senator Vaughn:

SB 170 - AN ACT TO AMEND PART VI, TITLE 11, DELAWARE CODE, TO PROVIDE FOR DISTRIBUTION OF MONEYS RECEIVED AS A RESULT OF THE COMMISSION OF A CRIME TO VICTIMS OF CRIME.

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

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

The roll call vote on SB 170 w SA 1, 2 was then taken and revealed 19 Senators voting YES, 1 (Neal) voting NO and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 252 was taken up for consideration on motion of Senator Marshall:

SB 252 - AN ACT TO AMEND CHAPTER 85, TITLE 11, DELAWARE CODE, RELATING TO THE DEFINITION OF A CRIMINAL JUSTICE AGENCY.

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

Senator Adams introduced to the Senate Representative W. Paul White of Boston, Regional Chairman of Council of State Governments.

SB 167 was stricken on motion of the sponsor, Senator Adams.

SB 269 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Adams (without objection):

SB 269 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE IV, SECTION 3 OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE JUDICIARY.

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

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

SB 234 - AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE TO INCREASE THE NUMBER OF FAMILY COURT JUDGES TO 13 TO PROVIDE FOR AN ADDITIONAL FAMILY COURT JUDGE FOR SUSSEX COUNTY.

The privilege of the floor was extended to Robert S. Thompson, Chief Judge of Family Court.

At 4:27 p.m., Senator Sharp presiding.

The roll call vote on SB 234 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Torbert, Vaughn, Zimmerman - 18.

NO: Senators Cook, Neal, Sharp - 3.

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

SCR 66 was introduced and considered for adoption on motion of Senator Neal:

SCR 66 - CONGRATULATING THE NEWARK FREESTYLE WRESTLING TEAM ON INTERNATIONAL AWARDS AND AMERICAN ATHLETIC UNION AWARDS WON IN 1982. Sponsors: Senators Neal and Vaughn; Representatives Soles, Jester.

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

Senator Neal introduced to the Senate the award winners mentioned in the above Resolution.

At 4:40 p.m. on motion of Senator Cordrey, the Senate recessed and reconvened at 4:50 p.m., Senator Sharp presiding.

SB 252 was lifted from the table for consideration on motion of Senator Martin.

At 4:57 p.m., Senator Cordrey presiding.

The privilege of the floor was extended to Frederick N. VanSant after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 196 was lifted from the table for consideration on motion of Senator Martin.

The privilege of the floor was extended to Clifford B. Hearn, Jr. (American Insurance Association) and Shirley E. Jenkins (representing self).

At 5:19 p.m., Lt. Governor Castle presiding.

SB 196 was then again laid on the table on motion of Senator Martin.

HB 87 was taken up for consideration on motion of Senator Sharp:

HB 87 - AN ACT TO AMEND CHAPTER 25, TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE PREMIUMS PAID BY PEACE OFFICERS.

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

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Minner and the roll call vote taken which revealed 19 Senators voting YES, 1 (Berndt) NOT VOTING and 1 (Holloway) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on HB 87 w SA 2 was then taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

HB 130 was taken up for consideration on motion of Senator Zimmerman:

HB 130 - AN ACT TO AMEND CHAPTER 60, TITLE 7, DELAWARE CODE, RELATING TO THE SALE OF BEVERAGES IN GLASS BEVERAGE CONTAINERS.

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

HB 96 w HA 1 was taken up for consideration on motion of Senator McBride:

HB 96 w HA 1 - AN ACT TO AMEND CHAPTER 10, TITLE 14 OF THE DELAWARE CODE RELATING TO LEASE OF SURPLUS SCHOOL PROPERTY TO STATE AGENCIES.

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

YES: Senators Adams, Arnold, Bair, Citro, Connor, Cook, Cordrey, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn - 17.

NO: Senators Berndt, Littleton, Zimmerman - 3.

ABSENT: Senator Holloway - 1.

Therefore, the Amendment was declared adopted.

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Sharp and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Bair, Citro, Connor, Cordrey, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn - 15.

NO: Senators Knox, Littleton, Zimmerman - 3.

NOT VOTING: Senator Berndt - 1.

ABSENT: Senators Cook and Holloway - 2.

Therefore, the Amendment was declared adopted.

The roll call vote on HB 96 w HA 1, SA 1, 2 was then taken and revealed:

YES: Senators Adams, Bair, Citro, Connor, Cook, Cordrey, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 18.

NO: Senator Berndt - 1.

ABSENT: Senators Arnold and Holloway - 2.

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

HJR 8 was taken up for consideration on motion of Senator Sharp:

HJR 8 - ESTABLISHING A COMMITTEE TO DETERMINE THE FEASIBILITY OF ESTABLISHING A LAW ENFORCEMENT CAPIAS TEAM.

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

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

NOT VOTING: Senators Berndt, Citro, Knox, Marshall - 4.

ABSENT: Senators Holloway and Littleton - 2.

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

SB 229 was taken up for consideration on motion of Senator Marshall:

SB 229 - AN ACT TO AMEND CHAPTER 44, TITLE 18, DELAWARE CODE, RELATING TO THE APPOINTMENT OF A REHABILITATOR, AND THE PAYMENT OF CLAIMS THEREBY AND WITH RESPECT TO CLASS A ASSESSMENTS FOR THE DELAWARE LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION.

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

SB 76 was taken up for consideration on motion of Senator Martin:

SB 76 - AN ACT TO AMEND SUBSECTION (b), SECTION 5854, TITLE 29, DELAWARE CODE, RELATING TO CONFLICTS OF INTEREST OF STATE AGENCY EMPLOYEES.

The privilege of the floor was extended to James Wade Barnett (Highway Markings, Inc.) and Gary Dalton (Senate Attorney) after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Citro, Cook, Cordrey, Littleton, Marshall, Martin, McBride, McDowell, Sharp, Vaughn - 11.

NO: Senators Arnold, Bair, Berndt, Connor, Knox, Minner, Neal, Torbert, Zimmerman - 9.

ABSENT: Senator Holloway - 1.

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

Senator Minner moved that the necessary rules be suspended for consideration of Senate Consent Calendar IV; however, the Senator withdrew the motion before it was acted upon.

The following communication from the President Pro Tempore was read:

SENATE
STATE OF DELAWARE
DOVER, DELAWARE

June 9, 1983

TO: Members of the 132nd General Assembly
FROM: Richard S. Cordrey, President Pro Tempore
RE: Bond Bill Committee

I hereby appoint the following to serve on the Bond Bill Committee: Senator Nancy W. Cook, Senator Thomas B. Sharp, Senator Roger A. Martin, Senator Ruth Ann Minner, Senator Robert J. Berndt, Senator Lee Littleton for the purpose of receiving request from their caucus, to establish a Bond Bill, for presentation to the 1st session of the 132nd General Assembly, of the State of Delaware, for consideration.

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At 6:31 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 14, 1983.

The Senate reconvened at 2:18 p.m., June 14, 1983, Senator Cordrey presiding.

The following Committee reports were announced:

From the Natural Resources and Environmental Control Committee: **SB 193** - 6 Merits; **SB 268** - 3 Favorable, 3 Merits; **HB 203** - 6 Merits; **HB 206** - 5 Merits; 1 Unfavorable.

From the Education Committee: **SB 237** - 4 Merits.

The following legislation was introduced:

SB 277 - AN ACT TO AMEND CHAPTER 25, TITLE 24, DELAWARE CODE, RELATING TO RENEWAL OF LICENSES TO PHARMACISTS AND TO ASSISTANT PHARMACISTS. Sponsors: Senators Marshall and Holloway; Representative Jonkiert. Assigned to Administrative Services/Energy Committee:

SB 278 - AN ACT TO AMEND CHAPTER 11, TITLE 30 OF THE DELAWARE CODE TO EXEMPT SOCIAL SECURITY BENEFITS FROM DELAWARE PERSONAL INCOME TAX. Sponsors: Senators Cook, Bair, Marshall (Joint Sponsors); Senator Cordrey; Representatives Dixon, George, Gilligan and Hebner. Assigned to Finance Committee.

SB 279 - AN ACT TO AMEND CHAPTER 57, TITLE 16, DELAWARE CODE, RELATING TO VOLUNTARY AND INVOLUNTARY STERILIZATION, AND MAKING A SUPPLEMENTARY APPROPRIATION THEREFOR. Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

At 2:25 p.m., Lt. Governor Castle presiding.

SB 280 - AN ACT TO AMEND TITLE 21, CHAPTER 1, CHAPTER 21 AND CHAPTER 45, DELAWARE CODE RELATING TO OVERWEIGHT AND OVERSIZED VEHICLES. Sponsors: Senator Martin; Representative Anderson. Assigned to Public Safety Committee.

SB 281 - AN ACT TO AMEND CHAPTER 13, TITLE 14 OF THE DELAWARE CODE RELATING TO MAINTENANCE MECHANICS. Sponsors: Senators Neal, Arnold, Bair, Citro, Holloway, Knox, Vaughn, McBride; Representatives Anderson, Buckworth, Dixon, Fallon, Gilligan, Jonkiert, West, Mack, Roy, Soles. Assigned to Education Committee.

SB 282 - AN ACT TO AMEND CHAPTER 3, PART 1, TITLE 9 OF THE DELAWARE CODE RELATING TO STATUTORY REQUIREMENTS FOR THE AWARD OF CONTRACTS FOR COUNTY WORK OR GOODS; AND EXEMPTING KENT COUNTY FROM SUCH REQUIREMENTS. Sponsors: Senators Cook, Minner, Torbert, Vaughn; Representatives Clark, B. Ennis, Buckworth, Quillen. Assigned to Community Affairs Committee.

SB 283 - AN ACT TO AMEND CHAPTER 29, TITLE 30, DELAWARE CODE, RELATING TO EXEMPTION OF WHOLESALERS OF FUEL OIL FROM GROSS RECEIPTS TAX ON SALES TO POLITICAL SUBDIVISIONS. Sponsor: Senator McDowell. Assigned to Administrative Services/Energy Committee.

SB 284 - AN ACT TO AMEND, CHAPTER 29, TITLE 24, DELAWARE CODE, RELATING TO CONTINUED EDUCATION AS A REQUIREMENT OF DELAWARE REAL ESTATE CERTIFICATE. Sponsor: Senator Cordrey. Assigned to Administrative Services/Energy Committee.

SB 285 - AN ACT TO AMEND TITLES 24 AND 30, OF THE DELAWARE CODE, RELATING TO THE REGULATION OF LOCKSMITHS AND SUPPLIERS OF LOCKSMITH TOOLS AND EQUIPMENT. Sponsors: Senators McDowell, Citro, Vaughn, Marshall; Representatives Campanelli, Jonkiert, B. Ennis, VanSant, Houghton. Assigned to Administrative Services/Energy Committee.

SA 1 to SB 223. Sponsor: Senator Sharp. Placed with the Bill.

SA 3 to SB 138. Sponsor: Senator Cordrey. Placed with the Bill.

SR 65 was introduced and considered for adoption on motion of Senator Torbert:

SR 65 - REQUESTING THE BUREAU OF VITAL STATISTICS TO PERMIT EXAMINATION OF CERTAIN RECORDS. Sponsors: Senators Torbert and Berndt.

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

SCR 67 was introduced and considered for adoption on motion of Senator Arnold:

SCR 67 - COMMENDING THE PHILADELPHIA STARS FOR HAVING "DELAWARE DAY" ON MONDAY, JUNE 20, 1983. Sponsors: Senators Arnold, Cordrey, Knox, Sharp; Representatives George, Gilligan, Hebner, Oberle.

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

At 2:35 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 40th Legislative Day.

40TH LEGISLATIVE DAY

June 14, 1983

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

A Prayer was offered by Dr. R. Jervis Cooke at the invitation of Senator Bair.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

SCR 69 was introduced and considered for adoption on motion of Senator Bair.

SCR 69 - COMMENDING DR. R. JERVIS COOKE UPON HIS RETIREMENT AS PRESIDENT OF WESLEY COLLEGE. Sponsors: Senators Bair, Zimmerman, Martin, Torbert; Representatives Bennett, Buckworth, Outten.

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

Senators Zimmerman and Berndt marked PRESENT.

On motion of Senator Minner, and without objection, the necessary rules were suspended for consideration of Senate Consent Calendar #4.

The titles of the 12 House Concurrent Resolutions on the Consent Calendar were read:

HCN 95 - PUTTING IN A POTENT PLUG FOR A PROFITABLE RENEWAL OF THE DELAWARE HIGH SCHOOL BLUE-GOLD FOOTBALL RIVALRY, BENEFITING THE DELAWARE FOUNDATION FOR RETARDED CHILDREN, AT NEWARK ON JUNE 25, 1983. Sponsor: Representative Gilligan.

HCN 96 - WISHING NATHAN HAYWARD 3RD AND MARILYN RUSHWORTH THE HAPPIEST OF WEDDINGS. Sponsor: Representative Gilligan.

HCN 98 - CONGRATULATING THE PHILADELPHIA 76ERS FOR WINNING THE NATIONAL BASKETBALL ASSOCIATION CHAMPIONSHIP. Sponsors: Representative Jonkiert and Senator Marshall.

HCN 99 - COMMENDING THE STUDENTS SELECTED AS STATE SUPERINTENDENT'S SCHOLARS OF 1983. Sponsors: Representatives Bennett, Anderson, Barnes, Brady, Boykin, Buckworth, Bunting, Campanelli, Clark, Cordrey, Corrozi, Davis, Dixon, B. Ennis, D. Ennis, Fallon, Free, George, Hebner, Houghton, Jester, Jonkiert, Mack, Oberle, Outten, Petrilli, Quillen, Roy, Soles, Spence, Terry, VanSant, West, Wingate.

HCR 101 - COMMENDING ALL OF THOSE FIRE, RESCUE AND OTHER UNITS WHICH COOPERATED TO CONTAIN THE DANGER DURING THE CHEMICAL SPILL AT ODESSA ON OCTOBER 13, 1982. Sponsors: Representative Jester and Senator Vaughn.

HCR 102 - CONGRATULATING THE DICKINSON HIGH SCHOOL GIRLS SOFTBALL TEAM AND COACH BILL MARTIN FOR WINNING THE STATE CROWN FOR THE 1983 SEASON. Sponsors: Representatives Roy, Petrilli, Gilligan; Senators Arnold, Sharp.

HCR 103 - CONGRATULATING THE UNIVERSITY OF DELAWARE AND THE MEMBERS OF THE HUGH M. MORRIS LIBRARY STAFF FOR ITS ELECTION INTO THE ASSOCIATION OF RESEARCH LIBRARIES. Sponsors: Representative Soles and Senator Knox.

HCR 104 - CONGRATULATING THE CONTESTANTS AND ALL THOSE WHO MADE POSSIBLE THE RUNNING OF THE DELAWARE SPECIAL OLYMPICS AT STATE COLLEGE ON JUNE 4, 1983. Sponsors: Representatives Bennett, B. Ennis, Wingate; Senators Vaughn and Zimmerman.

HCR 105 - EXPRESSING CONCERN FOR THE DETERIORATING CONDITION OF EMIGRATION FROM THE SOVIET UNION AND EXPRESSING HOPE THAT EFFORTS WILL BE MADE BY THE UNITED STATES GOVERNMENT TO URGE THE SOVIET UNION TO CHANGE ITS POLICIES TOWARDS SOVIET JEWS. Sponsors: Representatives George, Meconi, Maroney; Senators McBride, McDowell.

HCR 106 - CHEERS FOR CAESAR RODNEY HIGH SCHOOL UPON BEING SELECTED AMONG THE TOP 200 SECONDARY SCHOOLS IN THE NATION. Sponsors: Representatives Buckworth, Bennett; Senators Torbert, Cook, Zimmerman.

HCR 109 - EXTENDING THE TIME OF REPORTING OF THE AD HOC COMMITTEE TO STUDY HAZARDOUS WASTE DUMP SITES IN DELAWARE. Sponsor: Representative Terry.

HCR 110 - CONGRATULATING THE SEAFORD HIGH SCHOOL BLUE JAYS ON WINNING THE STATE BASEBALL CHAMPIONSHIP. Sponsors: Representatives Fallon, Barnes; Senators Littleton, Adams.

Senator Arnold marked PRESENT.

The roll call vote on Senate Consent Calendar #4 (containing the above House Concurrent Resolutions) was taken and revealed 20 Senators voting YES and 1 (Connor) ABSENT; therefore, the Resolutions were declared adopted by the Senate and returned to the House.

SB 138 was taken up for consideration on motion of Senator Cordrey:

SB 138 - AN ACT TO AMEND PART VI, TITLE 3, DELAWARE CODE, TO PROVIDE FOR THE HUMANE KILLING OF ANIMALS HELD IN A SHELTER.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Henry Ridgely (Senate Attorney), Susan Cannon, Anita R. Dugan, Patricia W. Prescott (Delaware Humane Association).

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

YES: Senators Arnold, Bair, Berndt, Citro, Cook, Holloway, Knox, Littleton, Martin, McBride, Torbert, Vaughn - 12.

NO: Senators Connor, Cordrey, Marshall, McDowell, Minner, Neal, Sharp, Zimmerman - 8.

ABSENT: Senator Adams - 1.

Therefore, the Amendment was declared adopted.

SA 2 and SA 3 to the Bill which had been placed with the Bill were deferred on motion of Senator Cordrey.

SA 4 to the Bill was introduced by Senator Bair and laid on the table on her motion.

SA 5 to the Bill was introduced by Senator Cordrey and deferred on his motion.

SA 6 to the Bill was introduced by Senator Cordrey and considered for adoption on his motion.

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

YES: Senators Adams, Cordrey, Holloway, Marshall, Martin, McDowell, Minner, Sharp, Torbert, Zimmerman - 10.

NO: Senators Arnold, Bair, Connor, Cook, Knox, Littleton, McBride, Neal, Vaughn - 9.

NOT VOTING: Senator Citro - 1.

ABSENT: Senator Berndt - 1.

Therefore, the Amendment was declared defeated.

SB 138 w SA 1 was then deferred for further action on motion of Senator Cordrey.

At 4:22 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:00 p.m., Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 217 w HA 1; SB 122 w SA 1; HB 218; HB 205 w HA 1; HS 1 for HB 83 w HA 1, 3, 4, 8, 9, 11, 14, 15, 16.

HB 43 was taken up for consideration on motion of Senator Marshall:

HB 43 - AN ACT TO AMEND CHAPTER 23, TITLE 19, DELAWARE CODE, TO PERMIT AN EXEMPTION FROM WORKMEN'S COMPENSATION FOR CERTAIN OFFICERS OF CORPORATIONS.

SA 1 to the Bill was introduced by Senator Marshall and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Arnold, Berndt, Citro, Connor, Cook, Holloway, Knox, Littleton, Marshall, Martin, McBride, Minner, Sharp, Torbert, Vaughn, Zimmerman - 17.

NO: Senators Cordrey and Neal - 2.
 ABSENT: Senators Bair and McDowell - 2.
 Therefore, the Amendment was declared adopted.
 The privilege of the floor was extended to Clifford B. Hearn, Jr., American Insurance Association.
 The roll call vote on HB 43 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Berndt) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.
 SB 236 was taken up for consideration on motion of Senator Marshall:
SB 236 - AN ACT TO AMEND CHAPTER 29, TITLE 29, DELAWARE CODE, RELATING TO SUBPOENA POWERS OF THE AUDITOR OF ACCOUNTS.
 At 5:25 p.m., Senator Sharp presiding.
 The privilege of the floor was extended to Henry Ridgely, III (Senate Attorney) after which the roll call vote on the Bill was taken and revealed:
 YES: Senators Adams, Cook, Holloway, Marshall, Martin, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 12.
 NO: Senators Arnold, Bair, Citro, Connor, Knox, Littleton, McBride - 7.
 NOT VOTING: Senator Berndt - 1.
 ABSENT: Senator Cordrey - 1.
 Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.
HB 221 w HA 1 was taken up for consideration on motion of Senator Holloway:
HB 221 w HA 1 - AN ACT TO AMEND CHAPTER 94, TITLE 16 OF THE DELAWARE CODE RELATING TO THE INCLUSION OF THE COUNCIL ON DEAF EQUALITY ON THE STATE ADVISORY COUNCIL FOR THE COORDINATION OF SERVICES TO THE HANDICAPPED AND PROVIDING FOR TECHNICAL AMENDMENTS RELATED THERETO.
 The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Cordrey) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.
 SCR 68 was introduced and considered for adoption on motion of Senator Vaughn:
SCR 68 - JOINING THE OBSERVANCE TODAY, JUNE 14, 1983, OF FLAG DAY. Sponsors: Senators Vaughn, Sharp, Cook; Representatives B. Ennis, Clark, Jester.
 The roll call vote on the Resolution was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.
 SB 230 was taken up for consideration on motion of Senator Minner:
SB 230 - AN ACT TO AMEND TITLE 29, CHAPTER 69, DELAWARE CODE, RELATING TO PUBLIC WORKS CONTRACTS AND RETAINAGES.
 The roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.
 SR 66 was introduced and considered for adoption on motion of Senator Marshall:
SR 66 - CONGRATULATING VICKI LYNN SWOBODA ON WINNING THE TITLE OF INTERMEDIATE MISS MAJORETTE OF DELAWARE 1983 AND WISHING HER GOOD LUCK IN THE NATIONAL AND WORLD COMPETITION JULY 19-23. Sponsor: Senator Marshall.
 The roll call vote on the Resolution was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted.
 SR 67 was introduced and considered for adoption on motion of Senator Marshall:
SR 67 - COMMENDING KRISTY DEMAIO OF WILMINGTON FOR BEING TOP FUND-RAISER IN DELAWARE IN THE MULTIPLE SCLEROSIS READATHON. Sponsor: Senator Marshall.
 The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Adams and Knox) ABSENT; therefore, the Resolution was declared adopted.
 At 6:56 p.m. on motion of Senator McDowell, the Senate recessed until 2:00 p.m., June 15, 1983.
 The Senate reconvened at 2:15 p.m., June 15, 1983, Lt. Governor Castle presiding.
 The following Committee reports were announced:
 From the Revenue and Taxation Committee: HB 138 w HA 1 - 6 Merits.
 From the Labor and Industrial Relations Committee: HB 214 w HA 1 - 6 Merits.
 The following legislation was introduced:
SB 286 - AN ACT TO AMEND TITLE 29, CHAPTER 69, DELAWARE CODE, RELATING TO PUBLIC WORKS CONTRACTS AND BIDDING REQUIREMENTS, PRACTICES AND PROCEDURES THEREFOR. Sponsor: Senator Sharp. Assigned to Administrative Services/Energy Committee.
SB 287 - AN ACT TO AMEND CHAPTER 45, PART V, TITLE 7 OF THE DELAWARE CODE RELATING TO RENT FROM THE LEASE OF PUBLIC LANDS. Sponsor: Senator McDowell. Assigned to Administrative Services/Energy Committee.
SS 1 for SB 217 - AN ACT TO AMEND PART 3, ARTICLE 9, TITLE 6 OF THE DELAWARE CODE RELATING TO SECURED TRANSACTIONS. Sponsor: Senator Cordrey. Adopted in lieu of the Original.
HB 132 was reported out of the Health-Social Services/Aging Committee: 4 Merits.
 The following legislation was introduced:
SA 2 and SA 3 to SB 156. Sponsor: Senator McBride. Placed with the Bill.

SA 4 to SB 156. Sponsor: Senator Bair. Placed with the Bill.
SA 1 to SB 257. Sponsor: Senator Knox. Placed with the Bill.
SA 7 to SB 138. Sponsor: Senator Bair. Placed with the Bill.
SA 1 to SB 263. Sponsor: Senator McDowell. Placed with the Bill.

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

STATE OF DELAWARE
Office of the Governor
June 14, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Mable English, 84 Welch Tract Road, Newark, Delaware, to be reappointed a Justice of the Peace of the State of Delaware for a term of four years

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
Office of the Governor
June 14, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Vicki Ann Hagel, 113 Coral Reef Drive, Newark, Delaware, to be reappointed a Justice of the Peace of the State of Delaware for a term of four years

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
Office of the Governor
June 14, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Robert S. Jackson, Sr., 211 West 30th Street, Wilmington, Delaware, to be reappointed a Justice of the Peace of the State of Delaware for a term of four years.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
Office of the Governor
June 14, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Vivian K. Kleinman, 703 Fiske Lane, Newark, Delaware, to be reappointed a Justice of the Peace of the State of Delaware for a term of four years

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

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STATE OF DELAWARE
Office of the Governor
June 14, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Anna Arlene Lewis, 3912 Golfview Drive, Newark, Delaware, to be reappointed a Justice of the Peace of the State of Delaware for a term of four years

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

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STATE OF DELAWARE
Office of the Governor
June 14, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Ruth P. Malm, 1112 Highgate Road, Wilmington, Delaware, to be reappointed a Justice of the Peace of the State of Delaware for a term of four years

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

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STATE OF DELAWARE
Office of the Governor
June 14, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Gwynette Rosalind Smith, 1236 Evergreen Road, Wilmington, Delaware, to be appointed a Justice of the Peace of the State of Delaware for a term of four years to replace Rebecca Button, resigned

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

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STATE OF DELAWARE
Office of the Governor
June 14, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Rosalind Toulson, 2503 Washington Street, Wilmington, Delaware, to be reappointed a Justice of the Peace of the State of Delaware for a term of four years

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

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STATE OF DELAWARE
Office of the Governor
June 14, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: John H. Wilding, 216 Llangollen Boulevard, New Castle, Delaware, to be reappointed a Justice of the Peace of the State of Delaware for a term of four years

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

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STATE OF DELAWARE
Office of the Governor
June 14, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Joseph A. Knussman, 211 Washington Avenue, Clayton, Delaware, to be reappointed a Justice of the Peace of the State of Delaware for a term of four years

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

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STATE OF DELAWARE
Office of the Governor
June 14, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Paul Neeman, P.O. Box 85, Harrington, Delaware, to be reappointed a Justice of the Peace of the State of Delaware for a term of four years

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

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STATE OF DELAWARE
Office of the Governor
June 14, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Agnes E. Pennella, 101 Candlewicke, Dover, Delaware, to be appointed a Justice of the Peace of the State of Delaware for a term of four years to replace Harry M. Thompson, resigned

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

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STATE OF DELAWARE
Office of the Governor
June 14, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Jane E. Wall, 1242 S. Governors Avenue, Dover, Delaware, to be appointed a Justice of the Peace of the State of Delaware for a term of four years to replace Wallace P. Wooten, term expired

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

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STATE OF DELAWARE
Office of the Governor
June 14, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Sheila Gagen Blakely, 301 Kings Highway, Milford, Delaware, to be appointed a Justice of the Peace of the State of Delaware for a term of four years to replace Henry F. Hill, resigned

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

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STATE OF DELAWARE
Office of the Governor
June 14, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: William Lee Jones, 419 West Market Street, Georgetown, Delaware, to be appointed a Justice of the Peace of the State of Delaware for a term of four years to replace Emory B. Brittingham, resigned

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
Office of the Governor
June 14, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Howard William Mulvaney, III, 740 Rosetree Lane, Seaford, Delaware, to be appointed a Justice of the Peace of the State of Delaware for a term of four years to replace Donald F. Yerkes, resigned

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

The Secretary announced that a message from the House informed the Senate that it had passed HS 1 for HB 83 w HA 1, 3, 4, 8, 9, 11, 14, 15, 16.

HS 1 for HB 83 w HA 1, 3, 4, 8, 9, 11, 14, 15, 16 was introduced:

HS 1 for HB 83 w HA 1, 3, 4, 8, 9, 11, 14, 15, 16 - AN ACT TO AMEND TITLES 11 AND 29 OF THE DELAWARE CODE TO REQUIRE FINANCIAL DISCLOSURE FOR CERTAIN STATE OFFICIALS AND EMPLOYEES. Sponsors: Representatives Meconi, Soles, Anderson, Bunting, D. Ennis, George, Gilligan, Hebner, VanSant; Senators Torbert, Bair, McBride, McDowell, Minner, Neal. Senator Neal moved that the Bill be laid on the table. The roll call vote on the tabling motion was taken and revealed:

YES: Senators Arnold, Bair, Berndt, Citro, Knox, Littleton, Neal - 7.

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

ABSENT: Senator Connor - 1.

Therefore, the motion was defeated and the Bill was assigned to the Executive Committee.

The Secretary announced that a message from the House informed the Senate that it had passed SB 256; SB 202 w SA 1; SB 101 w SA 1, HA 1, 2; SB 121; HB 209; HB 227; SB 241; SB 243; SB 246; SB 198; SB 199; SB 200; SB 201; SB 203; SB 204; SB 205; SB 206; SB 239; SB 244; SB 245; SB 247.

SB 279 was reported out of the Health-Social Services/Aging Committee: 4 Merits.

The following legislation was introduced:

HB 205 w HA 1 - AN ACT TO AMEND CHAPTER 17, TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE INTERIM LICENSES. Sponsors: Representatives Bunting, Dixon. Assigned to Insurance and Elections Committee.

HB 217 w HA 1 - AN ACT TO AMEND CHAPTER 59, TITLE 29 OF THE DELAWARE CODE RELATING TO THE PLACEMENT OF CERTAIN EMPLOYEES OF THE COURT OF COMMON PLEAS INTO THE MERIT SYSTEM OF PERSONNEL ADMINISTRATION. Sponsor: Representative Houghton. Assigned to Executive Committee.

HB 218 - AN ACT TO AMEND CHAPTER 11, PART II, TITLE 30 OF THE DELAWARE CODE, RELATING TO DECLARATIONS OF ESTIMATED TAX. Sponsor: Representative Dixon. Assigned to Revenue and Taxation Committee.

HB 209 - AN ACT TO AMEND CHAPTER 28, TITLE 10 OF THE DELAWARE CODE TO SUBSTITUTE THE CHIEF MAGISTRATE IN PLACE OF THE CHIEF JUSTICE AS THE APPOINTING AUTHORITY FOR JUSTICE OF THE PEACE CONSTABLES. Sponsors: Representative Meconi and Senator Vaughn. Assigned to Judiciary Committee.

HB 227 - AN ACT TO AMEND CHAPTER 39, TITLE 12, DELAWARE CODE RELATING TO THE TERMINATION OF GUARDIANSHIP OVER A MINOR UPON HIS MARRIAGE. Sponsors: Representatives Maroney, Soles, Anderson, Fallon, Free, Roy, Smith; Senators Neal, Holloway, McDowell, McBride, Minner. Assigned to Judiciary Committee.

SB 280 which had been assigned to the Public Safety Committee was reassigned to the Highways and Transportation Committee at the request of Senator Torbert (no objection).

At 2:35 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 41st Legislative Day.

41ST LEGISLATIVE DAY
June 15, 1983

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

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

Legislative Advisory #8 received from the Office of Counsel to the Governor was read which advised that the Governor signed the following legislation: On June 1, 1983 - HB 207 w HA 1, 2, 3, 4, 5 (Volume 64, Chapter 39, Laws of Delaware); On June 3, 1983 - HB 51 w HA 1 (Volume 64, Chapter 40, Laws of Delaware), HB 148 w HA 1 (Volume 64, Chapter 41, Laws of Delaware); On June 6 - HB 126 w HA 1 (Volume 64, Chapter 42, Laws of Delaware), HB 127 w HA 1 (Volume 64, Chapter 43, Laws of Delaware); On June 9 - HB 62 w HA 1 (Volume 64, Chapter 44, Laws of Delaware), HB 150 (Volume 64, Chapter 45, Laws of Delaware), HB 210 w SA 1 (Volume 64, Chapter 46, Laws of Delaware), SS 1 for SB 49 w SA 1 (Volume 64, Chapter 47, Laws of Delaware), SB 91 (Volume 64, Chapter 48, Laws of Delaware), SB 114 w SA 1, HA 1 (Volume 64, Chapter 49, Laws of Delaware), SB 165 w SA 1, 2 (Volume 64, Chapter 50, Laws of Delaware); On June 10 - SB 79 (Volume 64, Chapter 51, Laws of Delaware).

Senator Littleton marked PRESENT.

HB 198 was taken up for consideration on motion of Senator Minner who then yielded to Senator Littleton (co-sponsor of the Bill) to floor manage the Bill:

HB 198 - AN ACT TO AMEND CHAPTER 380, VOLUME 63, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE TOWN OF LAUREL, TO REMOVE THE MINIMUM ON CAPITAL INVESTMENTS.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Connor, McDowell and Neal) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

SB 218 was taken up for consideration on motion of Senator Adams:

SB 218 - AN ACT TO AMEND CHAPTER 9, TITLE 3, DELAWARE CODE, RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF AGRICULTURE BY PROVIDING FOR AGRICULTURAL LANDS PRESERVATION.

Senator McBride marked PRESENT.

The roll call vote on the Bill was taken and revealed 16 Senators voting YES and 5 (Berndt, Citro, Connor, McDowell, Neal) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 258 was taken up for consideration on motion of Senator Adams:

SB 258 - AN ACT TO AMEND CHAPTER 39, TITLE 7, DELAWARE CODE, RELATING TO USE OF APPROPRIATED MONEY BY THE DIVISION OF SOIL AND WATER CONSERVATION.

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

SB 257 was taken up for consideration on motion of Senator Sharp:

SB 257 - AN ACT TO AMEND CHAPTER 53, TITLE 30, OF THE DELAWARE CODE RELATING TO TAXATION OF TOBACCO PRODUCTS.

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

Senators Marshall and Neal marked PRESENT.

The roll call vote on SB 257 w SA 1 was then taken and revealed 19 Senators voting YES, 1 (Bair) voting NO and 1 (McDowell) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

Senators Marshall and Neal marked PRESENT.

HB 201 was taken up for consideration on motion of Senator Marshall:

HB 201 - AN ACT TO AMEND CHAPTER 9, PART I, TITLE 19 OF THE DELAWARE CODE RELATING TO INCREASES IN THE MINIMUM WAGE RATE.

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to Henry Ridgely (Senate Attorney) and Karen Peterson (Department of Labor).

SA 1 to the Bill was introduced by Senator Bair and considered for adoption on her motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Torbert, Vaughn - 17.

NO: Senator Zimmerman - 1.

ABSENT: Senators Cordrey, Littleton, Sharp - 3.

Therefore, the Amendment was declared adopted.

Senator McDowell marked PRESENT.

The roll call vote on HB 201 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

SB 261 was taken up for consideration on motion of Senator Cordrey:

SB 261 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE II OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO PRIVATE SUBDIVISION STREETS BEING RECONSTRUCTED TO STATE STANDARDS PRIOR TO THEIR ACCEPTANCE FOR MAINTENANCE.

The privilege of the floor was extended to Gary Dalton (Senate Attorney) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 118 w HA 1 was taken up for consideration on motion of Senator Minner:

HB 118 w HA 1 - AN ACT TO AMEND AN ACT, BEING CHAPTER 42, VOLUME 53, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE CITY OF SEAFORD" TO PROVIDE A PROCEDURE FOR APPEALING A DECISION OF THE BOARD OF ADJUSTMENT TO THE CITY COUNCIL.

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

HB 194 was taken up for consideration on motion of Senator Adams:

HB 194 - AN ACT TO PROVIDE FOR THE DEACCESSION OF A SILVER TEA SERVICE FROM THE DELAWARE STATE MUSEUM TO PRISCILLA HARDESTY CLEAVER MERRIKEN (MRS. WILBERT L. MERRIKEN).

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

HB 31 was taken up for consideration on motion of Senator Cook:

HB 31 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO ELIZABETH W. BAUMGARDT; APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE; AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE MADE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (Cordrey) voting NO, and 1 (Sharp) NOT VOTING; therefore, the Bill was declared passed by the Senate and returned to the House.

SR 44 was taken up for consideration on motion of Senator Minner:

SR 44 - IN REFERENCE TO AN ESTABLISHMENT OF A RULE OF THE DELAWARE STATE SENATE PROVIDING FOR A CONSENT CALENDAR.

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

SB 270 was taken up for consideration on motion of Senator Cordrey:

SB 270 - AN ACT TO AMEND CHAPTER 21, TITLE 21, OF THE DELAWARE CODE, TO PROVIDE FOR THE ISSUANCE OF SPECIAL LICENSE PLATES TO FORMER PRISONERS OF WAR.

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

SB 268 was taken up for consideration on motion of Senator Zimmerman who yielded to Senator Berndt to floor manage the Bill:

SB 268 - AN ACT CONCERNING NORTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMPACT FOR THE PURPOSE OF ENACTING ON THE PART OF THIS STATE A COMPACT PURSUANT TO STATE AND FEDERAL LAW FOR THE INTERSTATE MANAGEMENT OF LOW-LEVEL RADIOACTIVE WASTE TO BE CALLED THE "NORTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMPACT"; DEFINING CERTAIN TERMS; PROVIDING FOR CERTAIN RIGHTS, RESPONSIBILITIES, AND OBLIGATIONS OF THE PARTY STATES; CREATING A NORTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE COMMISSION; PROVIDING FOR THE MEMBERSHIP OF THE COMMISSION; ESTABLISHING PROCEDURES, A BUDGETARY SYSTEM, AND INITIAL FUNDING OF THE COMMISSION; ESTABLISHING THE POWERS AND DUTIES OF THE COMMISSION; PROVIDING FOR A HOST STATE SELECTION PROCESS FOR THE DEVELOPMENT AND OPERATION OF REGIONAL FACILITIES; PROVIDING FOR CERTAIN FEES AND SURCHARGES; PROVIDING FOR THE CLOSURE OF A REGIONAL FACILITY UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR THE REPEAL OF CERTAIN STATE AND LOCAL LAWS AND REGULATIONS; PROHIBITING THE ENACTMENT OF CERTAIN STATE AND LOCAL LAWS AND REGULATIONS; PROVIDING A LIST OF INITIALLY ELIGIBLE STATES; PROVIDING FOR AN EXPIRATION DATE OF INITIAL ELIGIBILITY; PROVIDING FOR CONGRESSIONAL REVIEW AND RATIFICATION; PROVIDING FOR WITHDRAWAL FROM THE COMPACT; PROVIDING FOR TERMINATION OF THE COMPACT; PROVIDING FOR ENFORCEMENT OF THE PROVISIONS OF THE COMPACT; PROVIDING CERTAIN PROHIBITIVE ACTS; PROVIDING FOR COMPENSATION AND CLEANUP DURING A REGIONAL FACILITY'S OPERATION AND POST-CLOSURE PERIOD; ESTABLISHING A COMMISSION COMPENSATION AND CLEANUP FUND OR INSURANCE ENTITY; PROVIDING FOR UTILIZATION OF THE FUND OR INSURANCE ENTITY UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR CLAIMS OR SUITS AGAINST THE FUND; PROVIDING FOR RECOVERY FOR DAMAGES; PROVIDING FOR THE SEVERABILITY OF THIS ACT; AND GENERALLY RELATING TO THE NORTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMPACT.

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

HB 215 was taken up for consideration on motion of Senator Torbert:

HB 215 - AN ACT TO AMEND CHAPTER 61, TITLE 21 OF THE DELAWARE CODE RELATING TO CIVIL LIABILITY FOR NEGLIGENCE RESULTING IN INJURY TO PASSENGERS OF VEHICLES.

The privilege of the floor was extended to Gary Dalton (Senate Attorney) after which the Bill was laid on the table on motion of Senator McBride.

SB 155 was taken up for consideration on motion of Senator McBride:

SB 155 - AN ACT TO AMEND CHAPTER 47, PART III, TITLE 10 OF THE DELAWARE CODE RELATING TO JUDGMENTS; AND PROVIDING FOR A UNIFORM ENFORCEMENT OF FOREIGN JUDGMENTS ACT.

The privilege of the floor was extended to Henry Ridgely after which the Bill was laid on the table on further motion of Senator McBride.

SB 259 was taken up for consideration on motion of Senator Cook:

SB 259 - AN ACT TO AUTHORIZE THE DEPARTMENT OF ADMINISTRATIVE SERVICES TO LEASE IN ITS DISCRETION SPACE IN PUBLIC BUILDINGS TO THE DELAWARE STATE EMPLOYEES FEDERAL CREDIT UNION, A COOPERATIVE ASSOCIATION ORGANIZED UNDER THE LAWS OF THE UNITED STATES OF AMERICA.

At 5:21 p.m., Senator Cordrey presiding.

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

At 5:25 p.m., a short recess was taken for change of tape and reconvened at 5:33 p.m., Senator Cordrey presiding.

SB 233 was taken up for consideration on motion of Senator Vaughn:

SB 233 - AN ACT TO AMEND CHAPTER 87, TITLE 11, DELAWARE CODE RELATING TO ADMINISTRATION OF THE CRIMINAL JUSTICE PLANNING COMMISSION.

The privilege of the floor was extended to Gary Dalton (Senate Attorney) after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Bair, Citro, Connor, Cook, Cordrey, Holloway, Littleton, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 17.

NOT VOTING: Senators Arnold, Berndt, Knox - 3.

ABSENT: Senator Neal - 1.

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

HB 215 was lifted from the table for consideration on motion of Senator McBride.

The privilege of the floor was extended to David H. Erisman (Delaware Trial Lawyers Association) and Clifford B. Hearn, Jr. (American Insurance Association).

At 6:08 p.m., Senator Sharp presiding.

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

YES: Senators Bair, Berndt, Citro, Cook, Holloway, Knox, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 14.

NO: Senators Adams, Arnold, Connor, Cordrey, Littleton, Marshall, Neal - 7.

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

SB 155 was lifted from the table for consideration on motion of Senator McBride.

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

The roll call vote on SB 155 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 101 w SA 1 which had previously passed the Senate was taken up for reconsideration on motion of Senator Cordrey as now further amended by HA 1, 2.

SA 2 to the Bill was introduced and considered for adoption on motion of Senator Cordrey.

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

The roll call vote on SB 101 w SA 1, 2, HA 1, 2 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration of SA 2.

At 6:41 p.m., Lt. Governor Castle presiding.

SB 277 was reported out of the Administrative Services/Energy Committee: 7 Merits.

The following legislation was introduced:

SS 1 for SB 62 - AN ACT TO AMEND CHAPTER 55, TITLE 25 OF THE DELAWARE CODE RELATING TO PAYMENT OF INTEREST ON SECURITY AND OTHER DEPOSITS PAID BY RENTERS OF CERTAIN RESIDENTIAL PROPERTY. Sponsors: Senator Bair and Representative Soles; Senators Holloway, Connor, Neal, McDowell; Representatives Brady, Smith, Jester. Adopted in lieu of the Original and assigned to Administrative Services Committee.

SB 288 - AN ACT TO AMEND SECTION 1102, TITLE 30, DELAWARE CODE, RELATING TO IMPOSITION AND RATE OF TAX. Sponsors: Senator Bair; Representative Brady. Assigned to Revenue and Taxation Committee.

SB 289 - AN ACT TO AMEND CHAPTER 39, TITLE 12 OF THE DELAWARE CODE RELATING TO GUARDIANS FOR PERSONS OR PROPERTY OF AGED, MENTALLY INFORM OR PHYSICALLY INCAPACITATED PERSONS. Sponsor: Senator Berndt. Assigned to Judiciary Committee, then reassigned to Health and Social Services/Aging Committee at the request of Senator Holloway.

SB 290 - AN ACT TO AMEND CHAPTER 43, TITLE 6, DELAWARE CODE, RELATING TO RETAIL INSTALLMENT SALES. Sponsor: Senator Cordrey. Assigned to Finance Committee.

SB 291 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER II, TITLE 30, DELAWARE CODE, RELATING TO A TAX CREDIT TO INVESTORS IN CONDOMINIUMS WHO LEASE UNITS TO ELDERLY TENANTS. Sponsors: Senators McDowell, Berndt; Representatives Dixon, Smith. Assigned to Revenue and Taxation Committee.

SB 292 - AN TO RE-INCORPORATE THE TOWN OF HARTLY. Sponsors: Senator Cook and Representative Clark. Assigned to Community Affairs Committee.

SA 2 to SB 81. Sponsor: Senator Sharp. Placed with the Bill.

SA 1 to SB 207. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 248. Sponsor: Senator Knox. Placed with the Bill.

SR 68 was introduced and assigned to the Consent Calendar on motion of Senator Minner:

SR 68 - CONGRATULATING THE CAPE HENLOPEN SCHOOL DISTRICTS WRECKING BALL TEAM WHICH WON THE DIVISION 1 FIRST PLACE IN THE OLYMPICS OF THE MIND COMPETITION AT CENTRAL MICHIGAN UNIVERSITY. Sponsors: Senators Minner and Cordrey.

At 6:50 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 16, 1983.

The Senate reconvened at 2:14 p.m., June 16, 1983, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 107, HCR 112, HCR 113, HCR 114, HCR 115, SCR 69, SCR 68, SCR 67, SCR 66.

The following Committee reports were announced:

From the Community Affairs Committee: SB 282 - 4 Merits; HB 154 - 4 Merits; HB 170 - 4 Merits.

SB 290 was reassigned from the Finance Committee to the Banking Committee at the request of Senator Cordrey.

SB 293 was introduced and assigned to Community Affairs Committee:

SB 293 - AN ACT TO RE-INCORPORATE THE CITY OF HARRINGTON. Sponsors: Senator Minner; Representative Quillen.

SR 71 was introduced and considered for adoption on motion of Senator Holloway:

SR 71 - COMMENDING THE UNITED STATES POSTAL SERVICE FOR COMMEMORATING THE GENIUS OF THE BLACK COMPOSER, SCOTT JOPLIN, IN A NEW 20-CENT STAMP. Sponsor: Senator Holloway.

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

The following Committee reports were announced:

From the Finance Committee: SB 278 - 6 Merits; HB 40 - 6 Merits; HB 208 - 6 Merits; HB 219 - 6 Merits.

Senator Adams introduced to the Senate, Rod Layt, a Lions Association Club member from Queensland, Australia.

At 2:25 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 42nd Legislative Day.

42ND LEGISLATIVE DAY
June 16, 1983

The Senate convened at 2:25 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Sharp.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

The Secretary announced that a message from the House informed the Senate that it had passed SB 101 w SA 1, 2, HA 1, 2.

Senate Consent Calendar #5 (consisting of the following three Resolutions) was taken up for consideration on motion of Senator Sharp:

SR 68 - CONGRATULATING THE CAPE HENLOPEN SCHOOL DISTRICT'S WRECKING BALL TEAM WHICH WON THE DIVISION I FIRST PLACE IN THE OLYMPICS OF THE MIND COMPETITION AT CENTRAL MICHIGAN UNIVERSITY Sponsors: Senators Minner and Cordrey.

SR 69 - REQUESTING THE DELAWARE CONGRESSIONAL DELEGATION TO SUPPORT HOUSE JOINT RESOLUTION 105 OF THE 98TH CONGRESS WHICH ASKS PRESIDENT RONALD REAGAN TO DESIGNATE SEPTEMBER 21, 1983, AS NATIONAL HISTORICALLY BLACK COLLEGES DAY. Sponsor: Senator Holloway.

SR 70 - CONGRATULATING JEFF CISZKOWSKI OF HOLIDAY HILLS ON HIS SIGNING OF A PROFESSIONAL BASEBALL CONTRACT WITH THE NEW YORK METS. Sponsors: Senators Marshall and Berndt.

The roll call vote on the Consent Calendar was taken and revealed 19 Senators voting YES and 2 (Connor and Littleton) ABSENT; therefore, the Resolutions were declared adopted.

Consent Calendar #6 (consisting of the 5 following House Concurrent Resolutions) was taken up for consideration on motion of Senator Sharp:

HCR 107 - REQUESTING THE MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO GIVE FAVORABLE CONSIDERATION TO S. 128 WHICH ESTABLISHES "THE EQUAL OPPORTUNITY RETIREMENT ACT OF 1983." Sponsors: Representatives Roy, Smith; Senators Knox, Bair.

HCR 112 - MOURNING THE DEATH OF GEORGE W. CRIPPS, FORMER AUDITOR OF ACCOUNTS AND DOVER BUSINESSMAN. Sponsors: Representatives Buckworth, Quillen; Senator Torbert.

HCR 113 - MOURNING THE DEATH OF HARRY J. RECORDS, OF SEAFORD, FORMER STATE OFFICIAL. Sponsors: Representative Fallon, Senator Littleton.

HCR 114 - COMMENDING THE WILMER E. SHUE MIDDLE SCHOOL UPON BEING SELECTED AS ONE OF 200 FINALISTS AMONG EXEMPLARY SECONDARY SCHOOLS IN THE UNITED STATES. Sponsors: Representatives Soles, Meconi; Senator Neal.

HCR 115 - EXPRESSING SUPPORT FOR THE CONCEPT OF EVERY INDIVIDUAL'S RIGHT TO PROVIDE SECURITY FOR THEIR RETIREMENT AND REQUEST DELAWARE'S CONGRESSIONAL DELEGATION TO ALSO SUPPORT THIS CONCEPT. Sponsors: Representatives Jester, Soles, Anderson, Smith, Fallon, Maroney, Boykin.

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

The following Committee reports were announced:

From the Judiciary Committee: SB 248 - 4 Merits.

From the Banking Committee: SB 191 - 5 Merits; SB 290 - 1 Favorable, 4 Merits.

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

SB 197 - AN ACT TO AMEND CHAPTER 6, TITLE 29, DELAWARE CODE, RELATING TO THE REMOVAL OF FURNISHINGS AND OTHER CHATTEL IN STATE OFFICES OCCUPIED BY CONSTITUTIONALLY ELECTED OFFICERS AND CABINET OFFICERS.

Final consideration of the Bill was then deferred on further motion of the Senator.

SB 158 was taken up for consideration on motion of Senator Minner:

SB 158 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER II, TITLE 30, DELAWARE CODE, RELATING TO A TAX CREDIT FOR VOLUNTEER AMBULANCE AND RESCUE SQUAD DRIVERS NOT AFFILIATED WITH VOLUNTEER FIRE COMPANIES.

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

YES: Senators Adams, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Sharp, Vaughn - 16.

NO: Senator Torbert - 1.

NOT VOTING: Senator Arnold - 1.

ABSENT: Senators Connor, Neal, Zimmerman - 3.

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

SB 197 was taken up for consideration under suspension of the necessary rules on motion of Senator Martin.

Senator Connor marked PRESENT.

The privilege of the floor was extended to William Walls, Jr. (Senate Attorney) after which the roll call vote on the Bill was taken and revealed:

YES: Senators Holloway, Marshall, Martin, McDowell, Vaughn - 5.

NO: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cordrey, Knox, Littleton, McBride, Minner, Neal, Torbert, Zimmerman - 14.

NOT VOTING: Senators Cook and Sharp - 2.

Therefore, the Bill was declared defeated.

SB 221 was taken up for consideration on motion of Senator Holloway:

SB 221 - AN ACT TO AMEND CHAPTER 23, TITLE 19, DELAWARE CODE, RELATING TO WORKMEN'S COMPENSATION.

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

SB 207 was taken up for consideration on motion of Senator Holloway:

SB 207 - AN ACT TO AMEND SUBCHAPTER XI, CHAPTER 41, TITLE 21, DELAWARE CODE, RELATING TO THE PENALTY FOR PARKING IN HANDICAPPED AREAS.

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

The roll call vote on SB 207 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Zimmerman) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SS 1 for SB 217 was taken up for consideration on motion of Senator Cordrey:

SS 1 for SB 217 - AN ACT TO AMEND PART 3, ARTICLE 9, TITLE 6 OF THE DELAWARE CODE RELATING TO SECURED TRANSACTIONS.

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

The roll call vote on SS 1 for SB 217 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Adams) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 3:51 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:45 p.m., Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 253; HB 251; SB 134 w HA 1; HB 258 w HA 1; HB 268; HB 212; HB 204; SB 160 w SA 1, HA 1.

SB 265 was reported out of the Judiciary Committee: 4 Merits.

The following legislation was introduced:

HB 204 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO PAULINE S. CORDREY; APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE; AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE MADE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE. Sponsor: Representative West. Assigned to Finance Committee.

HB 212 - AN ACT TO AMEND CHAPTER 23, TITLE 19 OF THE DELAWARE CODE TO INCREASE THE AMOUNT PAID BY INSURANCE CARRIERS AND EMPLOYERS WHO ARE SELF-INSURERS INTO THE INDUSTRIAL ACCIDENT BOARD SECOND INJURY AND CONTINGENCY FUND. Sponsor: Representative Campanelli. Assigned to Labor and Industrial Relations Committee.

HB 251 - AN ACT TO AMEND CHAPTER 45, TITLE 10 OF THE DELAWARE CODE AND CHAPTER 3, TITLE 20 OF THE DELAWARE CODE RELATING TO JURY SELECTION. Sponsors: Representatives Terry, Plant. Assigned to Judiciary Committee.

HB 253 - AN ACT TO AMEND CHAPTER 45, TITLE 10 OF THE DELAWARE CODE RELATING TO THE PROTECTION OF EMPLOYMENT FOR PERSONS SERVING ON JURIES. Sponsors: Representatives Terry and Plant. Assigned to Judiciary Committee.

HB 258 w HA 1 - AN ACT TO AMEND SUBCHAPTER IV, CHAPTER 43, TITLE 11, DELAWARE CODE, RELATING TO THE BOARD OF PAROLE DISCHARGE CERTIFICATES. Sponsor: Representative Bennett. Assigned to Judiciary Committee.

HB 268 - AN ACT TO AMEND CHAPTER 96, TITLE 16 OF THE DELAWARE CODE RELATING TO THE STATE USE LAW TO INCLUDE EMPLOYMENT OPPORTUNITIES FOR OTHER THAN BLIND HANDICAPPED INDIVIDUALS THROUGH QUALIFIED REHABILITATION FACILITIES. Sponsors: Representatives VanSant, Gilligan, Houghton, Maroney, Petrilli; Senators Berndt, Connor, Holloway, Vaughn. Assigned to Health-Social Services/Aging Committee.

SA 2 to SB 193. Sponsor: Senator Sharp. Placed with the Bill.

SB 160 w SA 1 which had previously passed the Senate and as now further amended by HA 1 was laid on the table on motion of Senator Neal.

SB 177 was taken up for consideration on motion of Senator Holloway:
SB 177 - AN ACT TO AMEND CHAPTER 17, TITLE 18, DELAWARE CODE, RELATING TO QUALIFICATIONS FOR INSURANCE AGENTS.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Holloway, Littleton, Martin, McBride, McDowell, Minner, Neal, Sharp, Vaughn, Zimmerman - 17.

NO: Senators Cordrey, Knox, Torbert - 3.

ABSENT: Senator Marshall - 1.

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

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

SB 180 - AN ACT TO AMEND CHAPTER 21, TITLE 19, DELAWARE CODE, RELATING TO COMPOSITION OF THE INDUSTRIAL ACCIDENT BOARD.

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

SB 64 was taken up for consideration on motion of Senator Adams:

SB 64 - AN ACT TO RE-INCORPORATE THE TOWN OF ELLENDALE.

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

SA 2 to the Bill (sponsored by Senator Adams) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on SB 64 w SA 1, 2 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 157 was taken up for consideration on motion of Senator McBride:

SB 157 - AN ACT TO AMEND CHAPTER 10 AND CHAPTER 19, TITLE 14 OF THE DELAWARE CODE RELATING TO ELECTIONS IN REORGANIZED SCHOOL DISTRICTS; AND PROVIDING FOR ABSENTEE VOTING.

The privilege of the floor was extended to Henry Ridegley (Senate Attorney) after which the Bill was laid on the table on further motion of the Senator.

HB 124 was taken up for consideration on motion of Senator McBride:

HB 124 - AN ACT TO AMEND CHAPTER 10, SUBCHAPTER IV, TITLE 14 OF THE DELAWARE CODE RELATING TO THE ANNUAL ELECTION OF SCHOOL BOARD MEMBERS.

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

SB 160 w SA 1 which had previously passed the Senate was taken up for reconsideration on motion of Senator Neal as now further amended by HA 1.

The roll call vote on SB 160 w SA 1, HA 1 was then taken and revealed 18 Senators voting YES, 1 (Connor) NOT VOTING, and 2 (Cook and Minner) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SB 134 which had previously passed the Senate was taken up for reconsideration on motion of Senator Marshall as now further amended by HA 1.

The roll call vote on SB 134 w HA 1 was then taken and revealed 19 Senators voting YES and 2 (Cook and Minner) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

The following Committee reports were announced:

From the Health-Social Services/Aging Committee: SB 87 - 4 Merits; SB 174 - 4 Merits; SB 289 - 4 Merits; HB 268 - 4 Merits.

The following legislation was introduced:

SB 294 - AN ACT TO AMEND TITLE 6, CHAPTER 27, OF THE DELAWARE CODE BY PROHIBITING PHYSICIANS FROM ENTERING INTO AGREEMENTS NOT TO COMPETE. Sponsors: Senators Adams and Minner; Representative Bennett. Assigned to Health-Social Services/Aging Committee.

SB 295 - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN EAST DOVER HUNDRED TO KENT GENERAL HOSPITAL. Sponsors: Senators Zimmerman, Vaughn, Torbert; Representatives Outten, Clark, B. Ennis, Buckworth. Assigned to Community Affairs Committee.

SB 296 - AN ACT TO AMEND CHAPTER 517, VOLUME 61, LAWS OF DELAWARE, RELATING TO THE TOWN OF HOUSTON TO PROVIDE FOR PROCEDURE TO ENFORCE PAYMENT OF DELINQUENT TAXES AND CHARGES. Sponsors: Senator Minner; Representative Barnes. Assigned to Community Affairs Committee.

SA 1 to SB 78. Sponsor: Senator Martin. Placed with the Bill.

SA 1 to SB 237. Sponsor: Senator Bair. Placed with the Bill.

SCR 70 was introduced and considered for adoption on motion of Senator Vaughn:

SCR 70 - CONGRATULATING MABEL CONNER AND JOHN WESLEY GUESSFORD OF TOWNSEND, DELAWARE, ON THEIR 65TH WEDDING ANNIVERSARY. Sponsors: Senator Vaughn; Representatives B. Ennis and Jester.

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

At 5:49 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 21, 1983.

The Senate reconvened at 2:07 p.m., June 21, 1983, Senator Cordrey presiding.

SB 46 was reported out of the Executive Committee: 3 Merits, 1 Unfavorable.

The following legislation was introduced:

SB 297 - AN ACT TO AMEND CHAPTER 47, PART IV, TITLE 16 OF THE DELAWARE CODE RELATING TO CONTROLLED SUBSTANCES; AND PROVIDING FOR A FORFEITURE OF DRUG PROFITS ACT. Sponsors: Senators McBride and Connor; Representatives Bunting and Jonkiert. Assigned to Judiciary Committee.

SB 298 - AN ACT TO AMEND CHAPTER 66, TITLE 16, DELAWARE CODE, RELATING TO THE REQUIREMENT OF RESIDENTIAL SMOKE DETECTORS IN BUILDINGS. Sponsor: Senator Holloway (by request). Assigned to Health-Social Services/Aging Committee.

SB 299 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE TO PROVIDE FOR NOTICE TO THE DEPARTMENT OF MOTOR VEHICLES OF FAILURE TO PAY PERSONAL INCOME TAX AND PROVIDING FOR SUSPENSION OF A DRIVER'S LICENSE OR PRIVILEGES TO DRIVE UNTIL SAID TAX IS PAID. Sponsors: Senators Neal and Arnold. Assigned to Public Safety Committee.

SA 1 to SB 276. Sponsor: Senator Arnold. Placed with the Bill.

SA 1 to SB 277. Sponsor: Senator Marshall. Placed with the Bill.

At 2:10 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 43rd Legislative Day.

43RD LEGISLATIVE DAY

June 21, 1983

The Senate convened at 2:10 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

Legislative Advisory #9 was read which informed the Senate that the Governor acted on passed legislation as follows: On June 14, 1983 the Governor signed HB 105 (Volume 64, Chapter 52, Laws of Delaware), SB 173 w SA 1 (Volume 64, Chapter 53, Laws of Delaware), SB 188 is a Constitutional Amendment and does not require the Governor's signature (Volume 64, Chapter 54, Laws of Delaware); On June 15 the Governor signed SJR 2 w SA 1 (no Chapter number assigned). On June 17, 1983 the Governor vetoed HJR 6.

The Secretary announced that a message from the House informed the Senate that it had passed HB 82 w HA 2; HB 277 w HA 1, 2; SB 23; SB 208 w SA 1.

The following legislation was introduced:

HB 82 w HA 2 - AN ACT TO AMEND CHAPTERS 7 AND 9, TITLE 4, DELAWARE CODE, RELATING TO THE SALE OF ALCOHOLIC LIQUOR TO CERTAIN PERSONS. Sponsors: Representatives Spence, Dixon, Oberle, Buckworth, Free, D. Ennis, Roy, Campanelli, Petrilli, Maroney, Hebner, Smith, Boykin, Corrozi, Fallon, Houghton, VanSant, Cordrey; Senators Connor, Vaughn, Littleton. Assigned to Administrative Services/Energy Committee.

HB 277 w HA 1, 2 - AN ACT TO AMEND CHAPTER 5, TITLE 11, DELAWARE CODE RELATING TO THE CRIME OF ADULTERATION. Sponsors: Representatives Hebner, Gilligan, Petrilli, Oberle, Mack, Corrozi, Smith, Davis, Boykin, Barnes, Free, Brady, Soles, VanSant. Assigned to Judiciary Committee.

Senator Berndt marked PRESENT.

At 2:15 p.m., Lt. Governor Castle presiding.

SB 290 was laid on the table on motion of Senator Cordrey.

HB 154 was taken up for consideration on motion of Senator Cordrey who then yielded to Senator Minner to floor manage the Bill:

HB 154 - AN ACT TO AMEND CHAPTER 197, VOLUME 54, LAWS OF DELAWARE, AS AMENDED, ALSO KNOWN AS "AN ACT REVISING THE PRIOR CHARTER OF THE CITY OF REHOBOTH BEACH AND ESTABLISHING A NEW CHARTER THEREFOR AND PRESCRIBING THE POWERS AND THE DUTIES OF THE COMMISSIONERS OF REHOBOTH BEACH" RELATING TO THE POLICE FORCE; RELATING TO THE AREA FROM WHICH ALDERMEN OR ASSISTANT ALDERMEN MAY BE SELECTED; AND RELATING TO BONDED INDEBTEDNESS.

Senators Knox and McBride marked PRESENT.

The roll call vote on the Bill was taken and revealed 16 Senators voting YES and 5 (Citro, Connor, Littleton, McDowell and Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 82 w HA 2 was reassigned from the Administrative Services/Energy Committee to the Public Safety Committee at the request of Senator Cordrey (no objection).

HB 170 was taken up for consideration on motion of Senator Minner:

HB 170 - AN ACT TO AMEND CHAPTER 5, TITLE 4 OF THE DELAWARE CODE RELATING TO ASSISTING RESTAURANT OWNERS IN THE CONTROL OF THE ILLEGAL SALE OF ALCOHOL TO PERSONS UNDER THE AGE OF 20.

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

SB 278 was taken up for consideration on motion of Senator Cook:

SB 278 - AN ACT TO AMEND CHAPTER 11, TITLE 30 OF THE DELAWARE CODE TO EXEMPT SOCIAL SECURITY BENEFITS FROM DELAWARE PERSONAL INCOME TAX.

The privilege of the floor was extended to T. Dennis Sullivan, Secretary of Finance.

Senators Zimmerman, McDowell and Littleton marked PRESENT.

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

YES: Senators Adams, Arnold, Bair, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 16.

NO: Senators Berndt, Littleton, Neal - 3.

ABSENT: Senators Citro and Connor - 2.

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

SB 290 was lifted from the table for consideration on motion of Senator Cordrey:

SB 290 - AN ACT TO AMEND CHAPTER 43, TITLE 6, DELAWARE CODE, RELATING TO RETAIL INSTALLMENT SALES.

Senator Connor marked PRESENT.

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

HB 40 was taken up for consideration on motion of Senator Cook:

HB 40 - AN ACT TO AMEND CHAPTER 65, TITLE 29 OF THE DELAWARE CODE, TO PROVIDE PAYMENT TO GRANT-IN-AID RECIPIENTS BE MADE QUARTERLY.

The privilege of the floor was extended to Duane Olsen (Controller General) and William Walls, Jr. (Senate Attorney) after which the Bill was laid on the table on motion of Senator Cook.

HB 208 was taken up for consideration on motion of Senator Cook:

HB 208 - AN ACT TO AMEND PART X, CHAPTER 100, TITLE 29 OF THE DELAWARE CODE RELATING TO INCLUDING GRANTS-IN-AID WITHIN THE DEFINITION OF PUBLIC FUNDS.

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

HB 219 was taken up for consideration on motion of Senator Cook:

HB 219 - AN ACT TO AMEND CHAPTER 63, TITLE 29 OF THE DELAWARE CODE TO CHANGE THE COMPOSITION OF THE BUDGET COMMISSION.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (McBride) voting NO and 1 (Arnold) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 268 was taken up for consideration on motion of Senator Holloway:

HB 268 - AN ACT TO AMEND CHAPTER 96, TITLE 16 OF THE DELAWARE CODE RELATING TO THE STATE USE LAW TO INCLUDE EMPLOYMENT OPPORTUNITIES FOR OTHER THAN BLIND HANDICAPPED INDIVIDUALS THROUGH QUALIFIED REHABILITATION FACILITIES.

Senator Citro marked PRESENT.

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

The following Committee reports were announced:

From the Community Affairs Committee: SB 264 - 3 Merits; SB 293 - 3 Merits; SB 296 - 3 Merits.

From the Highways and Transportation Committee: SB 280 - 1 Favorable, 5 Merits.

SB 103 was taken up for consideration on motion of Senator Holloway:

SB 103 - AN ACT TO AMEND TITLE 16, DELAWARE CODE, BY PROTECTING CITIZENS WHO ARE DEVELOPMENTALLY DISABLED FROM DRUGS AND AVERSIVES.

SA 1 to the Bill was introduced by Senator Holloway and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Littleton and McDowell) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Henry Ridgely (Senate Attorney) after which the Bill was laid on the table on motion of Senator Holloway.

SB 277 was taken up for consideration on motion of Senator Marshall:

SB 277 - AN ACT TO AMEND CHAPTER 25, TITLE 24, DELAWARE CODE, RELATING TO RENEWAL OF LICENSES TO PHARMACISTS AND TO ASSISTANT PHARMACISTS.

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

YES: Senators Adams, Arnold, Bair, Connor, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn - 17.

NO: Senator Berndt - 1.

NOT VOTING: Senators Cook and Zimmerman - 2.

ABSENT: Senator Citro - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 277 w SA 1 was then taken; however, the roll call was laid on the table on motion of Senator Marshall before being announced (with no objection).

SB 46 was taken up for consideration on motion of Senator Adams:

SB 46 - AN ACT TO AMEND CHAPTER 29 OF TITLE 6 OF THE DELAWARE CODE, RELATING TO RETAIL SALES OF MOTOR FUEL.

At 4:20 p.m., Senator Cordrey presiding.

During discussion of the Bill and the Amendments offered to it, the privilege of the floor was extended to William Walls, Jr. (Senate Attorney), Henry Ridgely (Senate Attorney), Hal Godwin (Service Station Dealers and Motor Fuel Retailers), Frank W. Cahill (Delaware Service Station Dealers Association) and Pamela Sederholm (Southland Corporation).

SA 1 to the Bill was introduced by Senator Adams and considered for adoption on his motion. The roll call vote on the Amendment was taken; however, the roll call was laid on the table before being announced on motion of Senator Adams (with no objection).

SA 2 to the Bill was introduced by Senator Adams and considered for adoption on his motion. The roll call vote on the Amendment was taken; however, the roll call was laid on the table before being announced on motion of Senator Adams.

The Senate recessed from 6:05 p.m. until 6:13 p.m. for change of tape.

SB 46 was then laid on the table on motion of Senator Adams (with no objection).

SB 126 was taken up for consideration on motion of Senator Knox:

SB 126 - AN ACT TO AMEND CHAPTER 86, TITLE 29 OF THE DELAWARE CODE RELATING TO THE ISSUANCE OF CEASE AND DESIST ORDERS BY THE DIVISION OF CONSUMER AFFAIRS.

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

The roll call vote on SB 126 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 6:24 p.m., Lt. Governor Castle presiding.

SB 157 was lifted from the table for consideration on motion of Senator McBride.

SA 1 to the Bill (sponsored by Senator McBride) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Bair, Berndt, Citro, Connor, Cordrey, Holloway, Knox, Littleton, Marshall, McBride, McDowell, Neal, Torbert - 14.

NO: Senators Arnold, Cook, Martin, Minner, Sharp, Vaughn, Zimmerman - 7.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 157 w SA 1 was then taken and revealed:

YES: Senators Adams, Berndt, Cordrey, Holloway, Knox, Littleton, Marshall, McBride, McDowell, Neal, Torbert - 11.

NO: Senators Arnold, Citro, Cook, Minner, Sharp, Vaughn, Zimmerman - 7.

NOT VOTING: Senators Bair, Connor, Martin - 3.

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

On motion of Senator Marshall, the roll call vote on SB 277 w SA 1 was lifted and announced:

YES: Senators Bair, Cook, Holloway, Littleton, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn - 12.

NO: Senators Adams, Cordrey, Neal - 3.

NOT VOTING: Senators Arnold, Berndt, Citro, Connor, Knox, Zimmerman - 6.

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

SB 103 w SA 1 was lifted from the table for consideration on motion of Senator Holloway.

SA 2 to the Bill (sponsored by Senator Connor) was introduced and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

SB 103 w SA 1, 2 was then laid on the table on motion of Senator Holloway.

At 7:03 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 22, 1983.

The Senate reconvened at 2:08 p.m., June 22, 1983, Senator Cordrey presiding.

The following Committee reports were announced:

From the Administrative Services/Energy Committee: SS 1 for SB 62 - 2 Favorable, 5 Merits; SB 286 - 4 Merits.

From the Finance Committee: SB 92 - 6 Merits; SB 216 - 6 Merits.

From the Health-Social Services/Aging Committee: SB 294 - 4 Merits; SB 298 - 4 Merits.

From the Executive Committee: SB 267 - 4 Merits.

From the Education Committee: SB 281 - 3 Merits.

The following legislation was introduced:

SB 300 - AN ACT TO AMEND CHAPTER 64, TITLE 7, DELAWARE CODE, RELATING TO POWERS OF THE DELAWARE SOLID WASTE AUTHORITY. Sponsor: Senator Holloway. Assigned to Natural Resources and Environmental Control Committee.

SB 301 - AN ACT TO AMEND CHAPTER 20, TITLE 15, DELAWARE CODE, RELATING TO REGISTRATION OF VOTERS. Sponsors: Senators McDowell, Adams, Zimmerman, Citro; Representatives Gilligan, George, Clendaniel, Sills. Laid on the table on motion of Senator McDowell.

SB 302 - AN ACT TO AMEND 30 DELAWARE CODE, CHAPTER 52, RELATING TO MOTOR CARRIERS BY ADDING CERTAIN TAXES AND FEES FOR CERTAIN OUT-OF-STATE MOTOR VEHICLES. Sponsor: Senator Minner. Assigned to Revenue and Taxation Committee.

SB 303 - AN ACT TO AMEND TITLES 24 AND 29, CHAPTER 101, DELAWARE CODE, RELATING TO CONTINUING PROFESSIONAL AND OCCUPATIONAL EDUCATION FOR CERTAIN PROFESSIONS AND OCCUPATIONS AND FURTHER PROVIDING THAT CERTAIN BOARDS BE SUBJECT TO THE JURISDICTION OF THE ADMINISTRATIVE PROCEDURES ACT. Sponsor: Senator Neal. Assigned to Administrative Services/Energy Committee.

SB 304 - AN ACT TO AMEND CHAPTER 6, TITLE 29, DELAWARE CODE, RELATING TO THE REMOVAL OF PERSONAL PROPERTY IN STATE OFFICES, OCCUPIED BY ELECTED AND APPOINTED STATE OFFICIALS. Sponsor: Senator Martin. Assigned to Administrative Services/Energy Committee.

At 2:11 p.m., Lt. Governor Castle presiding.

SB 305 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE BY REPEALING AND REVISING CERTAIN LAWS RELATING TO THE PROBATE OF WILLS AND THE ADMINISTRATION OF DECEDENTS' ESTATES AND THE FUNCTIONS OF THE REGISTER OF WILLS AND REGISTER IN CHANCERY. Sponsor: Senator Sharp. Assigned to Judiciary Committee.

SA 1 to SS 1 for SB 62. Sponsor: Senator McDowell. Placed with the Bill.

SA 2 to SS 1 for SB 62. Sponsor: Senator McDowell. Placed with the Bill.

SA 2 to SB 263. Sponsor: Senator McDowell. Placed with the Bill.

SA 1 to SB 293. Sponsor: Senator Minner. Placed with the Bill.

SA 1 to HB 40. Sponsor: Senator Marshall. Placed with the Bill.

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

SR 72 - AUTHORIZING THE APPOINTMENT OF A COMMITTEE ON WORKERS' RIGHT TO KNOW LEGISLATION TO ADVISE THE SENATE COMMITTEE ON HEALTH AND SOCIAL SERVICES ON A PRUDENT COURSE OF ACTION. Sponsors: Senators Holloway and Berndt. Laid on the table on motion of Senator Holloway.

SCR 71 was introduced and considered for adoption on motion of Senator Marshall:

SCR 71 - COMMENDING POPE JOHN PAUL II FOR HIS PROMOTION OF HUMAN RIGHTS, NATIONAL FREEDOM, AND THE SOVEREIGNTY OF STATES DURING HIS COURAGEOUS PILGRIMAGE TO POLAND. Sponsors: Senator Marshall, Representative Jonkiert.

The roll call vote on the Resolution was taken and revealed 15 Senators voting YES and 6 (Adams, Berndt, Connor, Cook, Holloway, Minner) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 72 was introduced and considered for adoption on motion of Senator Knox:

SCR 72 - COMMENDING THE COUNTY AND SCHOOL WINNERS OF THE LIEUTENANT GOVERNOR'S AWARD FOR EXCELLENCE IN ENGLISH COMPOSITION. Sponsors: Senator Knox and all the Senators.

The roll call vote on the Resolution was taken and revealed 15 Senators voting YES and 6 (Adams, Berndt, Connor, Cook, Holloway, Minner) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

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

STATE OF DELAWARE
Office of the Governor
June 21, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

On behalf of the Board of Trustees of the University of Delaware and in conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate, the following, elected by the Board of Trustees to be a member of that Board: Anthony R. Goland, 2609 Belaire Drive, Wilmington, Delaware, to be appointed as a member of the Board of Trustees, University of Delaware, for a term of one year from June 30, 1983, to expire Juane 30, 1984, to succeed Andrew A. Williamson.

The above name is not a gubernatorial appointment.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

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STATE OF DELAWARE
Office of the Governor
June 21, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

On behalf of the Board of Trustees of the University of Delaware and in conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate the following, elected by the Board of Trustees to be a member of that Board: N. Maxson Terry, Jr., 7 South Main Street, Camden, Delaware, to be apointed as a member of the Board of Trustees, University of Delaware, for a six year term to succeed Harry K. F. Terry, resigned, to expire May 26, 1989

The above name is not a gubernatorial appointment.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

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STATE OF DELAWARE
Office of the Governor
June 21, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

On behalf of the Board of Trustees of the University of Delaware and in conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate the following, elected by the Board of Trustees to be a member of that Board: David B. Bolen, 26 Westley Drive, Hockessin, Delaware, to be appointed as a member of the Board of Trustees, University of Delaware, for a six year term to succeed Edmond du Pont, resigned, to expire June 12, 1989

The above name is not a gubernatorial appointment.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

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SB 295 was reported out of the Community Affairs Committee: 3 Merits.

Senator Torbert moved that SB 197 be restored to the Calendar; however, the Senator then withdrew his motion.

SB 293 was taken up for consideration on motion of Senator Minner:

SB 293 - AN ACT TO RE-INCORPORATE THE CITY OF HARRINGTON.

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

The roll call vote on SB 293 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Berndt and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

The following Committee reports were announced:
From the Administrative Services/Energy Committee: SB 232 - 4 Merits; SB 283 - 5 Merits; SB 284 - 5 Merits; SB 215 - 7 Merits; SB 285 - 7 Merits; SB 287 - 6 Merits; HB 65 - 6 Merits.
SB 240 was stricken at the request of the sponsor, Senator Cook.
SB 273 was stricken at the request of the sponsor, Senator Cordrey.
At 2:35 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 44th Legislative Day.

44TH LEGISLATIVE DAY
June 22, 1983

The Senate convened at 2:35 p.m., Lt. Governor Castle presiding.
A Prayer was offered by Senator Littleton.
Pledge of Allegiance to the Flag.
Call of the roll revealed the following attendance:
PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.
The Journal of the previous day was approved as read on motion of Senator Sharp.
SB 149 and SB 138 w SA 1 were stricken at the request of the sponsor, Senator Cordrey.
SB 197 which had been defeated for passage in the Senate was restored to the Calendar on motion of Senator Torbert (no objection) and laid on the table on motion of Senator Martin (no objection).
At 2:40 p.m. the Senate recessed for Party Caucus on motion of Senator Sharp and reconvened at 3:30 p.m., Lt. Governor Castle presiding.
SB 292 was reported out of the Community Affairs Committee: 3 Merits.
SA 1 to SB 301 (sponsored by Senator McDowell) was introduced and placed with the Bill.
SR 73 (sponsored by Senators Martin and Zimmerman) was introduced and considered for adoption on motion of Senator Martin:
SR 73 - REQUESTING THE DIVISION OF HIGHWAYS TO EMPLOY THE NEWS MEDIA TO THE WIDEST EXTENT POSSIBLE TO ALERT CITIZENS TO OBSTRUCTION IN TRAFFIC PATTERNS.
The roll call vote on the Resolution was taken and revealed:
YES: Senators Adams, Arnold, Connor, Cook, Cordrey, Knox, Martin, McBride, Minner, Sharp, Torbert, Vaughn, Zimmerman - 13.
NO: Senator Neal - 1.
ABSENT: Senators Bair, Berndt, Citro, Holloway, Littleton, Marshall, McDowell - 7.
Therefore, the Resolution was declared adopted.
SB 296 was taken up for consideration on motion of Senator Minner:
SB 296 - AN ACT TO AMEND CHAPTER 517, VOLUME 61, LAWS OF DELAWARE, RELATING TO THE TOWN OF HOUSTON TO PROVIDE FOR PROCEDURE TO ENFORCE PAYMENT OF DELINQUENT TAXES AND CHARGES.
At 3:36 p.m., Lt. Governor Castle presiding.
Senator Berndt marked PRESENT.
The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Holloway and Marshall) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.
SB 282 was taken up for consideration on motion of Senator Cook:
SB 282 - AN ACT TO AMEND CHAPTER 3, PART 1, TITLE 9 OF THE DELAWARE CODE RELATING TO STATUTORY REQUIREMENTS FOR THE AWARD OF CONTRACTS FOR COUNTY WORK OR GOODS; AND EXEMPTING KENT COUNTY FROM SUCH REQUIREMENTS.
The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.
Senator Cordrey introduced to the Senate Cheryl Caniford (daughter of the Secretary of the Senate) and congratulated her on her 13th Birthday.
SS 1 for SB 62 was taken up for consideration on motion of Senator Bair:
SS 1 for SB 62 - AN ACT TO AMEND CHAPTER 55, TITLE 25 OF THE DELAWARE CODE RELATING TO PAYMENT OF INTEREST ON SECURITY AND OTHER DEPOSITS PAID BY RENTERS OF CERTAIN RESIDENTIAL PROPERTY.
SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator McDowell and the roll call vote taken which revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Amendment was declared adopted.
SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator McDowell and the roll call vote taken which revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Amendment was declared adopted.

SA 3 to the Bill was introduced by Senator Bair and considered for adoption on her motion. The roll call vote on the Amendment was taken and revealed 18 Senators voting YES and 3 (Citro, Cook and Holloway) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Elizabeth R. Carbine (Home Builders of Delaware/Delaware Association of Realtor) after which the Bill was laid on the table on motion of Senator Bair.

SB 276 was taken up for consideration under suspension of the necessary rules on motion of Senator Arnold:

SB 276 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO CERTAIN AUTOMOBILE WARRANTIES.

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

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Holloway, Knox, Neal - 8.

NO: Senators Adams, Cook, Cordrey, Littleton, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn - 12.

ABSENT: Senator Zimmerman - 1.

Therefore, the Amendment was declared defeated.

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

SB 216 was taken up for consideration on motion of Senator McDowell:

SB 216 - AN ACT TO AMEND CHAPTER 25, TITLE 6, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A CONSUMER PROTECTION REVOLVING FUND.

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

SB 289 was taken up for consideration on motion of Senator Berndt:

SB 289 - AN ACT TO AMEND CHAPTER 39, TITLE 12 OF THE DELAWARE CODE RELATING TO GUARDIANS FOR PERSONS OR PROPERTY OF AGED, MENTALLY INFIRM OR PHYSICALLY INCAPACITATED PERSONS.

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

Senator Holloway marked PRESENT.

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

SB 284 - AN ACT TO AMEND, CHAPTER 29, TITLE 24, DELAWARE CODE, RELATING TO CONTINUED EDUCATION AS A REQUIREMENT OF DELAWARE REAL ESTATE CERTIFICATE.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cordrey and the roll call vote taken which revealed 20 Senators voting YES and 1 (McBride) voting NO; therefore, the Amendment was declared adopted.

The roll call vote on SB 284 w SA 1 was then taken and revealed 19 Senators voting YES, 1 (Citro) voting NO, and 1 (Knox) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 249 was taken up for consideration on motion of Senator Sharp:

SB 249 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE IV OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE JURISDICTION OF THE SUPREME COURT.

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

SB 281 was taken up for consideration on motion of Senator Neal:

SB 281 - AN ACT TO AMEND CHAPTER 13, TITLE 14 OF THE DELAWARE CODE RELATING TO MAINTENANCE MECHANICS.

The roll call vote on the Bill was taken; however, the roll call was laid on the table before being announced on motion of Senator Neal (without objection).

SB 295 was taken up for consideration on motion of Senator Zimmerman:

SB 295 - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN EAST DOVER HUNDRED TO KENT GENERAL HOSPITAL.

The following Resolution adopted by the Mayor and Council of the City of Dover was read and is made part of this Journal at the request of Senator Zimmerman:

CITY OF DOVER
Mayor and Council
RESOLUTION

WHEREAS, Kent General Hospital is a private, not-for-profit, corporation created to serve all of the people of Central Delaware; and

WHEREAS, the Board of Directors and Staff of Kent General Hospital have involved the Mayor, Council and other City officials in their planning process; and

WHEREAS, vehicle parking on South State Street is reaching dangerous proportions and should be terminated; and

WHEREAS, Kent General Hospital is landlocked and does not possess sufficient land to accommodate needed plant expansion and vehicle parking; and

WHEREAS, Section 44, Volume 63, Chapter 179, Laws of Delaware mandates the abandonment and sale of the State Highway Maintenance Facility on State Street in Dover.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER IN COUNCIL MET:

That the Mayor and Council fully support the request of the Kent General Hospital to purchase this State Highway property on State Street for use in its plans to meet the hospital needs of the region in the coming years.

ADOPTED: November 22, 1982

Crawford J. Carroll, Mayor

* * * * *

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

STATE OF DELAWARE
DELAWARE DEVELOPMENT OFFICE
Dover, Delaware 19901

December 10, 1982

Mr. Jack B. Wallace, Director
Delaware Transportation Authority
Highway Administration Building
Dover, Delaware 19901

Dear Jack:

Thank you very much for the letter of December 3 and the resolution from the Dover City Council. I am delighted to learn that the Mayor and Council fully support the idea of using the old Highway Maintenance Yard for additional facilities for Kent General Hospital.

As you no doubt know, we had this property appraised several years ago, but I have asked Dave Affholder to arrange to have the appraisals updated. We will be sure to bring to the appraisers' attention the three points which you mentioned in your letter concerning the site and its development potential. As soon as these two appraisals have been completed, we will let you know the current value and will be pleased to meet with you and other officials from Kent General Hospital to complete the necessary documents. Although the General Assembly has already mandated that this property be sold once it can be vacated by the Department of Transportation, I am taking the liberty of sending a copy of this letter to Representative Bennett and Senator Cook just to keep them informed of our progress.

I understand that work will begin on the new Highway Maintenance Facility this spring and that construction time is estimated at 18 months. Needless to say, we are anxious to have this project completed as quickly as possible, and I have asked Kermit Justice to see what steps can be taken to speed it along. On behalf of the Administration, you have my firm commitment that we will do everything possible to make this a painless and efficient transaction.

With best regards, as always.

Sincerely,

Nathan Hayward III, Director

cc: The Hon. Crawford Carroll
The Hon. Edward J. Bennett
The Hon. Nancy W. Cook
Sec. Kermit H. Justice

* * * * *

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

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

NO: Senators Arnold, Bair, Berndt, Citro, Connor, Knox, McBride, McDowell, Neal - 9.

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

SB 280 was taken up for consideration on motion of Senator Martin:

SB 280 - AN ACT TO AMEND TITLE 21, CHAPTER 1, CHAPTER 21 AND CHAPTER 45, DELAWARE CODE RELATING TO OVERWEIGHT AND OVERSIZED VEHICLES.

SA 1 to the Bill was introduced and taken up for consideration on motion of Senator Martin and the roll call vote taken which revealed 19 Senators voting YES, 1 (Citro) voting NO, and 1 (Knox) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to John T. Davis, Delaware Department of Transportation. At 6:00 p.m., Senator Sharp presiding.

At 6:09 p.m., recess for change of tape; reconvened at 6:15 p.m., Senator Sharp presiding.

SA 280 w SA 1 was laid on the table on motion of Senator Martin.

SB 276 was lifted from the table for consideration on motion of Senator Arnold.

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

SA 2 to SB 276 was stricken at the request of the Sponsor, Senator Arnold (without objection).

SB 265 was taken up for consideration on motion of Senator Adams:

SB 265 - AN ACT TO AMEND CHAPTER 35, TITLE 10 OF THE DELAWARE CODE RELATING TO ATTACHMENT AND GARNISHMENT.

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

HB 143 was reported out of the Executive Committee: 2 Favorable, 4 Merits.

At 6:47 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., June 23, 1983.

The Senate reconvened at 2:00 p.m., June 23, 1983, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 116; HCR 117; HCR 118; HCR 119; HCR 120; SCR 70; SCR 71; SCR 72; HCR 121 and passed HB 244 w HA 1; HB 299; HB 248; HB 225; HB 231; HB 262; HB 245 w HA 1; HB 250; HB 279; HB 153 w HA 1; HB 267.

The following legislation was introduced:

SB 306 - AN ACT TO PROVIDE FUNDS TO THE DEPARTMENT OF PUBLIC SAFETY FOR THE PURPOSE OF REIMBURSING VOLUNTEER FIRE COMPANIES FOR INCURRED EXTRAORDINARY EXPENSES. Sponsors: Senators Minner, Vaughn, Cook. Assigned to Finance Committee.

SB 307 - AN ACT TO AMEND PART II, CHAPTER 11, TITLE 15, DELAWARE CODE RELATING TO REGISTRATION IN THE SEVERAL ELECTION DISTRICTS. Sponsor: Senator McDowell. Assigned to Insurance and Elections Committee.

SB 308 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO WILLS AND TRUSTS. Sponsor: Senator Sharp. Assigned to Judiciary Committee.

SB 309 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO THE ALLOCATION OF PRINCIPAL AND INCOME IN TRUSTS AND DECEDENTS' ESTATES. Sponsor: Senator Sharp. Laid on the table on motion of the sponsor (no objection).

SB 310 - AN ACT TO AMEND CHAPTER 1, TITLE 14, DELAWARE CODE, RELATING TO RULES AND REGULATIONS OF THE STATE BOARD OF EDUCATION AND TO PROVIDE FOR A STATEWIDE PROGRAM FOR PREGNANT STUDENTS. Sponsor: Senator Holloway. Laid on the table on motion of the sponsor (no objection).

HB 153 w HA 1 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, RELATING TO SEXUAL HARASSMENT BY PUBLIC EMPLOYEES. Sponsors: Representatives Roy, Smith, Buckworth, Boykin, D. Ennis, Davis, Petrilli, Soles, Jester; Senators Citro, Minner, McBride, Cook. Assigned to Judiciary Committee.

HB 225 - AN ACT TO AMEND CHAPTER 322, VOLUME 63, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1983; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS." BEING SENATE SUBSTITUTE 1 FOR SENATE BILL 606 OF THE 131ST GENERAL ASSEMBLY OF THE STATE OF DELAWARE. Sponsor: Representative Bunting. Laid on the table.

HB 231 - AN ACT TO AMEND CHAPTER 25, TITLE 11 OF THE DELAWARE CODE RELATING TO EXTRADITION AND DETAINERS. Sponsor: Representative Dixon. Assigned to Judiciary Committee.

HB 245 w HA 1 - AN ACT TO AMEND CHAPTER 11, TITLE 19 OF THE DELAWARE CODE PERTAINING TO EMPLOYEE TERMINATION PAY AND CLARIFYING THE PROVISION OF EMPLOYEE REMEDIES TO WAGE CASES. Sponsors: Representatives Campanelli and Outten. Assigned to Labor and Industrial Relations Committee.

HB 262 - AN ACT TO AMEND CHAPTER 51, TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC EMPLOYEES WHO REPORT SUSPECTED VIOLATIONS OF THE LAW. Sponsors: Representatives Jester, Corozzi, Houghton, Oberle, Quillen; Senators Bair, Berndt, Marshall, McDowell. Assigned to Labor and Industrial Relations Committee.

HB 267 - AN ACT TO AMEND TITLES 19 AND 29 OF THE DELAWARE CODE, PROVIDING FOR THE TRANSFER OF RESPONSIBILITIES FOR THE ENFORCEMENT OF THE ANTI-DISCRIMINATION IN EMPLOYMENT PROVISIONS IN THE DELAWARE CODE, FROM THE DIVISION OF INDUSTRIAL AFFAIRS IN THE DEPARTMENT OF LABOR TO THE OFFICE OF HUMAN RELATIONS IN THE DEPARTMENT OF COMMUNITY AFFAIRS AND PROVIDING FOR AMENDMENTS AND CORRECTIONS RELATED THERETO. Sponsors: Representatives Plant, Soles, Anderson, Gilligan, Maroney; Senators Minner and Neal. Laid on the table.

HB 279 - AN ACT TO AMEND CHAPTER 35, TITLE 11 OF THE DELAWARE CODE RELATING TO THE USE OF A MOTOR VEHICLE CERTIFICATE OF TITLE AS EVIDENCE IN A CRIMINAL PROCEEDING. Sponsors: Representative Jonkiert; Senator Marshall. Assigned to Judiciary Committee.

HB 250 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1984; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. Sponsors: Representative Bennett, Senator Cook; Representatives Corrozi, Meconi, Petrilli, Soles, Wingate; Senators Berndt, Holloway, McBride, Neal, Vaughn. Assigned to Finance Committee.

At 2:05 p.m. the Senate recessed for change of tape and reconvened at 2:14 p.m., Senator Cordrey presiding.

HB 248 - AN ACT TO AMEND CHAPTER 71, TITLE 25, OF THE DELAWARE CODE RELATING TO THE CONVERSION OF MOBILE HOME PROPERTIES INTO MULTIPLE-UNIT HOUSING. Sponsors: Representatives Wingate and Bunting. Assigned to Administrative Services/Energy Committee.

HB 244 w HA 1 - AN ACT TO AMEND CHAPTER 63, TITLE 7, CHAPTER 67, TITLE 16, AND CHAPTER 31, TITLE 20 OF THE DELAWARE CODE RELATING TO THE POWERS OF CERTAIN AGENCIES DURING A HAZARDOUS SUBSTANCE INCIDENT. Sponsors: Representative B. Ennis, Senator Torbert. Assigned to Natural Resources and Environmental Control Committee.

HB 299 - AN ACT TO AMEND CHAPTER 82, TITLE 29, OF THE DELAWARE CODE, CHANGING THE NAME OF THE COMMISSION ON THE TRANSPORTATION OF HAZARDOUS MATERIALS. Sponsors: Representative B. Ennis, Senator Minner. Assigned to Public Safety Committee.

SA 2 to SB 237. Sponsor: Senator McBride. Placed with the Bill.

SA 2 to HB 40. Sponsor: Senator Marshall. Placed with the Bill.

SA 3 to HB 40. Sponsor: Senator Cook. Placed with the Bill.

SA 1 to HB 143. Sponsor: Senator Adams. Placed with the Bill.

SA 1 to SA 1 to SB 156. Sponsor: Senator McDowell. Placed with the Bill.

SA 1 to SB 286. Sponsor: Senator Berndt. Placed with the Bill.

SA 2 to SB 280. Sponsors: Senators Vaughn and Torbert. Placed with the Bill.

SA 3 to SB 280. Sponsor: Senator Littleton. Placed with the Bill.

SA 1 to SB 310. Sponsor: Senator Holloway. Placed with the Bill.

SCR 73 was introduced and considered for adoption on motion of Senator Vaughn:

SCR 73 - REQUESTING THE DELAWARE CONGRESSIONAL DELEGATION TO SUPPORT HOUSE JOINT RESOLUTION 258 OF THE 98TH CONGRESS DESIGNATING AUGUST 3, 1983, AS NATIONAL PARALYZED VETERANS RECOGNITION DAY. Sponsors:

Senators Vaughn, McBride, Arnold, McDowell; Representatives B. Ennis, Jester, Clark, VanSant.

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

SR 72 was lifted from the table for consideration on motion of Senator Holloway:

SR 72 - AUTHORIZING THE APPOINTMENT OF A COMMITTEE ON WORKER'S RIGHT TO KNOW LEGISLATION TO ADVISE THE SENATE COMMITTEE ON HEALTH AND SOCIAL SERVICES ON A PRUDENT COURSE OF ACTION.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES, 1 (Sharp) voting NO, and 1 (Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

SB 311 was introduced and laid on the table on motion of Senator Cook:

SB 311 - AN ACT TO AMEND CHAPTER 46, TITLE 29, DELAWARE CODE, RELATING TO PAYMENT OF LEGAL FEES AND EXPENSES OF COURT-APPOINTED ATTORNEYS. Sponsors: Senators Cook, Adams, Berndt, Zimmerman; Representatives Corrozi, George, Meconi, Soles and Wingate.

It was announced that the following House Concurrent Resolutions would be on Senate Consent Calendar #7: HCR 116; HCR 117; HCR 118; HCR 119; HCR 120; HCR 121.

At 2:26 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 45th Legislative Day.

45TH LEGISLATIVE DAY June 23, 1983

The Senate convened at 2:26 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

At 2:30 p.m., Lt. Governor Castle presiding.

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

Senate Consent Calendar #7 was taken up for consideration on motion of Senator Sharp. The House Concurrent Resolutions on the Calendar were as follows:

Senator Zimmerman marked PRESENT.

HCR 116 - REQUESTING THAT THE CHIEF JUDGE OF THE FAMILY COURT REVIEW AND EVALUATE THE CURRENT DELAWARE SUPPORT FORMULA, AND REPORT HIS FINDINGS AND RECOMMENDATIONS BACK TO THE GENERAL ASSEMBLY. Sponsors: Representative Jonkiert, Senator Marshall.

HCR 117 - CONGRATULATING THE STAFF OF THE DELAWARE CONSERVATIONIST ON THE OUTSTANDING ARTICLES AND PICTURES IN THE CURRENT ISSUE. Sponsors: Representatives Bennett, Terry, Outten, Meconi, Soles, Wingate, Corrozi, Petrilli, West; Senators Zimmerman, Cook, Holloway, McBride, Vaughn, Neal, Berndt.

HCR 118 - COMMENDING THE AMERICAN LEGION AUXILIARY, DEPARTMENT OF DELAWARE, AND THE PARTICIPANTS IN THE 1983 GIRLS STATE FOR CONTINUING THIS ENRICHING EDUCATIONAL EXPERIENCE. Sponsors: Representatives Jester, Fallon; Senator Minner.

HCR 119 - REQUESTING THE MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO GIVE FAVORABLE SUPPORT AND CONSIDERATION TO HR 2100 WHICH IS PART OF "THE EQUAL OPPORTUNITY RETIREMENT ACT OF 1983". Sponsors: Representatives Roy, Smith, Fallon, Anderson, Boykin; Senators Knox, Bair.

HCR 120 - CONGRATULATING JEFF BORKOSKI, WILLIAM PENN HIGH SCHOOL ALL-STATE FOOTBALL PLAYER, UPON HIS SELECTION AS STATE ATHLETE OF THE YEAR. Sponsors: Representatives Mack, Spence, Dixon, Jester, Brady, Houghton; Senators Connor, Vaughn, McBride.

HCR 121 - RELATING TO A SALARY INCREASE FOR STATE EMPLOYEES FOR FISCAL YEAR 1984. Sponsors: Representative Bennett, Senator Cook; Representatives George, Plant, Jonkiert, Brady, VanSant, Campanelli, Dixon, Houghton, Gilligan, Meconi, Soles, Anderson, Jester, B. Ennis, Clark, Outten, Terry, Clendaniel, Wingate, Bunting, Cordrey, West, Free, D. Ennis, Smith, Hebner, Maroney, Boykin, Corrozi, Mack, Spence, Roy, Davis, Petrilli, Oberle, Quillen, Buckworth, Barnes, Fallon; Senators Marshall, Sharp, Bair, Knox, Citro, Arnold, Neal, Connor, Littleton, Martin McBride, Vaughn, Torbert, Zimmerman.

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

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

SB 237 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE, RELATING TO EMPLOYMENT OF ASSISTANT PRINCIPALS IN DELAWARE PUBLIC SCHOOLS. Laid on the table on motion of Senator McBride.

SB 87 was stricken at the request of the sponsor, Senator Connor.

SB 297 was taken up for consideration on motion of Senator McBride under suspension of the necessary rules:

SB 297 - AN ACT TO AMEND CHAPTER 47, PART IV, TITLE 16 OF THE DELAWARE CODE RELATING TO CONTROLLED SUBSTANCES; AND PROVIDING FOR A FORFEITURE OF DRUG PROFITS ACT.

Senator Marshall was added as co-sponsor of the Bill and the Bill was laid on the table on further motion of Senator McBride.

SB 292 was taken up for consideration on motion of Senator Cook:

SB 292 - AN ACT TO RE-INCORPORATE THE TOWN OF HARTLY.

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

SB 301 was laid on the table on motion of Senator McDowell (no objection).

SB 248 was taken up for consideration on motion of Senator Holloway:

SB 248 - AN ACT TO AMEND CHAPTER 5, SUBCHAPTER II, TITLE 13 OF THE DELAWARE CODE RELATING TO CIVIL ENFORCEMENT OF THE DUTY OF SUPPORT.

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

The roll call vote on **SB 248 w SA 1** was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 294 was taken up for consideration on motion of Senator Adams:

SB 294 - AN ACT TO AMEND TITLE 6, CHAPTER 27, OF THE DELAWARE CODE BY PROHIBITING PHYSICIANS FROM ENTERING INTO AGREEMENTS NOT TO COMPETE.

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

SB 209 was taken up for consideration on motion of Senator Holloway under suspension of the necessary rules:

SB 209 - AN ACT TO AMEND TITLE 31, DELAWARE CODE, RELATED TO STANDARD OF NEED FOR AID TO FAMILIES WITH DEPENDENT CHILDREN.

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

YES: Senators Arnold, Berndt, Citro, Connor, Holloway, Knox, Marshall, McBride, McDowell, Neal, Zimmerman - 11.

NO: Senators Adams, Bair, Cook, Cordrey, Martin, Minner, Sharp, Torbert, Vaughn - 9.

ABSENT: Senator Littleton - 1.

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

At 3:47 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:41 p.m., Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 270.

The following legislation was introduced:

SB 312 - AN ACT TO AMEND CHAPTER 29, TITLE 6 OF THE DELAWARE CODE, RELATING TO RETAIL SALES OF MOTOR FUEL. Sponsors: Senators Holloway and Knox; Representative Dixon. Assigned to Executive Committee.

SB 313 - AN ACT TO AMEND CHAPTER 29, TITLE 6, DELAWARE CODE RELATING TO INDEPENDENCE OF RETAIL MOTOR FUEL DEALERS. Sponsors: Senators Holloway, Sharp, McDowell, Berndt; Representatives Dixon, Roy. Assigned to Judiciary Committee.

SB 314 - AN ACT TO AMEND CHAPTER 55, TITLE 25 OF THE DELAWARE CODE RELATING TO LIMITATIONS ON THE IMPOSITION OF SECURITY DEPOSITS ON TENANTS BY LANDLORDS. Sponsors: Senators McDowell, Vaughn, Torbert; Representatives Soles, VanSant, Sills, Meconi, Plant. Assigned to Administrative Services/Energy Committee.

SB 315 - AN ACT TO AMEND SECTION 1704, CHAPTER 17, TITLE 7 OF THE DELAWARE CODE RELATING TO PENALTIES FOR PERMITTING DOGS TO RUN AT LARGE AND PROVIDING FOR THE DISPOSITION OF FINES PAID FOR A VIOLATION OF SAID SECTION. Sponsors: Senators Neal, Berndt, Arnold. Assigned to Natural Resources and Environmental Control Committee.

SA 1 to HS 1 for HB 83 w HA 1, 3, 4, 8, 9, 11, 14, 15, 16. Sponsors: Senators Adams, Berndt, Martin. Placed with the Bill.

SA 4 to SB 280. Sponsor: Senator Neal. Placed with the Bill.

SA 2 to SB 231. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 3 to SB 231. Sponsor: Senator Torbert. Placed with the Bill.

SA 4 to SB 231. Sponsor: Senator Cook. Placed with the Bill.

HB 270 - AN ACT TO AMEND CHAPTER 29, TITLE 18 OF THE DELAWARE CODE TO EXEMPT CHARITABLE GIFT ANNUITIES FROM THE INSURANCE LAWS OF THE STATE OF DELAWARE. Sponsors: Representatives Buckworth, Dixon, Bennett, Quillen, Barnes, D. Ennis; Senators Adams, Bair, Cook. Assigned to Insurance and Elections Committee.

The following letter of nomination for appointment by the Governor was read and assigned to Executive Committee:

STATE OF DELAWARE
Office of the Governor
June 23, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: John Edward Malarkey, 203 Haven Lake Avenue, Milford, Delaware, to be reappointed Bank Commissioner for the State of Delaware for a term of four years

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

SB 309 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Sharp:

SB 309 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO THE ALLOCATION OF PRINCIPAL AND INCOME IN TRUSTS AND DECEDENTS' ESTATES.

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

At 4:50 p.m., Lt. Governor Castle presiding.

SB 311 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Cook (no objection):

SB 311 - AN ACT TO AMEND CHAPTER 46, TITLE 29, DELAWARE CODE, RELATING TO PAYMENT OF LEGAL FEES AND EXPENSES OF COURT-APPOINTED ATTORNEYS.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Knox, Littleton, Martin, McBride, McDowell, Neal, Torbert, Zimmerman - 15.

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

NOT VOTING: Senators Holloway and Vaughn - 2.

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

SB 156 was taken up for consideration on motion of Senator McDowell:

SB 156 - AN ACT TO AMEND CHAPTER 19, PART II, TITLE 30 OF THE DELAWARE CODE RELATING TO THE CORPORATION INCOME TAX; AND PROVIDING FOR A "DE-COUPLING" FROM THE FEDERAL ACCELERATED COST RECOVERY SYSTEM.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Robert Chastant (Delaware Division of Revenue), David M. Prouty (AFSCME, AFL-CIO), T. Dennis Sullivan (Secretary of Finance), and William Walls, Jr. (Senate Attorney).

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

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Knox, Littleton, McBride - 8.

NO: Senators Cook, Cordrey, Marshall, Martin, McDowell, Neal, Vaughn - 7.

NOT VOTING: Senators Connor, Minner, Torbert, Zimmerman - 4.

ABSENT: Senators Holloway and Sharp - 2.

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

At 6:24 p.m. the Senate recessed for change of tape and reconvened at 6:25 p.m., Lt. Governor Castle presiding.

The roll call vote on SA 1 to SA 1 to SB 156 was then taken and revealed:

YES: Senators Adams, Berndt, Cook, Connor, Holloway, Marshall, Martin, McDowell, Sharp - 9.

NO: Senators Arnold, Bair, Citro, Cordrey, Knox, Littleton, Minner, Neal, Torbert, Vaughn - 10.

NOT VOTING: Senators McBride and Zimmerman - 2.

Therefore, the Amendment to the Amendment was declared defeated.

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

SA 2 and SA 3 to the Bill which had been placed with the Bill were stricken at the request of the sponsor, Senator McBride.

SA 4 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Bair and the roll call vote taken which revealed 18 Senators voting YES and 3 (Marshall, McDowell and Sharp) voting NO; therefore, the Amendment was declared adopted.

SB 156 w SA 1, 4 was then laid on the table on further motion of Senator McDowell.

At 6:45 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., Monday, June 27, 1983.

The Senate reconvened at 2:15 p.m., June 27, 1983, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed SB 255 w SA 1, 2, HA 3; HB 181 w HA 1, 2; HB 264 w HA 2, 3; HB 273; HB 274.

SJR 5 was introduced and laid on the table on motion of Senator Minner:

SJR 5 - IN REFERENCE TO THE CREATION OF A STEERING COMMITTEE ON TELECOMMUNICATIONS POLICY. Sponsors: Senator Minner; Representative B. Ennis.

The following legislation was introduced:

HB 181 - AN ACT TO AMEND CHAPTER 68, TITLE 16 OF THE DELAWARE CODE PERTAINING TO THE DUTY TO RENDER REASONABLE ASSISTANCE OR CARE TO PERSONS EXPOSED TO PHYSICAL HARM. Sponsors: Representatives D. Ennis, B. Ennis, Anderson, Oberle, Petrilli, Mack, Buckworth, Boykin, Davis, VanSant, Cordrey. Assigned to Health-Social Services/Aging Committee.

At 2:16 p.m., Lt. Governor Castle presiding.

HB 264 w HA 2, 3 - AN ACT TO AMEND CHAPTER 13, TITLE 23 AND CHAPTER 80, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DISPOSITION OF LOST, ABANDONED OR STOLEN PROPERTY, BOATS AND VESSELS ADRIFT OR ABANDONED. Sponsor: Representative Terry. Assigned to Natural Resources and Environmental Control Committee.

HB 273 - AN ACT TO AMEND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE RELATING TO COMPETITIVE BIDDING. Sponsor: Representative Gilligan. Laid on the table.

HB 274 - AN ACT TO AMEND CHAPTER 61, TITLE 29 OF THE DELAWARE CODE RELATING TO COMPOSITION OF THE GENERAL FUND. Sponsor: Representative Gilligan. Laid on the table.

SA 1 to SB 297. Sponsor: Senator Marshall. Placed with the Bill.

SA 2 to SB 301. Sponsor: Senator McDowell. Placed with the Bill.

SA 1 to SA 2 to SB 231. Sponsor: Senator Cook. Placed with the Bill.

SR 74 was introduced and immediately stricken on motion of Senator Knox:

SR 74 - URGING THE SENATE TO COMPLY WITH THE REQUEST OF WDEL RADIO THAT RECORDING OF SENATE SESSIONS BY THE BROADCAST MEDIA BE RESTORED. Sponsors: Senators Knox, Arnold, Bair, Berndt, Citro, Connor, Littleton, Neal.

SR 75 was introduced and considered for adoption on motion of Senator Cordrey:

SR 75 - CONGRATULATING THE FRANKFORD VOLUNTEER FIRE COMPANY AND THE MEN AND WOMEN WHO MADE THE COMPANY A SUCCESS AS IT CELEBRATES ITS 50TH ANNIVERSARY. Sponsor: Senator Cordrey.

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

SR 76 (sponsored by Senator Knox) was introduced:

SR 76 - URGING THE SENATE TO COMPLY WITH THE REQUEST OF WDEL RADIO THAT RECORDING OF SENATE SESSIONS BY THE BROADCAST MEDIA BE RESTORED.

Senator Sharp moved that the Resolution be placed in the Executive Committee. The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 13.

NO: Senators Arnold, Bair, Berndt, Knox, Neal - 5.

ABSENT: Senators Citro, Connor, Littleton - 3.

Therefore, the motion prevailed and the Resolution was assigned to the Executive Committee.

SB 255 w SA 1, 2 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 3 on motion of Senator McDowell.

The roll call vote on SB 255 w SA 1, 2, HA 3 was therefore taken and revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SB 316 was introduced and assigned to Administrative Services/Energy Committee:

SB 316 - AN ACT TO AMEND CHAPTER 76, TITLE 16, AND CHAPTER 1, TITLE 22, DELAWARE CODE RELATING TO COUNTY AND MUNICIPAL BUILDING, PLUMBING, ELECTRICAL AND OTHER CODES. Sponsor: Senator Neal.

At 2:27 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 46th Legislative Day.

46TH LEGISLATIVE DAY June 27, 1983

The Senate convened at 2:27 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

On motion of Senator Zimmerman, the roll call vote on SB 231 w SA 1 was lifted and stricken.

SB 231 w SA 1 was now before the Senate.

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

SA 1 to SA 2 which had been placed with the Bill was laid on the table on motion of Senator Cook,,

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

June 23, 1983

Mr. John Paraskiewicz

Dear John:

In my judgment Senate Bill No. 231 with Senate Amendment No. 2 has now become a true compromise Bill meeting the principal needs of both recreational and commercial fishermen. It has adequate provisions to protect the fisheries resource from over exploitation. It will allow the implementation of interstate management. It will eliminate most of the conflicts between the various fishing interests. I now endorse the Bill as amended and recommend that the Delaware Wildlife Federation do likewise.

Sincerely,
Norman G. Wilder

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

During discussion of the Bill, the Amendments and the Amendments to the Amendments the privilege of the floor was extended to John P. Paraskiewicz (Delaware Wildlife Federation), Philip A. Messina, Jr., (Delaware Sports Fishing Association) and F. Michael Parkowski (Delaware Waterman's Association).

The roll call vote on SA 2 to SA 2 to SB 231 was taken and revealed:

YES: Senators Arnold, Bair, Berndt, Cook, Holloway, Marshall, Martin, McBride, McDowell, Neal, Sharp, Vaughn - 12.

NO: Senators Adams, Citro, Connor, Cordrey, Knox, Littleton, Minner, Torbert, Zimmerman - 9.

Therefore, the Amendment was declared adopted.

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

SB 306 was taken up for consideration under suspension of the necessary rules on motion of Senator Minner:

SB 306 - AN ACT TO PROVIDE FUNDS TO THE DEPARTMENT OF PUBLIC SAFETY FOR THE PURPOSE OF REIMBURSING VOLUNTEER FIRE COMPANIES FOR INCURRED EXTRAORDINARY EXPENSES.

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

Senator Citro marked PRESENT.

SB 275 was taken up for consideration on motion of Senator Adams under suspension of the necessary rules:

SB 275 - AN ACT TO AMEND CHAPTER 55, TITLE 29 OF THE DELAWARE CODE RELATING TO THE MANDATORY RETIREMENT AGE FOR STATE EMPLOYEES.

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

YES: Senators Adams, Arnold, Bair, Berndt, Cook, Holloway, Knox, Littleton, Marshall, Martin, Minner, Neal, Torbert - 13.

NO: Senators Citro, Cordrey, McBride, McDowell, Sharp, Vaughn - 6.

NOT VOTING: Senator Connor - 1.

ABSENT: Senator Zimmerman - 1.

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

SB 264 was taken up for consideration on motion of Senator Marshall:

SB 264 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, BY ADDING THERETO A DELAWARE BALANCED GROWTH POLICY ACT.

The roll call vote on the Bill was taken; however, the roll call was laid on the table before being announced on motion of Senator Marshall (no objection).

SJR 5 was taken up for consideration under suspension of the necessary rules on motion of Senator Minner:

SJR 5 - IN REFERENCE TO THE CREATION OF A STEERING COMMITTEE ON TELECOMMUNICATIONS POLICY.

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

HB 112 was taken up for consideration on motion of Senator Sharp:

HB 112 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE V, SECTION 4A OF THE CONSTITUTION OF 1897 OF THE STATE OF DELAWARE RELATING TO ABSENTEE VOTING.

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

SB 72 was taken up for consideration on motion of Senator Cordrey under suspension of the necessary rules:

SB 72 - AN ACT TO AMEND CHAPTER 9, TITLE 7, DELAWARE CODE, RELATING TO MENHADEN FISHING.

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

The roll call vote on SB 72 w SA 1 was then taken and revealed 19 Senators voting YES , 1 (Zimmerman) NOT VOTING, and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 301 was taken up for consideration under suspension of the necessary rules on motion of Senator McDowell:

SB 301 - AN ACT TO AMEND CHAPTER 20, TITLE 15, DELAWARE CODE, RELATING TO REGISTRATION OF VOTERS.

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

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

SA 1 to the Bill was stricken on motion of Senator McDowell.

The privilege of the floor was extended to John Fraser (Controller General's Office).

The roll call vote on SB 301 w SA 2 was then taken and revealed:

YES: Senators Adams, Citro, Cook, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Vaughn, Zimmerman - 11.

NO: Senators Arnold, Bair, Berndt, Connor, Cordrey, Knox, Minner, Neal, Torbert - 9.

ABSENT: Senator Littleton - 1.

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

HB 273 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Cordrey:

HB 273 - AN ACT TO AMEND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE RELATING TO COMPETITIVE BIDDING.

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

HB 274 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Cordrey and without objection:

HB 274 - AN ACT TO AMEND CHAPTER 61, TITLE 29 OF THE DELAWARE CODE RELATING TO COMPOSITION OF THE GENERAL FUND.

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

At 4:39 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:43 p.m., Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 21; HB 301; HB 302; HB 237 w HA 1; HB 119 w HA 1; HB 114 w HA 1.

The following legislation was introduced:

HB 114 w HA 1 - AN ACT TO AMEND CHAPTER 385, VOLUME 63, OF THE LAWS OF DELAWARE RELATING TO THE DEFINITION OF BEVERAGE CONTAINERS. Sponsors: Representatives Dixon and Petrilli. Laid on the table on motion of Senator Zimmerman (no objection).

HB 119 w HA 1 - AN ACT TO AMEND SUCHAPTER II, CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO A STATE INCOME TAX DEDUCTION FOR CERTAIN EXPENSES INCURRED IN PERFORMING VOLUNTARY SERVICES FOR CHARITABLE ORGANIZATIONS. Sponsors: Representative Bennett, Senator Cook; Representatives Anderson, Soles, Bunting, Clark, Houghton, D. Brady, VanSant, Terry, Outten, Buckworth, B. Ennis, Jester, Fallon; Senators Neal, Vaughn, Minner, Bair, McDowell, Zimmerman. Assigned to Revenue and Taxation Committee.

HB 237 w HA 1 - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE, MERGING THE COUNCIL ON THE ADMINISTRATION OF JUSTICE AND THE DELAWARE CRIMINAL JUSTICE PLANNING COMMISSION INTO A CRIMINAL JUSTICE COUNCIL. Sponsors Representative Meconi and Senator Vaughn. Assigned to Judiciary Committee.

HB 302 - AN ACT TO AMEND CHAPTER 17, TITLE 18, OF THE DELAWARE CODE RELATING TO THE EXAMINATION, CONTINUING EDUCATION AND LICENSING OF AGENTS, BROKERS, SURPLUS LINES BROKERS, CONSULTANTS, LIMITED REPRESENTATIVES, FRATERNAL REPRESENTATIVES, ADJUSTERS, AND APPRAISERS. Sponsors: Representatives Bunting and Dixon. Assigned to Insurance and Elections Committee.

HB 21 - AN ACT TO AMEND CHAPTER 51, TITLE 29, DELAWARE CODE, RELATING TO CONDITIONS OF STATE EMPLOYMENT. Sponsors: Representatives Plant, Holloway, Campanelli, West, Dixon; Senator Holloway. Assigned to Labor and Industrial Relations Committee.

HB 301 - AN ACT TO AMEND PART II, TITLE 7 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF THE EAST LINE FOR SHELLFISH MANAGEMENT AND RELATING TO SURF CLAIMS BY ESTABLISHING A LICENSE TO HARVEST SURF CLAIMS AND AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO PROMULGATE REGULATIONS GOVERNING THE HARVEST OF SURF CLAIMS. Sponsor: Representative Terry. Assigned to Natural Resources and Environmental Control Committee.

SB 312 was stricken at the request of the sponsor, Senator Holloway.

The following legislation was introduced:

SA 1 to HB 35. Sponsor: Senator Knox. Placed with the Bill.

SA 1 to SB 172. Sponsor: Senator Cook. Placed with the Bill.

SA 5 to SB 280. Sponsor: Senator Minner. Placed with the Bill.

SB 317 - AN ACT TO AMEND CHAPTER 5, TITLE 4, DELAWARE CODE, RELATING TO GROUNDS FOR REFUSAL OF LICENSE. Sponsor: Senator Holloway. Assigned to Administrative Services/Energy Committee.

SA 1 to HB 114. Sponsor: Senator Martin. Placed with the Bill.

SA 1 to HB 172. Sponsor: Senator Cook. Placed with the Bill.

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

STATE OF DELAWARE
Office of the Governor
June 27, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Gerald W. Pepper, Rt. 1, Box 301-C, Selbyville, Delaware, to be reappointed a member of the Sussex County Board of Elections for a term of four years.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
Office of the Governor
June 27, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Mary P. Pierson, R.D. #2, Box 207C, Laurel, Delaware, to be reappointed a member of the Sussex County Board of Elections for a term of four years.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

HB 35 w HA 1, 2, 3 was reported out of the Finance Committee: 6 Merits.

SR 77 was introduced and considered for adoption on motion of Senator Holloway:

SR 77 - JOINING IN THE PUBLIC TRIBUTE TO DR. LE ROY M. CHRISTOPHE, FOR FORTY-THREE YEARS AN EDUCATOR AND Y.M.C.A. ORGANIZER AND EXECUTIVE. Sponsor: Senator Holloway.

At 6:51 p.m. Lt. Governor Castle presiding.

Senator Berndt was added as co-sponsor after which the roll call vote on the Resolution was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted.

HB 40 was lifted from the table for consideration on motion of Senator Cook:

HB 40 - AN ACT TO AMEND CHAPTER 65, TITLE 29 OF THE DELAWARE CODE, TO PROVIDE PAYMENT TO GRANT-IN-AID RECIPIENTS BE MADE QUARTERLY.

SA 1 to the Bill which had been placed with the Bill was stricken at the request of the sponsor, Senator Marshall.

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Marshall and the roll call vote taken which revealed 1 Senator (Marshall) voting YES and 20 voting NO; therefore, the Amendment was declared defeated.

SA 3 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cook and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on HB 40 w SA 3 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

HB 225 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Cordrey:

HB 225 - AN ACT TO AMEND CHAPTER 322, VOLUME 63, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1983; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS." BEING SENATE SUBSTITUTE 1 FOR SENATE BILL 606 OF THE 131ST. GENERAL ASSEMBLY OF THE STATE OF DELAWARE.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES, 2 (Neal and Zimmerman) voting NO and 1 (Knox) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 35 w HA 1, 2, 3 was taken up for consideration under suspension of the necessary rules on motion of Senator Cook:

HB 35 w HA 1, 2, 3 - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN MILL CREEK HUNDRED TO THE MILL CREEK FIRE COMPANY.

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

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

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

Therefore, the Amendment was declared defeated.

The privilege of the floor was extended to Representative Gilligan after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Bair and Knox) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 172 was taken up for consideration under suspension of the necessary rules on motion of Senator Cook:

HB 172 - AN ACT TO AMEND SECTION 1909(d), CHAPTER 19, TITLE 30, DELAWARE CODE, RELATING TO UNDERPAYMENT OF ESTIMATED TAX FOR CORPORATION INCOME TAX PURPOSES.

SA 1 to SB 172 was stricken at the request of the sponsor, Senator Cook.

SA 1 to HB 172 was introduced and considered for adoption on motion of Senator Cook. The roll call vote on the Amendment was taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on HB 172 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

The roll call vote on SB 281 was lifted from the table on motion of Senator Neal and revealed:

YES: Senators Arnold, Bair, Berndt, Citro, Cook, Holloway, Knox, Littleton, Marshall, Martin, McBride, Neal - 12.

NO: Senators Adams, Connor, Cordrey, McDowell, Minner, Sharp, Torbert - 7.

NOT VOTING: Senators Vaughn and Zimmerman - 2.

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

The following Committee reports were announced:

From the Natural Resources and Environmental Control Committee: HB 244 w HA 1 - 5 Merits.

From the Public Safety Committee: HB 299 - 4 Merits.

At 7:05 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 28, 1983.

The Senate reconvened at 2:35 p.m., June 28, 1983, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 314; HB 343; HB 276 w HA 1, 2; HB 291; HB 240 w HA 1, 2; HB 295; HB 305; HB 306; HB 285 w HA 1, 2; HB 297 w HA 1; HB 313 w HA 1.

The following Committee reports were announced:

From the Community Affairs Committee: HB 163 - 3 Merits.

From the Health-Social Services/Aging Committee: HB 181 w HA 1, 2 - 4 Merits.

From the Insurance and Elections Committee: HB 205 w HA 1 - 3 Merits.

From the Executive Committee: HS 1 for HB 83 w HA 1, 3, 4, 8, 9, 11, 14, 15, 16 - 4 Favorable, 2 Merits; HB 94 - 6 Merits.

The following legislation was introduced:

SB 318 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, RELATING TO ABOLISHMENT OF THE COUNCIL ON POULTRY PROMOTION. Sponsors: Senators Littleton, Adams, Cordrey. Assigned to Agriculture Committee.

HB 240 w HA 1, 2 - AN ACT TO AMEND PART IX, TITLE 29 OF THE DELAWARE CODE RELATING TO DISPOSITION OF SURPLUS STATE REAL PROPERTY. Sponsors: Representatives Wingate, Anderson, Barnes, Boykin, Brady, Clark, Clendaniel, Cordrey, Dixon, B. Ennis, Free, George, Gilligan, Houghton, Mack, Meconi, Outten, Smith, Soles, Terry, West. Assigned to Community Affairs Committee.

HB 276 w HA 1, 2 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO DOMESTIC RELATIONS, AND PROVIDING FOR A UNIFORM PARENTAGE ACT. Sponsors: Representative Maroney and Senator Zimmerman; Representatives Davis, Hebner, Corrozi, Fallon, Boykin, Spence, Roy, Smith, Quillen, Plant, Soles, VanSant, Jonkiert, Meconi, Anderson; Senators Berndt, Holloway. Assigned to Judiciary Committee.

HB 291 - AN ACT TO AMEND CHAPTER 5, TITLE 11, OF THE DELAWARE CODE RELATING TO ISSUING BAD CHECKS. Sponsors: Representatives Buckworth, Dixon, Petrilli, Bennett; Senator Berndt. Assigned to Banking Committee.

HB 285 w HA 1, 2 - AN ACT TO AMEND CHAPTER 9, TITLE 5, OF THE DELAWARE CODE RELATING TO BANK LOAN LIMITATIONS TO ONE INDIVIDUAL, CHAPTER 1, TITLE 5 OF THE DELAWARE CODE RELATING TO SUPERVISORY ASSESSMENTS, AND CHAPTER 33 OF TITLE 12 RELATING TO INVESTMENTS BY FIDUCIARIES. Sponsors: Representatives Dixon, Bennett, Buckworth, Petrilli; Senator Berndt. Assigned to Banking Committee.

HB 295 - AN ACT TO AMEND CHAPTER 88, TITLE 29, DELAWARE CODE, RELATING TO LIMITATIONS ON THE PROCUREMENT OF PAPER PRODUCTS AND FILE CABINETS BY THE DIVISION OF SUPPORT OPERATIONS AND PURCHASING OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES. Sponsors: Representatives Spence, Oberle, Hebner, Corrozi, Bennett, Davis, Buckworth, Petrilli, Fallon, Roy, D. Ennis, Boykin, Smith, Maroney, Barnes, Mack, Free, Dixon, Soles, Houghton, Bunting, Jonkiert, Cordrey, Campanelli, Clark, Brady, West, VanSant; Senators Sharp, Connor, Knox, Littleton, Arnold, Neal, Bair, McBride, Torbert, Marshall, Vaughn. Assigned to Community Affairs Committee.

HB 297 w HA 1 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO AN AMUSEMENT RIDES SAFETY ACT. Sponsors: Representatives Gilligan and George; Senators Connor and McBride. Assigned to Public Safety Committee.

HB 306 - AN ACT TO AMEND CHAPTER 8, TITLE 19 OF THE DELAWARE CODE TO PROTECT EMPLOYEES' RIGHTS TO CERTAIN INVENTIONS. Sponsor: Representative Campanelli. Assigned to Labor and Industrial Relations Committee.

HB 313 w HA 1 - AN ACT TO AMEND CHAPTERS 31 AND 33, TITLE 19, OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsors: Representatives Campanelli, Outten, George, Oberle; Senator Marshall. Assigned to Finance Committee.

HB 305 - AN ACT TO AMEND CHAPTER 55, TITLE 29 OF THE DELAWARE CODE RELATING TO THE MANDATORY RETIREMENT AGE FOR STATE EMPLOYEES. Sponsors: Representatives Bennett and Jonkiert, Senator Adams; Representatives Clendaniel, Barnes, B. Ennis, Smith, Clark, Cordrey, Maroney, Jester, Plant, Brady, Fallon, Campanelli, West; Senators Berndt, Holloway. Assigned to Judiciary Committee.

HB 343 - AN ACT TO AMEND TITLE 19, OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsors: Representatives Campanelli, Outten, George, Oberle; Senator Marshall. Assigned to Finance Committee.

SR 78 - URGING THE HOUSE OF REPRESENTATIVES TO INITIATE AND CONSIDER LEGISLATION TO ENABLE THE STATE OF DELAWARE TO MAINTAIN AN EQUITABLE TAX BASE. Sponsor: Senator McDowell. Laid on the table on motion of the sponsor.

At 2:44 p.m., Lt. Governor Castle presiding.

At 2:44 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 47th Legislative Day.

47TH LEGISLATIVE DAY June 28, 1983

The Senate convened at 2:44 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Arnold.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

The following legislation was introduced:

HB 314 - AN ACT TO AMEND CHAPTER 31 AND 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsors: Representatives Campanelli, Outten, George, Oberle; Senator Marshall. Assigned to Finance Committee.

SJR 6 - IN REFERENCE TO THE ESTABLISHMENT OF ALUMINUM CONTAINER MONITORING COMMITTEE TO EVALUATE AND STUDY THE RECYCLING OF ALUMINUM CANS. Sponsors: Senator Adams and Littleton. Laid on the table on motion of Senator Adams.

Legislative Advisory #10 was read which informed the Senate that the Governor signed the following legislation: On June 21, 1983: HB 97 (Volume 64, Chapter 55, Laws of Delaware); On June 23: HB 118 w HA 1 (Volume 64, Chapter 56, Laws of Delaware), HB 130 (Volume 64, Chapter 57, Laws of Delaware), HB 194 (Volume 64, Chapter 58, Laws of Delaware), HB 215 (Volume 64, Chapter 59, Laws of Delaware), HB 221 w HA 1 (Volume 64, Chapter 60, Laws of Delaware), SB 121 (Volume 64,

Chapter 61, Laws of Delaware), SB 122 w SA 1 (Volume 64, Chapter 62, Laws of Delaware), HJR 8 (no Chapter number assigned).

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The following veto messages from the Governor were read:

STATE OF DELAWARE
OFFICE OF THE GOVERNOR
June 27, 1983

To the Senate of the 132nd General Assembly of the State of Delaware

Because of a technical error I am returning Senate Bill No. 199 without my signature. The bill is entitled: "AN ACT TO AMEND TITLES 9 AND 10, DELAWARE CODE, RELATING TO SUSSEX COUNTY SHERIFF, PROTHONOTARY, REGISTER IN CHANCERY AND CLERK OF THE PEACE FEES."

The original bill, delivered to my office on June 15, 1983, is inadvertently missing the second page and the synopsis. Because the original bill which is published in the Session Laws and because the Delaware Code clearly prohibits altering a bill after it has passed the General Assembly, I am returning Senate Bill No. 199 without my signature so that a corrected version may be passed.

Respectfully submitted,
Pierre S. duPont, IV, Governor

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STATE OF DELAWARE
OFFICE OF THE GOVERNOR
June 27, 1983

To the Senate of the 132nd General Assembly of the State of Delaware

On June 15, 1983 I received Senate Bill No. 200 entitled: "AN ACT TO AMEND TITLE 9, DELAWARE CODE §7002 RELATING TO THE ANNUAL OPERATING BUDGET ORDINANCE AND TO BUDGETS OF REVENUE."

Section 1 of this bill would allow Sussex County to balance its budget with revenue estimates based on the modified accrual basis of accounting, rather than on a cash basis as is now required.

Under the proposed modified accrual basis of accounting, the County could base its revenue estimates not only on cash actually received during a particular fiscal year, but also on charges owed during the fiscal year, but not actually received until the next fiscal year.

However, Senate Bill No. 200 makes no provision for responsibly handling this transition from the cash method to the modified accrual method of accounting.

Without a proper transition, the unknown and unintended impact of this bill could be to significantly expand or diminish the County's expenditure authority in the first year of implementation. Conversely, the County would have to compensate for that distortion in the following year. As a result of failure to allow for a transitional period, this bill, could force the County to recognize one-time revenue windfalls or shortfalls which exist only on paper and could jeopardize the County's ability to balance its budget in the future.

For these reasons I am returning Senate Bill No. 200 without my signature.

Respectfully submitted,
Pierre S. duPont, IV, Governor

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STATE OF DELAWARE
OFFICE OF THE GOVERNOR
June 27, 1983

To the Senate of the 132nd General Assembly of the State of Delaware

Senate Bill No. 206, entitled as follows, was delivered to my office on June 15, 1983: "AN ACT TO AMEND CHAPTER 68, TITLE 9, DELAWARE CODE, RELATING TO PLANNING AND ZONING IN SUSSEX COUNTY."

The bill makes a number of changes in procedures of the Planning and Zoning Commission of Sussex County, most of which deal with notice given of public hearings held by the County's Planning and Zoning Commission and the County Council. Because some of these proposed changes raise questions about the adequacy of notice that would be provided, I am returning the bill without my signature.

Senate Bill No. 206 eliminates the provision that notice of a hearing before the Commission be posted in four public places and instead requires that notice be posted only on the property affected. It also provides that notice of a hearing must be published in a county newspaper only, once, rather than twice as now required. The reduction in posting, combined with the reduction in publication, will make it more difficult for the general public to be aware of applications pending before the Planning and Zoning Commission and the County Council. Although the multiple posting may well be an inconvenience to the County, that inconvenience is outweighed by the interest of the citizens of Sussex County in having full and fair notice before action is taken by the County government. I am, therefore, returning Senate Bill No. 206 without my signature.

Respectfully submitted,
Pierre S. duPont, IV, Governor

HB 114 w HA 1 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Zimmerman:

HB 114 w HA 1 - AN ACT TO AMEND CHAPTER 385, VOLUME 63, OF THE LAWS OF DELAWARE RELATING TO THE DEFINITION OF BEVERAGE CONTAINERS.

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

SA 2 to the Bill was introduced by Senator Martin and laid on the table on his motion.

The roll call vote on HB 114 w HA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Cook, Cordrey, Holloway, Littleton, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 17.

NO: Senators Knox and Neal - 2.

ABSENT: Senators Citro and Connor - 2.

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

SJR 6 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Adams:

SJR 6 - IN REFERENCE TO THE ESTABLISHMENT OF ALUMINUM CONTAINER MONITORING COMMITTEE TO EVALUATE AND STUDY THE RECYCLING OF ALUMINUM CANS.

Senator Cook marked PRESENT.

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

HB 143 was taken up for consideration on motion of Senator Adams:

HB 143 - AN ACT TO AMEND CHAPTERS 33 AND 35 OF TITLE 18, OF THE DELAWARE CODE RELATING TO PAYMENT FOR THE SERVICES OF LICENSED CLINICAL SOCIAL WORKERS AS MENTAL HEALTH PROVIDERS.

During discussion of the Bill and the various Amendments offered thereto, the privilege of the floor was extended to Paul R. Stoffer (Delaware Health Care Coalition), Richard V. Pryor (Catholic Social Services), Susan C. Sargent (G.L.S. Associates, Inc.), William S. Kirk, III (Blue Cross/Blue Shield).

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

At 4:16 p.m., the Senate recessed for change of tape and reconvened at 4:19 p.m., Lt. Governor Castle presiding.

The roll call vote on SA 1 to HB 143 was then taken and revealed:

YES: Senators Adams, Minner, Neal, Zimmerman - 4.

NO: Senators Arnold, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, McBride, McDowell, Sharp, Torbert, Vaughn - 14.

NOT VOTING: Senator Berndt - 1.

ABSENT: Senators Bair and Martin - 2.

Therefore, the Amendment was declared defeated.

SA 2 to the Bill was introduced by Senator Zimmerman and considered for adoption on his motion.

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

YES: Senators Adams, Citro, Connor, Cordrey, Holloway, Littleton, Minner, Neal, Torbert, Vaughn, Zimmerman - 11.

NO: Senators Bair, Berndt, Cook, Knox, Marshall, Martin, McBride, McDowell, Sharp - 9.

ABSENT: Senator Arnold - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on HB 143 w SA 2 was taken and revealed:

YES: Senators Arnold, Bair, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 18.

NO: Senators Adams, Berndt, Neal - 3.

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

HS 1 for HB 83 w HA 1, 3, 4, 8, 9, 11, 14, 15, 16 was taken up for consideration on motion of Senator Adams:

HS 1 for HB 83 w HA 1, 3, 4, 8, 9, 11, 14, 15, 16 - AN ACT TO AMEND TITLES 11 AND 29 OF THE DELAWARE CODE TO REQUIRE FINANCIAL DISCLOSURE FOR CERTAIN STATE OFFICIALS AND EMPLOYEES.

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

SA 2 to the Bill was introduced by Senator Adams and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Cordrey, Knox, Littleton, Martin, Minner, Neal, Torbert, Vaughn - 12.

NO: Senators Citro, Connor, Cook, Marshall, McBride, McDowell, Sharp, Zimmerman - 8.

ABSENT: Senator Holloway - 1.

Therefore, the Amendment was declared adopted.

SA 1 to the Bill was then stricken on motion of Senator Adams.

SA 3 to the Bill was introduced by Senator Zimmerman and considered for adoption on his motion. Senator Citro marked PRESENT.

At 4:39 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:50 p.m., Senator Cordrey presiding.

SA 3 to HS 1 for HB 83 (as amended) was still before the Senate. The roll call vote on the Amendment was taken; however, before being announced, the roll call was laid on the table on motion of Senator Zimmerman (without objection).

SA 4 to the Bill was introduced by Senator Zimmerman and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Cordrey, Marshall, Zimmerman - 4.

NO: Senators Arnold, Bair, Berndt, Citro, Connor, Cook, Knox, Littleton, Martin, McBride, Minner, Neal, Sharp, Torbert, Vaughn - 15.

ABSENT: Senators Holloway and McDowell - 2.

Therefore, the Amendment was declared defeated.

SA 5 to the Bill was introduced by Senator Zimmerman and considered for adoption on his motion. The privilege of the floor was extended to Gary Dalton (Senate Attorney).

At 6:08 p.m., Lt. Governor Castle presiding.

The roll call vote on SA 5 to SS 1 for HB 83 (as amended) was then taken and revealed:

YES: Senators Adams, Holloway, Marshall, McDowell, Torbert, Zimmerman - 6.

NO: Senators Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Knox, Littleton, Martin, McBride, Minner, Neal, Sharp, Vaughn - 15.

Therefore, the Amendment was declared defeated.

The roll call vote on HS 1 for HB 83 w HA 1, 3, 4, 8, 9, 11, 14, 15, 16, SA 2 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

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

STATE OF DELAWARE
Office of the Governor
June 28, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Joyce L. Wright, P. O. Box 114, Woodside, Delaware, to be appointed a member of the Industrial Accident Board to serve for a term of six years, to fill a vacancy, replacing Irving H. Garton, deceased

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

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STATE OF DELAWARE
Office of the Governor
June 28, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: James P. Robinson, III, P.O. Box 112, Millville, Delaware, to be appointed a member of the Industrial Accident Board to serve for a term of six years, to replace Thomas E. Hickman

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

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SB 313 was taken up for consideration on motion of Senator Holloway under suspension of the necessary rules:

SB 313 - AN ACT TO AMEND CHAPTER 29, TITLE 6, DELAWARE CODE RELATING TO INDEPENDENCE OF RETAIL MOTOR FUEL DEALERS.

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

The privilege of the floor was extended to Gary Dalton (Senate Attorney) after which the roll call vote on the Amendment was taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

SA 2 to the Bill was introduced by Senator McBride.

The privilege of the floor was extended to Michael A. Fusco after which SA 2 was laid on the table on further motion of Senator McBride.

The roll call vote on SB 313 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 280 w SA 1 was lifted from the table for consideration on motion of Senator Martin.

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

SA 3 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Littleton and the roll call vote taken which revealed:

YES: Senators Adams, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, McBride, Minner, Vaughn - 14.

NO: Senators Martin, McDowell, Neal, Sharp, Torbert, Zimmerman - 6.

NOT VOTING: Senator Arnold - 1.

Therefore, the Amendment was declared adopted.

SA 4 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Neal and the roll call vote taken which revealed:

YES: Senators Berndt, Knox, Martin, Neal, Sharp - 5.

NO: Senators Adams, Bair, Citro, Cook, Cordrey, Littleton, Marshall, McBride, Minner, Torbert, Vaughn, Zimmerman - 12.

NOT VOTING: Senators Connor, Holloway, McDowell - 3.

ABSENT: Senator Arnold - 1.

Therefore, the Amendment was declared defeated.

SA 5 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Minner and the roll call vote taken which revealed 20 Senators voting YES and 1 (Arnold) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 280 w SA 1, 2, 3, 5 was then taken; however, the roll call was laid on the table before being announced on motion of Senator Martin (without objection).

At 7:03 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 29, 1983.

The Senate reconvened at 2:16 p.m., June 29, 1983, Senator Cordrey presiding.

The following Committee reports were announced:

From the Community Affairs Committee: HB 240 w HA 1, 2 - 4 Merits.

From the Finance Committee: HB 313 w HA 1 - 6 Merits; HB 314 - 6 Merits; HB 343 - 6 Merits.

From the Labor and Industrial Relations Committee: HB 306 - 6 Merits; SB 263 w SA 1, 2 - 7 Merits.

From the Revenue and Taxation Committee: SB 291 - 4 Merits.

From the Public Safety Committee: HB 45 w HA 1 - 5 Merits; HB 82 w HA 2 - 1 Favorable, 4 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 269 w HA 1, 2; HB 287; HB 333; HB 336; HB 337; HB 187; HB 197; HB 200 w HA 1; HB 265; HB 303; HB 311; HB 335; HB 348; SB 83 w SA 1; SB 22; SB 141; SB 229; SB 269; SB 230; SB 143; SB 268; SB 136 w SA 1; HB 120 w HA 1, 2; SB 123 w HA 1; SB 55 w HA 2; SB 48 w SA 1, HA 1; SB 96; SB 24 w SA 1; SB 169 w HA 1 and adopted SCR 62.

The following legislation was introduced:

HB 120 w HA 1, 2 - AN ACT TO AMEND CHAPTER 11, TITLE 30 OF THE DELAWARE CODE, RELATING TO PERSONAL INCOME TAX CREDITS FOR CONTRIBUTIONS TO POLITICAL PARTIES. Sponsors: Representative Gilligan and Senator Sharp. Assigned to Revenue and Taxation Committee.

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

HB 265 - AN ACT TO AMEND CHAPTER 82, TITLE 29, OF THE DELAWARE CODE TO PERMIT THE SECRETARY OF THE DEPARTMENT OF PUBLIC SAFETY TO EXPEND FUNDS TO CONTAIN OR CLEAN UP A HAZARDOUS SUBSTANCE SPILL. Sponsors: Representative B. Ennis, Senator Minner. Laid on the table on motion of Senator Minner.

HB 187 - AN ACT TO AMEND CHAPTER 17, PART I, TITLE 18 OF THE DELAWARE CODE, RELATING TO THE QUALIFICATION OF APPLICANTS FOR AN INSURANCE LICENSE. Sponsor: Representative Bunting. Assigned to Insurance and Elections Committee.

HB 197 - AN ACT TO AMEND CHAPTER 57, TITLE 25 OF THE DELAWARE CODE RELATING TO LANDLORD/TENANT CODE APPEAL PROCEDURES. Sponsors: Representatives Meconi, D. Ennis. Assigned to Administrative Services/Energy Committee.

HB 200 w HA 1 - AN ACT TO AMEND TITLE 30, CHAPTER 30, OF THE DELAWARE CODE TO EXEMPT NEW OR USED PUBLIC SCHOOL BUSES FROM THE MOTOR VEHICLE DOCUMENT FEE. Sponsors: Representatives Clendaniel, Barnes, Cordrey, Fallon, Gilligan, West; Senators Minner and Sharp. Assigned to Revenue and Taxation Committee.

HB 269 w HA 1, 2 - AN ACT TO AMEND CHAPTER 12, TITLE 3, OF THE DELAWARE CODE RELATING TO PESTICIDES. Sponsors: Representatives Clark, Jester, Fallon, B. Ennis, Clendaniel, Cordrey, West; Senators Adams, Vaughn, Cook, Littleton, Arnold. Assigned to Agriculture Committee.

HB 287 - AN ACT TO AMEND CHAPTER 55, TITLE 25 OF THE DELAWARE CODE RELATING TO RETALIATORY EVICTIONS. Sponsors: Representative Soles and Senator Bair; Representatives Anderson, D. Ennis; Senators Martin and Minner. Assigned to Administrative Services/Energy Committee.

HB 303 - AN ACT TO AMEND CHAPTER 23, TITLE 19 OF THE DELAWARE CODE RELATING TO WORKER'S COMPENSATION INSURANCE COVERAGE FOR PROPRIETORS AND PARTNERS. Sponsors: Representative Outten, Senator Zimmerman. Laid on the table on motion of Senator Zimmerman.

HB 311 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE BY ESTABLISHING MINIMUM STANDARDS FOR INDIVIDUAL HEALTH INSURANCE. Sponsors: Representative Buckworth, Senator Sharp; Representatives Dixoin, D. Ennis, Bunting. Assigned to Insurance and Elections Committee.

HB 333 - AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER, CHAPTER 158, VOLUME 36 OF THE LAWS OF DELAWARE AS IT MAY HAVE BEEN AMENDED FROM TIME TO TIME RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS, SPECIAL ASSESSMENT REVENUE BONDS, TAX ANTICIPATION NOTES AND BOND ANTICIPATION NOTES. Sponsors: Representatives Outten, Bennett; Senator Zimmerman. Laid on the table on motion of Senator Zimmerman.

HB 335 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE TWO DELAWARE INSURANCE GUARANTY ASSOCIATIONS AND THE PROVISIONS FOR REHABILITATION AND LIQUIDATION OF A DELAWARE INSURANCE COMPANY. Sponsors: Representatives Free, Dixon; Senators Berndt and Sharp. Assigned to Insurance and Elections Committee.

HB 336 - AN ACT TO AMEND CHAPTER 83, TITLE 9 OF THE DELAWARE CODE RELATING TO THE ELIGIBILITY FOR VALUATION OF LAND DEVOTED TO AGRICULTURE, HORTICULTURE OR FOREST USE. Sponsors: Representatives Jester, Clark, Barnes, Bennett, B. Ennis, Mack; Senators Adams, Cook, Vaughn. Laid on the table on motion of Senator Adams.

HB 337 - AN ACT TO AMEND CHAPTER 35, TITLE 7 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF COMMERCIAL FOREST PLANTATIONS. Sponsors: Representatives Jester, Clark, Barnes, Bennett, B. Ennis, Mack; Senators Adams, Cook, Vaughn. Assigned to Agriculture Committee.

SA 3 to SA 2 to SB 231. Sponsor: Senator Bair. Placed with the Bill.

SA 2 to SB 297. Sponsors: Senators Marshall and McBride. Placed with the Bill.

SA 1 to HB 65. Sponsor: Senator Bair. Placed with the Bill.

SA 1 to HB 82. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to HB 285. Sponsor: Senator Cordrey. Placed with the Bill.

HB 348 - AN ACT TO AMEND SUBCHAPTER 1, CHAPTER 3, TITLE 10, DELAWARE CODE, RELATING TO THE COURT OF CHANCERY. Sponsors: Representatives Plant, George, Terry, Outten, Bennett, Spence, Barnes; Senators Adams, Martin, Holloway, Zimmerman, Vaughn, Minner, Cook, Citro, Knox. Assigned to Judiciary Committee.

The following Committee reports were announced:

From the Labor and Industrial Relations Committee: HB 212 - 7 Merits; HB 245 w HA 1 - 7 Merits.

SR 79 was introduced and laid on the table:

SR 79 - URGING THE UNITED STATES CONGRESS AND THE PRESIDENT TO USE ALL AVAILABLE LEGISLATIVE AND ADMINISTRATIVE TOOLS TO PROHIBIT THE IMPORTATION OF RAW STEEL BY THE UNITED STATES STEEL CORPORATION FROM THE BRITISH STEEL CORPORATION.

SR 80 was introduced and laid on the table:

SR 80 - CONGRATULATING ROSANNA RIPKA, OF KITTS HUMMOCK, ON THE IMPENDING CELEBRATION OF HER 75TH BIRTHDAY.

SCR 74 - PRAISING GRANVILLE T. WHITE, OF BRIDGEVILLE, FOR MORE THAN TWENTY-FIVE YEARS OF VOLUNTEER SERVICE TO FIRE PREVENTION. Sponsors: Senators Holloway, Adams, Littleton; Representatives Cordrey, Fallon, Barnes.

The Resolution was considered for adoption on motion of Senator Adams and the roll call vote taken which revealed 12 Senators voting YES and 9 (Berndt, Connor, Cook, Holloway, Littleton, Marshall, McBride, Neal, Vaughn) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SJR 7 was introduced and immediately stricken on motion of the sponsor, Senator Martin:

SJR 7 - EXTENDING THE LIFE OF THE ALUMINUM CONTAINER MONITORING COMMITTEE, CHANGING ITS NAME TO THE ALUMINUM CONTAINER REVIEW GROUP, AND ADOPTING RECOMMENDATIONS CONTAINED IN THE COMMITTEE'S JUNE 1 REPORT TO THE GOVERNOR AND THE GENERAL ASSEMBLY. Sponsor, Senator Martin.

SR 81 was introduced and laid on the table on motion of Senator McDowell:

SR 81 - REQUESTING THE GOVERNOR OF THE STATE TO ESTABLISH A FIFTEEN MEMBER COMMITTEE, INCLUDING SUBSTANTIAL REPRESENTATION FROM THE PRIVATE SECTOR, TO ADVISE ON MATTERS RELATING TO RENEWABLE ENERGY RESOURCE PROGRAMS IMPLEMENTED BY THE STATE OF DELAWARE. Sponsors: Senators McDowell and Bair.

SJR 8 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Martin:

SJR 8 - RELATING TO THE CONTAINER MONITORING COMMITTEE TO BE APPOINTED BY THE GOVERNOR. Sponsor: Senator Martin.

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

YES: Senators Adams, Arnold, Bair, Citro, Cordrey, Knox, Littleton, Marshall, Martin, McDowell, Minner, Sharp, Torbert - 13.

NOT VOTING: Senator Zimmerman - 1.

ABSENT: Senators Berndt, Connor, Cook, Holloway, McBride, Neal, Vaughn - 7.

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

Former Senator McCullough was recognized and granted the privilege of the floor.

The following Committee reports were announced:

From the Executive Committee: Carl Goldstein - 6 Merits; Joseph A. Knusman - 6 Merits; John H. Wilding - 6 Merits; Rosalind Toulson - 6 Merits; Anna Arlene Lewis - 6 Merits; John Edward Malarkey - 3 Favorable, 3 Merits; Paul Neeman - 6 Merits; Gerald F. Pepper - 1 Favorable, 5 Merits; Mary P. Pierson - 6 Merits; Vivian K. Kleinman - 6 Merits; Vicki Ann Hagel - 6 Merits.

HB 65 was taken up for consideration on motion of Senator McDowell:

HB 65 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE PUBLIC NOTICE REQUIREMENTS OF THE BOARD OF LANDSCAPE ARCHITECTURE, BOARD OF VETERINARY MEDICINE, BOARD OF SOCIAL WORK EXAMINERS.

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

YES: Senators Adams, Bair, Citro, Connor, Cordrey, Knox, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 14.

NO: Senator Minner - 1.

ABSENT: Senators Arnold, Berndt, Cook, Holloway, Littleton, Neal - 6.

Therefore, the Amendment was declared adopted.

The roll call vote on **HB 65 w SA 1** was then taken and revealed 15 Senators voting YES and 6 (Arnold, Berndt, Cook, Holloway, Littleton, Neal) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

HB 94 w HA 1 was taken up for consideration on motion of Senator Adams:

HB 94 w HA 1 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE TERM OF OFFICE OF SHERIFF FOR KENT AND SUSSEX COUNTIES.

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

YES: Senators Adams, Arnold, Bair, Citro, Connor, Cook, Cordrey, Knox, Marshall, Martin, McDowell, Minner, Sharp, Torbert, Zimmerman - 15.

NOT VOTING: Senator Littleton - 1.

ABSENT: Senators Berndt, Holloway, McBride, Neal, Vaughn - 5.

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

On motion of Senator Martin, the roll call vote on **SB 280 w SA 1, 2, 3, 5** was lifted; however, the roll call was again tabled before being announced on further motion of the Senator.

HB 244 w HA 1 was taken up for consideration on motion of Senator Zimmerman:

HB 244 w HA 1 - AN ACT TO AMEND CHAPTER 63, TITLE 7, CHAPTER 67, TITLE 16, AND CHAPTER 31, TITLE 20 OF THE DELAWARE CODE RELATING TO THE POWERS OF CERTAIN AGENCIES DURING A HAZARDOUS SUBSTANCE INCIDENT.

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

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

SB 191 - AN ACT TO AMEND TITLE 5, CHAPTER 11 OF THE DELAWARE CODE RELATING TO THE TAXATION ON NET EARNINGS OF BANKS, TRUST COMPANIES AND NATIONAL BANKS.

Representatives Ennis, Jester, Mack and Senator McBride were added as co-sponsors of the Bill.

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

The roll call vote on **SB 191 w SA 1** was then taken and revealed 19 Senators voting YES and 2 (Citro and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 297 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Marshall.

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

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Marshall and the roll call vote taken which revealed 17 Senators voting YES, 1 (McDowell) NOT VOTING and 3 (Berndt, Cook, Holloway) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Christopher Curtin (Department of Justice) after which the roll call vote on SB 297 w SA 2 was taken and revealed 20 Senators voting YES and 1 (McDowell) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 3:20 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 48th Legislative Day.

48TH LEGISLATIVE DAY
June 29, 1983

The Senate convened at 3:20 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

Legislative Advisory #11 received from the Office of counsel to the Governor was read which informed the Senate that the Governor signed the following legislation: On June 25, 1983 - SB 160 w SA 1, HA 1 (Volume 64, Chapter 63, Laws of Delaware); On June 27 - HB 198 (Volume 64, Chapter 64, Laws of Delaware), SB 198 (Volume 64, Chapter 65, Laws of Delaware), SB 101 w SA 1, HA 1, 2 (Volume 64, Chapter 66, Laws of Delaware), SB 201 (Volume 64, Chapter 67, Laws of Delaware), SB 202 w SA 1 (Volume 64, Chapter 68, Laws of Delaware), SB 203 (Volume 64, Chapter 69, Laws of Delaware), SB 204 (Volume 64, Chapter 70, Laws of Delaware), SB 239 (Volume 64, Chapter 71, Laws of Delaware), SB 241 (Volume 64, Chapter 72, Laws of Delaware), SB 243 (Volume 64, Chapter 73, Laws of Delaware), SB 244 (Volume 64, Chapter 74, Laws of Delaware), SB 246 (Volume 64, Chapter 75, Laws of Delaware), SB 247 (Volume 64, Chapter 76, Laws of Delaware), SB 256 (Volume 64, Chapter 77, Laws of Delaware), SB 205 (Volume 64, Chapter 78, Laws of Delaware); On June 28 - HB 225 (Volume 64, Chapter 79, Laws of Delaware). On June 27, the Governor vetoed - SB 199, SB 200, SB 206; On June 28 the Governor vetoed HB 31.

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On motion of Senator Adams, the Governor's nomination for appointment of Evelyn H. Greenwood was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Cook) ABSENT; therefore, the appointment was declared confirmed.

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

On motion of Senator Adams, the Governor's nomination for appointment of John Edward Malarkey was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Rosalind Toulson was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of John H. Wilding was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Joseph A. Knussman was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Berndt) ABSENT; therefore, the appointment was declared confirmed.

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

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

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

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

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

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

HB 81 w HA 1 was taken up for consideration on motion of Senator Holloway:

HB 81 w HA 1 - AN ACT AMENDING CHAPTER 70, TITLE 16 OF THE DELAWARE CODE PROHIBITING THE STORAGE OF EXPLOSIVES IN CERTAIN AREAS.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Sharp and the roll call vote taken which revealed 17 Senators voting YES and 4 (Arnold, Berndt, Cordrey, Littleton) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on HB 81 w HA 1, SA 1 was then taken and revealed 20 Senators voting YES and 1 (Berndt) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

HB 177 was taken up for consideration on motion of Senator Sharp:

HB 177 - AN ACT TO AMEND CHAPTER 70, TITLE 25 OF THE DELAWARE CODE RELATING TO SUMMARY POSSESSION PROCEEDINGS FOR LEASED MOBILE HOMES AND MOBILE HOME LOTS.

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

HB 185 was taken up for consideration on motion of Senator Sharp:

HB 185 - AN ACT TO AMEND TITLE 6 AND TITLE 8 OF THE DELAWARE CODE RELATING TO THE DELAWARE SECURITIES ACT AND THE DELAWARE GENERAL CORPORATION LAW.

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

On motion of Senator Martin, the roll call vote on SB 280 w SA 1, 2, 3, 5 was lifted and announced:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Cook, Holloway, Knox, Littleton, Marshall, Martin, McBride, Torbert, Vaughn - 14.

NO: Senators Adams, Cordrey, McDowell, Minner, Neal, Sharp - 6.

NOT VOTING: Senator Zimmerman - 1.

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

HB 132 w HA 1 was taken up for consideration on motion of Senator Holloway:

HB 132 w HA 1 - AN ACT TO AMEND CHAPTER 8, TITLE 16, OF THE DELAWARE CODE RELATING TO THE TREATMENT OF EYE INFLAMMATIONS OF THE NEWBORN.

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

HB 138 w HA 1 was taken up for consideration on motion of Senator Marshall:

HB 138 w HA 1 - AN ACT TO AMEND CHAPTER 21, TITLE 30 OF THE DELAWARE CODE TO REQUIRE THE DIVISION OF REVENUE TO NOTIFY ALL BUSINESSES AND MERCHANTS WHEN NEW TAXES OR RULES AND REGULATIONS AFFECTING TAXES ARE PUT INTO EFFECT.

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

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 13.

NO: Senators Arnold, Bair, Citro, Connor, Knox, Littleton, Neal - 7.

NOT VOTING: Senator Berndt - 1.

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

HB 163 was taken up for consideration on motion of Senator Minner:

HB 163 - AN ACT TO AMEND CHAPTER 11, TITLE 28 OF THE DELAWARE CODE EXEMPTING CERTAIN NON-PROFIT ORGANIZATIONS FROM THE REQUIREMENT OF FILING AFTER OCCASION BINGO REPORTS.

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

HB 265 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Zimmerman:

HB 265 - AN ACT TO AMEND CHAPTER 82, TITLE 29, OF THE DELAWARE CODE TO PERMIT THE SECRETARY OF THE DEPARTMENT OF PUBLIC SAFETY TO EXPEND FUNDS TO CONTAIN OR CLEAN UP A HAZARDOUS SUBSTANCE SPILL.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Connor, Cook and McDowell) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 299 was taken up for consideration on motion of Senator Torbert:
HB 299 - AN ACT TO AMEND CHAPTER 82, TITLE 29, OF THE DELAWARE CODE, CHANGING THE NAME OF THE COMMISSION ON THE TRANSPORTATION OF HAZARDOUS MATERIALS.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Connor, Cook, Minner) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

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

SB 267 - AN ACT TO AMEND CHAPTER 10, TITLE 14, DELAWARE CODE, RELATING TO THE QUALIFICATIONS OF VOTERS IN SCHOOL ELECTIONS.

At 4:42 p.m., Senator Sharp presiding.

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

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Zimmerman - 15.

NO: Senators Adams, Cook, Cordrey, Littleton, Minner, Vaughn - 6.

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

HB 203 was taken up for consideration on motion of Senator Zimmerman:

HB 203 - AN ACT TO AMEND 7 DEL. C., CHAPTER 19, RELATING TO THE DUTIES AND POWERS OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL IN TESTING CREEKS, STREAMS, RIVERS AND BAYS AND TAKING APPROPRIATE CORRECTIVE ACTION.

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

HB 262 was taken up for consideration on motion of Senator Marshall:

HB 262 - AN ACT TO AMEND CHAPTER 51, TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC EMPLOYEES WHO REPORT SUSPECTED VIOLATIONS OF THE LAW.

Final consideration of the Bill was then deferred on further motion of the Senator.

At 4:52 p.m., Senator Cordrey presiding.

HB 205 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 205 w HA 1 - AN ACT TO AMEND CHAPTER 17, TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE INTERIM LICENSES.

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

HB 262 was taken up for consideration on motion of Senator Marshall under suspension of the necessary rules and the roll call vote taken which revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

At 4:56 p.m., Senator Sharp presiding.

HB 285 w HA 1, 2 was taken up for consideration on motion of Senator Cordrey under suspension of the necessary rules:

HB 285 w HA 1, 2 - AN ACT TO AMEND CHAPTER 9, TITLE 5, OF THE DELAWARE CODE RELATING TO BANK LOAN LIMITATIONS TO ONE INDIVIDUAL, CHAPTER 1, TITLE 5 OF THE DELAWARE CODE RELATING TO SUPERVISORY ASSESSMENTS, AND CHAPTER 33 OF TITLE 12 RELATING TO INVESTMENTS BY FIDUCIARIES.

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

The roll call vote on HB 285 w HA 1, 2, SA 1 was then taken and revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

SB 123 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 1 on motion of Senator Zimmerman. The roll call vote on SB 123 w HA 1 was then taken and revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SB 169 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 1 on motion of Senator Marshall. The roll call vote on SB 169 w HA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SB 48 w SA 1 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 1 on motion of Senator Knox. The roll call vote on SB 48 w SA 1, HA 1 was then taken and revealed 19 Senators voting YES and 2 (Littleton and Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SB 55 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 2. The roll call vote on SB 55 w HA 2 was then taken and revealed 20 Senators voting YES and 1 (Littleton) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

At 5:15 p.m., Senator Cordrey presiding.

HB 240 w HA 1, 2 was taken up for consideration on motion of Senator Minner:

HB 240 w HA 1, 2 - AN ACT TO AMEND PART IX, TITLE 29 OF THE DELAWARE CODE RELATING TO DISPOSITION OF SURPLUS STATE REAL PROPERTY.

The privilege of the floor was extended to Nathan Hayward, III, Director of the Delaware Development Office after which the roll call vote on the Bill was taken and revealed 18 Senators voting YES, 1 (Cordrey) voting NO, and 2 (Citro and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 231 was taken up for consideration under suspension of the necessary rules on motion of Senator Sharp:

HB 231 - AN ACT TO AMEND CHAPTER 25, TITLE II OF THE DELAWARE CODE RELATING TO EXTRADITION AND DETAINERS.

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

The following communication from the Governor was read:

STATE OF DELAWARE
OFFICE OF THE GOVERNOR
June 29, 1983

To the Senate of the 132nd General Assembly of the State of Delaware

The nomination of Gwynette R. Smith for Justice of the Peace, submitted to you on June 14, 1983, is hereby formally withdrawn.

Sincerely,
Pierre S. duPont, Governor

* * * * *

At 5:30 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 6:14 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Health-Social Services/Aging Committee: SB 266 - 4 Merits; HJR 7 - 5 Merits.

From the Revenue and Taxation Committee: HB 129 w HA 3 - 4 Merits; HB 200 w HA 1 - 5 Merits; HB 120 w HA 1, 2 - 6 Merits.

From the Natural Resources and Environmental Control Committee: HB 149 w HA 1, 2 - 2 Favorable, 3 Merits.

The following legislation was introduced:

SA 2 to HB 90. Sponsor: Senator McBride. Placed with the Bill.

SA 1 to HB 331. Sponsor: Senators Holloway. Placed with the Bill.

SA 1 to HB 206. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 2 to SB 310. Sponsor: Senator Holloway. Placed with the Bill.

At 6:16 p.m., Lt. Governor Castle presiding.

HB 214 w HA 1 was taken up for consideration on motion of Senator Marshall:

HB 214 w HA 1 - AN ACT TO AMEND CHAPTER 50, TITLE 29 OF THE DELAWARE CODE RELATING TO THE HIRING OF DELAWARE RESIDENTS FOR PROJECTS FINANCED UNDER THE DELAWARE ECONOMIC DEVELOPMENT AUTHORITY.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (Neal) voting NO, and 1 (Cook) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 313 w HA 1 was taken up for consideration on motion of Senator Cook under suspension of the necessary rules. Senator Cook yielded to Senator Marshall to floor manage the Bill:

HB 313 w HA 1 - AN ACT TO AMEND CHAPTER 31 AND 33, TITLE 19, OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

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

HB 314 was taken up for consideration under suspension of the necessary rules on motion of Senator Marshall:

HB 314 - AN ACT TO AMEND CHAPTER 31 AND 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Adams, Cordrey, Minner) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 343 was taken up for consideration on motion of Senator Marshall under suspension of the necessary rules:

HB 343 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

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

The Secretary announced that a message from the House informed the Senate that it had passed HB 366.

HB 366 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Sharp:

HB 366 - AN ACT TO AMEND CHAPTER 53, TITLE 30, OF THE DELAWARE CODE RELATING TO TAXATION OF TOBACCO PRODUCTS. Sponsors: Representatives Bennett, Dixon; Senator Sharp.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Bair and Neal) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House.

HCR 79 was lifted from the table for consideration on motion of Senator Torbert:

HCR 79 - MEMORIALIZING THE DELAWARE CONGRESSIONAL DELEGATION TO INVESTIGATE AND STUDY THE FEASIBILITY OF FEDERAL LEGISLATION REQUIRING MANUFACTURERS AND PROCESSORS OF FOOD PRODUCTS TO LABEL THE FOOD AS TO ITS SALT OR SODIUM CONTENT BY MILLIGRAMS AND TO MAKE AVAILABLE TO THE PUBLIC LOW OR NO SALT CONTENT PRODUCTS.

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

SCR 75 was introduced and considered for adoption on motion of Senator Sharp:

SCR 75 - EXPRESSING THE DISMAY AND CONCERN OF THE SENATE AT SHORTCOMINGS OF THE SECURITY SYSTEM AT DELAWARE CORRECTIONAL CENTER AND URGING THE GOVERNOR TO PINPOINT ADMINISTRATIVE RESPONSIBILITY FOR THE ESCAPE OF FOUR DANGEROUS INMATES. Sponsors: Senators Sharp, Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Torbert, Vaughn, Zimmerman.

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

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 13.

NO: Senators Littleton, Neal - 2.

NOT VOTING: Senators Arnold, Bair, Berndt, Connor, Knox - 5.

ABSENT: Senator Citro - 1.

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

SR 79 was lifted from the table for consideration on motion of Senator Holloway:

SR 79 - URGING THE UNITED STATES CONGRESS AND THE PRESIDENT TO USE ALL AVAILABLE LEGISLATIVE AND ADMINISTRATIVE TOOLS TO PROHIBIT THE IMPORTATION OF RAW STEEL BY THE UNITED STATES STEEL CORPORATION FROM THE BRITISH STEEL CORPORATION.

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

YES: Senators Adams, Bair, Berndt, Connor, Cook, Cordrey, Holloway, Littleton, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 17.

NO: Senators Arnold, Knox, Neal - 3.

ABSENT: Senator Citro - 1.

Therefore, the Resolution was declared adopted.

SR 78 was lifted from the table for consideration on motion of Senator McDowell:

SR 78 - URGING THE HOUSE OF REPRESENTATIVES TO INITIATE AND CONSIDER LEGISLATION TO ENABLE THE STATE OF DELAWARE TO MAINTAIN AN EQUITABLE TAX BASE.

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

YES: Senators Connor, Cook, Holloway, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn - 11.

NO: Senators Adams, Arnold, Bair, Cordrey, Knox, Littleton, Minner, Zimmerman - 8.

NOT VOTING: Senator Berndt - 1.

ABSENT: Senator Citro - 1.

Therefore, the Resolution was declared adopted.

At 7:03 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 30, 1983.

The Senate reconvened at 2:25 p.m., June 30, 1983, Senator Cordrey presiding.

The following Committee reports were announced:

From the Executive Committee: Sheila G. Blakely - 1 Favorable, 4 Merits; David B. Bolen - 2 Favorable, 3 Merits; Anthony R. Goland - 1 Favorable, 4 Merits; Howard W. Mulvaney - 5 Merits; Agnes E. Pennella - 1 Favorable, 4 Merits; James P. Robinson, III, - 2 Favorable, 3 Merits; N. Maxson Terry, Jr., - 2 Favorable, 3 Merits; Joyce L. Wright - 1 Favorable, 4 Merits.

The following legislation was introduced:

SB 319 - AN ACT TO AMEND CHAPTER 17, TITLE 14 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF "UNIT" OR "UNITS OF PUPILS". Sponsor: Senator Knox. Assigned to Education Committee.

SB 320 - AN ACT TO AMEND CHAPTER 1, SUBCHAPTER II, TITLE 26, OF THE DELAWARE CODE RELATING TO THE GRANTING OF EASEMENTS FOR PUBLIC UTILITIES ACROSS RAILROAD PROPERTY. Sponsors: Senators Zimmerman, Minner, Adams; Representatives Cordrey, Clendaniel, Roy. Senator Zimmerman moved that the Bill be laid on the table.

At 2:29 p.m., Lt. Governor Castle presiding.
 The roll call vote on the tabling motion was taken and revealed:
 YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cordrey, Knox, Neal, Torbert, Vaughn, Zimmerman - 11.
 NO: Senators Martin, McBride, McDowell, Minner, Sharp - 5.
 NOT VOTING: Senator Holloway - 1.
 ABSENT: Senators Connor, Cook, Littleton, Marshall - 4.
 Therefore, the motion prevailed and the Bill was laid on the table.
 SB 321 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Cordrey:
 SB 321 - AN ACT TO AMEND TITLES 9 AND 10, DELAWARE CODE, RELATING TO SUSSEX COUNTY SHERIFF, PROTHONOTARY, REGISTER IN CHANCERY AND CLERK OF THE PEACE FEES. Sponsor: Senator Cordrey.
 The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Connor) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.
 SB 232 was taken up for consideration on motion of Senator Vaughn:
 SB 232 - AN ACT TRANSFERRING THE FUNCTIONS, PERSONNEL, BOOKS, RECORDS, PAPERS, NOTES, EQUIPMENT, AND POWERS OF THE WELFARE FRAUD INVESTIGATION UNIT, DEPARTMENT OF HEALTH AND SOCIAL SERVICES, TO THE OFFICE OF AUDITOR OF ACCOUNTS.
 SA 1 to the Bill was introduced by Senator Vaughn and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (Holloway) NOT VOTING; therefore, the Amendment was declared adopted.
 The privilege of the floor was extended to Dennis E. Greenhouse (Auditor of Accounts of the State of Delaware).
 The roll call vote on SB 232 w SA 1 was then taken and revealed:
 YES: Senators Adams, Cook, Cordrey, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 12.
 NO: Senators Arnold, Bair, Berndt, Citro, Connor, Knox, Littleton, Neal - 8.
 NOT VOTING: Senator Holloway - 1.
 Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.
 At 2:55 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 49th Legislative Day.

49TH LEGISLATIVE DAY June 30, 1983

The Senate convened at 2:55 p.m., Lt. Governor Castle presiding.
 A Prayer was offered by Senator Littleton.
 Pledge of Allegiance to the Flag.
 Call of the roll revealed the following attendance:
 PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.
 The Journal of the previous day was approved as read on motion of Senator Sharp.
 The Secretary announced that a message from the House informed the Senate that it had passed HB 375; HB 292; HB 300; HB 330; HB 338 w HA 1; HB 339; HB 342; HB 353; HB 326; HB 307; HS 1 for HB 350 w HA 1; HB 352; HB 332 w HA 1, 2; HB 331 w HA 1; HB 357 w HA 1; HB 345 w HA 1; HB 131 w HA 1, 2, 3; HB 158 w HA 1; HB 280 w HA 1; HB 294; HB 318; and adopted HCR 124; HCR 125; HCR 126; HCR 127; HCR 128; HCR 129; HCR 130; HCR 131; SCR 73.
 On motion of Senator Adams, the Governor's nomination for appointment of James P. Robinson, III, was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Littleton) voting NO; therefore, the appointment was declared confirmed.
 Senator McBride marked PRESENT.
 On motion of Senator Adams, the Governor's nomination for appointment of N. Maxson Terry, Jr., was taken up for consideration and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.
 On motion of Senator Adams, the Governor's nomination for appointment of David B. Bolen was taken up for consideration and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.
 On motion of Senator Adams, the Governor's nomination for appointment of Anthony R. Goland was taken up for consideration and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.
 On motion of Senator Adams, the Governor's nomination for appointment of Joyce L. Wright was taken up for consideration and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Sheila Gagen Blakely was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Zimmerman) ABSENT; therefore, the appointment was declared confirmed.

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

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

HB 45 w HA 1 was taken up for consideration on motion of Senator Torbert:

HB 45 w HA 1 - AN ACT TO AMEND CHAPTER 7, TITLE 21, DELAWARE CODE RELATING TO THE AUTHORITY AND DUTIES OF DELAWARE STATE POLICE SIZE AND WEIGHT ENFORCEMENT TECHNICIANS.

The privilege of the floor was extended to Captain Thomas J. Roman (Delaware State Police) after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Knox, Littleton, Marshall, Martin, McBride, McDowell, Torbert, Vaughn, Zimmerman - 17.

NO: Senators Minner, Neal, Sharp - 3.

ABSENT: Senator Holloway - 1.

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

HB 200 - AN ACT TO AMEND TITLE 30, CHAPTER 30, OF THE DELAWARE CODE TO EXEMPT NEW OR USED PUBLIC SCHOOL BUSES FROM THE MOTOR VEHICLE DOCUMENT FEE.

During discussion of the Bill and the Senate Amendment offered to it, the privilege of the floor was extended to Henry Ridgely (Senate Attorney) and Lawrence E. Mergenthaler (Delaware School Bus Contractors Association).

SA 1 to the Bill was introduced by Senator Bair and considered for adoption on her motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Knox, Littleton, McBride, McDowell, Neal, Castle (voting to break the tie) - 11.

NO: Senators Adams, Cook, Cordrey, Marshall, Martin, Minner, Sharp, Torbert, Vaughn, Zimmerman - 10.

NOT VOTING: Senator Holloway - 1.

Therefore, the Amendment was declared adopted.

HB 200 w SA 1 was then laid on the table on motion of Senator Marshall.

HB 303 was lifted from the table for consideration on motion of Senator Marshall:

HB 303 - AN ACT TO AMEND CHAPTER 23, TITLE 19 OF THE DELAWARE CODE RELATING TO WORKER'S COMPENSATION INSURANCE COVERAGE FOR PROPRIETORS AND PARTNERS.

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

HB 276 w HA 1, 2 was taken up for consideration on motion of Senator Sharp under suspension of the necessary rules:

HB 276 w HA 1, 2 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO DOMESTIC RELATIONS, AND PROVIDING FOR A UNIFORM PARENTAGE ACT.

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

On motion of Senator Marshall, the roll call vote on HB 303 was rescinded and a new roll call vote taken under suspension of the necessary rules. The roll call vote revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 333 was taken up for consideration on motion of Senator Minner under suspension of the necessary rules:

HB 333 - AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER, CHAPTER 158, VOLUME 36 OF THE LAWS OF DELAWARE AS IT MAY HAVE BEEN AMENDED FROM TIME TO TIME RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS, SPECIAL ASSESSMENT REVENUE BONDS, TAX ANTICIPATION NOTES AND BOND ANTICIPATION NOTES.

The privilege of the floor was extended to Gregory Boaman (Councilman, City of Dover) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Berndt) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 82 w HA 2 was taken up for consideration on motion of Senator Sharp:

HB 82 w HA 2 - AN ACT TO AMEND CHAPTERS 7 AND 9, TITLE 4, DELAWARE CODE, RELATING TO THE SALE OF ALCOHOLIC LIQUOR TO CERTAIN PERSONS.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Holloway. The privilege of the floor was extended to Gary Dalton (Senate Attorney) after which the roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McDowell, Minner, Neal, Sharp, Vaughn - 18.

NO: Senator McBride - 1.

NOT VOTING: Senator Zimmerman - 1.

ABSENT: Senator Torbert - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on HB 82 w HA 2, SA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cordrey, Knox, Littleton, Martin, McBride, Minner, Neal, Sharp, Vaughn - 15.

NO: Senators Cook, Holloway, Marshall, McDowell - 4.

NOT VOTING: Senators Torbert and Zimmerman - 2.

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

HB 311 was taken up for consideration on motion of Senator Sharp under suspension of the necessary rules:

HB 311 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE BY ESTABLISHING MINIMUM STANDARDS FOR INDIVIDUAL HEALTH INSURANCE.

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

HB 336 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Adams:

HB 336 - AN ACT TO AMEND CHAPTER 83, TITLE 9 OF THE DELAWARE CODE RELATING TO THE ELIGIBILITY FOR VALUATION OF LAND DEVOTED TO AGRICULTURE, HORTICULTURE OR FOREST USE.

The privilege of the floor was extended to Michael McGrath (Department of Agriculture) after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Bair, Berndt, Connor, Cook, Cordrey, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 17.

NO: Senators Arnold, Citro, Knox - 3.

NOT VOTING: Senator Holloway - 1.

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

HB 331 w HA 1 was taken up for consideration on motion of Senator McDowell under suspension of the necessary rules:

HB 331 w HA 1 - AN ACT TO AMEND CHAPTER 26, TITLE 24 OF THE DELAWARE CODE RELATING TO THE PRACTICE OF PHYSICAL THERAPY.

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

SA 2 to the Bill (sponsored by Senators McDowell and Holloway) was introduced and considered for adoption on motion of Senator McDowell. The roll call vote on the Amendment was taken and revealed 18 Senators voting YES and 3 (Connor, Knox, Marshall) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on HB 331 w HA 1, SA 2 was then taken and revealed 20 Senators voting YES and 1 (Knox) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

HB 337 was taken up for consideration on motion of Senator Adams under suspension of the necessary rules:

HB 337 - AN ACT TO AMEND CHAPTER 35, TITLE 7 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF COMMERCIAL FOREST PLANTATIONS.

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

HB 291 was taken up for consideration on motion of Senator Cordrey under suspension of the necessary rules:

HB 291 - AN ACT TO AMEND CHAPTER 5, TITLE 11, OF THE DELAWARE CODE RELATING TO ISSUING BAD CHECKS.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES, 1 (Torbert) ABSENT and 2 (Holloway and Marshall) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 332 w HA 1, 2 was taken up for consideration on motion of Senator McDowell under suspension of the necessary rules:

HB 332 w HA 1, 2 - AN ACT TO AMEND TITLE 16 AND 24 OF THE DELAWARE CODE RELATING TO NURSING HOME ADMINISTRATORS.

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

HB 181 w HA 1, 2 was taken up for consideration on motion of Senator Holloway:

HB 181 w HA 1, 2 - AN ACT TO AMEND CHAPTER 68, TITLE 16 OF THE DELAWARE CODE PERTAINING TO THE DUTY TO RENDER REASONABLE ASSISTANCE OR CARE TO PERSONS EXPOSED TO PHYSICAL HARM.

The privilege of the floor was extended to Representative D. Ennis, Gary Dalton (Senate Attorney) and Henry Ridgely (Senate Attorney) after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Arnold, Berndt, Connor, Cook, Holloway, Neal - 7.
 NO: Senators Citro, Cordrey, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 11.
 NOT VOTING: Senators Bair and Knox - 2.
 ABSENT: Senator Littleton - 1.
 Therefore, the Bill was declared defeated and returned to the House.
 HB 269 w HA 1, 2 was taken up for consideration on motion of Senator Adams under suspension of the necessary rules:
 HB 269 w HA 1, 2 - AN ACT TO AMEND CHAPTER 12, TITLE 3, OF THE DELAWARE CODE RELATING TO PESTICIDES.
 The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Holloway and Littleton) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.
 HB 277 w HA 1, 2 was taken up for consideration on motion of Senator Sharp under suspension of the necessary rules:
 HB 277 w HA 1, 2 - AN ACT TO AMEND CHAPTER 5, TITLE 11, DELAWARE CODE RELATING TO THE CRIME OF ADULTERATION.
 The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.
 HB 149 w HA 1, 2 was taken up for consideration on motion of Senator Zimmerman:
 HB 149 w HA 1, 2 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE BY ADDING A NEW CHAPTER 2 RELATING TO A VOLUNTARY CONTRIBUTION FROM STATE INCOME TAX REFUNDS OR A CONTRIBUTION TO BE ADDED TO STATE INCOME TAX PAYMENTS FOR THE SUPPORT OF NONGAME FISH AND WILDLIFE NONGAME HABITAT AND NATURAL AREAS PRESERVATION PROGRAMS AND TO ESTABLISH A FUND FOR SAID PROGRAMS.
 The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Berndt and Knox) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.
 On motion of Senator Marshall, the roll call vote on SB 264 was lifted; however, the roll call was again laid on the table before being announced on further motion of the Senator.
 HB 345 w HA 1 was taken up for consideration on motion of Senator McDowell under suspension of the necessary rules:
 HB 345 w HA 1 - AN ACT TO AMEND CHAPTER 1, TITLE 23 OF THE DELAWARE CODE RELATING TO PILOTS.
 SA 1 to the Bill was introduced by Senator McDowell and taken up for consideration on his motion; the roll call vote on the Amendment was taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.
 The roll call vote on HB 345 w HA 1, SA 1 was then taken and revealed 20 Senators voting YES and 1 (Marshall) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.
 HB 352 was taken up for consideration on motion of Senator McDowell under suspension of the necessary rules:
 HB 352 - AN ACT TO AMEND CHAPTER 101, TITLE 29 OF THE DELAWARE CODE RELATING TO STATE AGENCIES.
 The roll call vote on the Bill was taken; however, the roll call was laid on the table before being announced on motion of Senator McDowell (without objection).
 HB 251 was taken up for consideration on motion of Senator Sharp under suspension of the necessary rules:
 HB 251 - AN ACT TO AMEND CHAPTER 45, TITLE 10 OF THE DELAWARE CODE AND CHAPTER 3, TITLE 20 OF THE DELAWARE CODE RELATING TO JURY SELECTION.
 The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Marshall) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.
 HB 182 w HA 1 was taken up for consideration on motion of Senator Torbert under suspension of the necessary rules:
 HB 182 w HA 1 - AN ACT TO AMEND CHAPTER 27, TITLE 21, OF THE DELAWARE CODE RELATING TO LICENSE QUALIFICATIONS.
 The roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (McDowell) voting NO and 1 (Zimmerman) NOT VOTING; therefore, the Bill was declared passed by the Senate and returned to the House.
 HB 226 was taken up for consideration on motion of Senator Cook under suspension of the necessary rules:
 HB 226 - AN ACT TO AMEND CHAPTER 56, TITLE 29, DELAWARE CODE, RELATING TO JUDICIAL PENSIONS.
 The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Knox) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 253 was taken up for consideration on motion of Senator Sharp under suspension of the necessary rules:

HB 253 - AN ACT TO AMEND CHAPTER 45, TITLE 10 OF THE DELAWARE CODE RELATING TO THE PROTECTION OF EMPLOYMENT FOR PERSONS SERVING ON JURIES.

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

HB 111 was taken up for consideration on motion of Senator McDowell under suspension of the necessary rules:

HB 111 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 1, TITLE 26, DELAWARE CODE RELATING TO THE ABANDONMENT OR DISCONTINUANCE BY PUBLIC UTILITIES OF PUBLIC SERVICE OBLIGATIONS.

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

HB 357 w HA 1 was taken up for consideration on motion of Senator McDowell under suspension of the necessary rules:

HB 357 w HA 1 - AN ACT TO AMEND CHAPTER 51, TITLE 24 OF THE DELAWARE CODE RELATING TO BARBERS AND COSMETOLOGISTS.

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

HB 258 w HA 1 was taken up for consideration on motion of Senator Sharp under suspension of the necessary rules:

HB 258 w HA 1 - AN ACT TO AMEND SUBCHAPTER IV, CHAPTER 43, TITLE 11, DELAWARE CODE, RELATING TO THE BOARD OF PAROLE DISCHARGE CERTIFICATES.

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

HB 270 was taken up for consideration on motion of Senator Sharp under suspension of the necessary rules:

HB 270 - AN ACT TO AMEND CHAPTER 29, TITLE 18 OF THE DELAWARE CODE TO EXEMPT CHARITABLE GIFT ANNUITIES FROM THE INSURANCE LAWS OF THE STATE OF DELAWARE.

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

HB 227 was taken up for consideration on motion of Senator Sharp under suspension of the necessary rules:

HB 227 - AN ACT TO AMEND CHAPTER 39, TITLE 12, DELAWARE CODE RELATING TO THE TERMINATION OF GUARDIANSHIP OVER A MINOR UPON HIS MARRIAGE.

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

HB 294 was taken up for consideration on motion of Senator Cordrey under suspension of the necessary rules:

HB 294 - AN ACT TO AMEND CHAPTER 7, TITLE 5, OF THE DELAWARE CODE RELATING TO DIRECTORS' QUALIFYING SHARES IN AND FOR THE GOVERNANCE OF STATE BANKS AND TRUST COMPANIES.

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

HB 276 w HA 1, 2 was lifted from the table for consideration on motion of Senator Sharp.

The privilege of the floor was extended to Judge Robert D. Thompson of the Family Court after which the roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House.

SB 322 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Holloway:

SB 322 - AN ACT TO AMEND CHAPTER 9, TITLE 16, OF THE DELAWARE CODE RELATING TO THE DEFINITION OF CHILD ABUSE AND NEGLECT. Sponsor: Senator Holloway.

The privilege of the floor was extended to Muriel Rusten of the Department of Health and Social Services after which the Bill was laid on the table on motion of Senator Holloway.

HJR 10 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Cordrey:

HJR 10 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1983. Sponsors: Representative Bennett, Senator Cook; Senators Cordrey, Berndt; Representatives George, Dixon, Petrilli.

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

HJR 11 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Cordrey:

HJR 11 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1984.
Sponsors: Representative Bennett, Senator Cook; Senators Cordrey, Berndt; Representatives George, Dixon, Petrilli.

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

HB 250 was taken up for consideration on motion of Senator Cook under suspension of the necessary rules:

HB 250 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1984; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

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

At 6:52 p.m. on motion of Senator Sharp, the Senate recessed and reconvened at 8:55 p.m., Senator Cordrey presiding.

Senate Consent Calendar #8 was laid on the table on motion of Senator Sharp.

HCR 129 was introduced and considered for adoption on motion of Senator Minner:

HCR 129 - OFFERING OUR HEARTIEST CONGRATULATIONS TO MR. AND MRS. THURMAN G. ADAMS, SR., OF BRIDGEVILLE, AS THEY CELEBRATE THEIR 67TH WEDDING ANNIVERSARY ON JUNE 28, 1983. Sponsors: Representatives Clendaniel, Barnes; Senator Cook.

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

At 8:58 p.m., Lt. Governor Castle presiding.

On motion of Senator Marshall, the roll call vote on **SB 264** was lifted and announced:

YES: Senators Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 11.

NO: Senators Adams, Arnold, Bair, Citro, Connor, Cook, Littleton - 7.

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

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

SB 322 was lifted from the table for consideration on motion of Senator Holloway and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

Senator Zimmerman moved that **SB 320** be lifted from the table for consideration under suspension of the necessary rules. The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Holloway, Knox, Littleton, Minner, Neal, Torbert, Vaughn, Zimmerman - 15.

NO: Senators Cordrey, Marshall, Martin, McBride, McDowell, Sharp - 6.

Therefore, the motion prevailed and the Bill was before the Senate:

SB 320 - AN ACT TO AMEND CHAPTER 1, SUBCHAPTER II, TITLE 26, OF THE DELAWARE CODE RELATING TO THE GRANTING OF EASEMENTS FOR PUBLIC UTILITIES ACROSS RAILROAD PROPERTY.

During discussion of the Bill and the Amendments offered to it, the privilege of the floor was extended to David S. Swayze (Chessie System).

SA 1 (sponsored by Senators McDowell and Minner) was introduced. Senator Minner requested that her name be removed as co-sponsor of the Amendment. The Amendment was considered for adoption on motion of Senator McDowell and the roll call vote taken which revealed:

YES: Senators Connor, Marshall, McDowell, Sharp - 4.

NO: Senators Adams, Bair, Citro, Cordrey, Knox, Littleton, Martin, McBride, Minner, Neal, Torbert, Vaughn, Zimmerman - 13.

NOT VOTING: Senators Arnold, Berndt, Cook, Holloway - 4.

Therefore, the Amendment was declared defeated.

SA 2 to the Bill was introduced by Senator McDowell and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators McDowell and Sharp - 2.

NO: Senators Adams, Bair, Connor, Cook, Cordrey, Knox, Littleton, Marshall, Martin, McBride, Minner, Neal, Torbert, Vaughn, Zimmerman - 15.

NOT VOTING: Senators Arnold and Berndt - 2.

ABSENT: Senators Citro and Holloway - 2.

Therefore, the Amendment was declared defeated.

The roll call vote on **SB 320** was then taken and revealed:

YES: Senators Adams, Bair, Berndt, Citro, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, Minner, Neal, Torbert, Vaughn, Zimmerman - 16.

NO: Senators Connor, Cook, McDowell, Sharp - 4.

NOT VOTING: Senator Arnold - 1.

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

HS 1 for HB 350 w HA 1 was taken up for consideration on motion of Senator Marshall under suspension of the necessary rules:

HS 1 for HB 350 w HA 1 - AN ACT TO AMEND CHAPTER 11, TITLE 5 OF THE DELAWARE CODE RELATING TO BANK FRANCHISE TAXES.

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

HB 218 was taken up for consideration on motion of Senator Marshall under suspension of the necessary rules:

HB 218 - AN ACT TO AMEND CHAPTER 11, PART II, TITLE 30 OF THE DELAWARE CODE, RELATING TO DECLARATIONS OF ESTIMATED TAX.

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

The following letters from the Governor were read:

STATE OF DELAWARE
OFFICE OF THE GOVERNOR
June 30, 1983

To the Senate of the 132nd General Assembly of the State of Delaware

The nomination of William L. Jones for Justice of the Peace, submitted to you on June 14, 1983, is hereby formally withdrawn.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
Office of the Governor
June 30, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Walter John Godwin, R.D. #5 - Box G20, Georgetown, Delaware, to be appointed a Justice of the Peace of the State of Delaware for a term of four years to replace Emory B. Brittingham, resigned.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

The nomination was assigned to the Executive Committee.

HB 204 was taken up for consideration on motion of Senator Cook under suspension of the necessary rules:

HB 204 - AN ACT AWARDING SPECIAL PENSION BENEFITS TO PAULINE S. CORDREY; APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE; AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE MADE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE.

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

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

NO: Senators Arnold and Bair - 2.

NOT VOTING: Senators Berndt, Citro, Connor, Knox, Torbert - 5.

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

HB 339 was introduced under suspension of the necessary rules and laid on the table on motion of Senator Sharp:

HB 339 - AN ACT TO AMEND CHAPTER 39, TITLE 18 OF THE DELAWARE CODE RELATING TO NOTIFICATION REQUIREMENTS OF STATUTES OF LIMITATIONS. Sponsor: Representative Jonkiert.

At 9:45 p.m. on motion of Senator Sharp, the Senate recessed and reconvened at 11:59 p.m., June 30, 1983, Lt. Governor Castle presiding. The first session of the 132nd General Assembly adjourned at 12:00 midnight, June 30, 1983 on motion of Senator Cordrey.

SPECIAL SESSION
July 1, 1983

STATE OF DELAWARE
Office of the Lieutenant Governor

TO: Members of the Senate and House of Representatives
of the 132nd General Assembly of the State of Delaware
FROM: President of the Senate, Michael N. Castle
Speaker of the House of Representatives, Orlando J. George, Jr.
SUBJECT: DECLARATIONS OF SPECIAL SESSION
DATE: Thursday, June 30, 1983; 12 o'clock, midnight

Pursuant to the authority vested in the presiding officers of both Houses under Article II, Section 4, of the Delaware Constitution of 1897, as amended, we hereby declare that the 132nd General Assembly is now in Special Session.

Michael N. Castle, President of the Senate

Orlando J. George, Jr., Speaker of the House

* * * * *

Pursuant to the above Declaration, the Senate convened at 12:00 a.m., July 1, 1983, Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

The Secretary announced that a message from the House informed the Senate that it had passed HB 107 w HA 3, 4, 5; SB 309; SB 221; SB 249; SB 294; SB 276; SB 71 w SA 2, 3, 4, 6, HA 1; SB 151 w SA 1, HA 1, 2, 3; SB 85; SB 95; SB 102; SB 178; SB 186 w SA 1; SB 180 w HA 1; SB 209; SB 222 w SA 2, HA 1, 3; SB 220 w SA 1, 2, HA 1; SB 100 w HA 2; SB 12 w HA 1; SB 270; SB 60 w SA 1; SB 154 w SA 2, 3; SB 321; SB 284 w SA 1; SS 1 for SB 217 w SA 1 and adopted SCR 30 and SJR 5 w HA 1, 2. SB 212 was defeated in the House.

SB 323 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Cook:

SB 323 - AN ACT TO MAKE A SUPPLEMENTARY APPROPRIATION FOR CERTAIN GRANTS-IN-AID. Sponsors: Senators Cook, Berndt, Holloway, McBride, Neal, Vaughn; Representatives Bennett, Corrozi, Meconi, Petrilli, Soles, Wingate.

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

Senate Consent Calendar #8 was taken up for consideration on motion of Senator Sharp. The Resolutions included in the Consent Calendar were as follows:

HCR 124 - REQUESTING GOVERNOR PIERRE S. DU PONT 4TH TO DIRECT THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO INVITE THE DELAWARE RIVER AND BAY SHORELINE COMMITTEE TO ANY DISCUSSIONS INVOLVING THE DISPOSAL OF THE GOVERNOR BACON HEALTH CENTER GROUNDS. Sponsors: Representatives Jester, Mack, Smith; Senator Vaughn

HCR 125 - MOURNING THE DEATH OF ANNA KAREN CHRISTENSEN, THE COURAGEOUS YOUNG WOMAN WHO GRADUATED WITH HER CLASS OF '83 AT CAESAR RODNEY HIGH SCHOOL DESPITE A PARALYZING ILLNESS WHICH CONFINED HER TO A RESPIRATOR-WHEELCHAIR. Sponsors: Representatives Buckworth, Bennett; Senator Torbert.

HCR 126 - ESTABLISHING A COMMITTEE TO DETERMINE WAYS AND MEANS OF FOSTERING INTERNATIONAL TRADE FROM AND THROUGH THE STATE OF DELAWARE AND TO RECOMMEND LEGISLATIVE INITIATIVES. Sponsors: Representatives Gilligan, Hebner.

HCR 128 - REQUESTING THE DELAWARE BANKERS ASSOCIATION TO MAKE A STUDY OF METHODS WHICH MAY BE USED TO PERMIT PARTIAL PAYMENTS ON MORTGAGES DURING THE CONTINUANCE OF HIGH UNEMPLOYMENT IN DELAWARE. Sponsors: Representative Sills; Senator Holloway.

HCR 131 - ESTABLISHING A COMMITTEE TO STUDY THE FEASIBILITY OF PROCURING THE GENERAL DIVISION OF THE WILMINGTON MEDICAL CENTER BY THE STATE OF DELAWARE. Sponsors: Representative Jonkiert; Senator Marshall.

SCR 76 - DECLARING THAT THE LEGISLATIVE INTENT OF THE 132ND GENERAL ASSEMBLY IN ENACTING CHAPTER 59, VOLUME 64, LAWS OF DELAWARE, WAS THAT THE STATUTE WOULD APPLY ONLY TO CAUSES OF ACTION ARISING AFTER THE EFFECTIVE DATE OF SAID STATUTE. Sponsors: Senator McBride; Representative Brady.

SCR 77 - THANKING ELIZABETH A. BEHELER, OF MILTON, AS SHE RETIRES AFTER 22 YEARS OF OUTSTANDING SERVICE TO THE STATE. Sponsors: Senator Minner; Representative Clendaniel.

SR 80 - CONGRATULATING ROSANNA RIPKA, OF KITTS HUMMOCK, ON THE IMPENDING CELEBRATION OF HER 75TH BIRTHDAY. Sponsor: Senator Holloway.

SR 82 - DIRECTING THE SENATE COMMITTEE ON CORRECTIONS TO CONDUCT A FULL AND IMPARTIAL INVESTIGATION OF CIRCUMSTANCES SURROUNDING THE DAYLIGHT ESCAPE OF FOUR DANGEROUS INMATES FROM DELAWARE CORRECTIONAL CENTER ON JUNE 26, 1983, AND MAKE RECOMMENDATIONS FOR PREVENTING A RECURRENCE THEREOF. Sponsor: Senator Cordrey.

SR 83 - COMMENDING THE REVEREND WILLIAM B. MERRILL, DIRECTOR OF THE BUREAU OF ALCOHOLISM AND DRUG ABUSE, FOR HIS SERVICE TO THE STATE OF DELAWARE AND EXTENDING BEST WISHES AS HE LEAVES TO PURSUE HIS ACTIVE PRIESTHOOD. Sponsor: Senator Holloway.

SR 84 - PRAISING GRAVILLE T. WHITE, OF BRIDGEVILLE, FOR MORE THAN TWENTY-FIVE YEARS OF VOLUNTEER SERVICE TO FIRE PREVENTION. Sponsors: Senators Holloway, Adams, Littleton; Representatives Cordrey, Fallon, Barnes.

SR 85 - COMMENDING ROBERT D. BRADEN, DAVID R. SINGLETON, KIRBY A. STENNER, AND EDWARD A. KORBER ON ACHIEVING THE RANK OF EAGLE SCOUT. Sponsor: Senator Neal.

The roll call vote on Consent Calendar #8 was taken and revealed 21 Senators voting YES; therefore, the Resolutions were declared adopted. The House Concurrent Resolutions were returned to the House, the Senate Concurrent Resolutions were sent to the House for consideration.

At 12:15 a.m., July 1, the Senate recessed for Party Caucus on motion of Senator Sharp and reconvened at 12:28 a.m., Lt. Governor Castle presiding.

SB 12 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 1 on motion of Senator Adams. The roll call vote on SB 12 w HA 1 was therefore taken and revealed:

YES: Senators Adams, Arnold, Bair, Citro, Connor, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 17.

NO: Senator Neal - 1.

ABSENT: Senators Berndt, Cook, Cordrey - 3.

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

SB 71 w SA 2, 3, 4, 6 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 1 on motion of Senator Vaughn. The roll call vote on SB 71 w SA 2, 3, 4, 6, HA 1 was therefore taken; however the roll call was laid on the table before being announced on further motion of Senator Vaughn.

SB 151 w SA 1 which had previously passed the Senate, was taken up for reconsideration as now further amended by HA 1, 2, 3 on motion of Senator Vaughn. The roll call vote on SB 151 w SA 1, HA 1, 2, 3 was then taken and revealed 20 Senators voting YES and 1 (McDowell) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

On motion of Senator Vaughn, the roll call vote on SB 71 w SA 2, 3, 4, 6, HA 1 was lifted and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SB 100 which had previously passed the Senate, was taken up for reconsideration as now further amended by HA 2 on motion of Senator Cordrey. The roll call vote on SB 100 w HA 2 was therefore taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SB 180 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 1 on motion of Senator Holloway. The roll call vote on SB 180 w HA 1 was therefore taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, Neal, Sharp, Vaughn - 15.

NO: Senators Cook, McBride, McDowell, Minner, Torbert, Zimmerman - 6.

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

SB 220 w SA 1, 2 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 1 on motion of Senator McBride. The roll call vote on SB 200 w SA 1, 2, HA 1 was therefore taken and revealed 19 Senators voting YES, 1 (Marshall) voting NO and 1 (Holloway) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

The Secretary announced that a message from the House informed the Senate that it had passed SB 248 w SA 1, HA 1; SB 90; SB 126 w SA 1; SB 277 w SA 1, HA 1; SB 236.

SB 248 w SA 1, HA 1 was laid on the table on motion of Senator Holloway.

SJR 5 which had previously been adopted by the Senate was taken up for reconsideration as now further amended by HA 1, 2 on motion of Senator Minner. The roll call vote on SJR 5 w HA 1, 2 was therefore taken and revealed 19 Senators voting YES and 2 (McBride and Zimmerman) voting NO; therefore, the Resolution was declared adopted by the Senate and sent to the Governor for consideration.

HB 119 w HA 1 was taken up for consideration on motion of Senator Sharp under suspension of the necessary rules:

HB 119 w HA 1 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER II, TITLE 30, DELAWARE CODE, RELATING TO A STATE INCOME TAX DEDUCTION FOR CERTAIN EXPENSES INCURRED IN PERFORMING VOLUNTARY SERVICES FOR CHARITABLE ORGANIZATIONS.

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

SB 248 w SA 1 which had previously passed the Senate, was lifted from the table for reconsideration as now further amended by HA 1. The roll call vote on SB 248 w SA 1, HA 1 was therefore taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

On motion of Senator McDowell, the roll call vote on HB 352 was lifted and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 339 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Sharp:

HB 339 - AN ACT TO AMEND CHAPTER 39, TITLE 18 OF THE DELAWARE CODE RELATING TO NOTIFICATION REQUIREMENTS OF STATUTES OF LIMITATIONS.

The Bill was then assigned to Judiciary Committee on motion of Senator Sharp.

HB 338 w HA 1 was taken up for consideration on motion of Senator Sharp under suspension of the necessary rules:

HB 338 w HA 1 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO INSURANCE FRAUD.

The privilege of the floor was extended to Clifford B. Hearn, Jr. (American Insurance Association) after which the roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Arnold, Cook, Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 353 was taken up for consideration on motion of Senator Zimmerman under suspension of the necessary rules:

HB 353 - AN ACT TO AMEND CHAPTER 63, TITLE 7 OF THE DELAWARE CODE CLARIFYING CERTAIN STATUTORY AUTHORITY OF THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL WITH RESPECT TO HAZARDOUS WASTE.

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

HB 307 was taken up for consideration on motion of Senator Sharp under suspension of the necessary rules:

HB 307 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO FALSE REPORTS OF THEFT OR CONVERSION OF PROPERTY.

The privilege of the floor was extended to Henry Ridgely (Senate Attorney) after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Cook, Martin, Sharp, Vaughn - 5.

NO: Senators Arnold, Bair, Berndt, Citro, Connor, Knox, Littleton, Marshall, McBride, McDowell, Minner, Neal, Torbert, Zimmerman - 14.

ABSENT: Senators Cordrey and Holloway - 2.

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

HB 280 w HA 1 was taken up for consideration on motion of Senator Sharp under suspension of the necessary rules:

HB 280 w HA 1 - AN ACT TO AMEND CHAPTER 35, TITLE 11 OF THE DELAWARE CODE RELATING TO TESTIMONY IN CERTAIN CRIMINAL PROCEEDINGS.

The privilege of the floor was extended to Clifford Hearn (American Insurance Association) after which the Bill was laid on the table on further motion of the Senator.

HB 248 was taken up for consideration on motion of Senator McDowell under suspension of the necessary rules:

HB 248 - AN ACT TO AMEND CHAPTER 71, TITLE 25, OF THE DELAWARE CODE RELATING TO THE CONVERSION OF MOBILE HOME PROPERTIES INTO MULTIPLE-UNIT HOUSING.

SA 1 to the Bill was introduced by Senator Minner and considered for adoption on her motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Citro, Cook, Cordrey, Holloway, Littleton, Martin, Minner, Sharp, Torbert, Vaughn, Zimmerman - 12.

NO: Senators Bair, Berndt, Knox, McBride, McDowell, Neal - 6.

NOT VOTING: Senators Arnold, Connor, Marshall - 3.

Therefore, the Amendment was declared adopted.

At 1:30 a.m., the Senate recessed on motion of Senator Sharp and reconvened at 1:40 a.m., Lt. Governor Castle presiding.

At 1:40 a.m., July 1, 1983 on motion of Senator Sharp, the Senate recessed until 2:00 p.m., July 6, 1983.

The Senate reconvened at 5:40 p.m., July 6, 1983, Lt. Governor Castle presiding. The Secretary announced that a message from the House informed the Senate that it had passed SB 125; SB 170 w SA 1, 2; SB 259; SB 282.

Legislative Advisories #12 and 13 received from the Office of Counsel to the Governor were read which indicated the Governor's action on legislation as follows:

ADVISORY #12: On June 29, 1983, the Governor signed the following: HB 87 w SA 2 (Volume 64, Chapter 80, Laws of Delaware); HB 96 w HA 1, SA 1, 2 (Volume 64, Chapter 81, Laws of Delaware); HB 124 (Volume 64, Chapter 82, Laws of Delaware); HB 154 (Volume 64, Chapter 83, Laws of Delaware); HB 201 w SA 1 (Volume 64, Chapter 84, Laws of Delaware); HB 268 (Volume 64, Chapter 85, Laws of Delaware); SB 23 (Volume 64, Chapter 86, Laws of Delaware); SB 134 w HA 1 (Volume 64, Chapter 87, Laws of Delaware); SB 208 w SA 1 (Volume 64, Chapter 88, Laws of Delaware).

ADVISORY #13: On June 27, the Governor signed SB 245 (Volume 64, Chapter 89, Laws of Delaware); On June 30, the Governor signed HB 250 (Volume 64, Chapter 90, Laws of Delaware); HB 314 (Volume 64, Chapter 91, Laws of Delaware). The Governor signed the following Resolutions on June 30 (no Chapter numbers assigned): HJR 10; HJR 11.

SR 86 was introduced and considered for adoption on motion of Senator Holloway:

SR 86 - COMMENDING ROLLINS CABLEVISION CHANNEL 2 FOR ITS PUBLIC SERVICE AND PROFESSIONALISM IN PROGRAMMING DELAWARE NEWS TWICE A DAY. Sponsor: Senator Holloway.

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

HB 248 w SA 1 was still before the Senate for consideration as of the recess on July 1.

On motion of Senator Minner (and without objection), the roll call vote on SA 1 to the Bill was rescinded and the Amendment stricken. HB 248 was then laid on the table on motion of Senator McDowell.

SR 89 was introduced and considered for adoption on motion of Senator Cook:

SR 89 - COMMENDING T. DENNIS SULLIVAN, SECRETARY OF FINANCE, FOR OUTSTANDING SERVICE TO THE GENERAL ASSEMBLY AS HE LEAVES FOR A NEW JOB AS EXECUTIVE DIRECTOR OF MAC, THE ORGANIZATION WHICH ADVISES NEW YORK CITY ON ITS \$17 BILLION BUDGET. Sponsors: Senators Cook, Cordrey, Sharp, McDowell, Knox, Arnold, Holloway, McBride, Vaughn, Neal, Berndt.

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

SR 87 was introduced and considered for adoption on motion of Senator Holloway:

SR 87 - AUTHORIZING THE APPOINTMENT OF A COMMITTEE ON WORKERS' RIGHT TO KNOW LEGISLATION TO ADVISE THE SENATE COMMITTEE ON HEALTH AND SOCIAL SERVICES ON A PRUDENT COURSE OF ACTION. Sponsor: Senator Holloway.

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

SR 88 was introduced and considered for adoption on motion of Senator Connor:

SR 88 - COMMENDING THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY, DIVISION OF CROSSING GUARDS FOR ITS OPERATION OF SAFETY TOWN - NEW CASTLE COUNTY. Sponsor: Senator Connor.

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

SR 90 was introduced and considered for adoption on motion of Senator Holloway:

SR 90 - CONGRATULATING B. J. CANIFORD, SECRETARY OF THE SENATE, AS SHE CELEBRATES A BIRTHDAY OF UNKNOWN LONGEVITY. Sponsors: Senator Holloway and all the Senators:

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

SCR 78 was introduced and considered for adoption on motion of Senator Adams:

SCR 78 - SUPPORTING THE CONGRESSIONAL REQUEST TO PRESIDENT RONALD REAGAN TO DESIGNATE THE WEEK OF JULY 17-23, 1983, AS NATIONAL CORN WEEK. Sponsors: Senator Adams, Representative Clendaniel.

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

At 6:02 p.m. on motion of Senator Sharp, the 1st Day of the Special Session called on July 1, 1983 was adjourned to immediately convene for the 2nd Day of the Special Session.

SPECIAL SESSION (2ND DAY)
July 6, 1983

The Senate convened at 6:02 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

HB 186 was taken up for consideration on motion of Senator Sharp:

HB 186 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMMERCE AND TRADE; AND PROVIDING CERTAIN AMENDMENTS TO THE UNIFORM COMMERCIAL CODE OF DELAWARE.

SA 1 to the Bill was stricken on motion of Senator Cordrey.

SA 2 to the Bill was introduced by Senator Cordrey and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (Berndt) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on HB 186 w SA 2 was then taken and revealed 19 Senators voting YES, 1 (McDowell) voting NO and 1 (Berndt) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

HB 120 w HA 1, 2 was taken up for consideration on motion of Senator Marshall:

HB 120 w HA 1, 2 - AN ACT TO AMEND CHAPTER 11, TITLE 30 OF THE DELAWARE CODE, RELATING TO PERSONAL INCOME TAX CREDITS FOR CONTRIBUTIONS TO POLITICAL PARTIES.

SA 1 to the Bill was taken up for consideration on motion of Senator Knox and the roll call vote taken which revealed:

YES: Senators Arnold, Bair, Citro, Connor, Knox, Littleton, Neal - 7.

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

ABSENT: Senator Berndt - 1.

Therefore, the Amendment was declared defeated.

The roll call vote on HB 120 w HA 1, 2 was then taken and revealed:

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 13.

NO: Senators Arnold, Bair, Citro, Connor, Knox, Littleton, Neal - 7.

ABSENT: Senator Berndt - 1.

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

HB 363 was taken up for consideration on motion of Senator McDowell under suspension of the necessary rules:

HB 363 - AN ACT TO AMEND CHAPTER 33, TITLE 24 OF THE DELAWARE CODE RELATING TO VETERINARY MEDICINE.

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

HB 129 w HA 3 was taken up for consideration on motion of Senator Marshall:

HB 129 w HA 3 - AN ACT TO AMEND CHAPTER 54, TITLE 30, DELAWARE CODE, RELATING TO THE REALTY TRANSFER TAX.

The privilege of the floor was extended to T. Dennis Sullivan, Secretary of Finance, after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Berndt) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

The Secretary announced that a message from the House informed the Senate that it had passed SB 72 w SA 1, HA 1; HB 361 w HA 1; HB 363.

On motion of Senator Cordrey, SB 72 w SA 1 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 1. The roll call vote on SB 72 w SA 1, HA 1 was therefore taken and revealed 20 Senators voting YES and 1 (Berndt) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

HB 361 w HA 1 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Cook:

HB 361 w HA 1 - AN ACT TO PROVIDE FOR A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF ECONOMIC SERVICES FOR THE PURPOSE OF AN EMERGENCY CONCERNING MEDICAID FUNDS FOR STATE AND NON-STATE INSTITUTIONS. Sponsors: Representative Bennett, Senator Cook.

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

The Secretary announced that a message from the House informed the Senate that it had passed HB 384.

HB 384 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Cook:

HB 384 - AN ACT TO AMEND AN ACT ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1984; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS", BEING HOUSE BILL NO.250 OF THE 132ND GENERAL ASSEMBLY OF THE STATE OF DELAWARE. Sponsors: Representatives Bennett, Corrozi, Meconi, Petrilli, Soles, Wingate; Senators Cook, Holloway, McBride, Neal, Vaughn.

Before the vote on the Bill was taken, however, it was laid on the table on motion of Senator Sharp. The following letters of nomination for appointment from the Governor were read and laid on the table on motion of Senator Sharp:

STATE OF DELAWARE
Office of the Governor
July 6, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Alfred Leo Donnelly, Cannon Middleford Road, Seaford, Delaware, to be reappointed a member of the Delaware River and Bay Authority for a term of five years to expire July 1, 1987

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
Office of the Governor
July 6, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Ernest Killen, Delaware Avenue, Harrington, Delaware, to be reappointed a member of the Delaware River and Bay Authority for a term of five years to expire July 1, 1988

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

HB 384 was lifted from the table for consideration on motion of Senator Cook:
HB 384 - AN ACT TO AMEND AN ACT ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1984; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS", BEING HOUSE BILL NO.250 OF THE 132ND GENERAL ASSEMBLY OF THE STATE OF DELAWARE.

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

SR 91 was introduced and considered for adoption on motion of Senator Holloway:

SR 91 - CONGRATULATING CHARLES AND ALICE STAATS ON THEIR 49TH WEDDING ANNIVERSARY TODAY, JUNE 30, 1983. Sponsors: Senator Holloway and all the Senators.

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

HB 335 was taken up for consideration on motion of Senator Sharp under suspension of the necessary rules:

HB 335 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE TWO DELAWARE INSURANCE GUARANTY ASSOCIATIONS AND THE PROVISIONS FOR REHABILITATION AND LIQUIDATION OF A DELAWARE INSURANCE COMPANY.

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

The following communication was read and made part of this Journal at the request of Senator McDowell:

STATE OF DELAWARE
OFFICE OF THE SECRETARY
DEPARTMENT OF HEALTH AND SOCIAL SERVICES
NEW CASTLE, DELAWARE
July 6, 1983

TO: The Honorable Senator Harris B. McDowell, Jr.
The Honorable Representative Orlando J. George, Jr.
The Honorable Representative James H. Sills, Jr.

FROM: Muriel B. Rusten, Acting Secretary, D.H.S.S.

This is to confirm the fact that all teachers in the education unit of the Department of Health and Social Services (35-02-002) who are assigned to Governor Bacon Health Center as of July 1, 1983, shall remain in the Education Budget Unit payroll. If a teacher is assigned to either a local school district or a residential treatment center, that teacher will remain in the D.H.S.S. Education Budget Unit payroll.

I trust that this clarifies the Departments' intentions.

cc: The Honorable Senator Nancy Cook
Patricia C. Schramm

* * * * *

HB 375 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Cook:

HB 375 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO ELIZABETH W. BAUMBARDT; APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE; AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE MADE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE. Sponsors: Representative Anderson, Senator Neal.

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

YES: Senators Adams, Arnold, Bair, Citro, Connor, Cook, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn - 18.

NO: Senators Cordrey and Zimmerman - 2.

ABSENT: Senator Berndt - 1.

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

The Secretary announced that a message from the House informed the Senate that it had passed SB 280 w SA 1, 2, 3, 5; SB 147 w HA 1; SB 163; SB 322.

On motion of Senator Adams, SB 147 which had previously passed the Senate, was taken up for reconsideration as now further amended by HA 1. The roll call vote on SB 147 w HA 1 was therefore taken and revealed 20 Senators voting YES and 1 (Berndt) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

On motion of Senator Adams, the Governor's nomination for appointment of Alfred Leo Donnelly was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 20 Senators voting YES and 1 (Berndt) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Garrett B. Lyons was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 19 Senators voting YES and 2 (Arnold and Berndt) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Ernest Killen was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 19 Senators voting YES and 2 (Arnold and Berndt) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Remsen C. Barnard, III was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 20 Senators voting YES and 1 (Berndt) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Thomas E. Brady, Jr., was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 20 Senators voting YES and 1 (Berndt) ABSENT; therefore, the appointment was declared confirmed.

At 7:02 p.m. on motion of Senator Sharp, the Senate recessed to the call of the Chair and reconvened at 7:38 p.m., July 6, 1983, Lt. Governor Castle presiding.

The Secretary announced that a message from the House informed the Senate that it had passed SB 311 and HB 387.

HB 387 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Cook:

HB 387 - A BOND ACT OF THE STATE OF DELAWARE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; DEAUTHORIZING CERTAIN AUTHORITY FOR GUARANTEED INDUSTRIAL REVENUE BONDS; REVERTING CERTAIN SURPLUS FUNDS; APPROPRIATING CERTAIN SPECIAL FUNDS OF THE STATE AND THE DELAWARE TRANSPORTATION AUTHORITY; AMENDING CHAPTERS 50 AND 74 OF TITLE 29 OF THE DELAWARE CODE TO MAKE CERTAIN PROVISIONS RELATING TO REGISTERED BONDS, TO MAKE REVISIONS TO THE POWER OF THE STATE AND ITS AUTHORITIES TO ISSUE BONDS FOR CERTAIN PURPOSES AND TO INCUR OBLIGATIONS; RE-ENACTING CHAPTER 74 OF TITLE 29 OF THE DELAWARE CODE, AS AMENDED; AUTHORIZING THE CREATION OF A NON-PROFIT CORPORATION EXCLUSIVELY FOR THE PROMOTION OF THE PERFORMING ARTS IN THE STATE; PLACING CERTAIN CONDITIONS ON THE APPROPRIATIONS CONTAINED HEREIN; AND MAKING CERTAIN OTHER CHANGES TO THE DELAWARE CODE APPLICABLE TO THE ISSUANCE OF BONDS BY THE STATE AND ITS AUTHORITIES. Sponsors: Representative Gilligan, Senator Cook; Representatives Bunting, Petrilli, Plant, Roy; Senators Littleton, Martin, Minner, Sharp.

The privilege of the floor was extended to Nathan Hayward, III (Delaware Development Office) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Berndt) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

The Secretary announced that a message from the House informed the Senate that it had passed HB 195 w HA 2.

HB 195 w HA 2 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Cook:

HB 195 w HA 2 - AN ACT TO AMEND SUBCHAPTER VI, PART I, TITLE 20, OF THE DELAWARE CODE RELATING TO COMPENSATION FOR DELAWARE NATIONAL GUARD TECHNICIANS WHO RETIRE WITH UNUSED SICK LEAVE. Sponsors: Representatives Houghton, Barnes, Bunting, Campanelli, C. Cordrey, Dixon, B. Ennis, Holloway, Jester, VanSant, West; Senator Sharp.

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

YES: Senators Adams, Citro, Connor, Cook, Cordrey, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 16.

NO: Senators Arnold, Bair, Neal - 3.

NOT VOTING: Senator Holloway - 1.

ABSENT: Senator Berndt - 1.

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

At 7:58 p.m., July 6, 1983, on motion of Senator Sharp, the Senate recessed to the call of the Chair.

EXTRAORDINARY SESSION
(Called by the Governor)
SEPTEMBER 28, 1983

Pursuant to the following Proclamation, the Senate convened at 4:38 p.m., Wednesday, September 28, 1983, Lt. Governor Castle presiding:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
PROCLAMATION

I, PIERRE S. duPONT, IV, Governor of the State of Delaware, in accordance with the powers granted to me by Article III, Section 16, of the Constitution of the State of Delaware, do hereby call the Senate of the 132nd General Assembly of the State of Delaware to convene in Extraordinary Session, on Wednesday, September 28, 1983, at 2:00 p.m. for the purpose of acting on House Bill No. 290, dealing with the reorganization of the jurisdiction of the Municipal Court of the City of Wilmington, the Court of Common Pleas, and the Justice of the Peace Courts, and House Bill No. 348, relating to the Court of Chancery; and for the further purpose of acting on such nominations as may be pending before the Senate or may properly come before it.

IN WITNESS WHEREOF, I, PIERRE S. duPONT, IV, Governor of the State of Delaware, have hereunto set my Hand and caused the Great Seal of said State to be hereunto affixed at Dover this 13th day of September, in the year of our Lord, the One Thousand Nine Hundred and Eighty-Third, and of the Independence of the United States of America, the Two Hundred and Eighth.

Pierre S. duPont, Governor
ATTEST: Bruce M. Tobey (Secretary of State)
(Acting)

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 2L

Senator Sharp requested the following nominations for appointment to be read:

STATE OF DELAWARE
Office of the Governor
September 28, 1983j

To the Senate of the 132nd General Assembly of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Peggy L. Ableman, 1335 North Clayton Street, Wilmington, Delaware, to be appointed as a Judge of the Family Court of the State of Delaware, in and for New Castle County, for a twelve-year term to replace Roxanna Arsht, resigned.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

On motion of Senator Adams, the Governor's nomination for appointment of Peggy L. Ableman, was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 19 Senators voting YES and 2 (Littleton and McBride) ABSENT; therefore, the appointment was declared confirmed.

Senator McBride marked PRESENT.

The following letter of nomination for appointment from the Governor was read and laid on the table on motion of Senator Adams (without objection).

STATE OF DELAWARE
Office of the Governor
September 28, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Stephen T. Golding, 840 Causez Avenue, Claymont, Delaware, to be appointed Budget Director for the State of Delaware, to serve During the Pleasure of the Governor

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

The following nomination for appointment was read in:

STATE OF DELAWARE
Office of the Governor
September 28, 1983

To the Senate of the 132nd General Assembly of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: James A. Hart, 5503 Doral Street, Wilmington, Delaware 19808, to be appointed as Secretary of the Department of Services to Children, Youth and Their Families, State of Delaware, to serve During the Pleasure of the Governor

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

On motion of Senator Adams, the Governor's nomination for appointment of James A. Hart was taken up for consideration under suspension of the necessary rules and the roll call vote taken; however, before being announced, the roll call was laid on the table on motion of Senator Cordrey (without objection).

The following nomination for appointment was read in:

STATE OF DELAWARE
Office of the Governor
September 28, 1983

To the Senate of the 132nd General Assembly of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Charles K. Keil, 204 Hitching Post Drive, Wilmington Delaware 19803, to be appointed as a Judge of the Family Court of the State of Delaware, in and for New Castle County, for a twelve-year term to replace Vincent J. Poppiti, resigned.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

On motion of Senator Adams (without objection), the Governor's nomination for appointment of Charles K. Keil was taken up for consideration with rules suspended and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

The following letter of nomination for appointment from the Governor was read:

STATE OF DELAWARE
Office of the Governor
September 28, 1983

To the Senate of the 132nd General Assembly of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Barbara-Cherrix O'Leary, P.O. Box 202, Rehoboth Beach, Delaware, to be appointed as a member of the Public Employment relations board for a term of two years

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

On motion of Senator Adams, the Governor's nomination for appointment of Barbara-Cherrix O'Leary was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 20 Senators voting YES and 1 (Neal) voting No; therefore, the appointment was declared confirmed.

The following letter of nomination for appointment from the Governor was read:

STATE OF DELAWARE
Office of the Governor
September 28, 1983

To the Senate of the 132nd General Assembly of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Lawrence M. Sullivan, 1003 North Bancroft Parkway, Wilmington, Delaware, to be reappointed as Public Defender for the State of Delaware, for a six year term to end July 30, 1989.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

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

The following letter of nomination for appointment from the Governor was read:

STATE OF DELAWARE
Office of the Governor
September 28, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Charles H. Toliver, IV, 108 West 40th Street, Wilmington, Delaware, to be appointed as a member of the Public Employment Relations Board for a term of four years

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

* * * * *

On motion of Senator Adams, the Governor's nomination for appointment of Charles H. Toliver, IV, was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Neal) voting No; therefore, the appointment was declared confirmed.

The following letter of nomination for appointment from the Governor was read:

STATE OF DELAWARE
Office of the Governor
September 28, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Arthur T. VanWart, 1401 Pennsylvania Avenue, Wilmington, Delaware, to be appointed as Chairman of the Public Employment Relations Board for a term of six years.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

* * * * *

On motion of Senator Adams, the Governor's nomination for appointment of Arthur T. VanWart was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 20 Senators voting YES and 1 (Neal) voting NO; therefore, the appointment was declared confirmed.

The following letter of nomination for appointment from the Governor was read:

STATE OF DELAWARE
Office of the Governor
September 28, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Marna C. Whittington, Barley Mill Road, Wilmington, Delaware, to be appointed Secretary of the Department of Finance, State of Delaware, to serve During the Pleasure of the Governor

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

* * * * *

On motion of Senator Adams, the above nomination was laid on the table.
The following letter of nomination for appointment was read:

STATE OF DELAWARE
Office of the Governor
September 28, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Frances M. West, 911 Darley Road, Wilmington, Delaware, to be appointed Secretary of the Department of Community Affairs, State of Delaware, to serve During the Pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

* * * * *

On motion of Senator Adams, the above nomination was laid on the table.
The following letter of nomination for appointment from the Governor was read:

STATE OF DELAWARE
Office of the Governor
September 28, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Donald R. Marge, 7 Third Avenue, Claymont, Delaware, to be appointed as a member of the New Castle County Board of Elections for a term of four years to replace Dolores Hamilton, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

* * * * *

On motion of Senator Adams, the Governor's nomination for appointment of Donald R. Marge was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

The following letter of nomination for appointment from the Governor was read:

STATE OF DELAWARE
Office of the Governor
September 28, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Robert L. Moore, 142 Netherfield Drive, Wilmington, Delaware, to be appointed as a member of the New Castle County Board of Elections for a term of four years to replace Phyllis Seidel, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

* * * * *

On motion of Senator Adams, the Governor's nomination for appointment of Robert L. Moore was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

The following letter of nomination for appointment from the Governor was read:

STATE OF DELAWARE
Office of the Governor
September 28, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Howard R. Ogden, St. Georges, Delaware, to be appointed as a member of the New Castle County Board of Elections for a term of four years to replace Horace Whitlock, term expired

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

* * * * *

On motion of Senator Adams, the Governor's nomination for appointment of Howard R. Ogden was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 21 Senators voting YES; therefore, the nomination was declared confirmed.

The following letter of nomination for appointment from the Governor was read:

STATE OF DELAWARE
Office of the Governor
September 28, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Robert S. Smith, 121 Country Club Drive, Newark, Delaware, to be appointed as a member of the New Castle County Board of Elections for a term of four years to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

* * * * *

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

The following letter of nomination for appointment from the Governor was read:

STATE OF DELAWARE
Office of the Governor
September 28, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: William T. Speary, Jr., 608 Parker Court, Wilmington, Delaware, to be appointed as a member of the New Castle County Board of Elections for a term of four years to replace J. Sherman White, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

The nomination for appointment of William T. Speary, Jr., was taken up for consideration under suspension of the necessary rules on motion of Senator Adams and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

HB 348 was taken up for consideration under suspension of the necessary rules on motion of Senator Adams:

HB 348 - AN ACT TO AMEND SUBCHAPTER I, CHAPTER 3, TITLE 10, DELAWARE CODE, RELATING TO THE COURT OF CHANCERY. Sponsors: Representatives Plant, George, Terry, Outten, Bennett, Spence, Barnes; Senators Adams, Martin, Holloway, Zimmerman, Vaughn, Minner, Cook, Citro, Knox.

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

SR 93 was introduced and considered for adoption on motion of Senator Sharp.

SR 93 - REQUESTING A REPORT CONCERNING THE ASSIGNMENT OF WILMINGTON MUNICIPAL COURT EMPLOYEES PURSUANT TO THE PROVISIONS OF HOUSE BILL NO. 290. Sponsor: Senator Sharp.

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

On motion of Senator Minner (without objection) the necessary rules were suspended for consideration of Senate Consent Calendar #9. The ten Senate Resolutions and one House Concurrent Resolution were:

SR 92 - COMMENDING DALE BRACKEN, A MEMBER OF THE MILL CREEK VOLUNTEER FIRE COMPANY, ON HIS SELECTION AS HEROIC FIREMAN OF THE YEAR AT THE 63RD ANNUAL CONVENTION OF THE DELAWARE VOLUNTEER FIREMEN'S ASSOCIATION. Sponsor: Senator Sharp.

SR 94 - CONGRATULATING THE MILL CREEK VOLUNTEER FIRE COMPANY FOR WINNING THE GOVERNOR'S CUP FOR THE SIXTH YEAR IN A ROW AT THE 63RD ANNUAL CONVENTION OF THE DELAWARE VOLUNTEER FIREMEN'S ASSOCIATION. Sponsor: Senator Sharp.

SR 97 - CONGRATULATING KIMBERLY ISEMAN OF DOVER ON HER SELECTION AS MODERN MISS DELAWARE AND EXTENDING THE SENATE'S BEST WISHES FOR SUCCESS AT THE NATIONAL MODERN MISS PAGEANT. Sponsor: Senator Zimmerman.

SR 98 - MOURNING THE DEATH OF JIM O'BRIEN, CHANNEL 6 WEATHERMAN AND WEEKDAY CO-ANCHOR. Sponsor: Senator Holloway.

SR 99 - RECOGNIZING THE WEEK OF SEPTEMBER 25, 1983, AS NATIONAL ADULT DAY CARE WEEK. Sponsor: Senator Holloway.

SR 100 - COMMENDING MARY G. WHITE, RETIRING AS DIRECTOR OF THE NEIGHBORHOOD HOUSE IN SOUTH WILMINGTON, FOR ALMOST TWENTY YEARS OF OUTSTANDING SERVICE TO THE COMMUNITY. Sponsor: Senator Holloway.

SR 101 - CONGRATULATING THE BUSINESSWOMEN OF DELAWARE WHO OBSERVED SEPTEMBER 22, 1983 AS AMERICAN BUSINESSWOMEN'S DAY. Sponsors: Senators Minner, Cook, Bair.

SR 102 - CONGRATULATING THE DELAWARE SAENGERGUND ON THE CELEBRATION OF ITS 130TH ANNIVERSARY. Sponsor: Senator Bair.

SR 104 - HONORING DELAWARE'S VETERANS ON VETERANS DAY, NOV. 11, 1983. Sponsors: Senator McBride and all the Senators.

SR 105 - CONGRATULATING JOHN V. RYAN, JR., A MEMBER OF THE HOLLOWAY TERRACE FIRE COMPANY, ON HIS SELECTION AS NON-HEROIC FIREMAN OF THE YEAR BY THE DELAWARE VOLUNTEER FIREMEN'S ASSOCIATION. Sponsor: Senator McBride.

HCR 133 - MOURNING THE DEATH OF LAMMOT DUPONT COPELAND, SR., FORMER PRESIDENT, CHAIRMAN AND CHIEF EXECUTIVE OFFICER OF THE DUPONT COMPANY. Sponsors: Representatives Hebner, Oberle, Moroney, Petrilli, Corrozi; Senators Knox, Arnold.

Senator Martin was added as co-sponsor to SR 102 at his request.

Senator Cook was added as co-sponsor to SR 105 at her request.

The roll call vote on Senate Consent Calendar #9 was then taken and revealed 21 Senators voting YES; therefore, the Resolutions were declared adopted by the Senate.

SR 103 was introduced and considered for adoption on motion of Senator Torbert:

SR 103 - URGING THE GOVERNOR AND THE SECRETARY OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO INCLUDE IN THEIR FISCAL 1985 BUDGET REQUESTS A REASONABLE SUM TO AIR-CONDITION THE HOME AND HOSPITAL FOR THE CHRONICALLY ILL AT SMYRNA. Sponsors: Senators Torbert, Vaughn, Cook, Marshall, Holloway, Martin, Zimmerman, Minner, Arnold.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Berndt, Knox, Littleton) NOT VOTING; therefore, the Resolution was declared adopted.

SR 95 was introduced and considered for adoption on motion of Senator Zimmerman:

SR 95 - URGING MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO SUPPORT PENDING LEGISLATION TO REQUIRE BANKS TO ADVERTISE THEIR "FLOAT" POLICIES ON DEPOSIT SLIPS. Sponsors: Senators Zimmerman, Vaughn, Martin, Torbert, McDowell, Marshall, McBride.

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

SR 96 was introduced and considered for adoption on motion of Senator Zimmerman:

SR 96 - URGING THE GOVERNOR OF THE STATE OF DELAWARE AND THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO REJECT PROPOSALS FOR A BULK COAL TRANSFER FACILITY IN THE DELAWARE BAY AND TO REFUSE TO ISSUE PERMITS THEREFOR. Sponsors: Senators Zimmerman, Vaughn, Martin, Torbert, Marshall, Cordrey.

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

The privilege of the floor was extended to John A Dillman, III (State Personnel Director) and William E. Manning at the request of Senator Sharp.

At 5:55 p.m., Senator Cordrey presiding.

At 7:20 p.m. the Senate recessed for Party Caucus and reconvened at 7:35 p.m., Senator Cordrey presiding.

The privilege of the floor was again extended to William E. Manning at the request of Senator Sharp.

HB 290 w HA 1 was introduced and assigned to Judiciary Committee:

HB 290 w HA 1 - AN ACT TO AMEND TITLES 10, 11, AND 21 OF THE DELAWARE CODE BY REORGANIZING THE JURISDICTION OF THE MUNICIPAL COURT OF THE CITY OF WILMINGTON, THE COURT OF COMMON PLEAS AND THE JUSTICE OF THE PEACE COURTS. Sponsor: Representative Meconi.

At 8:01 p.m. on motion of Senator Sharp, the Extraordinary Session adjourned.

* * * * *

The Second Day of the Special Session which recessed on July 6, 1983, reconvened at 6:40 p.m., October 20, 1983, Lt. Governor Castle presiding.

Senator Berndt marked PRESENT.

On motion of Senator Adams, the roll call vote on the nomination for appointment of James A. Hart was lifted and revealed 19 Senators voting YES and 2 (Vaughn and Zimmerman) NOT VOTING; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Frances M. West was lifted from the table for consideration. The roll call vote on the nomination was taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, Neal - 14.

NO: Senators McDowell, Minner, Vaughn, Zimmerman - 4.

NOT VOTING: Senators Sharp, Torbert - 2.

ABSENT: Senator Connor - 1.

Therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Stephen T. Golding was lifted for consideration and the roll call vote taken which revealed 19 Senators voting YES, 1 (Zimmerman) voting NO and 1 (Connor) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Marna C. Whittington was lifted for consideration.

The following two pieces of correspondence was read and made part of this Journal at the request of Senator Zimmerman:

THE GOVERNOR'S HOUSE
Dover, Delaware 19901

MEMORANDUM

TO: John McDonald and Charlotte Tarr
From: Elise du Pont and Frankie Miller
Date: December 28, 1983
RE: Transfer of Vacation Leave Days

Please allow Frankie F. Miller to carry over 14.5 vacation days into 1983. As of the end of 1982, she has a total of 56.5 days, 14.5 over the allowed accrual of 42 days.

Thank you.

Signed - Elise duPont
Frankie Miller

* * * * *
THE GOVERNOR'S HOUSE
Dover, Delaware 19901
October 12, 1983
MEMORANDUM

TO: Frederick Van Sant, Secretary
Department of Administrative Services

Charlotte B. Tarr, Personnel Administrator
Department of Administrative Services

FROM: Frankie Miller, Administrative Assistant

RE: 1982 Carryover of Accrued Annual Leave

By the end of 1982 I had accrued 56 1/2 days of unused annual leave. Faced with losing 14-1/2 of these days on December 31 of that year, I consulted with Charlotte, who suggested that I request a waiver of the 42 day carryover limitation. On December 28, 1982, I sent a memo about this both to Charlotte and to then-Acting Secretary McDonald. My request was approved, and I carried over into 1983 the full 56-1/2 days of accrued annual leave.

Because of the recent controversy about payment for accrued annual leave, I re-checked my leave records and brought the above transaction to the attention of the Governor's staff. I have been advised that, contrary to the initial advice I had received, Executive Order 36 does not provide for any waiver of the "42-day carry forward" rule.

That being the case, please revise my annual leave records to reflect only a 42-carry over on January 1, 1983.

CC: Mrs. Elise duPont
Dennis Greenhouse, State Auditor

* * * * *

The roll call vote was taken on the nomination of Marna C. Whittington which revealed 17 Senators voting YES, 1 (Zimmerman) voting No, 2 (McDowell, Sharp) NOT VOTING and 1 (Connor) ABSENT; therefore, the appointment was declared confirmed.

At 7:16 p.m., on motion of Senator Sharp, the 2nd Day of the Special Session recessed to the call of the President Pro Tempore.

* * * * *

2ND EXTRAORDINARY SESSION
(Called by the Governor)
November 10, 1983

At 5:35 p.m., November 10, 1983, the Senate convened (pursuant to the Proclamation printed below), Lt. Governor Castle presiding.

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
PROCLAMATION

I, PIERRE S. duPONT, IV, Governor of the State of Delaware, in accordance with the powers granted to me by Article III, Section 16, of the Constitution of the State of Delaware, do hereby call the Senate of the 132nd General Assembly of the State of Delaware to convene in Extraordinary Session on Thursday, November 10, 1983, at 4:00 p.m. for the purpose of acting on such nomination as may be pending before the Senate or may properly come before it.

IN WITNESS WHEREOF, I, PIERRE S. duPONT, IV, Governor of the State of Delaware, have hereunto set my Hand caused the Great Seal of the State of Delaware to be hereunto affixed at Dover this 1st day of November, in the year of our Lord, the One Thousand Nine Hundred and Eighty-third, and of the Independence of the United State of America, the Two Hundred and Eighth.

Pierre S. duPont, Governor

ATTEST: Glenn C. Kenton, Secretary of State

* * * * *

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 18.

ABSENT: Senators Bair, Minner, Neal - 3.

The Journal of the previous Extraordinary Session Day was approved as read on motion of Senator Cordrey.

At 5:42 p.m. on motion of Senator Cordrey, the Senate recessed to await the reception of the letters of nomination from the Governor.

The Senate reconvened at 5:45 p.m., Lt. Governor Castle presiding.

On motion of Senator Adams, the following nomination for appointment from the Governor was read and considered for confirmation under suspension of the necessary rules:

STATE OF DELAWARE

Office of the Governor

November 10, 1983

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Virginia M. Dennis, 49 Billings Drive, Dover, Delaware, to be appointed State Election Commissioner for the State of Delaware to serve for a term which expires on August 9, 1985, to fill a vacancy

Your consideration of this nomination will be appreciated.

Sincerely,

* * * * *
Pierre S. duPont, Governor

The roll call vote on the nomination was taken and revealed 18 Senators voting YES and 3 (Bair, Minner, Neal) ABSENT; therefore, the appointment was declared confirmed.

At the request of Senator Cook, the privilege of the floor was extended to the new Commissioner of Elections.

On motion of Senator McDowell (without objection) the necessary rules were suspended for consideration of Consent Calendar #10 which consisted of the following Resolutions:

SR 106 - RECOGNIZING THE SECOND WEEK OF NOVEMBER 1983 AS NATIONAL MEALS-ON-WHEELS AND CONGREGATE MEAL WEEK. Sponsor: Senator Holloway.

SR 107 - MOURNING THE DEATH OF J. EUGENE (GENE) DERRICKSON, OF CLAYMONT, A LEADER OF ORGANIZED LABOR AND A CONTRIBUTING CITIZEN FOR MANY YEARS. Sponsors: Senator Berndt and all Senators.

SR 108 - SOLEMNLY MOURNING UNITED STATES MARINES KILLED IN A TERRORIST BOMB ATTACK AT BEIRUT, LEBANON, INTERNATIONAL AIRPORT ON OCT. 23, 1983; EXPRESSING CONDOLENCES TO MEMBERS OF THEIR FAMILIES; AND COMMENDING THE MARINE CORPS AND THE DOVER AIR FORCE BASE FOR THEIR DIGNIFIED, PROUD AND HONORABLE HOMAGE TO THESE AMERICAN HEROES. Sponsors: Senator McBride and all Senators.

SR 109 - CONGRATULATING CATHOLIC SOCIAL SERVICES INC. ON ITS RECENT ACCREDITATION BY THE COUNCIL ON ACCREDITATION, SERVICES FOR FAMILIES AND CHILDREN INC. Sponsor: Senator Marshall.

SR 110 - MOURNING THE DEATH OF SAMUEL GOLAN COVERDALE OF ELLENDALE, FATHER OF SEN. RUTH ANN MINNER, AND WISHING SENATOR MINNER A SPEEDY RECOVERY FROM INJURIES SUFFERED IN AN AUTOMOBILE ACCIDENT. Sponsors: Senator Zimmerman and all Senators.

SR 111 - MOURNING THE DEATH OF LEWIS WRIGHTSON, COMMISSIONER OF ELECTIONS. Sponsor: Senator Holloway.

SR 112 - HONORING DUDLEY CROSSLEY, OF CLAYTON, A FORMER MEMBER OF BOTH THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE STATE OF DELAWARE, AS HE CELEBRATES HIS 100TH YEAR ON NOVEMBER 18, 1983. Sponsors: Senators Cook, Vaughn.

SR 113 - CONGRATULATING W. L. GORE & ASSOCIATES IN CELEBRATION OF THIS DELAWARE CORPORATION'S 25TH ANNIVERSARY. Sponsors: Senators Arnold, Neal.

SR 114 - MARKING THE 20TH ANNIVERSARY OF THE ASSASSINATION ON NOVEMBER 22, 1963, OF JOHN FITZGERALD KENNEDY, 35TH PRESIDENT OF THE UNITED STATES. Sponsors: Senator Marshall and all Senators.

SR 115 - REQUESTING TELEVISION STATION WHYY TO COOPERATE WITH TELEVISION STATION WDPB, OF SEAFORD, DURING THE FUND-RAISING CAMPAIGN DECEMBER 3-13, 1983. Sponsors: Senators Berndt, Adams, Cordrey, Cook and Littleton.

The roll call vote on Consent Calendar #10 was then taken and revealed 18 Senators voting YES and 3 (Bair, Minner, Neal) ABSENT; therefore, the Resolutions were declared adopted.

At 5:56 p.m. on motion of Senator Sharp, the 2nd Extraordinary Session adjourned.

* * * * *

At 6:25 p.m., November 30, 1983, the Second Day of the Special Session which recessed on October 20, 1983, reconvened with Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 401; HB 402; HB 403; SB 275 and adopted HJR 13; HCR 134; HCR 135.

HJR 13 was read in by title at the request of Senator Cook.

HJR 13 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1984. Sponsors: Representative Bennett and Senator Cook.

Senator Cook requests rules be suspended to consider HJR 13 - no objections.

The roll call vote on the Resolution was taken and revealed 18 Senators voting yes and 3 (Berndt, Connor and Minner) absent, therefore, the Resolution was declared adopted by the Senate and returned to the House.

HB 401 was read in by title at the request of Senator Cook.

HB 401 - AN ACT TO REPEAL CHAPTER 129, VOLUME 64, LAWS OF DELAWARE, BEING "AN ACT TO PROVIDE FOR A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF ECONOMIC SERVICES FOR THE PURPOSE OF AN EMERGENCY CONCERNING MEDICAID FUNDS FOR STATE AND NON-STATE INSTITUTIONS."

Senator Cook requested the necessary rules be suspended in order to consider HB 401 - no objections.

The roll call vote on the Bill was taken and revealed 18 Senators voting yes and 3 Senators (Berndt, Connor and Minner) absent, therefore, the Bill was declared passed by the Senate and returned to the House.

HB 402 was read in by title at the request of Senator Cook.

HB 402 - AN ACT AUTHORIZING SALARY INCREASES FOR STATE OF DELAWARE EMPLOYEES, PROVISIONS OF CHAPTER 90, VOLUME 64, LAWS OF DELAWARE, TO THE CONTRARY NOTWITHSTANDING; AMENDING CHAPTER 13, TITLE 14, DELAWARE CODE, RELATING TO SALARY SCHEDULES AND CLASSIFICATIONS; AMENDING TITLE 29, DELAWARE CODE, RELATING TO SALARIES OF ELECTED OFFICIALS; AND PROVIDING AN APPROPRIATION THEREFOR AND PROVIDING A SUPPLEMENTARY APPROPRIATION TO THE UNIVERSITY OF DELAWARE AND TO THE DELAWARE GEOLOGICAL SURVEY.

Senator Neal and Senator Arnold request SA 1 to HB 402 be read in.

Senator Cook request necessary rules be suspended to consider HB 402 - no objections.

Senator Sharp motioned SA 1 to HB 402 be laid on the table - Senator Neal objects. Roll call on the motion that SA 1 to HB 402 be laid on the table revealed 12 Senators voting YES 5 Senators (Arnold, Bair, Knox, Littleton, and Neal) voting NO, 1 Senator Citro NOT VOTING, and 3 Senators (Berndt, Connor and Minner) ABSENT, therefore the motion to be laid on the table passed.

Senator Neal requests SA 2 to HB 402 be read in. Senator Cook requests SA 2 to HB 402 be laid on the table. Senator Neal objects. Roll call vote for SA 2 to HB 402 to be laid on the table was taken and revealed, 12 Senators voting YES, 6 Senators (Arnold, Bair, Citro, Knox, Littleton, Neal) voting NO, and 3 Senators (Berndt, Connor and Minner) ABSENT, therefore the motion for SA 2 to HB 402 to be laid on the table passed.

The roll call vote on the Bill was then taken and revealed 18 Senators voting YES and 3 Senators (Berndt, Connor, and Minner) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

Senator Cook request HB 403 be read in by title only.

HB 403 - AN ACT TO PROVIDE FOR A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF ECONOMIC SERVICES FOR THE PURPOSE OF AN EMERGENCY CONCERNING MEDICAID FUNDS FOR STATE INSTITUTIONS.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 Senators (Berndt, Connor and Minner) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

6:51 p.m. Senator Cordrey requests Senator Holloway preside before the Senate in honor of his 20 years as a legislator.

Senator Sharp request SR 116, SR 117, SR 118, SR 119 be read in as Senator Consent Calendar #11.

SR 116 - REQUESTING THE DELAWARE CONGRESSIONAL DELEGATION TO GIVE FAVORABLE CONSIDERATION TO HR 3435 WHICH EXTENDS THE PROVISIONS OF THE EDUCATION OF THE HANDICAPPED ACT. Sponsor Senator Holloway

SR 117 - COMMENDING THE DELAWARE STATE COLLEGE FOOTBALL HORNETS AND THEIR COACH, JOE PURZYCKI, FOR AN OUTSTANDING 1983 SEASON. Sponsors Senator Zimmerman and all Senators.

SR 118 - CONGRATULATING THE CAESAR RODNEY HIGH SCHOOL FOOTBALL TEAM AND COACHES FOR WINNING THE HENLOPEN CONFERENCE CHAMPIONSHIP FOR 1983. SPONSORS: Senator Torbert and Senator Zimmerman.

SR 119 - COMMENDING THE INDIAN RIVER FOOTBALL CHEERLEADERS AND YELL LEADERS, WHO WILL COMPETE FOR THE NATIONAL CHEERLEADING CHAMPIONSHIP IN ORLANDO, FLA., MARCH 2-6, 1984, AND EXTENDING BEST WISHES FOR SUCCESS IN THE NATIONAL CHAMPIONSHIPS.

SR 81 - REQUESTING THE GOVERNOR OF THE STATE TO ESTABLISH A FIFTEEN MEMBER COMMITTEE, INCLUDING SUBSTANTIAL REPRESENTATION FROM THE PRIVATE SECTOR, TO ADVISE ON MATTERS RELATING TO RENEWABLE ENERGY RESOURCE PROGRAMS IMPLEMENTED BY THE STATE OF DELAWARE. Sponsors - Senator McDowell and Senator Bair.

HCR 134 - COMMEMORATING THE ANNIVERSARY OF THE DEATH OF HAYM SOLOMON AND PROCLAIMING JANUARY 6, 1984 AS HAYM SOLOMON REMEMBRANCE DAY. Sponsor Representative George.

HCR 135 - CONGRATULATING FATHER ALEX GORSKI, PASTOR OF ST. STANISLAUS KOSTKA ROMAN CATHOLIC CHURCH IN WILMINGTON, ON THE 40TH ANNIVERSARY OF HIS ORDINATION. Sponsor Representative Jonkiert, and Senator Marshall.

Rules were suspended and roll call taken on Senate Consent Calendar #11 revealing, 18 Senators voting yes and 3 Senators (Berndt, Connor and Minner) absent, therefore Consent Calendar # 11 was declared passed by the Senate.

Communication was read in to Senators of the 132nd General Assembly thanking them from the Coverdale family.

At 7:00 p.m., November 30, 1983; on motion of Senator Sharp the Senate recessed to the call of the President Pro Tem.

132ND GENERAL ASSEMBLY
SECOND SESSION
1ST LEGISLATIVE DAY
JANUARY 10, 1984

The Senate convened at 2:01 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Rev. Roy Davis of St. Mark's Episcopal Church.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

Senator Sharp moved that the reading of the previous day's minutes be dispensed with. No objection.

Senator McDowell marked PRESENT.

At 2:07 p.m., the Senate recessed while the public address system was being repaired and reconvened at 2:59 p.m., Senator Cordrey presiding.

The following communication from the Governor was read:

STATE OF DELAWARE
OFFICE OF THE GOVERNOR
January 10, 1984

The Honorable Michael N. Castle, President of the Senate
Delaware State Senate
Legislative Hall
Dover, Delaware 19901

Dear Mr. President:

As required by Article VII, Section 1 of the Delaware Constitution, I am hereby transmitting to the General Assembly copies of all reprieves, pardons and remissions granted by me in 1983.

I would appreciate your advising the members of the Senate that this transmittal has been received and making it available to them. I would also appreciate your reading this communication into the Journal, as formal acknowledgment of receipt.

Sincerely yours,
Pierre S. duPont, IV, Governor

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Senators Marshall and Martin marked PRESENT.

The following legislation was introduced:

SB 324 - AN ACT TO AMEND CHAPTER II AND CHAPTER 19, TITLE 30 OF THE DELAWARE CODE RELATING TO THE PERSONAL AND CORPORATION INCOME TAX; AND PROVIDING FOR A "DE-COUPLING" FROM THE FEDERAL ACCELERATED COST RECOVERY SYSTEM. Sponsor: Senator Neal. Assigned to Revenue and Taxation Committee.

SB 325 - AN ACT TO PROVIDE A GRANT-IN-AID TO THE HARRINGTON SENIOR CENTER. Sponsors: Senator Cook, Representative Bennett; Representatives Corrozi, Meconi, Petrilli, Soles, Wingate, Quillen; Senators Berndt, Holloway, Neal, McBride, Vaughn, Minner. Assigned to Finance Committee.

SB 326 - AN ACT TO AMEND CHAPTER 17, PART I, TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION; AND PROVIDING FOR A DATE BY WHICH UNITS OF PUPILS SHALL BE DETERMINED. Sponsors: Senator McBride, Representative Jester. Assigned to Education Committee.

SB 327 - AN ACT TO AMEND CHAPTER 43, PART II, TITLE II OF THE DELAWARE CODE RELATING TO PROBATION AND SENTENCING PROCEDURES; AND PROVIDING FOR THE IMMEDIATE INCARCERATION OF PERSONS CONVICTED OF CERTAIN OFFENSES. Sponsor: Senator Connor. Assigned to Judiciary Committee.

SB 328 - AN ACT TO AMEND CHAPTERS 9 AND II OF TITLE 13, DELAWARE CODE, RELATING TO ACCESS TO INFORMATION IN ADOPTION RECORDS CONCERNING SIBLINGS OF AN ADOPTED INDIVIDUAL WHEN THE SIBLING'S PARTICIPATION IN MEDICAL TREATMENT IS NEEDED FOR THE HEALTH OF THE ADOPTED INDIVIDUAL. Sponsors: Senator Adams; Representatives Barnes, Clendaniel. Assigned to Judiciary Committee.

SB 329 - AN ACT TO AMEND CHAPTER 25, TITLE 29, DELAWARE CODE, RELATING TO ESTABLISHMENT OF A CITIZENS COMMITTEE ON BAR CONDUCT. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

Senator Connor marked PRESENT.

SB 330 - AN ACT TO AMEND CHAPTER 31, TITLE 16, DELAWARE CODE, RELATING TO FORMS OF CERTIFICATES FOR BIRTHS, DEATHS, AND MARRIAGES. Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

SB 331 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELMARVA ADVISORY COUNCIL. Sponsor: Senator Cordrey. Assigned to Executive Committee.

SB 332 - AN ACT TO AMEND CHAPTER 52, TITLE 30, DELAWARE CODE, RELATING TO EXCLUSION OF CERTAIN MOTOR VEHICLES FROM THE OPERATION OF THE MOTOR FUEL TAX. Sponsor: Senator Minner. Assigned to Revenue and Taxation Committee.

SA 1 to HB 267. Sponsor: Senator Minner. Placed with the Bill

SA 1, SA 2 to HB 372. Sponsor: Senator Holloway. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had passed HB 290 w HA 1; SB 290; SB 323; HB 278; SB 293 w SA 1; SB 296; SB 292; SB 64 w SA 1, 2; SB 207 w SA 1; SB 50 w SA 1, 2, HA 1, 2; SB 234 and adopted SCR 76; SCR 75; SJR 6; HCN 132; HCN 133; SCR 74; SCR 77; SCR 78.

The following legislation was introduced:

HB 107 w HA 3, 4, 5 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE PROHIBITING DRIVERS AGED 16 AND 17 FROM DRIVING A MOTOR VEHICLE DURING CERTAIN HOURS. Sponsors: Representatives Anderson, VanSant, Smith, Oberle, Davis. Assigned to Public Safety Committee.

HB 131 w HA 1, 2, 3 - AN ACT TO AMEND SUBCHAPTER V, CHAPTER 11, TITLE 24, OF THE DELAWARE CODE RELATING TO RECORDS SUBMITTED TO AND RECORDS AND PROCEEDINGS OF COMMITTEES OR ORGANIZATIONS REVIEWING DENTAL RECORDS AND DENTISTS' WORK. Sponsors: Representatives VanSant, Maroney. Assigned to Health-Social Services/Aging Committee.

HB 158 w HA 1 - AN ACT TO AMEND CHAPTER 55, TITLE 30, DELAWARE CODE, RELATING TO THE PUBLIC UTILITIES TAXES. Sponsors: Representatives Quillen, Buckworth. Assigned to Revenue and Taxation Committee; reassigned to Administrative Services/Energy Committee.

HB 278 - AN ACT TO AMEND CHAPTER 59, TITLE 11, OF THE DELAWARE CODE TO ALLOW JUSTICES OF THE PEACE OR MAYORS TO HEAR AND DETERMINE CRIMINAL CASES ON SUNDAYS. Sponsors: Representatives Mack, Dixon, Meconi; Senator Sharp. Assigned to Judiciary Committee.

HB 292 - AN ACT TO AMEND CHAPTER 41, TITLE 21, DELAWARE CODE, BY EMPHASIZING THE PROVISION FOR LEGAL COUNSEL AND PROVIDING COMPENSATION TO CERTAIN PERSONS APPEARING AS WITNESSES IN THE CASE OF AN ALLEGED VIOLATION OF THE SCHOOL BUS STOP LAW. Sponsors: Representatives Corrozi, Oberle, Petrilli, Davis, Spence, Smith, VanSant, Dixon, Soles, Meconi, Houghton, Bennett, Maroney. Assigned to Public Safety Committee.

HB 300 - AN ACT TO AMEND CHAPTER 42, TITLE 18 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF AN INSOLVENT INSURER. Sponsors: Representatives Buckworth, Bunting, Dixon, D. Ennis. Assigned to Insurance and Elections Committee.

HB 318 - AN ACT TO AMEND ARTICLE VI, SECTION 602 RELATING TO THE CREATION OF A MUNICIPAL COURT, ARTICLE VII, SECTION 702.3 RELATING TO THE POLICE DEPARTMENT; AND ARTICLE XI, SECTION 1102, RELATING TO OATHS OF OFFICE, OF THE CHARTER OF THE CITY OF NEWARK AS ADOPTED PURSUANT TO CHAPTER 260, VOLUME 53, LAWS OF DELAWARE. Sponsors: Representative Anderson, Senator Martin; Representatives Oberle, Petrilli, Soles; Senator Neal. Assigned to Judiciary Committee.

HS 1 for HB 326 - AN ACT TO AMEND CHAPTERS 1, 21 AND 45, TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL MOBILE EQUIPMENT. Sponsor: Representative Cordrey. Assigned to Public Safety Committee.

HB 330 - AN ACT TO AMEND 30 DEL. C., C. 20 RELATING TO NEIGHBORHOOD ASSISTANCE ACT. Sponsor: Representative Sills. Assigned to Revenue and Taxation Committee.

HB 342 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE BY ESTABLISHING A MEANS OF DETERMINING JURISDICTION OVER HEALTH CARE BENEFITS PROVIDERS. Sponsors: Representatives D. Ennis, Dixon, Buckworth, Bunting. Assigned to Insurance and Elections Committee.

SR 120 was introduced and considered for adoption on motion of Senator Holloway:

SR 120 - COMMENDING THE NEMOURS CLINIC INC. AND THE NEMOURS FOUNDATION INC. FOR THEIR SPONSORSHIP OF MEDICAL ASSISTANCE PROGRAMS FOR THE ELDERLY AND RESPECTFULLY REQUESTING THAT INCOME GUIDELINES FOR ELIGIBILITY BE REEVALUATED. Sponsors: Senators Holloway, Knox, Marshall.

Senator McBride marked PRESENT.

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

SCR 79 was introduced and considered for adoption on motion of Senator Vaughn:

SCR 79 - MOURNING THE DEATH OF WILSON A. DAVID, OF NEAR TOWNSEND, A FORMER MEMBER OF THE DELAWARE STATE SENATE. Sponsors: Senator Vaughn, Representative B. Ennis.

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

SB 333 - AN ACT TO AMEND CHAPTER 23, TITLE 29, DELAWARE CODE, TO CREATE A FUND FOR INDIGENT AND ELDERLY LEGAL SERVICES. Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

HCR 132 - PROVIDING FOR THE APPOINTMENT OF A COMMITTEE TO ASSIST THE DEPARTMENT OF CORRECTION IN ESTABLISHING A PROGRAM TO GIVE APPRENTICESHIP CREDIT TO INMATES WHO PERFORM LABOR ON THE NEW 300 BED FACILITY AT THE DELAWARE CORRECTIONAL CENTER. Sponsors: Representatives Sills, Bunting, Clark, Cordrey, B. Ennis, Jester, Jonkiert, Plant, VanSant, West.

Dear Miss Caniford:

It was good of you to send President Reagan Senate Resolution 69 adopted by the Delaware Senate. Your forwarding of this statement is appreciated, and you may be sure that it has been fully noted.

With the President's best wishes to you and the members of the Senate,

Sincerely,
Anne Higgins
Special Assistant to the President
and Director of Correspondence

The Honorable Betty Jean Caniford
Secretary of the Senate of the State of Delaware
Legislative Hall
Dover, Delaware 19901

* * * * *

THE WHITE HOUSE
WASHINGTON
July 27, 1983

Dear Miss Caniford:

It was good of you to send President Reagan Senate Concurrent Resolution 78 adopted by the Delaware General Assembly. Your forwarding of this statement is appreciated, and you may be sure that it has been fully noted.

With the President's best wishes to you and the members of the General Assembly,

Sincerely,
Anne Higgins
Special Assistant to the President
and Director of Correspondence

The Honorable Betty Jean Caniford
Secretary of the Senate of the State of Delaware
Legislative Hall
Dover, Delaware 19901

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THE WHITE HOUSE
WASHINGTON
July 27, 1983

Dear Miss Caniford:

It was good of you to send President Reagan Senate Resolution 79 adopted by the Delaware Senate. Your forwarding of this statement is appreciated, and you may be sure that it has been fully noted.

With the President's best wishes to you and the members of the Senate,

Sincerely,
Anne Higgins
Special Assistant to the President
and Director of Correspondence

The Honorable Betty Jean Caniford
Secretary of the Senate of the State of Delaware
Legislative Hall
Dover, Delaware 19901

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UNITED STATES SENATE
Washington, D.C. 20510
July 21, 1983

Honorable Betty Jean Caniford
Secretary of the Delaware State Senate
Legislative Hall
Dover, Delaware 19901

Dear Ms. Caniford:

Thank you for sending me a copy of Senate Concurrent Resolution 78 supporting Senate Joint Resolution 126 that I and a number of colleagues introduced making the week of July 17-23 National Corn Week.

I appreciate your support.

I hope you always feel free to call on me whenever you believe I can be of service.

Kindest personal regards.

Sincerely,
Alan J. Dixon
Illinois

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SECRETARIAT OF STATE

From the Vatican, August 30, 1983

Dear Secretary Caniford,

Through the Apostolic Delegation in Washington His Holiness Pope John Paul II has received the Senate Concurrent Resolution passed by the Delaware State Legislature concerning his recent visit to Poland.

His Holiness wishes to express his deep gratitude for the sentiments which prompted this thoughtful gesture, and he invokes upon all the members of the 132nd General Assembly of the Delaware State Legislature God's blessings of peace and joy.

With every good wish, I am

Sincerely yours,
+ E. Martinez
Substitute

Betty Jean Caniford
Delaware State Senate
Dover, DE 19901

* * * * *

THE SECRETARY OF COMMERCE
Washington, D. C. 20230
August 12, 1983

Honorable Betty Jean Caniford
Delaware State Senate - Legislative Hall
Dover, Delaware 19901

Dear Ms. Caniford:

Thank you for providing me with a copy of the resolution passed by the Delaware State Senate regarding the proposed U.S. Steel-British Steel Corporation (BSC) venture.

I have been following reports of the discussions between U.S. Steel and BSC very closely, and recognize that massive purchases of semi-finished steel slab have grave implications for the U.S.-EC Arrangement Concerning Trade in Certain Steel Products (the "Arrangement"). While slab is not subject to the Arrangement's licensing requirements, this product is being closely monitored by the Department of Commerce (DOC) to prevent any diversion in EC exports from licensed to unlicensed products.

Imports of total semi-finished steel products from the EC have increased substantially during recent months. We brought this issue to the attention of EC officials at the quarterly consultations on the operation of the Arrangement held in June. At that time, the EC agreed to consult further on this matter should the Department consider it necessary.

On July 18, DOC officials held special consultations with the EC in Brussels to discuss increased imports of semi-finished products. The proposed U.S. Steel-BSC venture was a key topic. We are continuing our analysis of recent U.S. imports of semi-finished steel from the EC, and we have requested that further special consultations take place in early September. Our aim is to reach a mutually acceptable remedy to the semi-finished imports issue within the framework of the Arrangement.

The DOC will continue to vigorously enforce the Arrangement and to provide our steel industry with the protection to which it is entitled under U.S. unfair trade laws.

Sincerely,
Malcolm Baldrige
Secretary of Commerce

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SENATE
CALIFORNIA LEGISLATURE
SACRAMENTO 95814
September 22, 1983

Hon. Betty Jean Caniford
Secretary of the Senate
Legislative Hall
Dover, Delaware 19901

Dear Ms. Caniford:

By direction of the Senate I am transmitting herewith a copy of Senate Concurrent Resolution No. 40 which was adopted by both Houses of the California Legislature. Please forward the same to the presiding officer of your House.

Sincerely,
Darryl R. White
Secretary of the Senate

SCR 40

Senate Concurrent Resolution No. 40 -- Relative to Taiwan, the Republic of China.

LEGISLATIVE COUNSEL'S DIGEST

SCR 40, Montoya. Taiwan: the Republic of China.

This measure would extend to Taiwan, the Republic of China, an invitation to join the State of California as a sister state.

WHEREAS, THE sister city-state concept was inaugurated by the President of the United States in 1956 to establish greater friendship and understanding between the people of the United States and other nations through the medium of direct personal contact; and

WHEREAS, All succeeding United States Presidents have endorsed this program conducted for the broad purpose of exchanging ideas between the citizens of the State of California, the United States, and the peoples of other nations; and

WHEREAS, The people of Taiwan, like the people of the State of California and the United States, generally, have overcome great adversity and have built a successful, prosperous, free economy; and

WHEREAS, The Republic of China has been one of the most faithful allies of the United States since 1941; and

WHEREAS, Strong commercial ties now exist between the citizens of the Province of Taiwan and the citizens of the State of California; and

WHEREAS, The people-to-people program initiated by President Eisenhower in 1956 and endorsed by President Kennedy in 1961 was designed to bring the people of the world closer together in the interest of peace and prosperity and

WHEREAS, A sister-state relationship between Taiwan and California is in the best interest of a cooperative relationship between the two states involved; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature, on behalf of the people of the State of California, extends to the people of Taiwan (the Republic of China) through the Provincial Legislature of Taiwan, an invitation to join California as a sister state and to conduct mutually beneficial social, economic, educational, and cultural programs in order to bring our citizens closer together and strengthen international understanding and good will; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to Lee Teng-Hue, Governor of Taiwan, Kao Yu-Jen, Speaker of the Provincial Legislature of Taiwan, Nieh Wen-Ya, President of the Legislative Yuan, Republic of China, George Deukmejian, Governor of California, each member of Congress from the State of California and to the presiding officers of the legislative houses of the other states of the Union.

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THE WHITE HOUSE
WASHINGTON
October 25, 1983

Dear Miss Caniford:

It was good of you to send President Reagan Senate Resolution 99 adopted by the Delaware Senate. Your forwarding of this statement is appreciated, and you may be sure that it has been fully noted.

With the President's best wishes to you and the members of the Senate,

Sincerely,
Anne Higgins
Special Assistant to the President and
Director of Correspondence

The Honorable Betty Jean Caniford
Secretary of the Senate of the State of Delaware
Legislative Hall
Dover, DE 19901

* * * * *

STATE OF DELAWARE
Office of the Governor
July 12, 1983

To the Senate of the 132nd General Assembly of the State of Delaware

On June 30, 1983 I received Senate Bill No. 178, entitled: "AN ACT TO AMEND TITLE 29, DELAWARE CODE, TO ELIMINATE THE FINING OF PUBLIC EMPLOYEES AS A DISCIPLINARY MEASURE AND THE REQUIREMENT THAT PUBLIC EMPLOYEES WORK WITHOUT THEIR USUAL REMUNERATION."

This bill prohibits agencies of state, county and municipal governments from disciplining public employees by fining them or requiring them to work without remuneration.

Last year I vetoed an identical bill, House Bill No. 626 of the 131st General Assembly. As I made clear in my veto of House Bill No. 626, an agency's ability to fine an employee is, I believe, an important tool in maintaining a disciplined and efficient State work force. Under Senate Bill No. 178, however, the only disciplinary measures which could be taken are termination - which in many instances would be too harsh - or suspension without pay - which only hampers an agency's ability to accomplish its work.

I am also concerned that the bill applies not just to State merit system employees but to all public employees, including employees of counties, municipalities and other subdivisions, and hence, in effect, dictates personnel policies of these other governmental entities.

For these reasons, I return Senate Bill No. 178 without my signature.

Respectfully submitted,
Pierre S. duPont, IV, Governor

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STATE OF DELAWARE
Office of the Governor
July 14, 1983

To the Senate of the 132nd General Assembly of the State of Delaware

On July 6, 1983 I received Senate Substitute No. 1 for Senate Bill No. 217 as amended by Senate Amendment No. 1 which is entitled: "AN ACT TO AMEND PART 3, ARTICLE 9, TITLE 6 OF THE DELAWARE CODE RELATING TO SECURED TRANSACTIONS."

This Bill would permit buyers in the ordinary course of business to purchase grain crops free and clear of a perfected security interest so long as the buyer has been registered as such by the Secretary of State and has not received notice of the perfected interest within one year.

I am returning this bill unsigned because a companion bill, House Bill No. 186, which passed the General Assembly and which I intend to sign, is a comprehensive amendment of Article 9 of the commercial code and includes revisions identical to those required by Senate Substitute No. 1 for Senate Bill No. 217. The enactment into law of House Bill No. 186 will render the instant legislation unnecessary and, therefore, as requested by its sponsor, I am returning unsigned Senate Substitute No. 1 for Senate Bill No. 217 as amended by Senate Amendment No. 1.

Respectfully submitted,
Pierre S. duPont, IV, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
Dover
January 3, 1984

To the Senate of the 132nd General Assembly of the State of Delaware

On December 22, 1983 I received from the Senate S.B. 275, entitled: "AN ACT TO AMEND CHAPTER 55, TITLE 29, OF THE DELAWARE CODE RELATING TO THE MANDATORY RETIREMENT AGE FOR STATE EMPLOYEES."

This bill would permit the mandatory retirement age for state employees - now set at 70 years - to be extended indefinitely for an individual employee at the option of the head of the employee's department or agency.

Although many employees are indeed physically and mentally capable of continuing in their jobs after age 70 and the State could well benefit from their experience and expertise, several serious problems with Senate Bill 275 cause me to return it without my signature.

My primary concern with the legislation stems from a fundamental question of its fairness to long term state employees. The bill vests in the agency head the sole, unbridled power to decide whether the mandatory retirement date should be extended for a particular employee. The legislation contains no standards or guidelines for an agency head to follow in reaching his decision; rather his discretion is total. Nor is the agency head's decision subject to any review or appeal. The result is that, as between two similarly situated state employees, one may have his retirement date extended, the other may not. Indeed, even within a single agency one employee may continue working, another required to retire. This situation raises a fundamental question of equity and due process to state employees, which, I believe constitutes a critical flaw in Senate Bill 275.

Second, the existence of a uniform mandatory retirement age, as is the situation at present, promotes orderly planning in state government and also allows for mobility and flexibility within the state's personnel system. Seventy is widely accepted as a desirable retirement age; indeed, in 1978 I signed legislation which extended the state's mandatory retirement age from 65 to 70. The effect of S.B. 275 is to permit waivers of that mandatory age, thus substituting for a uniform standard applicable to all employees a retirement system based on arbitrary, individual decisions. Such a system would be difficult to administer and often unfair.

For these reasons, I believe Senate Bill 275 should not become law and accordingly I return it to the Senate without my signature.

Respectfully submitted,
Pierre S. duPont, IV, Governor

The Secretary announced that a message from the House informed the Senate that it had defeated SB 86 w SA 1, HA 1.

HB 21 was reported out of the Labor and Industrial Relations Committee: 7 Merits.

The following Legislative Advisories received from the Office of Counsel to the Governor were read:

LEGISLATIVE ADVISORY #14: On July 6, 1983, the Governor signed HB 43 w SA 1 (Volume 64, Chapter 92, Laws of Delaware), HB 163 (Volume 64, Chapter 93, Laws of Delaware), HB 172 w SA 1 (Volume 64, Chapter 94, Laws of Delaware), HB 177 (Volume 64, Chapter 95, Laws of Delaware), HB 240 w HA 1, 2 (Volume 64, Chapter 96, Laws of Delaware), HB 262 (Volume 64, Chapter 97, Laws of Delaware), HB 273 (Volume 64, Chapter 98, Laws of Delaware), HB 274 (Volume 64, Chapter 99, Laws of Delaware), SB 22 (Volume 64, Chapter 100, Laws of Delaware), SB 24 w SA 1 (Volume 64, Chapter 101, Laws of Delaware), SB 83 w SA 1 (Volume 64, Chapter 102, Laws of Delaware), SB 96 (Volume 64, Chapter 103, Laws of Delaware), SB 136 w SA 1 (Volume 64, Chapter 104, Laws of Delaware), SB 143 (Volume 64, Chapter 105, Laws of Delaware), SB 229 (Volume 64, Chapter 106, Laws of Delaware), SB 230 (Volume 64, Chapter 107, Laws of Delaware), SB 255 w SA 1, 2, HA 3 (Volume 64, Chapter 108, Laws of Delaware); On July 8, the Governor signed HB 40 w SA 3 (Volume 64, Chapter 109, Laws of Delaware), HS 1 for HB 83 w HA 1, 3, 4, 8, 9, 11, 14, 15, 16, SA 2 (Volume 64, Chapter 110, Laws of Delaware), HB 114 w HA 1 (Volume 64, Chapter 111, Laws of Delaware), HB 185 (Volume 64, Chapter 112, Laws of Delaware), HB 208 (Volume 64, Chapter 113, Laws of Delaware), HB 343 (Volume 64, Chapter 114, Laws of Delaware), SB 72 w SA 1, HA 1 (Volume 64, Chapter 115, Laws of Delaware), SB 323 (Volume 64, Chapter 116, Laws of Delaware); On July 11, the Governor signed HB 65 w SA 1 (Volume 64, Chapter 117, Laws of Delaware), HB 81 w HA 1, SA 2 (Volume 64, Chapter 118, Laws of Delaware), HB 132 w HA 1 (Volume 64, Chapter 119, Laws of Delaware), HB 138 w HA 1 (Volume 64, Chapter 120, Laws of Delaware), HB 205 w HA 1 (Volume 64, Chapter 121, Laws of Delaware), HB 231 (Volume 64, Chapter 122, Laws of Delaware), HB 244 w HA 1 (Volume 64, Chapter 123, Laws of Delaware), HB 265 (Volume 64, Chapter 124, Laws of Delaware), HB 291 (Volume 64, Chapter 125, Laws of Delaware), HB 299 (Volume 64, Chapter 126, Laws of Delaware), HB 336 (Volume 64, Chapter 127, Laws of Delaware), HB 337 (Volume 64, Chapter 128, Laws of Delaware), HB 361 w HA 1 (Volume 64, Chapter 129, Laws of Delaware), HB 384 (Volume 64, Chapter 130, Laws of Delaware), HB 387 (Volume 64, Chapter 131, Laws of Delaware), SB 48 w SA 1, HA 1 (Volume 64, Chapter 132, Laws of Delaware), SB 55 w HA 2 (Volume 64, Chapter 133, Laws of Delaware), SB 85 (Volume 64, Chapter 134, Laws of Delaware), SB 90 (Volume 64, Chapter 135, Laws of Delaware), SB 95 (Volume 64, Chapter 136, Laws of Delaware), SB 141 (Volume 64, Chapter 137, Laws of Delaware), SB 186 w SA 1 (Volume 64, Chapter 138, Laws of Delaware), SB 248 w SA 1, HA 1 (Volume 64, Chapter 139, Laws of Delaware), SB 268 (Volume 64, Chapter 140, Laws of Delaware); On July 12, the Governor signed HB 285 w HA 1, 2, SA 1 (Volume 64, Chapter 141, Laws of Delaware), HB 311 (Volume 64, Chapter 142, Laws of Delaware), HB 333 (Volume 64, Chapter 143, Laws of Delaware), HB 357 w HA 1 (Volume 64, Chapter 144, Laws of Delaware), SB 102 (Volume 64, Chapter 145, Laws of Delaware), SB 123 w HA 1 (Volume 64, Chapter 146, Laws of Delaware), SB 169 w HA 1 (Volume 64, Chapter 147, Laws of Delaware), SB 209 (Volume 64, Chapter 148, Laws of Delaware), SB 321 (Volume 64, Chapter 149, Laws of Delaware).

LEGISLATIVE ADVISORY #15: On July 13, 1983, the Governor signed HB 111 (Volume 64, Chapter 150, Laws of Delaware), HB 149 w HA 1, 2 (Volume 64, Chapter 151, Laws of Delaware), HB 186 w SA 2 (Volume 64, Chapter 152, Laws of Delaware), HB 218 (Volume 64, Chapter 153, Laws of Delaware), HB 226 (Volume 64, Chapter 154, Laws of Delaware), HB 270 (Volume 64, Chapter 155, Laws of Delaware), HB 294 (Volume 64, Chapter 156, Laws of Delaware), HB 303 (Volume 64, Chapter 157, Laws of Delaware), HB 313 w HA 1 (Volume 64, Chapter 158, Laws of Delaware), HB 332 w HA 1, 2 (Volume 64, Chapter 159, Laws of Delaware), HS 1 for HB 350 w HA 1 (Volume 64, Chapter 160, Laws of Delaware), HB 352 (Volume 64, Chapter 161, Laws of Delaware), HB 353 (Volume 64, Chapter 162, Laws of Delaware), HB 363 (Volume 64, Chapter 163, Laws of Delaware), HB 375 (Volume 64, Chapter 164, Laws of Delaware), SB 12 w HA 1 (Volume 64, Chapter 165, Laws of Delaware), SB 60 w SA 1 (Volume 64, Chapter 166, Laws of Delaware), SB 125 (Volume 64, Chapter 167, Laws of Delaware), SB 126 w SA 1 (Volume 64, Chapter 168, Laws of Delaware), SB 170 w SA 1, 2 (Volume 64, Chapter 169, Laws of Delaware), SB 180 w HA 1 (Volume 64, Chapter 170, Laws of Delaware), SB 221 (Volume 64, Chapter 171, Laws of Delaware), SB 259 (Volume 64, Chapter 172, Laws of Delaware), SB 276 (Volume 64, Chapter 173, Laws of Delaware), SB 282 (Volume 64, Chapter 174, Laws of Delaware), SB 294 (Volume 64, Chapter 175, Laws of Delaware), SB 309 (Volume 64, Chapter 176, Laws of Delaware); The following are Constitutional Amendments and do not require the Governor's signature, however, Chapter numbers were assigned: HB 112 (Volume 64, Chapter 177, Laws of Delaware), HB 94 w HA 1 (Volume 64, Chapter 178, Laws of Delaware), SB 269 (Volume 64, Chapter 179, Laws of Delaware), SB 249 (Volume 64, Chapter 180, Laws of Delaware); SJR 5 w HA 1, 2 was signed on July 13; however, a Chapter number was not assigned; The following legislation was vetoed: On July 8, HB 35 w HA 1, 2, 3; On July 11: HB 143 w SA 2, HB 203; On July 12: HB 214 w HA 1, HB 366, SB 178; On July 14, the Governor vetoed HB 119 w HA 1, HB 204.

LEGISLATIVE ADVISORY #16: On July 19, 1983, the Governor signed HB 45 w HA 1 (Volume 64, Chapter 181, Laws of Delaware), HB 129 w HA 3 (Volume 64, Chapter 182, Laws of Delaware), HB 182 w HA 1 (Volume 64, Chapter 183, Laws of Delaware), HB 195 w HA 2 (Volume 64, Chapter 184, Laws of Delaware), HB 227 (Volume 64, Chapter 185, Laws of Delaware), HB 251 (Volume 64, Chapter 186, Laws of Delaware), HB 253 (Volume 64, Chapter 187, Laws of Delaware), HB 258 w HA 1 (Volume 64, Chapter 188, Laws of Delaware), HB 269 w HA 1, 2 (Volume 64, Chapter 189, Laws of Delaware), HB 276 w HA 1, 2 (Volume 64, Chapter 190, Laws of Delaware), HB 277 w HA 1, 2 (Volume 64, Chapter 191, Laws of Delaware), HB 331 w HA 1, SA 2 (Volume 64, Chapter 192, Laws of Delaware), HB 335 (Volume 64, Chapter 193, Laws of Delaware), HB 338 w HA 1 (Volume 64, Chapter 194, Laws of Delaware), HB 345 w HA 1, SA 1 (Volume 64, Chapter 195, Laws of Delaware), SB 50 w SA 1, 2, HA 1, 2 (Volume 64, Chapter 196, Laws of Delaware), SB 64 w SA 1, 2 (Volume 64, Chapter 197, Laws of Delaware), SB 71 w SA 2, 3, 4, 6, HA 1 (Volume 64, Chapter 198, Laws of Delaware), SB 147 w HA 1 (Volume 64, Chapter 199, Laws of Delaware), SB 151 w SA 1, HA 1, 2, 3 (Volume 64, Chapter 200, Laws of Delaware), SB 154 w SA 2, 3 (Volume 64, Chapter 201, Laws of Delaware), SB 163 (Volume 64, Chapter 202, Laws of Delaware), SB 207 w SA 1 (Volume 64, Chapter 203, Laws of Delaware), SB 220 w SA 1, 2, HA 1 (Volume 64, Chapter 204, Laws of Delaware), SB 236 (Volume 64, Chapter 205, Laws of Delaware), SB 270 (Volume 64, Chapter 206, Laws of Delaware), SB 280 w SA 1, 2, 3, 5 (Volume 64, Chapter 207, Laws of Delaware), SB 284 w SA 1 (Volume 64, Chapter 208, Laws of Delaware), SB 290 (Volume 64, Chapter 209, Laws of Delaware), SB 292 (Volume 64, Chapter 210, Laws of Delaware), SB 296 (Volume 64, Chapter 211, Laws of Delaware), SB 311 (Volume 64, Chapter 212, Laws of Delaware), SB 322 (Volume 64, Chapter 213, Laws of Delaware); SB 100 w HA 2 became law without the Governor's signature on July 18 (Volume 64, Chapter 214, Laws of Delaware); The Governor signed SJR 6 on July 19, however, a Chapter number was not assigned.

LEGISLATIVE ADVISORY #17: SB 293 w SA 1 was signed by the Governor on July 19 (Volume 64, Chapter 215, Laws of Delaware); HB 82 w HA 2, SA 1 was signed by the Governor on July 20 (Volume 64, Chapter 216, Laws of Delaware); SB 234 was signed by the Governor on July 26 (Volume 64, Chapter 217, Laws of Delaware). On July 1 the Governor vetoed HB 170 and HB 219; On July 26 the Governor vetoed HB 120 w HA 1, 2.

LEGISLATIVE ADVISORY #18: The Governor vetoed SS 1 for SB 217 on July 14, 1983.

LEGISLATIVE ADVISORY #19: HB 348 was signed by the Governor on October 14, 1983 (Volume 64, Chapter 218, Laws of Delaware).

LEGISLATIVE ADVISORY #20:

The Governor signed the following legislation on December 14, 1983: HB 401 (Volume 64, Chapter 219, Laws of Delaware); HB 402 (Volume 64, Chapter 220, Laws of Delaware); HB 403 (Volume 64, Chapter 221, Laws of Delaware); HJR 13 (no Chapter assigned).

LEGISLATIVE ADVISORY #21:

On January 3, 1984, the Governor vetoed SB 275.

SR 121 was introduced and considered for adoption:

SR 121 - COMMENDING DELAWARE UNITS OF THE 280TH SIGNAL BATTALION, ARMY NATIONAL GUARD, FOR THEIR HIGHLY SUCCESSFUL PARTICIPATION AND PERFORMANCE IN EXERCISE LIFELINE 83. Sponsor: Senator Minner.

Senator Torbert floor-managed the Resolution at the request of Senator Minner. The roll call vote on the Resolution was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted.

At 3:40 p.m., on motion of Senator Sharp, the Senate recessed until 2:00 p.m., January 11, 1984.

The Senate reconvened at 2:52 p.m., January 11, 1984, Senator Cordrey presiding.

The following legislation was introduced:

SB 334 - AN ACT TO AMEND SUBCHAPTER IV, CHAPTER 1, TITLE 23, DELAWARE CODE, RELATING TO PILOTAGE RATES. Sponsors: Senators Cordrey, Minner, Cook, Adams, McBride, McDowell, Marshall, Littleton, Knox, Berndt; Representatives Wingate, Bennett, Gilligan, Cordrey, Quillen, Spence, Corrozi, Buckworth, Oberle and Dixon. Assigned to Executive Committee.

SB 335 - AN ACT TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO PERSONAL EXEMPTIONS ON THE DELAWARE STATE INCOME TAX. Sponsor: Senator Sharp. Laid on the table at the request of the sponsor.

SB 336 - AN ACT TO AMEND TITLE 26, DELAWARE CODE, TO INCLUDE A NEW CHAPTER ENTITLED THE COMMUNICATIONS CONSUMER PRIVACY ACT. Sponsors: Senator Marshall; Representatives Campanelli, Jonkiert. Assigned to Administrative Services/Energy Committee.

SB 337 - AN ACT TO EXPUNGE THE CONVICTION RECORDS OF CERTAIN TEACHERS WHO PARTICIPATED IN A STRIKE. Sponsors: Senator Holloway; Representatives Campanelli and Jonkiert. Assigned to Education Committee.

SA 1 to SB 285. Sponsor: Senator McDowell. Placed with the Bill

SA 2 to HB 23. Sponsor: Senator Holloway. Placed with the Bill.

SCR 80 was introduced and considered for adoption on motion of Senator Torbert:
SCR 80 - COMMENDING THE CAESAR RODNEY HIGH SCHOOL FOOTBALL TEAM AND ITS COACH, JOHN COVELESKI, FOR AN OUTSTANDING 1983 SEASON. Sponsors: Senators Torbert, Zimmerman; Representatives Bennett, Buckworth.

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

The Secretary announced that a message from the House informed the Senate that it had passed HB 211 and HB 341.

HB 211 - AN ACT TO AMEND CHAPTER 21, TITLE 19 OF THE DELAWARE CODE RELATING TO DEPOSITS TO THE GENERAL FUND. Sponsor: Representative Campanelli. Assigned to Finance Committee.

HB 341 - AN ACT TO AMEND CHAPTER 70, TITLE 29 OF THE DELAWARE CODE RELATING TO THE SALE OF STATE-OWNED MATERIEL. Sponsor: Representative B. Ennis. Assigned to Community Affairs Committee.

At 2:57 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 2nd Legislative Day.

2ND LEGISLATIVE DAY
January 11, 1984

The Senate convened at 2:57 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Adams.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

SB 283 was taken up for consideration on motion of Senator McDowell:

SB 283 - AN ACT TO AMEND CHAPTER 29, TITLE 30, DELAWARE CODE, RELATING TO EXEMPTION OF WHOLESALERS OF FUEL OIL FROM GROSS RECEIPTS TAX ON SALES TO POLITICAL SUBDIVISIONS.

At 3:02 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 3:50 p.m., Senator Cordrey presiding.

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

STATE OF DELAWARE
Office of the Governor
January 11, 1984

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: George J. Coyle, 2233 East Huntington Drive, Wilmington, DE (19808), to be appointed as a member of the Delaware Alcoholic Beverage Control Commission for a term of three years, replacing Harry Strusowski, term expired

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
Office of the Governor
January 11, 1984

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Edward J. Steiner, 704 Lakeview Avenue, Milford, DE (19963), to be appointed as Secretary of the Department of Public Safety of the State of Delaware, to serve at the pleasure of the Governor

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
Office of the Governor
January 11, 1984

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Calvin Boggs, Box 179, Cheswold, DE(19936), to be a member of the Industrial Accident Board to serve for a term of six years, to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
Office of the Governor
January 11, 1984

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Francis A. DiMondi, R.D. #1, Box 254-C, Dover, DE(19901), to be appointed as a member of the Delaware River and Bay Authority for a term to end July 1, 1988, the unexpired term of Ernest Killen, deceased

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
Office of the Governor
January 11, 1984

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: William K. Matthews, 3 Elm Avenue, Newark, DE(19711), to be a member of the Industrial Accident Board to serve for a term of six years, to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

Senator Bair marked PRESENT.
SB 283 which had been before the Senate before the recess was still before the Senate for consideration.

SA1 to the Bill was taken up for consideration on motion of Senator McDowell and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

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

At 4:15 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., January 12, 1984.

The Senate reconvened at 2:58 p.m., January 12, 1984, Lt. Governor Castle presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 328 and adopted HCR 136; HCR 137; HCR 138; SCR 80.

The following legislation was introduced:

SB 338 - AN ACT TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO PERSONAL EXEMPTIONS ON THE DELAWARE STATE INCOME TAX. Sponsor: Senator Sharp. Assigned to Revenue and Taxation Committee.

SB 339 - AN ACT TO AMEND CHAPTER 189, VOLUME 43, LAWS OF DELAWARE, RELATING TO THE CHARTER OF THE TOWN OF WYOMING. Sponsors: Senators Torbert, Cook; Representatives Bennett, Buckworth. Assigned to Community Affairs Committee.

SB 340 - AN ACT TO AMEND CHAPTER 5, TITLE 13, DELAWARE CODE, TO REQUIRE MANDATORY JAIL TERMS FOR REPEAT VIOLATORS OF FAMILY COURT ORDERS. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SA 1 to SB 41. Sponsor: Senator Holloway. Placed with the Bill.

SA 2 to SB 285. Sponsor: Senator McDowell. Placed with the Bill.

SA 3 to SB 285. Sponsor: Senator McDowell. Placed with the Bill.

HB 328 - AN ACT TO AMEND CHAPTER 85, TITLE 29 OF THE DELAWARE CODE TO PROVIDE FOR REIMBURSEMENT OF OUT-OF-POCKET EXPENSES FOR MEMBERS ATTENDING MEETINGS OF THE GOVERNOR'S COUNCIL ON LABOR. Sponsors: Representative Campanelli and Senator Marshall. Assigned to Finance Committee.

HCR 138 was introduced and considered for adoption on motion of Senator Sharp:

HCR 138 - EXPRESSING CONDOLENCES UPON LEARNING OF THE DEATH OF JANET CHRISTINE ARNETT OBERLE, MOTHER OF REPRESENTATIVE WILLIAM A. OBERLE, JR. Sponsors: Representatives Hebner, Spence, George, Gilligan, Clendaniel, Maroney, Smith, Petrilli, Boykin, Buckworth, Quillien, Corrozi; Senator Sharp and all the Senators.

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

HCR 127 was lifted from the table for consideration on motion of Senator Cook:

HCR 127 - REQUESTING THE GOVERNOR OF THE STATE OF DELAWARE TO INCLUDE THE BOND BILL IN HIS BUDGET ADDRESS TO THE GENERAL ASSEMBLY. Sponsors: Representatives Gilligan, Bennett, Roy.

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

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

3RD LEGISLATIVE DAY

January 12, 1984

The Senate convened at 3:15 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

The following Committee reports were announced:

From the Judiciary Committee: SB 305 - 4 Merits; SB 308 - 4 Merits; SB 328 - 4 Merits.

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

SR 122 - COMMENDING KAREN C. HUTCHISON, A VOCATIONAL AGRICULTURE TEACHER AT WOODBRIDGE JUNIOR-SENIOR HIGH SCHOOL, ON BECOMING THE FIRST WOMAN EVER TO BE NAMED A REGIONAL WINNER OF THE JOHN DEERE NATIONAL VOCATIONAL AGRICULTURE TEACHERS ASSOCIATION "OUTSTANDING YOUNG MEMBER AWARD" Sponsors: Senators Zimmerman and Cook.

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

HCR 136 was introduced and considered for adoption on motion of Senator Bair:

HCR 136 - MARKING THE 200TH ANNIVERSARY OF THE UNITED METHODIST CHURCH IN THE UNITED STATES OF AMERICA. Sponsors: Representatives Barnes, Clark, Outten, Bennett, Buckworth, Bunting, Fallon; Senators Bair, Torbert, Adams, Littleton.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 2 (Berndt and Connor) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 137 was introduced and considered for adoption on motion of Senator Littleton:

HCR 137 - COMMENDING SEAFORD HIGH SCHOOL FOOTBALL TEAM FOR HAVING WON THE 1983 DIVISION II FOOTBALL CHAMPIONSHIP. Sponsors: Representatives Fallon, Barnes; Senators Littleton, Adams.

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

SCR 81 was introduced and considered for adoption on motion of Senator Adams:

SCR 81 - CONGRATULATING JAMES WILLIAMSON OF NEAR BRIDGEVILLE FOR WINNING A NATIONAL 4-H CLUBS SAFETY AWARD. Sponsors: Senator Adams; Representative Barnes.

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

SCR 82 was introduced and considered for adoption on motion of Senator Marshall:

SCR 82 - COMMENDING MRS. AVIS OBOLD FOR HER OUTSTANDING AND UNSELFISH SERVICE ON THE BOARD OF THE NEW CASTLE COUNTY VOCATIONAL TECHNICAL SCHOOL DISTRICT. Sponsors: Senator Marshall; Representative Gilligan.

Senator Bair was added as co-sponsor of the Resolution after which the roll call vote was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SB 285 was taken up for consideration on motion of Senator McDowell:

SB 285 - AN ACT TO AMEND TITLES 24 AND 30, OF THE DELAWARE CODE, RELATING TO THE REGULATION OF LOCKSMITHS AND SUPPLIERS OF LOCKSMITH TOOLS AND EQUIPMENT.

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

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

SA 3 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator McDowell and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

SA 4 to the Bill was introduced by Senator McDowell and considered for adoption on his motion.

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

YES: Senators Adams, Bair, Berndt, Connor, Cordrey, Holloway, Knox, Littleton, Martin, McDowell, Minner, Neal, Sharp - 13.

NO: Senators Citro, Cook, Marshall, McBride, Torbert, Vaughn, Zimmerman - 7.

NOT VOTING: Senator Arnold - 1.

Therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Henry Ridgely (Senate Attorney) after which the roll call vote on SB 285 w SA 1, 2, 3, 4 was taken and revealed:

YES: Senators McDowell, Sharp, Torbert - 3.

NO: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Martin, McBride, Minner, Neal, Vaughn, Zimmerman - 17.

NOT VOTING: Senator Marshall - 1.

Therefore, the Bill was declared defeated.

At 4:20 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., January 17, 1984.

The Senate reconvened at 2:02 p.m., January 17, 1984, Senator Cordrey presiding.

SB 341 was introduced and assigned to Judiciary Committee:

SB 341 - AN ACT TO AMEND TITLE 6 AND TITLE 11 OF THE DELAWARE CODE, RELATING TO THE PROTECTION OF CHILDREN AND YOUTH FROM SEXUAL EXPLOITATION. Sponsor: Senator Connor.

At 2:04 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 4th Legislative Day.

4TH LEGISLATIVE DAY

January 17, 1984

The Senate convened at 2:04 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Lt. Governor Castle presiding.

Call of the roll revealed the following attendance:

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

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

At 2:06 p.m. on motion of Senator Sharp, the Senate recessed to attend an Education Seminar in the House Chamber and reconvened at 3:39 p.m., Senator Cordrey presiding.

SB 342 was introduced and assigned to Education Committee:

SB 342 - AN ACT TO AMEND CHAPTER 17, PART I, TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION; AND PROVIDING FOR UNITS OF PUPILS FOR FIRST GRADE THROUGH THIRD GRADE. Sponsors: Senator McBride, Representative Jester.

SCR 83 was introduced and considered for adoption:

SCR 83 - PROVIDING THAT A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE BE CONVENED TO HEAR THE PRESENTATION OF THE GOVERNOR'S ANNUAL STATE OF THE STATE MESSAGE. Sponsors: Senators Cordrey, Sharp, McDowell.

Senators Martin, McDowell, Marshall, Connor, Bair marked PRESENT.

At the request of Senator Cordrey, Senator Sharp floor-managed the Resolution. The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Citro and Littleton) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

The following legislation was introduced:

SB 343 - AN ACT TO AMEND CHAPTER 11, TITLE 22 OF THE DELAWARE CODE RELATING TO THE TAX RATE UPON REASSESSMENT OF TAXABLE PROPERTIES WITHIN A MUNICIPAL CORPORATION. Sponsors: Senator McDowell, Representative George. Assigned to Community Affairs Committee.

SB 344 - AN ACT TO AMEND CHAPTER 80, PART V, TITLE 9 OF THE DELAWARE CODE RELATING TO INCREASES IN COUNTY PROPERTY TAX REVENUES AFTER REASSESSMENT. Sponsors: Senator Sharp, Representative George. Assigned to Community Affairs Committee.

SB 345 - AN ACT TO AMEND CHAPTER 19, TITLE 14, OF THE DELAWARE CODE RELATING TO INCREASES IN SCHOOL DISTRICT TAX REVENUE AFTER REASSESSMENT. Sponsors: Senator Sharp, Representative George. Assigned to Community Affairs Committee.

SB 342 which had been assigned to Education Committee was reassigned to Finance Committee.

SB 346 - AN ACT TO AMEND TITLE 11, DELAWARE CODE, RELATING TO THE RIGHTS OF LAW ENFORCEMENT OFFICERS. Sponsors: Senator Zimmerman, Representative Outten. Assigned to Judiciary Committee.

SA 1 to SB 305. Sponsor: Senator Sharp. Placed with the Bill.

SCR 84 - URGING THE SENATE AND THE HOUSE TO HONOR THE REQUEST THAT THE GOVERNOR'S STATE OF THE STATE ADDRESS BE SCHEDULED AT A TIME THAT WOULD ALLOW LIVE, PRIME-TIME TELEVISION COVERAGE. Sponsors: Senators Knox, Arnold, Bair, Berndt, Citro, Connor, Littleton, Neal; Representatives Hebner, Oberle.

Senator Sharp moved that the Resolution be placed in the Executive Committee. The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 13.

NO: Senators Arnold, Bair, Berndt, Citro, Connor, Knox, Littleton, Neal - 8.

Therefore, the motion prevailed and the Resolution was assigned to Executive Committee.

Senator Littleton marked PRESENT.

SB 305 was taken up for consideration on motion of Senator Sharp:

SB 305 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE BY REPEALING AND REVISING CERTAIN LAWS RELATING TO THE PROBATE OF WILLS AND THE ADMINISTRATION OF DECEDENTS' ESTATES AND THE FUNCTIONS OF THE REGISTER OF WILLS AND REGISTER IN CHANCERY.

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

The following communication was read and is made part of this record at the request of Senator Sharp:

LAW OFFICES
Walls and Daley
718 Market Tower
Wilmington, Delaware 19801
January 13, 1984

Hon. Thomas B. Sharp, State Senator
Legislative Hall
Dover, Delaware 19901

RE: Senate Bill 305 - June 22, 1983
(Amendment to Title 12)

Dear Senator Sharp:

For your assistance, I enclose a copy of the above Bill.

I oppose this Bill because of Section 207(b). This Section will prohibit an Executor from selling residuary real estate except to pay debts, even though the maker of the will has given him authority to sell for whatever reason.

This particular Section will play havoc with the many wills that are now outstanding. It will also make it impossible for an Executor to simplify the administration of his estate.

Typical problems that the Statute as it now stands resolves are situations where there are multiple donees or minor donees who don't want to go to the trouble of circulating a deed for the signatures of all, no matter where they are located, or to go to court to have a guardian appointed.

I suggest to you that the proposed Bill is a bad bill and should not be presented. If I can answer any questions for you, please don't hesitate calling.

Very truly yours,
John P. Daley

cc: Paul H. Boswell, Esquire

I was one of the dissenters on the Bar Association Committee that originally proposed the bill. I believe there 4 of us at that time.

* * * * *

The privilege of the floor was extended to Richard G. Bacon (Delaware State Bar Association).

At 4:04 p.m., Lt. Governor Castle presiding.

The roll call vote on SB 305 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 308 was taken up for consideration on motion of Senator Sharp:

SB 308 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO WILLS AND TRUSTS.

SA 1 to the Bill (sponsored by Senator Sharp) was introduced and considered for adoption on the sponsor's motion. The roll call vote on the Amendment was taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to George Bacon (Delaware Bar Association) after which the roll call vote on SB 308 w SA 1 was taken and revealed 20 Senators voting YES and 1 (Connor) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

The Secretary announced that a message from the House informed the Senate that it had passed SB 278 w HA 1 and adopted SCR 79.

On motion of Senator Cook, SB 278 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 1. The roll call vote on SB 278 w HA 1 was then taken and revealed 17 Senators voting YES and 4 (Berndt, Connor, Holloway, Knox) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the Governor for his consideration.

On motion of Senator Vaughn and without objection, the roll call vote on SB 285 w SA 1, 2, 3, 4 was rescinded and the Bill restored to the Calendar.

At 4:50 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., January 18, 1984.

Due to hazardous weather conditions, the Senate did not reconvene on the 18th of January.

The Senate reconvened at 1:30 p.m., January 19, 1984, Senator Cordrey presiding.

The following Committee reports were announced:

From the Executive Committee: SB 331 - 2 Favorable, 3 Merits; SB 334 - 2 Favorable, 3 Merits.

From the Community Affairs Committee: SB 339 - 3 Merits.

From the Public Safety Committee: HS 1 for HB 326 - 5 Merits.

At 1:34 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 5th Legislative Day.

5TH LEGISLATIVE DAY

January 19, 1984

The Senate convened at 1:34 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

At 1:35 p.m., Lt. Governor Castle presiding.

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

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

At 1:36 p.m. on motion of Senator Sharp, the Senate recessed for a short period and reconvened at 1:49 p.m., Lt. Governor Castle presiding.

The Sergeant-at-Arms announced that the members of the House are ready to enter Chamber for the Joint Session. They were admitted and seated. The President of the Senate invited Mr. Speaker George and President Pro Tempore Cordrey to seats on the rostrum.

The Sergeant-at-Arms admitted the Chief Justice and other members of the Judiciary to the Chamber. The President welcomed them.

The Sergeant-at-Arms admitted the Governor's Cabinet and other State Officials to the Chamber. The President welcomed them.

JOINT SESSION

Senate Chamber

January 19, 1984

At 1:55 p.m., the Sergeant-at-Arms announced that the members of the House were ready to enter the Chamber for the Joint Session. They were admitted and seated.

The President pro Tempore and the Speaker of the House were invited to be guests of the Lt. Governor on the rostrum.

The Sergeant-at-Arms admitted the members of the Judiciary for the Joint Session.

The Sergeant-at-Arms admitted the other State officials and members of the Governor's Cabinet for the Joint Session.

At 1:57 p.m. on motion of Senator Sharp, the Senate and House were convened into Joint Session. No objection.

On motion of Senator Sharp, the President of the Senate presided over the Joint Session. No objection.

Senator Sharp moved that the President of the Senate appoint a committee to escort the Governor to the Joint Session. The Lt. Governor appointed Senator Holloway (spokesman), Senator Berndt, Representative Anderson and Representative Quillen as the Committee to escort the Governor.

The Chair declared a brief recess until the Committee returned with the Governor.

At 2:03 p.m., the Sergeant-at-Arms announced the arrival of the Governor. He was welcomed by the Lt. Governor and invited to the podium.

The Governor addressed the Joint Session as follows:

Lieutenant Governor Castle, Mr. President Pro Tempore, Mr. Speaker, members of the 132nd General Assembly, elected officials, members of the Judiciary and the Cabinet, and my fellow Delawareans.

Good evening.

Just 15 years ago in these very halls I took my oath of office as a Representative in the 125th General Assembly and over those 15 years, I've served Delaware in several forums and with a great many people. Lt. Governor Jim McGinnis, who helped me master the politics of Legislative Hall, Senator Richard Cordrey, who has proven to me in 7 years that he may well have been the best qualified candidate for Governor in the democratic party, Andy Knox, who stood with me in every Legislative battle. Bob Berndt, the conscience of the Senate, Nancy Cook, a tough lady with a lot of heart, Herman Holloway, who represents much more here than just the City of Wilmington, Orlando George, and Jerry Kane, just members of the house then, who pledged within hours of my inauguration their help in restoring credibility to Delaware's government and who kept that pledge. John Burris, perhaps a little short on subtlety but long on results, Chuck Hebner, Kenny Bolin and well, yes, Matty, who is even now negotiating our next Judicial confirmation. These men and women are of differing philosophies, differing political persuasions, and personal opinions, but they and many others when it has mattered, put Delaware's interests first and done what ought to be done. Delaware has prospered in the last seven years, because many people have put aside their personal interests and worked for our common interests. 1984 will be no different, for if we heed the observation of President Franklin Delano Roosevelt that the future lies with wise political leaders who realize that the great public is interested more in government than in politics why then we can accomplish as much in the years ahead as we have in the years past.

Thirty-five years ago a young Englishman wrote a novel which, for an entire generation, defined the future as nightmare. George Orwell's 1984 portrays a world in which bureaucratic tyranny has crushed all remnants of individuality and hope for the future. But in America, the evils of that tyranny have not come to pass, for our Constitution insures that we control our government; it has not taken control of us. Over two hundred years we have built a nation dedicated to using its strength and authority to secure freedom and opportunity for all the peoples of the world.

Overseas, we are helping to bring peace to the Middle East, security to Europe, and a nuclear arms reduction agreement with the Soviet Union to fruition. At home, our economy is strong and growing, employment opportunities are increasing, and an effort to improve the quality of education for the next generation of Americans has captured the attention and the enthusiasm of the American people.

We in Delaware have charted a similar course. We've taken control of our government, and in recent years have made sound decisions allowing our people to look to the future with confidence, optimism, and hope of improving themselves and the quality of their lives. Since 1978 the legislative and executive branches of government have been full partners in charting that course and leading Delaware along the road to a brighter day.

For the past few years, we have enjoyed the sunshine of prosperity. Six years of discipline, prudence, and bipartisanship have brought us six consecutive balanced budgets, the most improved credit rating in the country, one tax cut, two welfare increases, and in 1982, in the midst of perhaps the worst recession in fifty years, Delaware led the nation in employment growth, permitting more people to go to work than at any other time in our history.

But you know prosperity is measured in more than economic statistics. Our progress has meant jobs in the banking industry in Millsboro, and a safer Route 4 for those who live and work in Newark; it has meant the opportunity provided by a community-based home for a mentally retarded teenager in Wilmington, and the chance for a first grader to learn arithmetic on a computer in Smyrna.

But our purpose today is not to recite a litany of past progress, but to focus on future opportunities. Our actions of the past seven years have already brought us rewards, but in 1984 we have greater opportunities than at any time in our recent history to help our people progress.

To realize these opportunities, we must first agree to continue our prudent financial course. We cannot spend our way to prosperity, nor should we mortgage our tomorrows for gratification today. We must not allow the difficult budget decisions of the past or the political pressures of the present to cloud our judgment in setting priorities for the future. For as Winston Churchill once observed, "If we open a quarrel between the past and the present, we shall find that we have lost the future."

For some, the fact that 1984 is an election year will increase the temptation to spend our rising revenues on programs of interest to special constituencies -- and to spend it all today. But I don't believe we can afford to return to those discredited ways -- not after we have all worked so hard for so long to bring Delaware so far.

We have demonstrated that we can govern our spending appetites in difficult times. The question for 1984 is whether we can do the same in good times. We have proven ourselves in adversity; now we must prove ourselves when circumstances tempt us to cast aside the discipline that has brought prosperity to us.

I think as we begin 1984, it is important to restate the philosophy of government that has brought us from the difficult days of 1977 to the threshold of new economic opportunity. That philosophy is simply this: the primary responsibility of government is to provide the opportunity for individuals and families to grow, to prosper, and to excel. An honest, professional and financially stable government is the foundation of that opportunity. A government dedicated to educational improvement, economic expansion, and concern for those who need a helping hand will maximize that opportunity for all our people.

We will continue to conduct your government in an honest, professional manner. We will dedicate our energies in the coming year to improving the quality of education for your children, to increasing economic opportunities for your family, and to helping those in special need.

Our first priority for 1984 is to improve the quality of education for our children. Their future will hold marvels and challenges we would be hard-pressed to imagine, and we must give them the capacity to appreciate those marvels and the skills to meet those challenges -- and we must insure that each child has a chance to reach his or her full potential.

If we are serious about improving education, then our schools must focus on the task of preparing students to meet the challenge of an increasingly competitive and technical society. We owe it to our children, to Delaware, and to our nation, to produce adults who can read intelligently, compute accurately, write clearly, and think precisely.

Since last August, Delaware's Task Force on Education for Economic Growth, under the leadership of its co-chairmen, Lt. Governor Michael Castle and Robert P. Barnett, has been examining the educational opportunities provided young people in our public education system.

The Task Force believes that Delaware's education system is good when compared to other states. Since 1977, per pupil expenditures in our schools has doubled. The pupil-to-teacher ratio has been reduced 20 percent in the last decade. Delaware ranks 5th in the nation in standardized achievement test scores and 41st in high school dropout rates.

Although we are proud of that progress which we've made, I believe we must do better. We must guard against illiteracy with the same vigor that we guard against disease and war, because ignorance is equally threatening to our future. So let us undertake this year a fresh effort to improve our schools and the quality of learning. My next budget will target more than \$11 million new dollars to fund Task Force recommendations and renew our commitment to excellence in education. Those dollars will help your children learn in smaller classes, learn in disciplined classrooms. They will add to the time your children spend learning to reason and comprehend, and they will improve the pay and qualifications of your children's teachers.

One of our schools until very recently taught science from a book predicting that America will soon put a man on the moon; another may lose an outstanding English teacher because she isn't rewarded for her excellence; a third isn't testing a fourth grader's mastery of multiplication before promoting him to fifth grade. In each case our children are robbed of their right to learn, cheated of their chance for tomorrow. Our task is to help these children -- to help them learn more, understand more fully, and reach their fullest potential.

Now this first \$11 million step toward excellence must be followed in the next two years by similar financial commitments. For only through a continuing commitment to excellence can we address the changing needs of our children and assure the best possible education for next generations of Delawareans.

But if you and I agree to commit additional tax dollars to improving education, we must receive a commitment in return. Our teachers and school officials must assume responsibility for the quality of their instruction, investing additional time and effort to substantially improve it. Higher standards must be set for both teachers and students, performance must be measured, excellence must be rewarded and mediocrity discouraged. Achieving educational excellence is a two-way street; we will invest more in our schools but we will expect more from our schools as well.

The second challenge that lies before us is increasing economic opportunity. That effort must begin with a reduction in your tax burden. Over 300,000 Delaware families pay a portion of their earnings in taxes so that we may operate our State government. We must begin what will be a prosperous year for Delaware by sharing that prosperity with you -- by cutting your taxes. President John F. Kennedy understood that a rising tide lifts all boats; Delaware's economic tide is rising, and it must benefit those who pay taxes as well as those who are supported by taxes.

If you are an average taxpayer earning about \$19,000 per year, if your spouse works, earning perhaps \$15,000 more, and if you have two young children or dependents, your total tax burden is more than one-third of your annual income. Unfortunately, there is nothing we can do here to reduce your federal tax burden, but we can cut your state taxes.

Not only can we do it, but we must -- out of fairness. Delaware's highly progressive income tax structure increases your tax withholding more rapidly than your paycheck. I'm sure you notice that with your pay stub each month. Since 1974 your family income has grown perhaps 90 percent, but because of bracket creep, your state personal income taxes have increased 133 percent. In other words, your taxes are going up nearly 50 percent faster than your wages. That's just not right, and for many families it is a difficult burden to bear.

Further, with an estimated \$75 million in new revenue forecast for next year, we can afford to cut your taxes. We can target \$11 million new dollars for education, enact a personal income tax cut, give a pay raise to State employees, a pension increase to retirees, and still have \$30 million to increase the budgets of State agencies by about seven percent. A personal income tax cut, partially offset by a corporation franchise tax and fee increase, will be fair to the user of state services, fair to the taxpayer, and add stability to State finances.

But economic opportunity also means jobs, and helping people improve their skills to qualify for jobs. We've been very successful in attracting white collar, financial-industry jobs to Delaware; now it's time for a parallel effort to attract more blue-collar jobs to our community.

Five years ago Delaware enacted an experimental tax incentive for manufacturers -- a program which has helped create more than 1,200 blue-collar jobs. Last year, Representatives Oberle and Gilligan suggested some new ideas to make these incentives even more effective. Let us build on our experience. Let's put together a bipartisan panel to work with private industry and with the Delaware Development Office to fashion a new incentive package to broaden the eligibility of the program and increase its appeal to blue-collar industries.

Unfortunately, bringing new jobs to Delaware is not the entire answer; for a portion of our unemployment is not related to economic growth or the number of new jobs created in our State -- it is skills-related. The training necessary for young people entering the job market for the first time, and retraining for displaced workers seeking new employment, they're the keys to future economic opportunity for many of our unemployed. I believe we must permanently establish job training programs for both young and old.

We now have that opportunity, because the sound management of Secretary of Labor Dennis Carey, and the thoughtful actions of the General Assembly in 1981 and 1983, have generated nearly enough special revenues to completely repay our unemployment fund debt to the federal government. When we do repay that \$44 million dollars later this year, unemployment insurance penalty taxes will be reduced.

I would propose that we dedicate 1/6th of that penalty tax reduction to permanently fund displaced-worker, industrial training, and school-to-work transition programs in our State. For employers, it will mean a substantial reduction in unemployment insurance taxes and the prospect of a better-trained work force; for young people at risk of unemployment and older unemployed workers, it will mean participation in a training program that will teach the attitudes and skills they need to qualify for a job in the future.

Unfortunately, worker displacement and skill obsolescence are not temporary problems, they will accelerate as the American economy adjusts to international competition and changing technology. We must recognize this change, and through targeted training efforts, help Delaware men and women adapt and take advantage of it.

* * * * *

Finally, if we are to offer opportunities to all our citizens, we must strive to improve programs for those who need a helping hand and special assistance.

I have already spoken of some of the steps we propose to take to improve the quality of education for our children. But our concern for their well-being does not begin or end with the school day. Any teacher will tell you that children who are well-cared-for and well-fed do better in school, and indeed life, and that must be our concern as well.

Last year we gave special emphasis to that concern when we created the new Department of Services for Children, Youth and Their Families. In the coming year we will dedicate over \$2 million in new dollars to establish the Department and expand youth services. Our primary focus will be a new service delivery concept we're going to begin in Sussex County that is both imaginative and bold. It will address the problems of caseload size for Child Protective Services workers as well as supervisory and administrative support for the child abuse and neglect programs. Secretary James Hart has my full support as he seeks to bring his unique idea into reality.

We will address ourselves as well to the two most basic of human needs, food and shelter. No one in Delaware ought to go hungry. The School Breakfast Program must be extended to every school in Delaware so children in need will receive two balanced meals a day -- at breakfast and at lunch. We will also initiate two small meals programs at sites where nutrition is a particular problem in Sussex County, and expand statewide a "meals on wheels" pilot program currently serving homebound young adults in New Castle County.

Adequate housing remains a serious problem for many Delaware families. To help, we will finance the construction of 100 new housing units in Kent and Sussex County areas where housing is in short supply. In addition, through low-interest loans 200 housing units will be rehabilitated throughout the State to help Delawareans who are now living in unacceptable housing.

Well, these then are our goals for the coming year: improving our schools to increase opportunities for your children and your grandchildren; increasing economic opportunities by cutting your taxes, bringing blue-collar jobs to Delaware, and improving job training; helping the young, the hungry, and families in need of shelter by improving state services. They are ambitious goals, yet I believe realistic ones. If we maintain our discipline and carefully select our priorities, we can achieve them all.

Each legislative session leaves its special mark, but with so much that can be done to improve the quality of life for every Delaware family, this session could be the most important in several years. I hope we use this opportunity well, for it is the last I shall have to lead our State and our people towards a brighter tomorrow.

Looking back down the road we have traveled these past seven years, the many bridges crossed and challenges met, we can see why Delaware has prospered. We have seized each opportunity and used it to the fullest; with care and courage we have done what ought to be done. We have picked up the thread of common interest and woven it into the cloth of progress. Now we must do so once again, for ours is a very special privilege, to live in this magnificent opportunity called America, where we can work together to make our world a better place tomorrow than it was yesterday.

I thank you.

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President of the Senate thanked the Governor for his address and the previously named Committee escorted the Governor from the Chamber.

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

At 2:27 p.m., on motion of Senator Sharp, the Joint Session adjourned and the two Houses separated to convene in their respective Chambers.

The Senate reconvened at 3:25 p.m., January 19, 1984, Senator Cordrey presiding.

The following legislation was introduced:

SB 347 - AN ACT TO AMEND CHAPTER 25, TITLE 24, DELAWARE CODE, RELATING TO RENEWAL OF LICENSES TO PHARMACISTS AND TO ASSISTANT PHARMACISTS. Sponsors: Senator Marshall; Representatives VanSant, Jonkiert. Assigned to Administrative Services/Energy Committee.

SB 348 - AN ACT TO AMEND TITLE 21, CHAPTER 21 OF THE DELAWARE CODE, RELATING TO THE SUSPENSION OF DRIVING LICENSE AND/OR PRIVILEGE IN FAILING TO PROCURE MOTOR VEHICLE INSURANCE. Sponsor: Senator Sharp. Assigned to Public Safety Committee.

SB 349 - AN ACT TO AMEND TITLE 14, DELAWARE CODE, TO GRANT TEACHERS EXCLUSIVE RIGHTS TO INCOME DERIVED FROM PUBLICATION OF TEACHING MATERIALS DEVELOPED DURING NON-SCHOOL HOURS. Sponsor: Senator Holloway. Assigned to Education Committee.

SB 350 - AN ACT TO AMEND CHAPTER 89, TITLE 29, DELAWARE CODE, TO PROVIDE FOR THE IDENTIFICATION AND CLASSIFICATION OF VERY LOW RISK INMATES. Sponsor: Senator Holloway. Assigned to Corrections Committee.

SB 351 - AN ACT TO AMEND CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, TO INCREASE THE AMOUNT WHICH MAY BE SPENT FOR SERVICES AND MATERIALS BY THE CITY OF LEWES BEFORE COMPETITIVE BIDDING IS REQUIRED. Sponsor: Senator Minner. Assigned to Community Affairs Committee.

At 3:29 p.m., Lt. Governor Castle presiding.

SB 352 - AN ACT TO AMEND CHAPTER 11, TITLE 3, DELAWARE CODE, RELATING TO THE SUPPRESSION OF PLANT DISEASES AND PLANT PESTS. Sponsors: Senator Adams, Representative Clark; Senators Cordrey, Vaughn, Cook, Littleton, Arnold, Minner; Representatives Jester, Fallon. Assigned to Agriculture Committee.

SCR 85 - EXTENDING CONGRATULATIONS TO THE WM. PENN HIGH SCHOOL FOOTBALL TEAM AND THEIR COACHES ON WINNING THE 1983 STATE DIVISION I CHAMPIONSHIP. Sponsors: Senator Connor, Representatives Spence, Mack; Senators McBride, Vaughn, Cook; Representatives Dixon, Houghton, Davis, Jester.

Sensors Connor, McDowell, Marshall, Torbert, Zimmerman, Littleton marked PRESENT.

SCR 85 was considered for adoption on motion of Senator Connor and the roll call vote taken which revealed 20 Senators voting YES and 1 (Adams) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 86 was introduced and considered for adoption on motion of Senator Vaughn:

SCR 86 - PROVIDING THAT THE REPORTING DATE OF THE COMMITTEE ON WORK RELEASE, SUPERVISED CUSTODY AND OTHER RELATED PROGRAMS BE EXTENDED. Sponsor: Senator Vaughn.

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

SCR 87 was introduced and considered for adoption on motion of Senator Bair:

SCR 87 - RECOGNIZING THE CONTRIBUTIONS OF THE DELAWARE REGION, NATIONAL CONFERENCE OF CHRISTIANS AND JEWS "BRIDGE BUILDERS" FOR THEIR LONG TERM VOLUNTEER SERVICE TO OUR COMMUNITY. Sponsors: Senators Bair, Berndt, Citro, Marshall; Representatives George, Corrozi, Free, Hebner, Sills, Smith, Soles, Boykin.

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

HB 188 was taken up for consideration on motion of Senator McDowell:

HB 188 - AN ACT TO AMEND CHAPTER 301, VOLUME 62 OF THE LAWS OF DELAWARE RELATING TO THE PERIODIC REVIEW AND TERMINATION OF CERTAIN STATE AGENCIES.

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

At 3:40 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:02 p.m., Senator Cordrey presiding.

HB 131 w H A 1, 2, 3 was reported out of the Health-Social Services/Aging Committee: 5 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 106 and adopted SCR 81, SCR 82, SCR 85, SCR 86, SCR 87, SCR 83.

SJR 9 was introduced and laid on the table on motion of Senator Holloway:

SJR 9 - ESTABLISHING A DELAWARE LEGISLATIVE TASK FORCE ON HUNGER. Sponsors: Senator Holloway and Representative VanSant.

HB 106 was introduced and assigned to Public Safety Committee:

HB 106 - AN ACT TO AMEND CHAPTER 39, TITLE 18 OF THE DELAWARE CODE RELATING TO CASUALTY INSURANCE CONTRACTS COVERING DRIVERS WHO ARE UNDER EIGHTEEN YEARS OF AGE. Sponsors: Representatives Anderson, VanSant, Smith, Oberle.

SB 339 was taken up for consideration on motion of Senator Torbert:

SB 339 - AN ACT TO AMEND CHAPTER 189, VOLUME 43, LAWS OF DELAWARE, RELATING TO THE CHARTER OF THE TOWN OF WYOMING.

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

At 5:10 on motion of Senator Sharp, the Senate recessed until 2:00 p.m., January 24, 1984.

The Senate reconvened at 2:07 p.m., January 24, 1984, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 142, HCR 141, HCR 140, HCR 139.

The following Committee reports were announced:

From the Community Affairs Committee: HB 341 - 3 Merits; SB 343 - 3 Merits; SB 344 - 3 Merits; SB 345 - 3 Merits; SB 351 - 3 Merits.

The following legislation was introduced:

SB 353 - AN ACT TO AMEND TITLE 11, DELAWARE CODE, RELATING TO THE RIGHTS OF LAW ENFORCEMENT OFFICERS. Sponsors: Senators Zimmerman, Vaughn, Citro; Representatives Outten, VanSant, B. Ennis, Spence. Assigned to Judiciary Committee.

SB 354 - AN ACT TO AMEND CHAPTER 90, TITLE 11, DELAWARE CODE RELATING TO PAYMENT OF COMPENSATION TO INNOCENT VICTIMS OF CRIME. Sponsor: Senator Vaughn. Assigned to Judiciary Committee.

The following Committee reports were announced:

From the Insurance and Elections Committee: HB 302 - 3 Merits; HB 187 - 3 Merits.

From the Agriculture Committee: SB 352 - 3 Favorable, 1 Merits.

SB 355 was introduced and laid on the table on motion of Senator Holloway:

SB 355 - AN ACT TO AMEND CHAPTER 5, TITLE 1, DELAWARE CODE, RELATING TO LEGAL HOLIDAYS AND ESTABLISHING MARTIN LUTHER KING'S BIRTHDAY AS A LEGAL HOLIDAY. Sponsors: Senator Holloway, Representatives Plant, Silis.

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

SR 123 - COMMENDING ST. FRANCIS HOSPITAL IN WILMINGTON FOR ITS HIGHLY SENSITIVE APPROACH TO HEALTH CARE COSTS AND FOR SETTING AN EXAMPLE FOR OTHER HEALTH CARE INSTITUTION IN HEALTH CARE COST CONTAINMENT. Sponsor: Senator Holloway.

The roll call vote on the Resolution was taken and revealed 13 Senators voting YES and 8 (Arnold, Bair, Citro, Connor, Marshall, Martin, McDowell, Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

HCR 139 was introduced and considered for adoption on motion of Senator Sharp:

HCR 139 - COMMENDING WM. A FAUCETT, VICE PRESIDENT AND THE CAMPUS DIRECTOR FOR THE STANTON AND WILMINGTON CAMPUSES ON HIS RETIREMENT FROM THE STATE OF DELAWARE AND EXTENDING BEST WISHES IN FUTURE ENDEAVORS WHILE IN RETIREMENT. Sponsors: Representatives George, Soles, VanSant, Bennett; Senator Neal.

Senators Cook and Sharp were added as co-sponsors of the Resolution after which the roll call vote was taken and revealed 16 Senators voting YES and 5 (Arnold, Bair, Citro, Connor, Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 140 was introduced and considered for adoption on motion of Senator McBride:

HCR 140 - EXTENDING CONGRATULATIONS TO THE TIBERI FAMILY OF NEW CASTLE, DELAWARE FOR HAVING BEEN CHOSEN AS THE NEWS JOURNAL SPORTS FAMILY OF THE YEAR. Sponsors: Representatives Spence, Mack, Brady, Dixon; Senators Connor, McBride.

The roll call vote on the Resolution was taken and revealed 16 Senators voting YES and 5 (Bair, Citro, Connor, Cook, Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 141 was introduced and considered for adoption on motion of Senator McBride:

HCR 141 - CONGRATULATING MS. OLIVE B. LOSS ON HER RECENT APPOINTMENT AS SUPERINTENDENT OF THE APPQUINOMINK SCHOOL DISTRICT, THE FIRST WOMAN TO SERVE IN SUCH A CAPACITY IN DELAWARE. Sponsor: Representative Jester.

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

HCR 142 was introduced and considered for adoption on motion of Senator Minner:

HCR 142 - REQUESTING THAT THE GOVERNOR'S OFFICE ADVOCATE THE CITIZEN'S STAMP ADVISORY COMMITTEE TO CONSIDER ISSUANCE OF A COMMEMORATIVE STAMP CELEBRATING DELAWARE'S 200TH YEAR AS A STATE. Sponsors: Representative Barnes; Senator Minner.

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

At 2:20 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 6th Legislative Day.

6TH LEGISLATIVE DAY

January 24, 1984

The Senate convened at 2:20 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 20.

ABSENT: Senator Citro - 1.

At 2:22 p.m., Senator Sharp presiding.

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

The following communications were read:

UNITED STATES SENATE
Office of the Secretary
Washington, D.C. 20510
January 20, 1984

The Honorable Betty Jean Caniford, Secretary of the Senate
Delaware State Senate
Legislative Hall
Dover, Delaware 19901

Dear Madam Secretary:

Receipt is acknowledged of Senate Joint Resolution No. 2 passed by the Senate and the House of Representatives of the 132nd General Assembly of the State of Delaware.

This Resolution will be presented to the United States Senate for consideration and appropriately referred.

Sincerely,
William F. Hildenbrand, Secretary

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Office of the Clerk
U. S. HOUSE OF REPRESENTATIVES
Washington, D. C. 20515
January 17, 1984

Honorable Betty Jean Caniford, Secretary of the Senate
Delaware State Senate
Legislative Hall
Dover, Delaware 19901

Dear Madam Secretary:

This letter will acknowledge receipt of Senate Joint Resolution Number Two, as adopted by the Senate and the House of Representatives of the 132nd General Assembly of the State of Delaware, memorializing the Ninety-Eighth Congress of the United States to oppose any efforts to reduce benefits to social security beneficiaries.

The above mentioned resolution has been transmitted to the Speaker of the United States House of Representatives for referral to the appropriate committee.

With kind regards, I am

Sincerely,
Benjamin J. Guthrie, Clerk
U. S. House of Representatives

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SB 334 was taken up for consideration on motion of Senator Cordrey:
SB 334 - AN ACT TO AMEND SUBCHAPTER IV, CHAPTER I, TITLE 23, DELAWARE CODE, RELATING TO PILOTAGE RATES.

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

On motion of Senator Holloway, SJR 9 was lifted from the table and considered for adoption under suspension of the necessary rules:

SJR 9 - ESTABLISHING A DELAWARE LEGISLATIVE TASK FORCE ON HUNGER.

Senator Neal was added as co-sponsor after which the roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Citro, Connor, Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

At 2:32 p.m. on motion of Senator Cordrey, the Senate recessed for Party Caucus and reconvened at 4:16 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SB 356 - AN ACT TO AMEND CHAPTER 29, TITLE 24 OF THE DELAWARE CODE RELATING TO REAL ESTATE BROKERS AND SALESMEN. Sponsor: Senator Cordrey. Assigned to Banking Committee.

SB 357 - AN ACT TO AMEND CHAPTER 90, VOLUME 64, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1984; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS"; RELATING TO THE APPROPRIATIONS FOR MEMORANDUM BUDGET OF VIOLENT CRIMES COMPENSATION BOARD. Sponsors: Senator Cook, Representative Bennett. Assigned to Finance Committee.

SR 125 was introduced and considered for adoption on motion of Senator Zimmerman:

SR 125 - CONGRATULATING TOM BARNES OF DOVER ON WINNING A SPOT ON THE FOUR-MAN AMERICAN BOBSLED TEAM WHICH WILL COMPETE IN THE WINTER OLYMPICS. Sponsor: Senator Zimmerman.

At 4:19 p.m., Lt. Governor Castle presiding.

Senator Martin marked PRESENT.

The roll call vote on the Resolution was taken and revealed 16 Senators voting YES and 5 (Adams, Citro, Holloway, Marshall, McDowell) ABSENT; therefore, the Resolution was declared adopted.

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

SR 124 - COMMENDING THE SUPREME COURT OF THE STATE OF DELAWARE FOR FORMULATING THE PROPOSED NEW SUPREME COURT RULE 62 REGARDING COMPOSITION OF THE BOARD ON PROFESSIONAL RESPONSIBILITY AND URGING ITS ADOPTION. Sponsor: Senator Holloway.

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

SB 328 was taken up for consideration on motion of Senator Adams:

SB 328 - AN ACT TO AMEND CHAPTERS 9 AND 11 OF TITLE 13, DELAWARE CODE, RELATING TO ACCESS TO INFORMATION IN ADOPTION RECORDS CONCERNING SIBLINGS OF AN ADOPTED INDIVIDUAL WHEN THE SIBLING'S PARTICIPATION IN MEDICAL TREATMENT IS NEEDED FOR THE HEALTH OF THE ADOPTED INDIVIDUAL.

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

SB 352 was taken up for consideration under suspension of the necessary rules on motion of Senator Adams:

SB 352 - AN ACT TO AMEND CHAPTER 11, TITLE 3, DELAWARE CODE, RELATING TO THE SUPPRESSION OF PLANT DISEASES AND PLANT PESTS.

The privilege of the floor was extended to Donald L. Lynch, Delaware Department of Agriculture.

Senators McDowell and Cook were added as co-sponsors of the Bill after which the roll call vote was taken and revealed 19 Senators voting YES, 1 (Neal) voting NO and 1 (Citro) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 131 w HA 1, 2, 3 was taken up for consideration on motion of Senator Holloway:

HB 131 w HA 1, 2, 3 - AN ACT TO AMEND SUBCHAPTER V, CHAPTER 11, TITLE 24, OF THE DELAWARE CODE RELATING TO RECORDS SUBMITTED TO AND RECORDS AND PROCEEDINGS OF COMMITTEES OR ORGANIZATIONS REVIEWING DENTAL RECORDS AND DENTISTS' WORK.

Final consideration of the Bill was then deferred on motion of Senator Holloway.

SB 358 was introduced and assigned to Finance Committee:

SB 358 - AN ACT TO AMEND CHAPTER 74, TITLE 29, DELAWARE CODE, TO PROVIDE FOR APPROVAL OR DISAPPROVAL BY THE CONTROLLER GENERAL OF ALL PURCHASE ORDERS, CHANGE ORDERS, AND DIRECT CLAIM INVOICES CODED TO BOND ACCOUNTS (EXCEPT HIGHWAY CONSTRUCTION AND RECONSTRUCTION CONTRACTS AND SCHOOL DISTRICT MINOR CAPITAL IMPROVEMENTS CONTRACTS). Sponsors: Senators Cook, Cordrey, Sharp; Representatives Bennett, Gilligan.

SB 351 was taken up for consideration on motion of Senator Minner:

SB 351 - AN ACT TO AMEND CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, TO INCREASE THE AMOUNT WHICH MAY BE SPENT FOR SERVICES AND MATERIALS BY THE CITY OF LEWES BEFORE COMPETITIVE BIDDING IS REQUIRED.

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

At 5:19 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., January 25, 1984.

The Senate reconvened at 2:19 p.m., January 25, 1984, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 409 and HB 428.

The following legislation was introduced:

HB 428 - AN ACT TO AMEND CHAPTER 220, VOLUME 64, LAWS OF DELAWARE, BEING AN ACT ENTITLED, "AN ACT AUTHORIZING SALARY INCREASES FOR STATE OF DELAWARE EMPLOYEES, PROVISIONS OF CHAPTER 90, VOLUME 64, LAWS OF DELAWARE, TO THE CONTRARY NOTWITHSTANDING; AMENDING CHAPTER 13, TITLE 14, DELAWARE CODE, RELATING TO SALARY SCHEDULES AND CLASSIFICATIONS; AMENDING TITLE 29, DELAWARE CODE, RELATING TO SALARIES OF ELECTED OFFICIALS; AND PROVIDING AN APPROPRIATION THEREFOR AND PROVIDING A SUPPLEMENTARY APPROPRIATION TO THE UNIVERSITY OF DELAWARE AND TO THE DELAWARE GEOLOGICAL SURVEY"; TO REALLOCATE CERTAIN FUNDS TO THE BUDGET OFFICE - CONTINGENCIES LINE; AND TO AMEND TITLE 29, DELAWARE CODE, RELATING TO SALARIES OF CERTAIN ELECTED OFFICIALS. Sponsors: Representative Bennett and Senator Cook. Laid on the table on motion of Senator Sharp.

HB 409 - AN ACT TO AMEND CHAPTER 58, TITLE 29 OF THE DELAWARE CODE, PERTAINING TO FINANCIAL DISCLOSURE, TO CHANGE THE DATE ON WHICH FAIR MARKET VALUE IS DETERMINED. Sponsors: Representatives Meconi and Soles. Laid on the table on motion of Senator Sharp. No objections.

SB 359 - AN ACT TO AMEND TITLE 31, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF MECHANISM TO FUND LEGAL SERVICES TO LOW INCOME CITIZENS OF DELAWARE WHO ARE UNABLE TO AFFORD PRIVATE LEGAL COUNSEL. Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

SB 360 - AN ACT TO AMEND CHAPTER 48, TITLE 29, DELAWARE CODE, RELATING TO PAYMENT OF LOTTERY PRIZES. Sponsor: Senator Holloway. Laid on the table on motion of the sponsor.

SB 361 - AN ACT TO AMEND TITLE 11, CHAPTER 5, SUBCHAPTER VII OF THE DELAWARE CODE RELATING TO INTIMIDATION OF EMPLOYEES OR CUSTOMERS. Sponsor: Senator Knox. Assigned to Judiciary Committee.

SA 1 to SB 354. Sponsor: Senator Vaughn. Placed with the Bill.

At 2:24 p.m., Lt. Governor Castle presiding.

SCR 88 was introduced and considered for adoption on motion of Senator Bair:

SCR 88 - IN MEMORY OF EARL L. MUETTERTIES, PH.D., AN OUTSTANDING CHEMIST AND PIONEER IN THE FIELD OF BORON-HYDRIDE CHEMISTRY. Sponsors: Senators Bair, Berndt, Knox, McDowell; Representatives Smith, George.

The roll call vote on the Resolution was taken and revealed 14 Senators voting YES and 7 (Arnold, Citro, Connor, Martin, McBride, McDowell, Minner) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

The following Committee reports were announced:

From the Executive Committee: Calvin Boggs - 2 Favorable, 3 Merits; George Coyle - 3 Favorable, 2 Merits; Francis DiMondi - 2 Favorable, 3 Merits; William Matthews - 5 Merits; Edward J. Steiner - 2 Favorable, 3 Merits.

From the Public Safety Committee: HB 106 - 4 Merits; HB 107 w HA 3, 4, 5 - 4 Merits.

At 2:30 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 7th Legislative Day.

7TH LEGISLATIVE DAY

January 25, 1984

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

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 20.

ABSENT: Senator Citro - 1.

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

HB 428 was lifted from the table and considered for passage under suspension of the necessary rules on motion of Senator Cook:

HB 428 - AN ACT TO AMEND CHAPTER 220, VOLUME 64, LAWS OF DELAWARE, BEING AN ACT ENTITLED, "AN ACT AUTHORIZING SALARY INCREASES FOR STATE OF DELAWARE EMPLOYEES, PROVISIONS OF CHAPTER 90, VOLUME 64, LAWS OF DELAWARE, TO THE CONTRARY NOTWITHSTANDING; AMENDING CHAPTER 13, TITLE 14, DELAWARE CODE, RELATING TO SALARY SCHEDULES AND CLASSIFICATIONS; AMENDING TITLE 29, DELAWARE CODE, RELATING TO SALARIES OF ELECTED OFFICIALS; AND PROVIDING AN APPROPRIATION THEREFOR AND PROVIDING A SUPPLEMENTARY APPROPRIATION TO THE UNIVERSITY OF DELAWARE AND TO THE DELAWARE GEOLOGICAL SURVEY"; TO REALLOCATE CERTAIN FUNDS TO THE BUDGET OFFICE - CONTINGENCIES LINE; AND TO AMEND TITLE 29, DELAWARE CODE, RELATING TO SALARIES OF CERTAIN ELECTED OFFICIALS.

Senator McDowell marked PRESENT.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Citro, Connor and Martin) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 409 was lifted from the table and considered for passage under suspension of the necessary rules on motion of Senator Cordrey:

HB 409 - AN ACT TO AMEND CHAPTER 58, TITLE 29 OF THE DELAWARE CODE, PERTAINING TO FINANCIAL DISCLOSURE, TO CHANGE THE DATE ON WHICH FAIR MARKET VALUE IS DETERMINED.

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

HB 245 w HA 1 was taken up for consideration on motion of Senator Marshall:

HB 245 w HA 1 - AN ACT TO AMEND CHAPTER 11, TITLE 19 OF THE DELAWARE CODE PERTAINING TO EMPLOYEE TERMINATION PAY AND CLARIFYING THE PROVISION OF EMPLOYEE REMEDIES TO WAGE CASES.

The privilege of the floor was extended to John F. Kirk, Jr., Department of Labor, after which the Bill was laid on the table on motion of Senator Marshall.

Senator Martin marked PRESENT.

HB 245 w HA 1 was then lifted from the table for consideration and the roll call vote taken which revealed 18 Senators voting YES, 1 (Sharp) NOT VOTING and 2 (Citro and Connor) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

At 2:55 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:20 p.m., Senator Cordrey presiding.

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

STATE OF DELAWARE
Office of the Governor
January 25, 1984

To the Senate of the 132nd General Assembly
of the State of Delaware

On behalf of the Board of Trustees of the University of Delaware and in conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate, the following, elected by the Board of Trustees to be a member of that Board: Sally H. Higgins, 115 N. Hall Street, Seaford, DE 19773, to be reappointed as a member of the Board of Trustees, University of Delaware, for a six year term to expire December 4, 1989.

The above name is not a gubernatorial appointment.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

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STATE OF DELAWARE
Office of the Governor
January 25, 1984

To the Senate of the 132nd General Assembly
of the State of Delaware

On behalf of the Board of Trustees of the University of Delaware and in conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate, the following, elected by the Board of Trustees to be a member of that Board: George P. Edmonds, DuPont Road, Westover Hills, Wilmington, DE 19807, to be reappointed as a member of the Board of Trustees, University of Delaware, for a six year term to expire December 4, 1989.

The above name is not a gubernatorial appointment.
Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

The following legislation was introduced:

SA 1 to HB 131. Sponsors: Senators Bair, Neal, Sharp. Placed with the Bill

SA 3 to SB 263. Sponsor: Senator McDowell. Placed with the Bill

SB 362 - AN ACT TO AMEND AN ACT TO AMEND CHAPTER 9 AND CHAPTER 11, TITLE 7, DELAWARE CODE, RELATING TO FINFISHING IN TIDAL AND NON-TIDAL WATERS OF THE STATE FOR ALL FINFISH EXCEPT MENHADEN. Sponsors: Senator Vaughn and Representative B. Ennis (Joint Sponsors); Co-sponsors: Senators Cook, Cordrey, Holloway, Marshall, Martin, Berndt, Knox, Neal; Representatives Bunting, Campanelli, Gilligan, Buckworth, Corrozi, D. Ennis, Oberle, Hebner, Smith. Laid on the table on motion of Senator Vaughn.

At 4:24 p.m., Senator Sharp presiding.

Senator Connor marked PRESENT.

On motion of Senator Adams, the Governor's nomination for appointment of George J. Coyle was taken up for consideration and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Martin, McDowell, Minner, Neal, Sharp, Torbert, Vaughn - 16.

NO: Senator McBride - 1.

NOT VOTING: Senator Zimmerman - 1.

ABSENT: Senators Citro, Littleton, Marshall - 3.

Therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Calvin Boggs was taken up for consideration and the roll call vote taken which revealed 19 Senators voting YES and 2 (Citro and Marshall) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Edward J. Steiner was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of William K. Matthews was taken up for consideration and the roll call vote taken which revealed 19 Senators voting YES, 1 (Zimmerman) voting NO, and 1 (Citro) ABSENT; therefore, the appointment was declared confirmed.

SB 263 was taken up for consideration on motion of Senator McDowell:

SB 263 - AN ACT TO AMEND CHAPTER 69, TITLE 29, DELAWARE CODE, RELATING TO PUBLIC WORKS CONTRACTS.

SA 1 and SA 2 to the Bill which had been placed with the Bill were stricken on motion of the sponsor, Senator McDowell.

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

The privilege of the floor was extended to Clifford B. Hearn, Jr. representing the Utility Construction Association after which SB 263 w SA 3 was laid on the table on motion of Senator McDowell.

At 4:55 p.m. on motion of Senator McDowell, the Senate recessed until 1 p.m., January 26, 1984.

The Senate reconvened at 1:40 p.m., January 26, 1984, Senator Cordrey presiding.

HB 247 was reported out of the Judiciary Committee: 4 Merits.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 143, HCR 144, HCR 145, HCR 146, HCR 147, HJR 14 and SCR 88.

HCR 146 was introduced and considered for adoption on motion of Senator Sharp:

HCR 146 - PROVIDING THAT A JOINT SESSION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES BE CONVENED TO HEAR THE PRESENTATION OF THE GOVERNOR'S ANNUAL BUDGET MESSAGE. Sponsors: Representatives Gilligan and Clendaniel.

The roll call vote on the Resolution was taken and revealed 12 Senators voting YES and 9 (Bair, Citro, Connor, Littleton, Martin, McBride, McDowell, Neal, Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

At 1:43 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 8th Legislative Day.

8TH LEGISLATIVE DAY
January 26, 1984

The Senate convened at 1:43 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Holloway

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

The following legislation was introduced:

SB 363 - AN ACT TO AMEND CHAPTER 42, SECTION 4209, TITLE II OF THE DELAWARE CODE, RELATING TO THE METHOD OF PUNISHMENT FOR FIRST DEGREE MURDER. Sponsors: Senators Vaughn, Sharp, Martin, Berndt; Representatives Roy, B. Ennis. Assigned to Judiciary Committee.

SB 364 - AN ACT TO AMEND VOLUME 64, CHAPTER 131, LAWS OF DELAWARE, BEING AN ACT ENTITLED "A BOND ACT OF THE STATE OF DELAWARE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; DEAUTHORIZING CERTAIN AUTHORITY FOR GUARANTEED INDUSTRIAL REVENUE BONDS; REVERTING CERTAIN SURPLUS FUNDS; APPROPRIATING CERTAIN SPECIAL FUNDS OF THE STATE AND THE DELAWARE TRANSPORTATION AUTHORITY; AMENDING CHAPTERS 50 AND 74 OF TITLE 29 OF THE DELAWARE CODE TO MAKE CERTAIN PROVISIONS RELATING TO REGISTERED BONDS, TO MAKE REVISIONS TO THE POWER OF THE STATE AND ITS AUTHORITIES TO ISSUE BONDS FOR CERTAIN PURPOSES AND TO INCUR OBLIGATIONS; RE-ENACTING CHAPTER 74 OF TITLE 29 OF THE DELAWARE CODE, AS AMENDED; AUTHORIZING THE CREATION OF A NON-PROFIT CORPORATION EXCLUSIVELY FOR THE PROMOTION OF THE PERFORMING ARTS IN THE STATE; PLACING CERTAIN CONDITIONS ON THE APPROPRIATIONS CONTAINED HEREIN; AND MAKING CERTAIN OTHER CHANGES TO THE DELAWARE CODE APPLICABLE TO THE ISSUANCE OF BONDS BY THE STATE AND ITS AUTHORITIES.", BY TRANSFERRING CERTAIN FUNDS BETWEEN THE DEPARTMENTS OF CORRECTION AND HEALTH AND SOCIAL SERVICES. Sponsors: Senator Vaughn, Cook; Representatives Clark, B. Ennis, Jester. Laid on the table on motion of Senator Vaughn.

SA 1 to SB 355. Sponsor: Senator Arnold. Placed with the Bill.

SA 1 to SB 362. Sponsor: Senator Minner. Placed with the Bill.

HJR 14 - EXTENDING THE ORIGINAL REPORTING DATE OF JANUARY 24, 1984 FOR THE AD HOC CAPIUS COMMITTEE, TO MAY 1, 1984. Sponsor: Representative Houghton. Assigned to Administrative Services/Energy Committee.

SB 362 was lifted from the table and assigned to the Natural Resources and Environmental Control Committee.

At 1:50 p.m. on motion of Senator Sharp, the Senate recessed to convene with the House in Joint Session.

JOINT SESSION
HOUSE CHAMBER
January 26, 1984

Representative Gilligan moved that House and Senate convene in Joint Session. The motion was seconded by Representative Clendaniel and adopted by voice vote.

Representative Gilligan moved that the Speaker of the House preside over the Joint Session. The motion was adopted by voice vote.

Representative Gilligan moved that the Chief Clerk of the House and the Secretary of the Senate act as secretaries to the Joint Session. The motion was adopted by voice vote.

Representative Gilligan moved that the Speaker of the House appoint a committee of four to escort the Governor to the Joint Session. The Speaker appointed Representative Jonkiert (spokesman), Representative Buckworth, Senator Littleton and Senator Vaughn as the Committee to escort the Governor.

At 2:00 P.M. the Sergeant-at-Arms announced the arrival of the Governor, the Honorable Pierre S. du Pont, IV. He was welcomed by the Speaker and invited to the podium.

The Governor addressed the Joint Session as follows:

Lieutenant Governor Castle, Mr. President Pro Tempore, Mr. Speaker, members of 132nd General Assembly, members of the Cabinet, honored guests, Don Coker who is 50 years old today, and the Cabinet Secretary who has been in office all of about 20 minutes, the new Secretary of Public Safety, Ed Steiner, fellow Delawareans, Ladies and Gentlemen.

I am delighted to be here today and to have the opportunity to discuss the financial outlook for our State in the coming year. This afternoon my message is a very different one than the last one I delivered, for when we presented the Fiscal Year 1984 budget a year ago, we were faced with the need to hold program expenditures of our state nearly constant, to deny State employees an annual pay increase, and to delay or reduce spending for programs that all of us wanted to see funded. After several years of adequate growth, the budget I presented last January called for less than \$17 million in new spending.

But the recession that gripped the nation, and which for a time slowed economic growth in Delaware, is finally behind us, and today I can present a budget in which all necessary programs are fully funded, in which there is additional money for the continuation of existing programs as well as for important new programs which should be enacted, and which also allows us to reduce the personal income tax burden on families in the State of Delaware. In short, the budget we are presenting for next year is a budget of prosperity.

But prosperity, as the historian noted, tries the souls of even the wise, so I come before you with words of caution as well as words of good news. The message is simple: we cannot tolerate a policy of spending for spending's sake; our budget must be tempered by restraint, and we must seek to make State government better rather than simply more expensive.

Now before we consider the details of our spending plan, let's try to put our spending proposals in overall perspective. Total revenues available to us next year, which include about \$16 million of unspent and unencumbered current year revenues, will be about \$816 million. We have set aside \$6.5 million of that, less than one percent of the total, for our proposed income tax cut, and we've set aside another \$9 million for grants-in-aid.

The budget I am presenting to you today is, of course, a balanced budget as the last six have been. It proposes expenditures of \$784 million, that's a \$69 million, or approximately nine and a half percent, increase in spending above the current year. The budget proposes 26 million new dollars for employee pay raise and pension increases, and 21 million new dollars to improve the quality of education in our schools.

The budget also provides us the opportunity to return to the spirit as well as the letter of our Constitutional spending limit. Difficult times and falling revenues during the recession of 1982 and 1983 made it necessary for us to declare a "parliamentary emergency" in each of the past three years in June to spend some or all of the constitutionally mandated two-percent set-aside.

But there certainly shouldn't be any such "emergencies" this year -- not with \$69 million dollars to spend -- and so we ought to return to the mandate of our Constitutional restraint and live within ninety-eight percent of our revenues. I believe it proper to do so in two steps, so the budget I am presenting to you today takes us halfway there by spending only half the set-aside; in the next year we ought to spend none of it. Most economists, though, expect revenue estimates to rise significantly between now and the 30th of June. And if the revenue estimate increases significantly when the Delaware Economic and Financial Advisory Council meets in March and April, then I think the entire two percent ought to be set aside and not spent this year as the Constitution mandates.

Finally, a word of caution concerning the increase in spending proposed for the coming year. If this budget submitted today were to be enacted just as proposed, total spending would rise about nine and a half percent, or nearly twice the rate of inflation. While that may be acceptable following a year of nearly zero growth, we are clearly entering a warning zone -- expenditure increases of ten, or twelve or fourteen percent on a regular basis would quickly lead us back to the troubled times of the 1970's. If we spend all the revenues available to us -- which would exceed a twelve percent spending increase -- we will build into our spending base expectations that will be impossible to meet when the next recession comes to Delaware. That is why we must control our spending appetites, return to our constitutionally mandated two-percent set-aside, and reduce our income taxes.

EDUCATION

In the budget I am presenting to you today, there are several important components but clearly, our first priority must be education.

As we consider the ways to improve education, we should remember that providing a sound education for our young people is of critical importance, not only to Delaware, but to our entire country. For, as Thomas Jefferson told us, "If a nation expects to be ignorant and free, it expects what never was and never will be."

Here in Delaware, we have not left the future of our children to chance, and one need only look at the record of recent years to see that concern for our schools in Delaware began long before it became an issue across America. Indeed, Delaware has made significant progress in education while other states in our nation stood still.

Between 1972 and 1982, Delaware increased its spending per pupil from less than \$1,100 to more than \$3,100. In those ten years, we have gone from eighth to sixth in the nation in spending per student, and from sixteenth to sixth in per capita spending on education.

Throughout our State, school boards and district administrations have addressed the issue of curriculum reform, and have set stricter requirements for promotion and graduation. We have established a program to remove disruptive students from the classroom and place them in an environment designed to encourage more acceptable behavior. We have created programs for our gifted students, set competency requirements for students and graduating seniors to insure that a high school diploma in Delaware is worth more than the paper it's printed on. And, in the last five years, we have seen the number of terminals and microcomputers in Delaware schools increase tenfold.

But the past is only prologue, so we must continue to improve the quality of our education system. In the budget I am presenting to you today, the base budget of the Department of Public Instruction and local school districts will grow by \$10 million dollars that includes funding for the sixth and last step of our effort to reduce class size. We've also recommended a doubling of funding for the academic incentive scholarships at Delaware State College, Delaware Technical and Community College and the University of Delaware.

While these proposals will help continue our march toward excellence in education, I think we can do an awful lot more. Delaware's Task Force on Education for Economic Growth, chaired by our Lieutenant Governor Mike Castle and Bob Barnett, has issued its recommendations and has proposed a number of ways that we can make schools even better. The thirty-nine members of the Task Force, many of whom are with us today, worked long and hard, and I believe produced an excellent report on the pluses and minuses of Delaware's education system. Their recommendations on how to improve the quality of our children's learning are sound recommendations, and I congratulate and thank every member of that Task Force. You worked hard, you did a good job and the people of our State are thankful.

A number of the recommendations of the Task Force are addressed to local school districts, to the Department of Public Instruction, to school administrators and to teachers. I think we ought to begin to implement those at the local level immediately. They include tougher homework standards, improved core curriculum requirements, more demanding testing and disciplinary standards, and more involvement of private industry and the community in our schools. We must remember that solutions that depend only on the State's financial resources and not upon the human resources of the education community stand little chance of succeeding in the long run.

But many of the recommendations in that Task Force report demand immediate State action as well. And as a first step towards implementing a number of those recommendations, I am including \$11 million in my budget tied specifically to the recommendations of the Task Force in the areas of curriculum, classroom and teacher performance and compensation.

CURRICULUM AND STUDENT ACHIEVEMENT

In my State of the State address a week ago, I noted that some of our schools are teaching their students with outdated textbooks. I've recommended that \$900,000 be appropriated for the specific purpose of providing additional funds for new books in our schools. That's a fifty percent increase in State spending on school books.

I am also recommending \$300,000 for the development of mastery tests which every student would be required to pass before he or she moves from one grade level to the next grade level, and a graduation mastery examination that must be passed before a student receives a diploma. Such tests will identify those who need help early in their academic careers, and we will provide in the budget an additional \$700,000 to upgrade and increase the number of remedial education programs so that students who are bound to be behind on the testing, can catch up in the remedial programs.

The budget also includes \$600,000 to continue the State's commitment to promote computers in our schools. And another \$100,000 has been included for a summer program at the University of Delaware for gifted and talented students to further challenge the brightest young minds of our State.

CLASSROOM

In addition to providing for changes in curriculum, we have addressed the learning environment as well, particularly as it applies to young children. We have included \$1 million to fund mandatory kindergarten, a program pushed very hard by Lieutenant Governor Castle, that will allow an estimated 2,000 children in Delaware who do not now attend kindergarten to have an improved chance to succeed as they move into the education program of our schools. To improve the opportunities for those students already in school, the Task Force has recommended that class size in grades one through three be reduced, and we are including \$1 million to begin that process. Also an additional \$200,000 for an expanded disruptive youth program, so that children who want to learn have an opportunity to learn in an appropriate scholastic environment.

TEACHER PERFORMANCE AND COMPENSATION

Finally, and perhaps most important, we have addressed the need to attract, maintain and reward outstanding teachers -- because teachers are the most important people in our students' day. We have included \$300,000 to implement one of the Task Force's key recommendations: preparation of a career ladder plan to reward our best teachers. Such a program will provide for teacher performance review, careful salary administration, professional development programs for teachers, and rewards for outstanding performance. I think that for too long we have denied additional compensation to outstanding teachers and we must introduce the concept of rewarding performance in the teaching profession here in Delaware. My hope that we can begin this effort in July of 1985. It's going to take some time to put the plan together, to agree on its details, and have it ready. And if it begins in July of 1985, then Delaware will have the financial and professional resources to attract and retain the best teachers for years to come.

I don't think we ought to wait for that study to be completed and that plan prepared. I think we ought to begin to address the salary needs of teachers immediately. So I'm recommending a one-time, salary adjustment for school employees -- a \$4.5 million additional pay raise to bring teachers' increment increase equal to that of other State employees. Basic fairness compels us to make this change so that, while we await the completion of the career ladder program, teachers receive the same increase as other State employees. Finally, I have included \$300,000 as well to reimburse teachers for courses they take to improve their professional ability.

All of us recognize too, that we have one other problem in our State and that is the salary disparity that exists between school districts. That's a complicated problem to address. To begin, I've recommended and set aside an appropriation of \$1 million for incentive matching program to encourage school districts with lower teacher salaries to increase local funds to raise those salaries and to make them more competitive.

Taken all together, then, I am recommending an appropriation of more than \$6 million directly related to compensation for teachers over and above the increment they would have normally received. Over half of our education package is thus dedicated to improving teacher compensation, to be followed by further professional advancement opportunities when a career ladder program is in place in 1985.

Curriculum, classroom and teacher compensation -- in each area, we are taking a first step toward excellence. Each is important if we are to achieve excellence, but the key to success doesn't lie in this hall -- the key to success lies in the hands of our teachers and principals, and they must know that we expect them to live up to the same high standards we propose for their students. We have stepped forward to enhance the professional opportunities of teachers; we expect teachers to step forward to improve the quality of instruction and depth of understanding of our young students.

PAY AND PENSIONS

Although education has been our first priority in recommending a fiscal year 1985 budget, we have been mindful as well of State employees and people in the community who need our help and who have reasonable expectations of what government should do to help them.

For those who work in State government, we are recommending an annual salary increment in the new fiscal year, plus, of course, the additional increment enacted last December, at a total cost of \$21 million new dollars.

Because the State Police received a 4.3 percent pay increase when the General Assembly passed House Bill 402 in December, instead of the 7 percent they contracted for in Fiscal Year 1984, I have included a 2.7 percent base salary adjustment for State Police in addition to the 7 percent stipulated in their contract for 1985. Thus our State Police will begin the next fiscal year on the proper salary base.

For retired State workers, we are recommending an increase in pensions. Delaware recently received from the Chrysler Corporation slightly more than \$5 million -- in repayment for a loan made to them when that corporation was in trouble in 1980. Those funds should be used as the first of two payments to fully fund a pension increase of up to five percent.

HUMAN SERVICES

In America, there is a long tradition of government providing guidance and support for the education of its citizens, and we are carrying on that tradition. There is also a tradition of the community -- particularly its elected government -- caring for those who need a helping hand.

That commitment was reinforced last year when we created a new Department of Children, Youth, and Their Families. In the budget being presented today, I have included over \$2 million new dollars so that Department can accomplish not only what it was mandated to accomplish, but to do even more in providing services for the young people of our State. Of that \$2 million, \$400,000 is for a pilot program in Sussex County in which each social worker's caseload will be reduced, and cases assigned to a team of intake, casework, and supervisory personnel with direct responsibility for each child's care.

We have also included just under \$200,000 in this Department to establish a diagnostic center in Dover to provide services for approximately 150 adolescents and their families. We are recommending additional funding to provide adoption subsidies and additional assistance for special-needs children, and funds to extend group home contracts for child foster care to a full year.

In the Department of Health and Social Services' budget, we have funded programs that will continue to expand community-based residence programs for mentally retarded citizens, and have included new positions in the budget for these programs.

At the Delaware Hospital for the Chronically Ill, we propose to upgrade one ward to provide a 42-bed skilled nursing unit; over \$400,000 is included in the budget for that unit. At the same time, we are taking steps to reduce unnecessary institutionalization at that facility by funding a medical day-care program to provide medical evaluation, supervision, social activities and occupational therapy for the elderly on an outpatient basis.

We are recommending an increase of eight percent in General Assistance benefits, as well as higher payments to day-care providers to help working parents and those who are enrolled in full time training and education programs.

QUALITY OF LIFE

There is one other broad category of responsibility we also ought to address -- and that is Delaware's government's role in enhancing the quality of life for all its citizens and protecting their well-being. In the budget I am presenting today, that responsibility takes several forms.

Protecting the environment in which we all live and work ought to be a top priority for government. We've included \$500,000 in the budget to match federal Superfund dollars for the cleanup of toxic wastes that otherwise might endanger the lives of our citizens. To enable future generations of Delawareans to continue enjoying the beaches and waterways of our State, I have included \$400,000 as the State's portion of a renewed effort, hopefully a final effort, to control beach erosion at the Indian River Inlet.

The budget also includes a \$2 million program for a one-time Department of Transportation highway maintenance effort, evidence of our concern for the quality of Delaware's roads after a winter that has been very, very hard on them.

And so, in our 1985 budget we have used our \$69 million in additional resources to fund education programs, a pay increase and pension programs, and to improve specific services offered to our citizens. Many other initiatives are funded, of course, -- increased staff for expanding the population at Gander Hill Prison, the court merger legislation, and the Sentencing Reform initiative are three of some importance. But we have been careful in allocating our funds, careful in limiting the growth of State spending.

It is that caution that allows us, at the same time, to propose a reduction in personal income taxes. As we weigh the competing demands on our revenues, we ought to reserve a share of our prosperity for people whose labor supports our government.

In the coming months there are going to be enormous political pressures on you and on me to spend the dollars that are available, to spend them all. But we must resist that temptation, for as we have demonstrated in the past seven years, through restraint comes progress. Our budget proposal spends boldly on education, fairly in other areas, with concern for both the taxpayer and the service consumer.

I submit this budget to you today and stand ready to work with members of the General Assembly in common cause to refine and improve our proposed spending plan, and to continue in the spirit of cooperation that has brought Delaware so far in the past seven years.

I thank you very much.

The Speaker thanked the Governor for his Budget Message and requested the previously named Committee to escort the Governor back to his Executive Office.

On motion of Representative Gilligan, the Chief Clerk of the House and the Secretary of the Senate compared their Journals and found them to agree.

At 2:27 P.M. on motion of Representative Gilligan, the Joint Session adjourned and the two Houses separated to reconvene in their respective Chambers.

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The Senate reconvened at 3:26 p.m., January 26, 1984, Senator Cordrey presiding.

The following legislation was introduced:

SB 365 - AN ACT TO AMEND CHAPTER 11, TITLE 5 OF THE DELAWARE CODE RELATING TO THE TAXATION ON NET EARNINGS OF BANKS, TRUST COMPANIES AND NATIONAL BANKS. Sponsors: Senators Vaughn, Cook and Sharp; Representatives B. Ennis and Mack. Assigned to Banking Committee.

SJR 10 - AUTHORIZING AND DIRECTING THE BOARD OF EDUCATION OF THE BRANDYWINE SCHOOL DISTRICT THAT ALL OFFERS TO PURCHASE THE FORMER MT. PLEASANT JR. HIGH SCHOOL PROPERTY BE RECEIVED IN THE OFFICE OF THE EXECUTIVE SECRETARY OF THE BOARD NO LATER THAN 5 O'CLOCK P.M., ON THE LAST WORKING DAY PRECEDING THE DATE FIXED FOR PUBLIC HEARING AND FURTHER INSTRUCTING THE BOARD THAT THEY MAY DISREGARD ANY PROPOSALS SUBMITTED SUBSEQUENT TO THAT DATE. Sponsors: Senators Berndt, Knox, McBride, Sharp, Bair, Holloway; Representatives Soles, Hebner, D. Ennis, Boykin, Smith, Brady, Maroney. Laid on the table on motion of Senator Berndt.

Senators Martin, McBride, Zimmerman marked PRESENT.

At 3:30 p.m., Lt. Governor Castle presiding.

HB 341 was taken up for consideration on motion of Senator Minner:

HB 341 - AN ACT TO AMEND CHAPTER 70, TITLE 29 OF THE DELAWARE CODE RELATING TO THE SALE OF STATE-OWNED MATERIEL.

Senators Connor and Citro marked PRESENT.

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

SCR 92 was introduced and considered for adoption on motion of Senator Zimmerman:

SCR 92 - CONGRATULATING THE LITTLE CREEK VOLUNTEER FIRE COMPANY AND ITS LADIES AUXILIARY AS THEY CELEBRATE THEIR 40TH ANNIVERSARY OF SERVICE TO THE COMMUNITY. Sponsors: Senators Zimmerman, Minner; Representative Terry.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES and 4 (Berndt, Holloway, Littleton, McDowell) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

HB 302 was taken up for consideration on motion of Senator Sharp:

HB 302 - AN ACT TO AMEND CHAPTER 17, TITLE 18, OF THE DELAWARE CODE, RELATING TO THE EXAMINATION, CONTINUING EDUCATION AND LICENSING OF AGENTS, BROKERS, SURPLUS LINES BROKERS, CONSULTANTS, LIMITED REPRESENTATIVES, FRATERNAL REPRESENTATIVES, ADJUSTERS, AND APPRAISERS.

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

HB 187 was taken up for consideration on motion of Senator Sharp:

HB 187 - AN ACT TO AMEND CHAPTER 17, PART I, TITLE 18 OF THE DELAWARE CODE, RELATING TO THE QUALIFICATION OF APPLICANTS FOR AN INSURANCE LICENSE.

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

HB 131 w HA 1, 2, 3 was taken up for consideration on motion of Senator Holloway:

HB 131 w HA 1, 2, 3 - AN ACT TO AMEND SUBCHAPTER V, CHAPTER 11, TITLE 24, OF THE DELAWARE CODE RELATING TO RECORDS SUBMITTED TO AND RECORDS AND PROCEEDINGS OF COMMITTEES OR ORGANIZATIONS REVIEWING DENTAL RECORDS AND DENTISTS' WORK.

SA 1 to the Bill (sponsored by Senators Bair, Sharp, Neal) was introduced and considered for adoption on motion of Senator Bair.

The privilege of the floor was extended to Henry Ridgely after which the roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (McDowell) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on HB 131 w HA 1, 2, 3, SA 1 was then taken and revealed 20 Senators voting YES and 1 (McDowell) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

HS 1 for HB 326 was taken up for consideration on motion of Senator Torbert:

HS 1 for HB 326 - AN ACT TO AMEND CHAPTERS 1, 21 AND 45, TITLE 21, OF THE DELAWARE CODE RELATING TO SPECIAL MOBILE EQUIPMENT.

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

HB 247 was taken up for consideration on motion of Senator Sharp under suspension of the necessary rules:

HB 247 - AN ACT TO AMEND CHAPTER 15, SUBCHAPTER 1, TITLE 9, OF THE DELAWARE CODE RELATING TO THE SALE OF SURPLUS COUNTY LANDS.

The privilege of the floor was extended to David S. Swayze (New Castle County Economic Development Corporation) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (McDowell) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

At 4:00 p.m., Senator Cordrey presiding.

At 4:05 p.m. on motion of Senator Sharp, the Senate took a short recess and reconvened at 4:30 p.m., Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 391.

SB 356 was reported out of the Banking Committee: 5 Merits.

The following legislation was introduced:

SA 2 to SB 355. Sponsor: Senator Bair. Placed with the Bill.

SA 2 to SB 362. Sponsor: Senator Zimmerman. Placed with the Bill.

SB 366 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Vaughn:

SB 366 - AN ACT TO AMEND VOLUME 64, CHAPTER 131, LAWS OF DELAWARE, BEING AN ACT ENTITLED "A BOND ACT OF THE STATE OF DELAWARE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; DEAUTHORIZING CERTAIN AUTHORITY FOR GUARANTEED INDUSTRIAL REVENUE BONDS; REVERTING CERTAIN SURPLUS FUNDS; APPROPRIATING CERTAIN SPECIAL FUNDS OF THE STATE AND THE DELAWARE TRANSPORTATION AUTHORITY; AMENDING CHAPTERS 50 AND 74 OF TITLE 29 OF THE DELAWARE CODE TO MAKE CERTAIN PROVISIONS RELATING TO REGISTERED BONDS, TO MAKE REVISIONS TO THE POWER OF THE STATE AND ITS AUTHORITIES TO ISSUE BONDS FOR CERTAIN PURPOSES AND TO INCUR OBLIGATIONS; RE-ENACTING CHAPTER 74 OF TITLE 29 OF THE DELAWARE CODE, AS AMENDED; AUTHORIZING THE CREATION OF A NON-PROFIT CORPORATION EXCLUSIVELY FOR THE PROMOTION OF THE PERFORMING ARTS IN THE STATE; PLACING CERTAIN CONDITIONS ON THE APPROPRIATIONS CONTAINED HEREIN; AND MAKING CERTAIN OTHER CHANGES TO THE DELAWARE CODE APPLICABLE TO THE ISSUANCE OF BONDS BY THE STATE AND ITS AUTHORITIES.", BY TRANSFERRING CERTAIN FUNDS BETWEEN THE DEPARTMENTS OF CORRECTION AND HEALTH AND SOCIAL SERVICES; AND TO TRANSFER FUNDS TO THE STATE BOND REVERSION ACCOUNT AND APPROPRIATE AVAILABLE REVERTED AMOUNTS TO THE DEPARTMENT OF CORRECTION. Sponsors: Senators Vaughn, Cook; Representatives Clark, B. Ennis, Bennett, Free, Jester.

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

HB 391 was taken up for consideration under suspension of the necessary rules on motion of Senator Zimmerman:

HB 391 - AN ACT TO AMEND CHAPTER 53, TITLE 30, OF THE DELAWARE CODE RELATING TO TAXATION OF TOBACCO PRODUCTS. Sponsors: Representatives Bennett, Dixon; Senator Sharp.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (Bair) voting NO, and 1 (McDowell) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

Senator Minner moved for the consideration of Senate Consent Calendar #10. The two Senate Concurrent Resolutions and four House Concurrent Resolutions on the Calendar were as follows:

SCR 89 - IN RECOGNITION OF THE ANNUAL NATIONAL SALUTE TO HOSPITALIZED VETERANS DURING THE WEEK OF FEBRUARY 14, 1984 AND ENCOURAGING DELAWAREANS TO VISIT WITH OUR HOSPITALIZED VETERANS. Sponsors: Senators McBride, Vaughn, McDowell, Arnold; Representatives Wingate, Bunting, Gilligan, Jonklert, Dixon, Clark.

SCR 90 - MOURNING THE DEATH OF JOSEPH J. COYLE, A FORMER DOVER CITY COUNCILMAN AND DEMOCRATIC POLITICAL ACTIVIST. Sponsors: Senators Zimmerman, Cook, Torbert, Minner, Vaughn; Representatives B. Ennis, Clark, Outten, Bennett, Terry.

SCR 143 - AUTHORIZING AND DIRECTING THE DEPARTMENT OF TRANSPORTATION TO ERECT AN INFORMATION SIGN ON U.S. 113 INDICATING THE LOCATION OF THE HOUSING DEVELOPMENT CAPITAL PARK. Sponsor: Representative Bennett.

SCR 144 - MOURNING THE UNTIMELY DEATH OF BRYAN GLASS, A SENIOR AT THE CAESAR RODNEY HIGH SCHOOL. Sponsors: Representatives Buckworth and Bennett.

SCR 145 - CONGRATULATING EDDIE DAVIS UPON HIS WINNING THE 1983 NORTH AMERICAN HARNESS-DRIVING CHAMPIONSHIP. Sponsors: Representative Quillen and B. Ennis.

SCR 147 - COMMENDING CHARLES E. WELCH ON RECEIVING THE JOSIAH MARVEL CUP AWARD IN RECOGNITION OF HIS EXEMPLARY SERVICE TO THE PEOPLE OF DELAWARE. Sponsors: Representative George; Senator Cordrey; Representatives Gilligan, Clendaniel, Hebner, Oberle; Senators Sharp, McDowell, Knox, Arnold, Cook; Representative Bennett; Senator Berndt; Representatives Smith, D. Enis, Maroney, Corozzi; Senators Adams, Marshall.

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Before final action was taken on the Consent Calendar, it was laid on the table on motion of Senator Sharp.

SA 6 to SB 231 was introduced by Senator Zimmerman and placed with the Bill.

SCR 91 was introduced and considered for adoption on motion of Senator McBride:

SCR 91 - URGING THE COLONIAL SCHOOL DISTRICT TO GIVE DISTRICT RESIDENTS ADDITIONAL TIME TO RAISE FUNDS NECESSARY TO PURCHASE THE SURPLUS EARLE C. BROWN SCHOOL. Sponsors: Senators McBride, Holloway; Representatives Dixon and Houghton.

Senator McDowell marked PRESENT.

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

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

NO: Senators Arnold, Connor, Neal - 3.

NOT VOTING: Senators Bair, Berndt, Citro - 3.

ABSENT: Senator Knox - 1.

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

On motion of Senator Sharp, Senate Consent Calendar #10 (Resolutions listed above) was lifted and considered for adoption.

The roll call vote on the Consent Calendar was taken and revealed 21 Senators voting YES; therefore, the Senate Resolutions were declared adopted and sent to the House for consideration and the House Resolutions were declared adopted and returned to the House.

SB 324 was stricken on motion of the sponsor, Senator Neal.

The following legislation was introduced:

SB 367 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE, CHAPTER 80, SECTION 8007, RELATING TO THE FILING OF REPORTS OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES. Sponsors: Senators Knox and Neal. Assigned to Insurance and Elections Committee.

SA 1 to SB 317. Sponsor: Senator Holloway. Placed with the Bill.

At 5:06 p.m. on motion of Senator Sharp, the Senate recessed to the call of the Chair.

The Senate reconvened at 2:28 p.m., March 13, 1984, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 451, SB 334, SB 351, SB 352, SB 366 and adopted HCR 148, HCR 149, SJR 9, SCR 92.

The following legislation was introduced:

SB 368 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELMARVA ADVISORY COUNCIL. Sponsor: Senator Cordrey. Assigned to Executive Committee.

SB 369 - AN ACT TO AMEND CHAPTER 51, TITLE 10, OF THE DELAWARE CODE TO ALLOW A PLAINTIFF WHO ENTERS A CIVIL SUIT IN JUSTICE OF THE PEACE COURT NO. 5 AGAINST A CITIZEN WHO RESIDES IN MILFORD TO RECOVER COSTS DUE TO MILFORD'S UNIQUE DUAL COUNTY STATUS. Sponsor: Senator Minner. Assigned to Judiciary Committee.

SA 7 to SB 231. Sponsor: Senator Zimmerman. Placed with the Bill.

HB 451 - AN ACT TO AMEND CHAPTER 90, VOLUME 64, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1984; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS"; TRANSFERRING GENERAL FUNDS FROM THE BUDGET OFFICE TO THE DEPARTMENT OF AGRICULTURE FOR THE PURPOSE OF SUPPRESSING GYPSY MOTH INFESTATION. Sponsors: Representative Clark, Senator Adams; Representatives Barnes, Bennett, Boykin, Buckworth, Bunting, Clendaniel, Cordrey, Corrozi, Davis, B. Ennis, Fallon, George, Gilligan, Jester, Outten, Quillen, West; Senators Arnold, Cook, Cordrey, Littleton, Vaughn. Laid on the table on motion of Senator Vaughn.

At 2:30 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 9th Legislative Day.

**9TH LEGISLATIVE DAY
March 13, 1984**

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

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

Legislative Advisories 22, 23 and 24 received from the Office of Counsel to the Governor were read which informed the Senate as follows:

LEGISLATIVE ADVISORY #22: On January 26, 1984 the Governor signed HB 188 (Volume 64, Chapter 222, Laws of Delaware), HB 409 (Volume 64, Chapter 223, Laws of Delaware), SB 278 w HA 1 (Volume 64, Chapter 224, Laws of Delaware); On February 1 the Governor signed HB 428 (Volume 64, Chapter 225, Laws of Delaware).

LEGISLATIVE ADVISORY #23: On February 7 the Governor signed HB 245 w HA 1 (Volume 64, Chapter 226, Laws of Delaware), HB 341 (Volume 64, Chapter 227, Laws of Delaware); On February 8 the Governor signed HB 187 (Volume 64, Chapter 228, Laws of Delaware), HB 247 (Volume 64, Chapter 229, Laws of Delaware), HB 302 (Volume 64, Chapter 239, Laws of Delaware), HB 391 (Volume 64, Chapter 231, Laws of Delaware); On February 8 the Governor vetoed HS 1 for HB 326.

LEGISLATIVE ADVISORY #24: SB 334 (Volume 64, Chapter 232, Laws of Delaware), SB 351 (Volume 64, Chapter 233, Laws of Delaware), SB 352 (Volume 64, Chapter 234, Laws of Delaware), SB 366 (Volume 64, Chapter 235, Laws of Delaware), SJR 9 (no Chapter number assigned).

SCR 93 was introduced and laid on the table on motion of Senator Torbert:

SCR 93 - URGING GOVERNOR DUPONT TO USE HIS INFLUENCE TO ENCOURAGE MAJOR OIL COMPANIES TO HALT PRICE-GOUGING OF THE PUBLIC BECAUSE OF THE INCREASED NEED FOR HOME HEATING FUELS DURING THE PRESENT RECORD-BREAKING COLD WINTER. Sponsors: Senators Torbert and McDowell.

SCR 94 was introduced and considered for adoption on motion of Senator Vaughn:

SCR 94 - EXTENDING CONGRATULATIONS TO KAREN PIERSON, A SENIOR AT SMYRNA HIGH SCHOOL ON WINNING DELAWARE'S 1984 JUNIOR MISS TITLE ON SATURDAY, FEBRUARY 4, 1984. Sponsors: Senator Vaughn, Representative B. Ennis.

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

SCR 95 was introduced and considered for adoption on motion of Senator Torbert:

SCR 95 - EXTENDING CONGRATULATIONS TO TOM BARNES OF DOVER, DELAWARE ON FINISHING A SURPRISING FIFTH PLACE IN THE BOBSLED RACE AT THE WINTER OLYMPICS HELD IN SARAJEVO, YUGOSLAVIA. Sponsors: Senators Torbert, Zimmerman, Minner, Cook, Vaughn; Representatives Bennett, Outten, Clark, Terry, B. Ennis, Buckworth, Quillen.

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

HCR 148 was introduced and considered for adoption on motion of Senator Sharp:

HCR 148 - EXTENDING "FIFTY" HEARTY BIRTHDAY WISHES TO LONG TIME LEGISLATIVE COUNCIL STAFF MEMBER, McDONALD T. COKER. Sponsors: Representative Quillen, Senator Cordrey.

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

Senator Martin marked PRESENT.

HCR 149 was introduced and considered for adoption on motion of Senator McBride:

HC 149 - IN RECOGNITION OF THE OUTSTANDING COMMUNITY SERVICE AND HUMANITARIAN WORK OF REV. WILLIAM KEICHLIN AND THE MISSION OF CARE. Sponsors: Representative Spence, Senator McBride.

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

At 2:43 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 3:45 p.m., Lt. Governor Castle presiding.

Senators Berndt and Connor marked PRESENT.

The Secretary announced that a message from the House informed the Senate that it had adopted **HC 150**.

HC 150 was introduced, read in its entirety and considered for adoption on motion of Senator Sharp:

HC 150 - SALUTING THE PERFORMANCES OF TEN DELAWARE PARTICIPANTS IN THE 1984 WINTER OLYMPIC GAMES HELD IN YUGOSLAVIA. Sponsors: Representatives Gilligan, Bennett, Clendaniel, Hebner, Oberle; Senators Cordrey, Sharp, Knox, Martin and all other members of the House and Senate.

WHEREAS, The State of Delaware had the highest per capita representation in the recently concluded Winter Olympics at Sarajevo, Yugoslavia; and

WHEREAS, the ten young people--amateurs in the best sense of the word--who proudly call Delaware their home gave superb performances while representing their State and Nation; and

WHEREAS, these fine young men and women, not only performed with distinction at Sarajevo, but also exemplified so well the personal discipline, the urge to excel, and the individual will to compete that lie at the heart of the Olympic idea; and

WHEREAS, Frank Masley of Newark, who carried the American flag during the opening Olympic ceremonies, finished 14th in the luge sledding singles and 13th in the luge doubles, while Tom Barnes of Dover was the No. 3 man on the four-man bobsled team that finished in a pleasantly surprising 5th position in that event; and

WHEREAS, in the skating events, figure skaters Kitty and Peter Carruthers of Wilmington, captured a silver medal, thereby becoming the first U. S. Medalists of the games, while Lea Ann Miller of Wilmington and partner, Bill Fauver of Claymont, ranked 10th in the same event; and

WHEREAS, the pairing of Carol Fox and Richard Dalley of Wilmington were fifth-place finishers in ice dancing followed by Elisa Spitz and Scott Gregory of Wilmington in 19th place in the same competition; and

WHEREAS, Mr. Ron Ludington of the Wilmington Skating Club--acclaimed as one of the most outstanding skating coaches in the world today--contributed greatly to the success of the Delaware Olympic skaters.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 132nd General Assembly of the State of Delaware, the Senate concurring therein, that the 10 Delaware members of the 1984 U.S. Winter Olympic squad and renowned skating coach Ron Ludington be accorded the highest of tributes for the high level of skill, sportsmanship, and goodwill they exhibited at the games held in Sarajevo, Yugoslavia;

BE IT FURTHER RESOLVED by the House of Representatives and Senate concurring, that a suitably prepared copy of the resolution be sent to each of these 10 fine Delaware Olympians and Coach Ludington in appreciation of their efforts on behalf of the First State and the other 49 State of America.

* * * * *

Lt. Governor Castle recognized and welcomed the relatives and friends of the Olympians who were present in the Chamber.

The privilege of the floor was extended to Ron Ludington of the Wilmington Skating Club (Coach of the Olympic Team) who introduced the members of the team to the Senate.

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

SCR 96 was introduced and considered for adoption on motion of Senator Bair:

SCR 96 - HONORING BILL FAUVER OF CLAYMONT, A MEMBER OF THE 1984 UNITED STATES OLYMPIC TEAM. Sponsors: Senator Bair, Representatives Hebner, Brady.

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

HB 451 was lifted from the table for consideration on motion of Senator Adams and taken up for consideration under suspension of the necessary rules:

HB 451 - AN ACT TO AMEND CHAPTER 90, VOLUME 64, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1984; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS"; TRANSFERRING GENERAL FUNDS FROM THE BUDGET OFFICE TO THE DEPARTMENT OF AGRICULTURE FOR THE PURPOSE OF SUPPRESSING GYPSY MOTH INFESTATION.

The privilege of the floor was extended to Robert C. Berry (State Department of Agriculture) after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Holloway and McBride) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

At 4:10 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., March 14, 1984.

The Senate reconvened at 3:40 p.m. on March 14, 1984, Senator Cordrey presiding.

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

STATE OF DELAWARE
Office of the Governor
March 13, 1984

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Carolyn Berger, 522 Hanover Road, Wilmington, Delaware, 19809 to be appointed Vice-Chancellor of the Court of Chancery of the State of Delaware for a term of twelve years.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, IV, Governor

The following legislation was introduced:

SB 370 - AN ACT TO AMEND CHAPTER 55, TITLE 25 OF THE DELAWARE CODE RELATING TO SECURITY DEPOSITS. Sponsors: Senator Bair, Representative Soles; Senators Holloway, Connor, Neal, McDowell; Representatives Brady, Smith and Jester. Assigned to Judiciary Committee; then reassigned to Administrative Services/Energy Committee at the request of Senator McDowell.

SB 371 - AN ACT ENTITLED "THE EDUCATION IMPROVEMENT ACT OF 1984", WHICH AMENDS TITLE 14 OF THE DELAWARE CODE IN ORDER TO MANDATE THE OFFERING OF KINDERGARTEN IN ALL SCHOOL DISTRICTS AND REQUIRING ATTENDANCE OF ALL CHILDREN AT A KINDERGARTEN PROGRAM, AND WHICH FURTHER AMENDS TITLE 14 OF THE DELAWARE CODE BY REDUCING THE SIZE OF THE FUNDING UNIT FOR GRADES 1 THROUGH 3 TO A LEVEL OF 15 PUPILS PER UNIT WITH THE GOAL OF REDUCING CLASS SIZE, AND WHICH FURTHER AMENDS TITLE 14 OF THE DELAWARE CODE BY ESTABLISHING A REMEDIAL EDUCATION UNIT. Sponsors: Senator McBride, Representative Fallon; Senators Torbert, Knox, Bair; Representatives Jester, Campanelli, Outten, Soles, Free, Petrilli, Roy. Assigned to Education Committee; then reassigned to Finance Committee at the request of Senator Cook.

At 3:43 p.m., Lt. Governor Castle presiding.

The following legislation was introduced:

SB 372 - AN ACT TO AMEND SUBCHAPTER V CHAPTER 40, TITLE 31 OF THE DELAWARE CODE TO PERMIT THE USE OF ELECTRONIC SURVEILLANCE DEVICES IN PROVIDING SECURITY AT PUBLIC HOUSING UNITS ADMINISTERED BY PUBLIC HOUSING AUTHORITIES. Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

SB 373 - AN ACT TO AMEND TITLE 10, TITLE 13, TITLE 16, TITLE 29 AND TITLE 31 OF THE DELAWARE CODE RELATING TO THE PRESENT DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES; AND PROVIDING A NEW NAME FOR SAID DEPARTMENT. Sponsors: Senator McBride; Representatives Meconi and VanSant. Assigned to Executive Committee; then reassigned to Health-Social Services/Aging Committee at the request of Senator Holloway.

SS 1 for SB 357 - AN ACT TO AMEND CHAPTER 90, VOLUME 64, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1984; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS"; RELATING TO THE APPROPRIATIONS FOR MEMORANDUM BUDGET OF VIOLENT CRIMES COMPENSATION BOARD. Sponsors: Senator Cook, Representative Bennett. Adopted in lieu of the Original and assigned to Finance Committee.

The Secretary announced that a message from the House informed the Senate that it had passed HB 319 w HA 1, HB 419 and SB 339.

The following legislation was introduced:

HB 319 w HA 1 - AN ACT TO AMEND CHAPTER 7, TITLE 18 OF THE DELAWARE CODE BY CHANGING APPOINTMENTS OF AGENTS, LIMITED AND FRATERNAL REPRESENTATIVES FROM AN ANNUAL TO A CONTINUAL BASIS AND AMENDING THE FEES FOR APPOINTMENTS. Sponsors: Representatives Dixon, Bunting. Assigned to Revenue and Taxation Committee.

HB 419 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE SALE OR LEASE OF PROPERTY BY SCHOOL DISTRICTS. Sponsors: Representatives Soles, D. Ennis; Senators Bair, McBride. Assigned to Education Committee.

SA 1 to SB 73. Sponsor: Senator Bair. Placed with the Bill.

SR 126 - REQUESTING THAT THE DELAWARE SOLID WASTE AUTHORITY UNDERTAKE A THREE YEAR MORATORIUM ON RATE INCREASES ASSESSED AGAINST REFUSE COLLECTORS FOR THE DEPOSITING OF COLLECTED WASTE AT SOLID WASTE DISPOSAL FACILITIES. Sponsor: Senator Holloway. Laid on the table.

SR 127 - REQUESTING THAT THE DELAWARE SOLID WASTE AUTHORITY CONSIDER INCREASING THE AMOUNT OF BOND REQUIRED FROM REFUSE COLLECTORS. Sponsor: Senator Holloway. Laid on the table.

SCR 97 was introduced and considered for adoption on motion of Senator Holloway:

SCR 97 - RESPECTFULLY REQUESTING THE SECRETARIES OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES AND CHILDREN, YOUTH AND THEIR FAMILIES TO DELAY MAKING ANY DECISION ON DISPOSING THE GOVERNOR BACON HEALTH CENTER PROPERTY UNTIL LEGISLATIVE MEMBERS HAVE HAD AN OPPORTUNITY TO HAVE INPUT IN THE FUTURE PLANNING, RETENTION AND USE OF THE CENTER AS A CITE FOR OTHER SERVICES TO THE CITIZENS OF DELAWARE. Sponsors: Senators Holloway, Berndt, McDowell, Knox; Representative VanSant.

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

At 3:55 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 10th Legislative Day.

10TH LEGISLATIVE DAY March 14, 1984

The Senate convened at 3:55 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

HJR 14 was taken up for consideration on motion of Senator McDowell:

HJR 14 - EXTENDING THE ORIGINAL REPORTING DATE OF JANUARY 24, 1984 FOR THE AD HOC CAPIUS COMMITTEE, TO MAY 1, 1984.

Before final action was taken on the Resolution, however, it was reassigned to the Administrative Services/Energy Committee.

HB 212 was taken up for consideration on motion of Senator Marshall:

HB 212 - AN ACT TO AMEND CHAPTER 23, TITLE 19 OF THE DELAWARE CODE TO INCREASE THE AMOUNT PAID BY INSURANCE CARRIERS AND EMPLOYERS WHO ARE SELF-INSURERS INTO THE INDUSTRIAL ACCIDENT BOARD SECOND INJURY AND CONTINGENCY FUND.

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

SB 331 was stricken at the request of the sponsor, Senator Cordrey.

At 4:14 p.m. on motion of Senator Sharp, the Senate recessed to 2:00 p.m., March 15, 1984.

The Senate reconvened at 2:40 p.m., March 15, 1984, Senator Cordrey presiding.

SB 222 w SA 2 which had previously passed the Senate and as now returned from the House with HA 1 and 3 was assigned to the Community Affairs Committee.

SB 277 w SA 1 which had previously passed the Senate and as now returned from the House with HA 1 was assigned to Community Affairs Committee.

The following legislation was introduced:

SB 374 - AN ACT TO AMEND CHAPTER 23, TITLE 19 DELAWARE CODE RELATING TO WORKMAN'S COMPENSATION BENEFITS. Sponsor: Senator Martin. Assigned to Labor and Industrial Relations Committee.

SB 375 - AN ACT TO AMEND CHAPTER 23, TITLE 19 DELAWARE CODE RELATING TO WORKMAN'S COMPENSATION BENEFITS. Sponsor: Senator Martin. Assigned to Labor and Industrial Relations Committee.

SB 376 - AN ACT TO AMEND CHAPTER 21, TITLE 19, DELAWARE CODE, RELATING TO WORKMAN'S COMPENSATION BENEFITS. Sponsor: Senator Martin. Assigned to Labor and Industrial Relations Committee.

SB 377 - AN ACT TO AMEND CHAPTER 23, TITLE 19 DELAWARE CODE RELATING TO WORKMAN'S COMPENSATION BENEFITS. Sponsor: Senator Martin. Assigned to Labor and Industrial Relations Committee.

SB 378 - AN ACT TO AMEND CHAPTER 21, TITLE 19 OF THE DELAWARE CODE RELATING TO WORKMAN'S COMPENSATION BENEFITS. Sponsor: Senator Martin. Assigned to Labor and Industrial Relations Committee.

SB 379 - AN ACT TO AMEND CHAPTER 23, TITLE 19 DELAWARE CODE RELATING TO WORKMAN'S COMPENSATION BENEFITS. Sponsor: Senator Martin. Assigned to Labor and Industrial Relations Committee.

SB 380 - AN ACT TO AMEND CHAPTER 21, TITLE 19 DELAWARE CODE RELATING TO WORKMAN'S COMPENSATION BENEFITS. Sponsor: Senator Martin. Assigned to Labor and Industrial Relations Committee.

At 2:44 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 11th Legislative Day.

11TH LEGISLATIVE DAY
March 15, 1984

The Senate convened at 2:44 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

Senator Bair marked PRESENT.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 151, HCR 152, HCR 153, HCR 154, HCR 155, HCR 156, HCR 157, HCR 158, HCR 159, SCR 89, SCR 90, SCR 94, SCR 95, SCR 96.

Senate Consent Calendar #11 was taken up for consideration on motion of Senator Minner. The 8 House Concurrent Resolutions on the Calendar were:

HCR 151 - JOINING IN THE COMMENDATION FOR STATE SENATOR JAMES T. VAUGHN, SR., FOR WHOM THE SMYRNA-CLAYTON LITTLE LEAGUE COMPLEX HAS BEEN NAMED JAMES T. VAUGHN PARK. Sponsors: Representatives B. Ennis, Clark, Jester; Senator Cook.

HCR 152 - THANKING BRIGADIER GENERAL CHARLES R. PAINTER, OF SMYRNA, FOR MORE THAN 35 YEARS OF SERVICE TO THE STATE AND NATION. Sponsors: Representative B. Ennis; Senator Vaughn.

HCR 153 - MOURNING THE DEATH OF DR. FRANK O'BRIEN, CRUSADER FOR CLEAN AIR. Sponsors: Representative Smith, D. Ennis; Senator McDowell.

HCR 154 - EXTENDING CONDOLENCES UPON LEARNING OF THE DEATH OF RENOWN ARCHITECT GEORGE FLETCHER BENNETT OF CAMDEN, DELAWARE. Sponsors: Representatives Buckworth, Bennett, Senator Torbert.

HCR 155 - EXPRESSING CONDOLENCES UPON LEARNING OF THE DEATH OF A FORMER STATE REPRESENTATIVE AND FELLOW COLLEAGUE, J. EDWARD "UNCLE ED" MORRIS OF FELTON, DELAWARE. Sponsors: Representatives Gilligan, Clendaniel, Anderson, Bennett, Brady, Bunting, Campanelli, Clark, Cordrey, Dixon, Ennis, Houghton, Jester, Jonkert, Meconi, Outten, Plant, Sills, Soles, Terry, VanSant, West, Wingate; Senator Torbert.

HCR 156 - EXPRESSING CONDOLENCES UPON LEARNING OF THE DEATH OF A FORMER STATE REPRESENTATIVE AND FELLOW COLLEAGUE, J. EDWARD "UNCLE ED" MORRIS OF FELTON, DELAWARE. Sponsors: Representatives Buckworth, Oberle; Senator Torbert.

HCR 157 - CONGRATULATING CAESER RODNEY'S HIGH SCHOOL BASKETBALL TEAM "THE RIDERS" ON CAPTURING THE DELAWARE STATE HIGH SCHOOL BOYS' BASKETBALL TOURNAMENT CHAMPIONSHIP ON SATURDAY, MARCH 10, 1984. Sponsors: Representative Buckworth, Senator Torbert; Representatives B. Ennis, Clark, Quillen, Outten, Bennett, Terry; Senators Vaughn, Cook, Zimmerman, Minner.

HCR 158 - EXTENDING CONGRATULATIONS TO FRANCIS JOSEPH MASLEY OF NEWARK, DELAWARE ON PLACING SIXTEENTH IN SINGLES AND THIRTEENTH IN DOUBLES IN THE LUGE EVENTS HELD IN SARAJEVO, YUGOSLAVIA DURING THE WINTER OLYMPICS. Sponsors: Representative Oberle; Senator Martin.

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

Steve Cordrey, son of Senator Cordrey, was introduced to the Senate by his father.

HCR 159 was introduced and laid on the table on motion of Senator Cook:

HCR 159 - EXTENDING CONGRATULATIONS TO RUTH HAGGERTY "MOTHER RUTH" WHO WILL HAVE SERVED TWENTY-FIVE YEARS WITH THE DELAWARE STATE LEGISLATURE ON FRIDAY, MARCH 16, 1984. Sponsors: Representative Gilligan, Senator Cook.

The following Committee reports were announced:

From the Natural Resources and Environmental Control Committee: SB 362 - 1 Favorable, 3 Merits, 1 Unfavorable; HB 264 w HA 2, 3 - 1 Favorable, 2 Merits; HB 301 - 1 Favorable, 2 Merits.

From the Health-Social Services/Aging Committee: SB 372 - 4 Merits.

Senators Zimmerman, Citro and Littleton marked PRESENT.

Senator Marshall introduced Mrs. Greenleaf (Director of the Fraim Senior Center) to the Senate.

HB 21 was taken up for consideration on motion of Senator Marshall:

HB 21 - AN ACT TO AMEND CHAPTER 51, TITLE 29, DELAWARE CODE RELATING TO CONDITIONS OF STATE EMPLOYMENT.

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

SB 266 was stricken at the request of the sponsor, Senator Zimmerman.

At 3:15 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:55 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SB 381 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PERSONAL ACTIONS. Sponsors: Senators Sharp, Berndt; Representatives Gilligan, Roy. Assigned to Judiciary Committee.

SA 2 to SB 27. Sponsor: Senator Cordrey. Placed with the Bill.

SR 128 was introduced and considered for adoption on motion of Senator Martin:

SR 128 - REQUESTING THE SECRETARY OF THE DEPARTMENT OF PUBLIC SAFETY AND ALL LAW ENFORCEMENT AGENCIES AT THE LOCAL AND COUNTY LEVELS TO COOPERATE TO THE FULLEST EXTENT IN THE INVESTIGATION OF THE HIT AND RUN DRIVING INCIDENT WHICH OCCURRED ON SUNDAY, MARCH 11, 1984 IN WHICH A LADY WAS FATALLY INJURED. Sponsor: Senator Martin.

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

SCR 98 was introduced and considered for adoption on motion of Senator Holloway:

SCR 98 - COMMENDING THE MINISTERIAL ALLIANCE OF NEW CASTLE COUNTY AND THE BLACK MINISTERS WHO CARE OF THE STATE OF DELAWARE FOR ORGANIZING AND PROMOTING A ONE DAY COUNTY WIDE FUND RAISING TELETHON TO ASSIST, SUSTAIN AND PERPETUATE THE LAYTON HOME, A HEALTH CARE FACILITY THAT GENERATED ALMOST \$50,000. Sponsors: Senator Holloway; Representatives Plant and Sills.

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

HCR 159 was lifted from the table and considered for adoption on motion of Senator Cook:

HCR 159 - EXTENDING CONGRATULATIONS TO RUTH HAGGERTY "MOTHER RUTH" WHO WILL HAVE SERVED TWENTY-FIVE YEARS WITH THE DELAWARE STATE LEGISLATURE ON FRIDAY, MARCH 16, 1984.

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

SB 364 was stricken at the request of the sponsor: Senator Vaughn.

SB 174 was stricken at the request of the sponsor: Senator McBride.

At 5:15 p.m. on motion of Senator Sharp, the Senate recessed until Tuesday, March 20, 1984 at 2:00 p.m.

The Senate reconvened at 2:28 p.m., March 20, 1984, Senator Cordrey presiding.

The following legislation was introduced:

SB 382 - AN ACT TO AMEND CHAPTER 72, TITLE 16, DELAWARE CODE, RELATING TO TANKS UNDERGROUND AT UNUSED OR ABANDONED GASOLINE STATIONS AND THE REQUIREMENT THAT CERTAIN SAFETY PRECAUTIONS BE FOLLOWED WHEN TANKS ARE UNEARTHED. Sponsor: Senator McDowell (by request.) Assigned to Public Safety Committee.

SB 383 - AN ACT TO AMEND CHAPTER 5, PART 1, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE; AND PROVIDING FOR A PROHIBITION AGAINST CERTAIN KEYS OR OTHER DEVICES WHICH PERMIT THE USER TO ENTER AND/OR OPERATE A MOTOR VEHICLE WITHOUT THE PROPER IGNITION KEY. Sponsor: Senator Torbert. Assigned to Judiciary Committee.

SB 384 - AN ACT TO AMEND PART IV, TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES; AND PROVIDING FOR A TAX ON CERTAIN CONTROLLED SUBSTANCES. Sponsor: Senator McBride. Assigned to Revenue and Taxation Committee.

SA 1 to SB 350. Sponsors: Senators Neal, Holloway. Placed with the Bill.

SA 1 to SB 356. Sponsor: Senator Cordrey. Placed with the Bill.

SA 1 to SB 349. Sponsors: Senators Neal, Holloway. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had passed HB 458 w HA 1; HB 160 w HA 1, 2; HB 425 w HA 1, 2, 3, 4.

The following legislation was introduced:

HB 458 w HA 1 - AN ACT AMENDING 28 DELAWARE CODE, CHAPTER 3, RELATING TO THE TAX ON PARI-MUTUEL INCOME FROM A RACING MEET. Sponsors: Representative Gilligan, Senator Sharp. Assigned to Community Affairs, then reassigned to Revenue and Taxation Committee.

HB 160 w HA 1, 2 - AN ACT TO AMEND TITLES 24 AND 30, OF THE DELAWARE CODE RELATING TO THE REGULATION OF SECURITY SYSTEMS AND PROTECTIVE SERVICES. Sponsors: Representatives Gilligan and Maroney. Assigned to Administrative Services/Energy Committee.

HB 425 w HA 1, 2, 3, 4 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO OCCUPATIONS AND PROFESSIONS; AND PROVIDING FOR THE REGULATION OF PERSONS PRACTICING DIETETICS AND NUTRITION. Sponsors: Representatives Soles, Bunting, Cordrey, Corrozi, Dixon, Jester, Maroney, Roy, VanSant; Senators Holloway, Torbert, Citro, Connor, Berndt. Assigned to Health-Social Services/Aging Committee.

The following letter of nomination for appointment from the Governor was read:

STATE OF DELAWARE
Office of the Governor
March 15, 1984

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: John M. Maiorano, 2115 Gilles, Street, Wilmington, Delaware, 19805 to be reappointed as a member of the Board of Trustees of Delaware Technical and Community College for a three-year term to end June 22, 1985.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, IV, Governor

* * * * *

At 2:35 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 12th Legislative Day.

12TH LEGISLATIVE DAY
March 20, 1984

The Senate convened at 2:35 p.m., Senator Cordrey presiding.

A moment of silence was observed at the request of Senator Marshall.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

At 2:37 p.m., Lt. Governor Castle presiding.

Senator Cordrey introduced the new Reading Clerk of the Senate, Joyce Griffith.

Senator Marshall introduced his uncle, Chip Marshall, to the Senate.

SR 52 was taken up for consideration on motion of Senator McBride:

SR 52 - AMENDING THE TEMPORARY RULES OF THE SENATE RELATING TO CONDUCT.

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

Senator Martin marked PRESENT.

SB 372 was taken up for consideration on motion of Senator Holloway:

SB 372 - AN ACT TO AMEND SUBCHAPTER V CHAPTER 40, TITLE 31 OF THE DELAWARE CODE TO PERMIT THE USE OF ELECTRONIC SURVEILLANCE DEVICES IN PROVIDING SECURITY AT PUBLIC HOUSING UNITS ADMINISTERED BY PUBLIC HOUSING AUTHORITIES.

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

HB 264 w HA 2, 3 was taken up for consideration on motion of Senator Zimmerman:

HB 264 w HA 2, 3 - AN ACT TO AMEND CHAPTER 13, TITLE 23 AND CHAPTER 80, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DISPOSITION OF LOST, ABANDONED OR STOLEN PROPERTY, BOATS AND VESSELS ADRIFT OR ABANDONED.

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

HB 301 was taken up for consideration on motion of Senator Zimmerman:

HB 301 - AN ACT TO AMEND PART II, TITLE 7 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF THE EAST LINE FOR SHELLFISH MANAGEMENT AND RELATING TO SURF CLAMS BY ESTABLISHING A LICENSE TO HARVEST SURF CLAMS AND AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO PROMULGATE REGULATIONS GOVERNING THE HARVEST OF SURF CLAMS.

The privilege of the floor was extended to William C. Wagner, II (Delaware Division of Fish and Wild Life) after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Connor and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

At 3:00 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 3:50 p.m., Senator Cordrey presiding.

HB 425 w HA 1, 2, 3, 4 which had been assigned to Health-Social Services/Aging Committee was reassigned to Administrative Services/Energy Committee.

At 3:51 p.m., Senator Sharp presiding.

The following legislation was introduced:

SB 385 - AN ACT TO AMEND 1 DEL. C. c. 1 RELATING TO THE DISTRIBUTION OF THE DELAWARE CODE. Sponsor: Senator Cordrey. Assigned to Executive Committee.

SB 386 - AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF TRANSPORTATION TO NAME THE BRIDGE LOCATED IN THE 700 BLOCK OF SOUTH HEALD STREET IN WILMINGTON THE PAUL. F. LIVINGSTON BRIDGE IN HONOR OF THE LATE PAUL F. LIVINGSTON. Sponsor: Senator Holloway. Assigned to Highways and Transportation Committee.

SA 3 and SA 4 to SB 362. Sponsor: Senator Minner. Placed with the Bill.

SB 356 was taken up for consideration on motion of Senator Cordrey:

SB 356 - AN ACT TO AMEND CHAPTER 29, TITLE 24 OF THE DELAWARE CODE RELATING TO REAL ESTATE BROKERS AND SALESMEN.

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

Senator Connor marked PRESENT.

The privilege of the floor was extended to Penn Emerson (Delaware Real Estate Commission) after which the roll call vote on SB 356 w SA 1 was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SR 129 was introduced and considered for adoption on motion of Senator Zimmerman:

SR 129 - REQUESTING THE DEPARTMENT OF ADMINISTRATIVE SERVICES TO DEVELOP IN CONCERT WITH THE DEPARTMENT OF PUBLIC HEALTH A STATE PLAN FOR ASBESTOS DETECTION AND CONTROL. Sponsors: Senators Zimmerman, Adams, Arnold, Bair, Berndt, Citro, Holloway, Marshall, McDowell, Minner, Sharp, Vaughn.

The privilege of the floor was extended to Gary Dalton (Senate Attorney) after which the Resolution was laid on the table on motion of Senator Zimmerman.

The personal privilege of the floor was extended to Senator Littleton.

At 4:40 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., March 21, 1984.

The Senate reconvened at 2:30 p.m., March 21, 1984, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 469.

The following legislation was introduced:

HB 469 - AN ACT DECLARING AN EMERGENCY, ESTABLISHING AN EMERGENCY LOAN BOARD, MAKING A SUPPLEMENTAL APPROPRIATION THERETO, AUTHORIZING THE BOARD TO MAKE LOANS TO PHOENIX STEEL CORPORATION, AND AMENDING 7 DEL. C., CH. 70 (THE DELAWARE COASTAL ZONE ACT) TO EXEMPT CERTAIN LAND FROM THE COVERAGE OF THE COASTAL ZONE ACT. Sponsors: Representatives Brady, Gilligan, Hebner, Oberle. Assigned to Finance Committee.

SB 387 - AN ACT TO AMEND CHAPTER 7, TITLE 5 OF THE DELAWARE CODE, RELATING TO CORPORATION LAW FOR STATE BANKS. Sponsors: Senator Adams, Representative Dixon. Assigned to Banking Committee.

SA 1 HB 469. Sponsor: Senator Cordrey. Placed with the Bill.

SCR 99 – CONGRATULATING JIM BERRY OF CONCORD HIGH SCHOOL ON BEING NAMED A MEMBER OF THE PARADE 1983 ALL-AMERICAN HIGH SCHOOL SOCCER TEAM. Sponsors: Senators Bair, Knox; Representatives Hebner, Smith, Maroney.

The Resolution was considered for adoption on motion of Senator Bair and the roll call vote taken which revealed 17 Senators voting YES and 4 (Citron, Connor, Martin, Torbert) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SR 129 was lifted from the table on motion of Senator Zimmerman, but again laid on the table before final action on further motion of the Senator.

The following Committee reports were announced:

From the Finance Committee: **HB 211** – 4 Merits; **SS 1 for SB 357** – 1 Favorable, 3 Merits.

From the Executive Committee: **SB 385** – 4 Merits; **SB 368** – 1 Favorable, 3 Merits.

From the Natural Resources and Environmental Control Committee: **SB 300** – 2 Merits, 1 Unfavorable.

From the Community Affairs Committee: **HB 458** – 1 Favorable, 4 Merits.

From the Executive Committee: Carolyn Berger – 2 Favorable, 3 Merits; George Edmonds – 1 Favorable, 3 Merits; Sally Higgins – 2 Favorable, 2 Merits; John Maiorano – 4 Merits.

At 2:40 p.m., Lt. Governor Castle presiding.

At 2:40 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 13th Legislative Day.

13TH LEGISLATIVE DAY March 21, 1984

The Senate convened at 2:40 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

SB 362 was taken up for consideration on motion of Senator Vaughn:

SB 362 – AN ACT TO AMEND AN ACT TO AMEND CHAPTER 9 AND CHAPTER 11, TITLE 7, DELAWARE CODE, RELATING TO FINFISHING IN TIDAL AND NON-TIDAL WATERS OF THE STATE FOR ALL FINFISH EXCEPT MENHADEN.

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

At 3:12 p.m., Senator Cordrey presiding.

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Zimmerman. The privilege of the floor was extended to William C. Wagner, II (Delaware Fish and Wild Life) after which the roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Bair, Berndt, Citro, Connor, Holloway, Knox, Littleton, Minner, Torbert, Zimmerman – 11.

NO: Senators Arnold, Cook, Cordrey, Marshall, Martin, McBride, McDowell, Neal, Sharp, Vaughn – 10.

Therefore, the Amendment was declared adopted.

SA 1 and **SA 3** to the Bill which had been placed with the Bill were stricken on motion of the sponsor, Senator Minner.

SA 4 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Minner and the roll call vote taken which revealed 19 Senators voting YES and 2 (Martin and Sharp) voting NO; therefore, the Amendment was declared adopted.

SB 362 w SA 2, 4 was then laid on the table on motion of Senator Vaughn.

At 3:44 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus and reconvened at 5:03 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Administrative Services/Energy Committee: **SB 336** – 1 Favorable, 5 Merits; **SB 347** – 1 Favorable, 5 Merits.

From the Labor/Industrial Relations Committee: **SB 375** – 1 Favorable, 6 Merits; **SB 376** – 1 Favorable, 6 Merits; **SB 377** – 1 Favorable, 6 Merits; **SB 378** – 1 Favorable, 6 Merits; **SB 379** – 1 Favorable, 6 Merits; **SB 380** – 6 Merits.

The following legislation was introduced:

SB 388 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 5, TITLE 4, DELAWARE CODE, RELATING TO SALES OF ALCOHOLIC BEVERAGES BY IMPORTERS. Sponsor: Senator Minner. Assigned to Administrative Services/Energy Committee.

SB 389 - AN ACT TO AMEND CHAPTERS 9 AND 11 OF TITLE 13, DELAWARE CODE, RELATING TO ACCESS TO INFORMATION IN ADOPTION RECORDS OF AN ADOPTED INDIVIDUAL WHEN MEDICAL TREATMENT IS NEEDED FOR THE HEALTH OF THE ADOPTED INDIVIDUAL OR ANY BLOOD RELATIVE OF THE ADOPTED INDIVIDUAL. Sponsors: Senator Adams; Representatives Barnes, Clendaniel. Assigned to Judiciary Committee.

SB 390 - AN ACT TO AMEND TITLE 24, CHAPTER 17, SUBCHAPTER IX OF THE DELAWARE CODE RELATING TO INTERFERENCE WITH LAWFUL TERMINATIONS OF HUMAN PREGNANCY. Sponsor: Senator Knox. Assigned to Health-Social Services/Aging Committee.

SB 391 - AN ACT TO AMEND TITLE 11, DELAWARE CODE, RELATING TO THE RIGHTS OF LAW ENFORCEMENT OFFICERS. Sponsors: Senators Zimmerman, Vaughn, Citro; Representatives Outten, VanSant, B. Ennis, Spence. Assigned to Judiciary Committee.

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

SJR 11 - RELATING TO CHANGING MEMORIAL DAY CELEBRATION THIS YEAR TO MAY 28. Sponsor: Senator Marshall. Assigned to Executive Committee.

SR 129 was stricken at the request of the sponsor, Senator Zimmerman.

SR 130 was introduced and laid on the table on motion of Senator Zimmerman:

SR 130 - REQUESTING THE DEPARTMENT OF ADMINISTRATIVE SERVICES TO DEVELOP IN CONCERT WITH THE DEPARTMENT OF PUBLIC HEALTH A STATE PLAN FOR ASBESTOS DETECTION AND CONTROL. Sponsors: Senators Zimmerman, Adams, Arnold, Bair, Berndt, Citro, Holloway, Marshall, McDowell, Minner, Sharp, Vaughn.

SB 159 and **SB 326** were stricken at the request of the sponsor, Senator McBride.

At 5:10 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., March 22, 1984.

The Senate reconvened at 2:54 p.m., March 22, 1984, Senator Cordrey presiding.

The following legislation was introduced:

SB 392 - AN ACT TO AMEND CHAPTER 85, TITLE 11, DELAWARE CODE, TO ESTABLISH A MISSING CHILDREN INFORMATION CLEARINGHOUSE WITHIN THE DIVISION OF STATE POLICE; PROVIDING DUTIES OF THE CLEARINGHOUSE; REQUIRING NOTIFICATION OF CHILDREN LOCATED; PROVIDING FOR THE PURGING OF INFORMATION; AND PROVIDING FOR THE RETURN OF FINGERPRINTS. Sponsor: Senator Arnold. Assigned to Judiciary Committee.

SB 393 - AN ACT TO AMEND CHAPTER 1, TITLE 13, DELAWARE CODE, RELATING TO PROHIBITIONS ON INTER-RACIAL MARRIAGES AND MARRIAGES BETWEEN PAUPERS. Sponsors: Senator McDowell, Holloway; Representatives Plant, Sills. Assigned to Judiciary Committee.

HB 469 was reported out of the Finance Committee - 5 Merits.

At 2:55 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 14th Legislative Day.

14TH LEGISLATIVE DAY March 22, 1984

The Senate convened at 2:55 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

The Secretary announced that a message from the House informed the Senate that it had adopted **HCR 164, HCR 163, HCR 162, HCR 161, HCR 160, SCR 99, SCR 98.**

Senators Knox and Martin marked PRESENT.

On motion of Senator Zimmerman, **SR 130** was lifted from the table for consideration:

SR 130 - REQUESTING THE DEPARTMENT OF ADMINISTRATIVE SERVICES TO DEVELOP IN CONCERT WITH THE DEPARTMENT OF PUBLIC HEALTH A STATE PLAN FOR ASBESTOS DETECTION AND CONTROL.

The privilege of the floor was extended to Frederick VanSant, Secretary of the Department of Administrative Services, after which the Resolution was again laid on the table on motion of Senator Zimmerman.

At 3:12 p.m., Lt. Governor Castle presiding.

The following communication was read:

THANK YOU

Dear Friends at the Senate,

It's been an honor and a pleasure to serve such wonderful people during the past 25 years. Thanks for making it all worthwhile.

Ruth Haggarty

* * * * *

SR 131 was introduced and considered for adoption on motion of Senator Holloway:

SR 131 - CALLING FOR THE CREATION OF A STATEWIDE GRANDPARENTS RIGHTS TASK FORCE. Sponsor: Senator Holloway.

Senators Berndt and Littleton were added as co-sponsors after which the roll call vote on the Resolution was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted.

Senators Connor, Bair, McDowell, Torbert marked PRESENT.

Senate Consent Calendar #12 was taken up for consideration on motion of Senator Minner.

The 5 House Concurrent Resolutions comprising the Consent Calendar were as follows:

HCR 160 - COMMENDING BETTY J. STILTZ, RETIRED SECRETARY-TREASURER OF THE CITY OF NEWARK, FOR MORE THAN 20 YEARS OF OUTSTANDING SERVICE TO THE CITY COUNCIL AND THE PEOPLE OF THAT COMMUNITY. Sponsors: Representatives Anderson, Oberle, Soles; Senators Martin, Neal.

HCR 161 - CONGRATULATING DR. JUDITH G. TOBIN UPON HER SELECTION AS THE "MOTHER OF THE YEAR" BY THE DELAWARE CHAPTER OF AMERICAN MOTHERS INC. Sponsors: Representatives Fallon, D. Ennis; Senators Knox, Torbert.

HCR 162 - JOINING IN THE PRAISE FOR NORMAN G. WILDER'S CONTRIBUTIONS TO THE PRESERVATION OF OUR OUTDOOR LIFE AS HE RETIRES AS EXECUTIVE DIRECTOR OF THE DELAWARE NATURE EDUCATION SOCIETY. Sponsors: Representatives B. Ennis, Clark, Bennett, Anderson, Soles, Smith, Boykin, Wingate; Senator Vaughn.

HCR 163 - REQUESTING THE DELAWARE CONGRESSSIONAL DELEGATION TO SUPPORT SENATE JOINT RESOLUTION NO. 235 AUTHORIZING THE ESTABLISHMENT OF A NATIONAL LAW ENFORCEMENT HEROES MEMORIAL. Sponsors: Representatives B. Ennis, Spence, VanSant; Senators Citro, Vaughn.

HCR 164 - COMMENDING THE BLUE RIBBON TASK FORCE ON DIVORCE LAW REFORM FOR THE TIME, THOUGHT AND WORK THAT ITS MEMBERS GAVE THE STATE IN THE BEST SPIRIT OF VOLUNTEERISM. Sponsors: Representative George; Senator Cordrey.

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The vote on the Consent Calendar was taken and revealed 21 Senators voting YES; therefore, the Resolutions were declared adopted and returned to the House.

SCR 100 was introduced and considered for adoption on motion of Senator Adams:

SCR 100 - MARKING THE WEEK OF MARCH 18-24 AS NATIONAL AGRICULTURE WEEK AND MARCH 20 AS NATIONAL AGRICULTURE DAY, AND CONGRATULATING THE DELAWARE COUNCIL OF FARM ORGANIZATION FOR ITS CONTRIBUTION TO THE DEVELOPMENT OF DELAWARE'S CHIEF INDUSTRY. Sponsors: Senator Adams and all the Senators, Representative Clark and all the Representatives.

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

HB 211 was taken up for consideration on motion of Senator Cook:

HB 211 - AN ACT TO AMEND CHAPTER 21, TITLE 19 OF THE DELAWARE CODE RELATING TO DEPOSITS TO THE GENERAL FUND.

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

HB 469 was taken up for consideration on motion of Senator Cook:

HB 469 - AN ACT DECLARING AN EMERGENCY, ESTABLISHING AN EMERGENCY LOAN BOARD, MAKING A SUPPLEMENTAL APPROPRIATION THERETO, AUTHORIZING THE BOARD TO MAKE LOANS TO PHOENIX STEEL CORPORATION, AND AMENDING 7 DEL.C., CH. 70 (THE DELAWARE COASTAL ZONE ACT) TO EXEMPT CERTAIN LAND FROM THE COVERAGE OF THE COASTAL ZONE ACT.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Eugene D. Hugg (President of Phoenix Steel Corporation), Gary Dalton (Senate Attorney), Henry Ridgley (Senate Attorney) and Nathan Hayward, III (Delaware Development Office).

At 4:35 p.m to 4:40 p.m. recess for change of tape, Senator Cordrey presiding.

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, Cook, Cordrey, Knox, McDowell, Minner, Neal, Torbert, Zimmerman - 9.

NO: Senators Arnold, Bair, Berndt, Citro, Connor, Holloway, Littleton, Marshall, Martin, McBride, Sharp, Vaughn - 12.

Therefore, the Amendment was declared defeated.

SA 2 and SA 3 to the Bill were introduced by Senator Knox and laid on the table on his motion.

SA 4 to the Bill was introduced by Senator McDowell and laid on the table on his motion.

SA 5 to the Bill was introduced by Senator McDowell and considered for adoption on his motion.

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

YES: Senators Adams, Cook, Cordrey, Knox, McDowell, Minner, Neal, Torbert, Zimmerman - 9.

NO: Senators Arnold, Bair, Berndt, Citro, Connor, Holloway, Littleton, Marshall, Martin, McBride, Sharp, Vaughn - 12.

Therefore, the Amendment was declared defeated.

On motion of Senator Cook, the roll call vote on HB 469 was then taken; however, the roll call was laid on the table before being announced on further motion of Senator Cook.

At 6:19 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 6:25 p.m., Lt. Governor Castle presiding.

HB 458 w HA 1 was taken up for consideration on motion of Senator Marshall:

HB 458 w HA 1 - AN ACT AMENDING 28 DELAWARE CODE, CHAPTER 3, RELATING TO THE TAX ON PARI-MUTUEL INCOME FROM A RACING MEET.

At the request of Senator Marshall, Senator Sharp floor-managed the Bill.

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

On motion of Senator Cook, the roll call vote on HB 469 was lifted from the table and rescinded.

The Bill was then before the Senate for reconsideration.

Senator Littleton moved that the roll call vote on SA 1 to the Bill be rescinded. The roll call vote on the motion to rescind was taken and revealed:

YES: Senators Adams, Citro, Connor, Cook, Cordrey, Knox, Littleton, McDowell, Minner, Neal, Torbert, Zimmerman - 12.

NO: Senators Arnold, Bair, Berndt, Holloway, Marshall, Martin, McBride, Sharp, Vaughn - 9.

Therefore, the motion prevailed and a new roll call vote on SA 1 to HB 469 was taken and revealed:

YES: Senators Adams, Connor, Cook, Cordrey, Knox, Littleton, McDowell, Minner, Neal, Torbert, Zimmerman - 11.

NO: Senators Bair, Berndt, Citro, Martin, Sharp, Vaughn - 6.

NOT VOTING: Senators Arnold, Holloway, Marshall, McBride - 4.

Therefore, the Amendment was declared adopted.

SA 3 to the Bill was lifted from the table for consideration on motion of Senator Knox and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Bair, Citro, Connor, Cook, Cordrey, Knox, Littleton, Martin, McDowell, Neal, Torbert, Vaughn, Zimmerman - 15.

NO: Senators Berndt, Holloway, Marshall, McBride, Minner, Sharp - 6.

Therefore, the Amendment was declared adopted.

The roll call vote on HB 469 w SA 1, 3 was then taken and revealed:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Cook, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn - 17.

NO: Senators Adams, Cordrey, Minner, Zimmerman - 4.

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

SB 283 w SA 1 was stricken at the request of the sponsor, Senator McDowell.

SA 4 to HB 469 was stricken at the request of Senator McDowell.

SB 355 was stricken at the request of the sponsor, Senator Holloway.

At 7:53 p.m. on motion of Senator Sharp, the Senate recessed to 2:00 p.m., March 27, 1984.

The Senate reconvened at 2:39 p.m., March 27, 1984, Senator Cordrey presiding.

The following legislation was introduced:

SB 394 - AN ACT TO AMEND CHAPTER 90, VOLUME 64, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1984; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS"; TO PROVIDE FOR A CONTINGENCY APPROPRIATION FOR STATE SPECIAL FUNDS FOR THE FISCAL YEAR ENDING JUNE 30, 1984. Sponsors: Senator Cook, Representative Bennett. Assigned to Finance Committee.

SB 395 - AN ACT TO PROVIDE FOR A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF COMMUNITY AFFAIRS TO BE UTILIZED FOR PURPOSES OF EXPANDING ITS SUMMER YOUTH EMPLOYMENT PROGRAM. Sponsor: Senator Holloway. Assigned to Finance Committee.

SB 396 - AN ACT TO AMEND CHAPTER 17, TITLE 18, DELAWARE CODE, RELATING TO THE TERMINATION OF INSURANCE AGENCY APPOINTMENT UPON SHOWING OF GOOD CAUSE. Sponsors: Senator Vaughn; Representatives Mack, Barnes, Wingate. Assigned to Insurance and Elections Committee.

SB 397 - AN ACT TO AMEND CHAPTER 55, TITLE 30, DELAWARE CODE, RELATING TO THE DEFINITION OF GROSS RECEIPTS. Sponsor: Senator Berndt. Assigned to Revenue and Taxation Committee.

SS 1 for SB 291 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER II, TITLE 30, DELAWARE CODE, RELATING TO PROVIDING A TAX CREDIT TO INVESTORS IN CONDOMINIUMS WHO LEASE UNITS TO ELDERLY TENANTS. Sponsors: Senators McDowell, Berndt; Representatives Dixon, Smith. Assigned to Revenue and Taxation Committee.

The Secretary announced that a message from the House informed the Senate that it had passed HB 239 w HA 1, HB 396 w HA 1, 2 and adopted SCR 100.

The following legislation was introduced:

HB 239 w HA 1 - AN ACT TO AMEND CHAPTER 14, TITLE 14 OF THE DELAWARE CODE RELATING TO THE CONDUCT OF TEACHER TERMINATION HEARINGS. Sponsors: Representatives Jester, Free, Outten, Roy; Senators Bair, Vaughn. Assigned to Education Committee.

HB 396 w HA 1, 2 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. Sponsors: Representative Anderson and Senator Martin. Assigned to Highways and Transportation Committee.

At 2:44 p.m., Lt. Governor Castle presiding.

SB 374 was reported out of the Labor and Industrial Relations Committee: 1 Favorable, 6 Merits.

SCR 101 was introduced and laid on the table on motion of Senator Cordrey:

SCR 101 - COMMENDING TERESA G. CAREY OF THE INDIAN RIVER SCHOOL DISTRICT FOR BEING SELECTED AS DELAWARE TEACHER OF THE YEAR FOR 1984. Sponsors: Senators Cordrey, McBride; Representatives Bunting, Jester.

SCR 102 was introduced and considered for adoption on motion of Senator Vaughn:

SCR 102 - CALLING ON THE U.S. ARMY CORPS OF ENGINEERS TO BUILD A NEW BRIDGE OVER THE CHESAPEAKE AND DELAWARE CANAL AT ST. GEORGES. Sponsors: Senator Vaughn, Representative Jester.

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

The privilege of the floor was extended to two Vietnam Veterans, James H. Harbison, President and Col. Edward M. Jentz, (USA Ret.), Treasurer of the Vietnam Veterans of America Delaware Chapter #83.

At 2:56 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 15th Legislative Day.

15TH LEGISLATIVE DAY

March 27, 1984

The Senate convened at 2:56 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

SR 132 was introduced and considered for adoption on motion of Senator Holloway:

SR 132 - CONGRATULATING MARY MCDONOUGH AND JAMES TEOLI UPON BEING NAMED AS RECIPIENTS OF THE NATIONAL COUNCIL OF CHRISTIANS AND JEWS COMMUNITY BUILDER AWARD. Sponsor: Senator Holloway.

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

SS 1 for SB 357 was taken up for consideration on motion of Senator Cook:

SS 1 for SB 357 - AN ACT TO AMEND CHAPTER 90, VOLUME 64, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1984; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS"; RELATING TO THE APPROPRIATIONS FOR MEMORANDUM BUDGET OF VIOLENT CRIMES COMPENSATION BOARD.

Senators Connor marked PRESENT.

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

At 3:07 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:20 p.m., Senator Cordrey presiding.

Senator Minner marked PRESENT.

SA 1 to SB 213 was introduced by Senator Marshall. Placed with the Bill.

At 4:21 p.m., Lt. Governor Castle presiding.

On motion of Senator Adams, the Governor's nomination for appointment of John M. Maiorano was taken up for consideration and the roll call vote taken which revealed 17 Senators voting YES and 4 (Arnold, Bair, Berndt, Citro) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Sally H. Higgins was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Arnold) ABSENT; therefore, the appointment was declared confirmed.

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

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

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

SB 127 - AN ACT TO AMEND CHAPTER 15, TITLE 13, OF THE DELAWARE CODE, RELATING TO AN AWARD OF ALIMONY IN DIVORCE AND ANNULMENT ACTIONS.

The privilege of the floor was extended to Roy E. Thomas (Consultant) after which the Bill was laid on the table on motion of Senator Holloway.

Senator Berndt was granted personal privilege of the floor.

SCR 103 was introduced and considered for adoption on motion of Senator Bair:

SCR 103 - WELCOMING HONORS PROGRAM STUDENTS FROM THE TALLEY JUNIOR HIGH SCHOOL AS THEY VISIT THE LEGISLATIVE HALL AND OBSERVE THE GENERAL ASSEMBLY IN ACTION TODAY, MARCH 29, 1984. Sponsors: Senator Bair, Representative Smith; Senators Knox, Berndt, Holloway, McDowell; Representatives Hebner, Ennis, Maroney, Brady, Boykin, Plant, George.

The roll call vote on the Bill was taken and revealed 17 Senators voting YES and 4 (Minner, Sharp, Torbert, Zimmerman) NOT VOTING; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

At 5:13 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., March 28, 1984.

The Senate reconvened at 2:51 p.m., Senator Cordrey presiding.

SB 398 was introduced and assigned to Judiciary Committee:

SB 398 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 5, TITLE 13 OF THE DELAWARE CODE RELATING TO VIOLATION OF SUPPORT ORDERS. Sponsors: Senator Holloway, Representative VanSant; Senators Knox, Bair, McDowell, Neal, Berndt; Representatives Gilligan, Hebner, Jester, Roy, Sills, Soles, Terry.

The Secretary announced that a message from the House informed the Senate that it had passed HB 407 w HA 1; HS 1 for HB 320 w HA 1; HS 1 for HB 420 w HA 1, 2.

The following legislation was introduced:

HS 1 for HB 320 w HA 1 - AN ACT TO AMEND CHAPTER 28, TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONAL ENGINEERS AND THE PRACTICE OF ENGINEERING. Sponsors: Representatives Soles, Barnes; Senators McBride, Neal. Assigned to Administrative Services/Energy Committee.

HB 407 w HA 1 - AN ACT TO AMEND TITLE 21, CHAPTER 27, DELAWARE CODE, RELATING TO PERSONS EXEMPTED FROM DRIVER'S LICENSE REQUIREMENTS. Sponsors: Representatives Buckworth and Quillen. Assigned to Public Safety Committee.

HS 1 for HB 420 w HA 1, 2 - AN ACT TO AMEND CHAPTER 31, TITLE 15 OF THE DELAWARE CODE TO PROVIDE FOR NOMINATING CONVENTIONS FOR STATEWIDE ELECTIVE OFFICES. Sponsors: Representative Jonkert, Senator Sharp. Assigned to Insurance and Elections Committee.

At 2:55 p.m. Lt. Governor Castle presiding.

At 2:55 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 16th Legislative Day.

16TH LEGISLATIVE DAY March 28, 1984

The Senate convened at 2:55 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

Legislative Advisory #25 received from the Office of Counsel to the Governor was read which informed the Senate of the Governor's action on passed legislation as follows: On March 26, 1984 the Governor signed HB 131 w HA 1, 2, 3, SA 1 (Volume 64, Chapter 236, Laws of Delaware), HB 451 (Volume 64, Chapter 237, Laws of Delaware). On March 27 the Governor signed SB 339 (Volume 64, Chapter 238, Laws of Delaware), HB 212 (Volume 64, Chapter 239, Laws of Delaware). On March 15 the Governor signed SCR 90 (no chapter assigned).

* * * * *

SB 300 was taken up for consideration on motion of Senator Holloway:

SB 300 - AN ACT TO AMEND CHAPTER 64, TITLE 7, DELAWARE CODE, RELATING TO POWERS OF THE DELAWARE SOLID WASTE AUTHORITY.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to N. C. Vasuki (Delaware Solid Waste Authority), Captain George A. Childs (The Salvation Army A.R.C.), and Douglas M. Werber (Goodwill Industries).

SA 1 to the Bill (sponsored by Senator Holloway) was introduced and laid on the table.

SA 2 to the Bill (sponsored by Senator Holloway) was introduced and considered for adoption on motion of Senator Holloway.

Senator Bair marked PRESENT.

At 3:19 p.m. Senator Sharp presiding.

At 3:25 p.m. a short recess was taken due to an electric power shortage.

The roll call vote on SA 2 was taken on motion of Senator Holloway and revealed:

YES: Senators Adams, Bair, Citro, Holloway, Littleton, Marshall, McBride, McDowell, Sharp - 9.

NO: Senators Arnold, Berndt, Cook, Cordrey, Knox, Martin, Minner, Neal, Torbert, Vaughn - 10.

NOT VOTING: Senator Zimmerman - 1.

ABSENT: Senator Connor - 1.

Therefore, the Amendment was declared defeated.

SA 1 to the Bill was lifted for consideration on motion of Senator Holloway and the roll call vote taken which revealed:

YES: Senators Bair, Citro, Holloway, Littleton, Marshall, McDowell, Sharp - 7.

NO: Senators Adams, Arnold, Berndt, Connor, Cook, Cordrey, Knox, Martin, McBride, Minner, Neal, Torbert, Vaughn, Zimmerman - 14.

Therefore, the Amendment was declared defeated.

SA 3 to the Bill was introduced by Senator Bair and immediately stricken on her motion.

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

At 4:22 p.m. on motion of Senator Cordrey, the Senate recessed for Party Caucus and reconvened at 5:09 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SB 399 - AN ACT TO PROVIDE FOR A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF ADMINISTRATIVE SERVICES, DIVISION OF FACILITIES MANAGEMENT, FOR THE PURPOSE OF AN EMERGENCY CONCERNING ASBESTOS DETECTION AND REMOVAL IN STATE OWNED BUILDINGS, AND TO ESTABLISH AN AD HOC COMMITTEE TO COORDINATE AND OVERSEE THE ASBESTOS THREAT REMOVAL PROGRAM. Sponsors: Senators Zimmerman, Vaughn, Torbert, Sharp, Holloway, Berndt, Adams, Martin, McDowell, Minner, Cordrey; Representatives Buckworth, Clendaniel, Dixon, Houghton, Jonkiert, Outten, Plant, Sills, West. Assigned to Finance Committee.

SB 400 - AN ACT TO AMEND CHAPTER 52, TITLE 29, OF THE DELAWARE CODE RELATING TO HEALTH CARE INSURANCE FOR STATE POLICE OFFICERS. Sponsor: Senator Adams. Assigned to Insurance and Elections Committee.

SA 3 to SB 81. Sponsor: Senator Sharp. Placed with the Bill.

SR 133 - COMMENDING KATHRYN BUCKALEW OF CLAYMONT HIGH SCHOOL, DELAWARE STATE D.E.C.A. PRESIDENT 1983-1984. Sponsor: Senator Berndt.

The Resolution was considered for adoption on motion of Senator Berndt and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Resolution was declared adopted.

At 5:14 p.m. on motion of Senator Sharp, the Senate recessed until 2:05 p.m., March 29, 1984.

The Senate reconvened at 2:07 p.m., March 29, 1984, Senator Cordrey presiding.

SB 401 was introduced and assigned to Executive Committee:

SB 401 - AN ACT DIRECTING THE GOVERNOR AND THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO EXECUTE AND DELIVER DEEDS TO CERTAIN PERSONS FOR LAND IN BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE. Sponsor: Senator Cordrey. Assigned to Executive Committee.

The following Committee reports were announced:

From the Judiciary Committee: SB 329 - 3 Merits, SB 340 - 3 Merits, SB 346 - 4 Merits, SB 353 - 4 Merits, SB 354 - 4 Merits, SB 363 - 3 Merits, SB 369 - 4 Merits, SB 383 - 3 Merits, SB 389 - 4 Merits, SB 391 - 4 Merits, SB 398 - 3 Merits.

From the Administrative Services/Energy Committee: HJR 14 - 5 Merits.

At 2:10 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 17th Legislative Day.

17TH LEGISLATIVE DAY March 29, 1984

The Senate convened at 2:10 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Adams.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 166, HCR 167, HCR 168, HCR 169, SCR 102.

Senators McDowell and Littleton marked PRESENT.

SB 347 was taken up for consideration on motion of Senator Marshall:

SB 347 - AN ACT TO AMEND CHAPTER 25, TITLE 24, DELAWARE CODE, RELATING TO RENEWAL OF LICENSES TO PHARMACISTS AND TO ASSISTANT PHARMACISTS.

The privilege of the floor was extended to Henry Ridgely and Gary Dalton, Senate Attorneys.

Senator Bair marked PRESENT.

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

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

SB 81 - AN ACT TO AMEND CHAPTERS 25 AND 5 OF TITLE 18, DELAWARE CODE, TO REQUIRE HEALTH AND ACCIDENT INSURANCE COMPANIES AND HEALTH SERVICE CORPORATIONS TO FILE RATES 90 DAYS PRIOR TO THE EFFECTIVE DATE AND REQUIRING COMPLETE ANNUAL STATEMENTS FROM HEALTH SERVICE CORPORATIONS.

SA 3 to the Bill was laid on the table on motion of Senator Sharp.

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

SB 389 was laid on the table on motion of Senator Cook.

HJR 14 was taken up for consideration on motion of Senator McDowell:

HJR 14 - EXTENDING THE ORIGINAL REPORTING DATE OF JANUARY 24, 1984 FOR THE AD HOC CAPIUS COMMITTEE, TO MAY 1, 1984.

Senator Sharp resigned from the Ad Hoc Capius Committee and assigned Senator Holloway to take his place.

At 2:35 p.m., Lt. Governor Castle presiding.

The roll call vote on HJR 14 was taken and revealed 18 Senators voting YES and 3 (Citro, Connor, Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SB 346 and SB 353 were stricken on motion of the sponsor, Senator Zimmerman.

At 2:40 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 3:46 p.m., Senator Cordrey presiding.

On motion of Senator Sharp, Senate Consent Calendar Number 13 was taken up for consideration. The 4 House Concurrent Resolutions on the Calendar were as follows:

HCR 166 - RECOGNIZING THE OUTSTANDING CONTRIBUTIONS MADE BY WOMEN IN THE GROWTH AND DEVELOPMENT OF THE GREAT STATE OF DELAWARE AND THE NATION, AND COMMEMORATING WOMEN'S HISTORY WEEK, MARCH 4-10, 1984. Sponsors: Representatives Maroney, Smith, Boykins, Soles, Anderson, Jester, Fallon; Senators Minner, Cook.

HCR 167 - CONGRATULATING BROTHER ELMO BRANSBY OF LANCASTER, PENNSYLVANIA UPON COMPLETING FIFTY YEARS OF SERVICE IN THE RELIGIOUS PROFESSION. Sponsors: Representative Smith; Senator Berndt.

HCR 168 - CONGRATULATING BROTHER THOMAS MEANY UPON COMPLETION OF TWENTY FIVE YEARS OF SERVICE TO THE RELIGIOUS PROFESSION. Sponsors: Representative Smith; Senator Berndt.

HCR 169 - COMMENDING CAESAR RODNEY COACH MARSHALL EMERY ON BEING HONORED AS COACH OF THE YEAR. Sponsors: Representative Buckworth; Senator Torbert.

Senators Connor, Martin, Citro marked PRESENT.

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

The following memo was read from the President pro Tem:

SENATE
STATE OF DELAWARE
DOVER, DELAWARE
March 29, 1984

TO: The Senate of the 132nd General Assembly and
The House of Representatives of the 132nd General Assembly
FROM: Senator Richard S. Cordrey, President pro Tempore
SUBJECT: Appointment change Ad Hoc Capius Committee

As per the authority invested in me with the passage of House Joint Resolution No. 8, I am appointing Senator Herman M. Holloway to replace Senator Thomas B. Sharp.

CC: House of Representatives

* * * * *

At 3:55 p.m., Lt. Governor Castle presiding.

SB 81 was lifted from the table for consideration on motion of Senator Sharp.

SA 4 to the Bill was introduced and considered for adoption on motion of Senator Sharp. The roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (Martin) ABSENT; therefore, the Amendment was declared adopted.

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

SA 1, SA 2 and SA 3 to the Bill were lifted and stricken on motion of Senator Sharp.

The roll call vote on SB 81 w SA 4 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 389 was taken up for consideration on motion of Senator Adams:

SB 389 - AN ACT TO AMEND CHAPTERS 9 AND 11 OF TITLE 13, DELAWARE CODE, RELATING TO ACCESS TO INFORMATION IN ADOPTION RECORDS OF AN ADOPTED INDIVIDUAL WHEN MEDICAL TREATMENT IS NEEDED FOR THE HEALTH OF THE ADOPTED INDIVIDUAL OR ANY BLOOD RELATIVE OF THE ADOPTED INDIVIDUAL.

The privilege of the floor was extended to Gary Dalton (Senate Attorney) after which the Bill was laid on the table on motion of Senator Adams.

At 4:30 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., April 3, 1984.

The Senate reconvened at 2:45 p.m., April 3, 1984, Lt. Governor Castle presiding.

The following legislation was introduced:

SB 402 - AN ACT DIRECTING THE DIVISION OF BUSINESS AND OCCUPATIONAL REGULATION TO PROMULGATE RULES AND REGULATIONS REGARDING THE USE OF THUMBLESS BOXING GLOVES. Sponsor: Senator Holloway. Assigned to Administrative Services/Energy Committee.

SB 403 - AN ACT TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE RELATING TO A TAX DEDUCTION FOR HEALTH INSURANCE PREMIUMS PAID BY SELF-EMPLOYED TAXPAYER. Sponsors: Senator Adams, Representative Clark. Assigned to Revenue and Taxation Committee.

SR 134 - REQUESTING THE SECRETARY OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES TO ENTER INTO A DISCUSSION WITH AT&T FOR THE PURPOSE OF HAVING AT&T INSTALL CREDIT CARD TELEPHONES IN LEGISLATIVE HALL. Sponsor: Senator McDowell. Laid on the table on motion of the sponsor.

SR 135 - COMMENDING THE NEW CASTLE COUNTY FUNERAL HOMES ASSOCIATION FOR THEIR VOLUNTARY POLICY OF PROPER SERVICE TO THE PUBLIC NOTWITHSTANDING THE RECENT FEDERAL TRADE COMMISSION RULE WHICH WENT INTO EFFECT JANUARY 1, 1984. Sponsor: Senator Holloway. Laid on the table on motion of the sponsor.

SCR 104 - WELCOMING THE MEMBERS OF THE ACADEMY OF LIFELONG LEARNING FROM THE UNIVERSITY OF DELAWARE AS THEY VISIT THE 132ND GENERAL ASSEMBLY. Sponsors: Senators Marshall, McBride, Berndt, Cook, Holloway, Minner, Torbert, Vaughn, Martin, McDowell; Representatives Jonkier, Terry, Campanelli, B. Ennis and Davis. Laid on the table on motion of Senator Marshall.

SCR 105 - CONGRATULATING ALLEN J. COOK, III OF SMYRNA HIGH SCHOOL UPON WINNING THE STATE WRESTLING CHAMPIONSHIP IN THE 132 LB. WEIGHT CLASS AS PART OF AN OUTSTANDING HIGH SCHOOL ATHLETIC CAREER. Sponsors: Senators Vaughn, Cook; Representatives B. Ennis, Clark. Laid on the table on motion of Senator Vaughn.

The Secretary announced that a message from the House informed the Senate that it had passed HB 371 w HA 1, 2; HB 398 w HA 1; HB 440 w HA 1; HB 447 w HA 1.

The following legislation was introduced:

HB 371 w HA 1, 2 - AN ACT TO MODERNIZE THE LAWS RELATING TO THE DELAWARE NATIONAL GUARD. Sponsors: Representative Gilligan, Senator Adams. Assigned to Executive Committee.

HB 398 w HA 1 - AN ACT TO AMEND SECTION 1109(a), CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO ADDITIONAL DEDUCTION FOR CERTAIN EXPENSES INCURRED IN PERFORMING VOLUNTEER SERVICES FOR CHARITABLE ORGANIZATIONS. Sponsor: Representative Bennett. Assigned to Revenue and Taxation Committee.

HB 440 w HA 1 - AN ACT TO AMEND CHAPTERS 10, 19 AND 21, OF TITLE 14, DELAWARE CODE, RELATING TO THE TIME OF SCHOOL BOARD ELECTIONS. Sponsor: Representative Bennett. Assigned to Education Committee.

HB 447 w HA 1 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE CONTROL OF GIANT REED GRASS (PHRAGMITES AUSTRALIS). Sponsors: Representatives Terry, Clark; Senator Zimmerman. Assigned to Natural Resources and Environmental Control Committee.

SCR 105 was lifted for consideration on motion of Senator Vaughn:

SCR 105 - CONGRATULATING ALLEN J. COOK, III OF SMYRNA HIGH SCHOOL UPON WINNING THE STATE WRESTLING CHAMPIONSHIP IN THE 132 LB. WEIGHT CLASS AS PART OF AN OUTSTANDING HIGH SCHOOL ATHLETIC CAREER.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES and 4 (Citro, Connor, Holloway, Littleton) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

At 2:53 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 18th Legislative Day.

18TH LEGISLATIVE DAY
April 3, 1984

The Senate convened at 2:53 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Adams.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

Senator Littleton marked PRESENT.

Legislative Advisory #26 received from the Office of Counsel to the Governor was read which informed the Senate that on March 28, 1984, the Governor signed HB 469 w SA 1, 3 (Volume 64, Chapter 240, Laws of Delaware); on March 29 the Governor signed HB 211 (Volume 64, Chapter 241, Laws of Delaware), HB 264 w HA 2, 3 (Volume 64, Chapter 242, Laws of Delaware), HB 301 (Volume 64, Chapter 243, Laws of Delaware), HB 458 w HA 1 (Volume 64, Chapter 244, Laws of Delaware).

SB 384 was reported from the Revenue and Taxation Committee: 1 Favorable, 5 Merits.

SB 369 was taken up for consideration on motion of Senator Minner:

SB 369 - AN ACT TO AMEND CHAPTER 51, TITLE 10, OF THE DELAWARE CODE TO ALLOW A PLAINTIFF WHO ENTERS A CIVIL SUIT IN JUSTICE OF THE PEACE COURT NO. 5 AGAINST A CITIZEN WHO RESIDES IN MILFORD TO RECOVER COSTS DUE TO MILFORD'S UNIQUE DUAL COUNTY STATUS.

Senator McBride marked PRESENT.

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

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

SB 398 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 5, TITLE 13 OF THE DELAWARE CODE RELATING TO VIOLATION OF SUPPORT ORDERS.

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

At 3:10 p.m. on motion of Senator Cordrey, the Senate recessed for Party Caucus and reconvened at 4:30 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SB 404 - AN ACT TO AMEND TITLE 29, CHAPTER 11, DELAWARE CODE, RELATING TO LEGISLATIVE COUNCIL BY CORRECTING TECHNICAL ERRORS AND REMOVING OUTDATED PROVISIONS. Sponsor: Senator Sharp. Assigned to Executive Committee.

SB 405 - AN ACT ENTITLED "THE TAX REFORM ACT OF 1984", WHICH AMENDS CHAPTER 11, TITLE 30 OF THE DELAWARE CODE, TO INCREASE THE ALLOWABLE DEDUCTION FOR PERSONAL EXEMPTION FROM \$600 TO \$800, AND RELATING TO REQUIREMENT TO FILE ON DELAWARE STATE INCOME TAX. Sponsors: Senator Sharp, Representative Gilligan, Senator Cordrey, Representative George, Senator McDowell, Representative Clendaniel, Senator Cook, Representative Bennett; Senators Adams, Holloway, Marshall, Martin, McBride, Minner, Torbert, Vaughn, Zimmerman; Representatives Anderson, Brady, Bunting, Campanelli, Clark, Cordrey, Dixon, B. Ennis, Houghton, Jester, Jonkert, Meconi, Outten, Plant, Sills, Soles, Terry, VanSant, West, Wingate. Assigned to Finance Committee. Senator Marshall requested that the Bill be reassigned to the Revenue and Taxation Committee; however, the request was denied by the Chair.

SB 406 - AN ACT TO AMEND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE RELATING TO THE PREPARATION OF PLANS AND SPECIFICATIONS FOR PUBLIC WORKS CONTRACTS. Sponsors: Senators Minner, Bair, Neal, Martin, McBride; Representatives Anderson, Jester, Outten, Soles, D. Ennis. Assigned to Labor and Industrial Relations Committee.

SB 407 - AN ACT CONCERNING THE RESPONSIBILITY OF DELAWARE MUNICIPALITIES AND COUNTIES TO DISPLACE COMPETITION WITH REGARD TO CERTAIN MUNICIPAL, COUNTY AND FRANCHISED SERVICES. Sponsors: Senators Cordrey, Adams, Martin, Vaughn, Neal, Knox, Citro. Assigned to Community Affairs Committee.

SA 1 to SB 390. Sponsor: Senator Knox. Placed with the Bill.

SR 136 - COMMENDING THE ALFRED I. DU PONT INSTITUTE OF THE NEMOURS FOUNDATION FOR THE LEADERSHIP AND EXCELLENCE IT PROVIDES IN THE CARE AND TREATMENT OF CRIPPLED CHILDREN. Sponsors: Senators Bair, Holloway, Knox, McDowell, Berndt; Representatives VanSant, Smith, Sills, Maroney, Soles, Jester. Laid on the table.

SR 135 was lifted from the table for consideration on motion of Senator Holloway and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Resolution was declared adopted.

SB 354 was taken up for consideration on motion of Senator Vaughn:
SB 354 - AN ACT TO AMEND CHAPTER 90, TITLE 11, DELAWARE CODE RELATING TO PAYMENT OF COMPENSATION TO INNOCENT VICTIMS OF CRIME.

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

The roll call vote on SB 354 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SJR 11 was stricken on motion of the sponsor, Senator Marshall.

At 4:45 p.m. on motion of Senator Sharp, the Senate recessed to 2:05 p.m., April 4, 1984.

The Senate reconvened at 2:19 p.m., April 4, 1984, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 467 w HA 1; HB 465 w HA 1, 2; SB 289; SB 97; SB 297 w SA 2; HB 393 and adopted SCR 97.

The following Committee reports were announced:

From the Insurance and Elections Committee: SB 396 - 3 Merits; HS 1 for HB 420 w HA 1, 2 - 1 Favorable, 2 Merits.

The following legislation was introduced:

HB 393 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE TO ALLOW SPECIAL PLATES FOR JUSTICES OF THE PEACE. Sponsors: Representatives Dixon and Spence. Assigned to Judiciary Committee.

HB 465 w HA 1, 2 - AN ACT TO AMEND CHAPTERS 22, 45 AND 67, TITLE 9, DELAWARE CODE RELATING TO LATE PENALTIES FOR FAILURE TO PAY SEWER SERVICE CHARGES. Sponsor: Representative Smith. Assigned to Community Affairs Committee.

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

HB 467 w HA 1 - AN ACT TO AMEND CHAPTER 25, SUBCHAPTER VI OF TITLE 24 OF THE DELAWARE CODE RELATING TO SUBSTITUTION OF DRUGS. Sponsors: Representatives VanSant, Cordrey, Sills, West; Senators Holloway, McBride. Assigned to Health-Social Services/Aging Committee.

SCR 106 was introduced and considered for adoption on motion of Senator Bair:

SCR 106 - COMMENDING THE ALFRED I. DU PONT INSTITUTE OF THE NEMOURS FOUNDATION FOR THE LEADERSHIP AND EXCELLENCE IT PROVIDES IN THE CARE AND TREATMENT OF CRIPPLED CHILDREN. Sponsors: Senators Bair, Holloway, Knox, McDowell, Berndt; Representatives VanSant, Smith, Sills, Maroney, Soles and Jester.

Pursuant to the Resolution, Thomas Terry, Administrator of the Alfred I. duPont Institute in Wilmington was introduced to the Senate, after which the roll call vote on the Resolution was taken and revealed 16 Senators voting YES and 5 (Berndt, Connor, Cook, Martin, McDowell) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

At the request of Senator Zimmerman, the privilege of the floor was extended to David Day, winner of the American Legion Oratorical Contest.

SCR 107 was introduced by Senator McBride and considered for adoption on his motion:

SCR 107 - HONORING CINDY LUTES UPON HER SELECTION AS DELAWARE MISS T.E.E.N. AND ON HER REPRESENTING OUR STATE IN THE NATIONAL COMPETITION IN ALBUQUERQUE NEW MEXICO ON DECEMBER 2 OF LAST YEAR. Sponsors: Senator McBride and Arnold; Representative Petrilli.

Pursuant to the above Resolution, the privilege of the floor was extended to Cindy Lutes after which the roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Connor and Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

The following Committee reports were announced:

From the Corrections Committee: SB 350 - 4 Merits.

From the Executive Committee: SB 404 - 5 Merits; HB 371 w HA 1, 2 - 5 Merits; SB 401 - 1 Favorable, 3 Merits.

SR 134 was lifted from the table for consideration on motion of Senator McDowell:

SR 134 - REQUESTING THE SECRETARY OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES TO ENTER INTO A DISCUSSION WITH AT&T FOR THE PURPOSE OF HAVING AT&T INSTALL CREDIT CARD TELEPHONES IN LEGISLATIVE HALL.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Littleton, Marshall, Martin, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 17.

NO: Senator Neal - 1.

NOT VOTING: Senator Knox - 1.

ABSENT: Senators Holloway and McBride - 2.

Therefore, the Resolution was declared adopted.

SB 405 was reassigned to the Revenue and Taxation Committee at the request of Senator Cook.

At 2:50 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 19th Legislative Day.

19TH LEGISLATIVE DAY
April 4, 1984

The Senate convened at 2:50 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

SB 362 w SA 2, 4 was lifted from the table for consideration on motion of Senator Vaughn.

Senator McDowell marked PRESENT.

During discussion of the Bill and the additional Amendments offered to it, the privilege of the floor was extended to Frank W. Elcherly, IV (Commercial Fisherman), Philip A. Messina, Jr. (Delaware Saltwater Sportfishing Association), Gary Dalton (Senate Attorney) and Henry Ridgely (Senate Attorney).

SA 5 to the Bill was introduced and considered for adoption on motion of Senator Vaughn. The roll call vote on the Amendment was taken and revealed 18 Senators voting YES and 3 (Minner, Torbert, Zimmerman) voting NO; therefore, the Amendment was declared adopted.

SA 6 to the Bill was introduced by Senator Minner and considered for adoption on her motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Connor, Knox, Littleton, Marshall, Minner, Torbert, Zimmerman - 7.

NO: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Martin, McBride, McDowell, Neal, Sharp, Vaughn - 13.

NOT VOTING: Senator Holloway - 1.

Therefore, the Amendment was declared defeated.

SA 7 to the Bill was introduced by Senator Minner and considered for adoption on her motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Berndt, Connor, Holloway, Knox, Littleton, Martin, Minner, Torbert, Zimmerman - 10.

NO: Senators Arnold, Bair, Citro, Cook, Cordrey, Marshall, McBride, McDowell, Neal, Sharp, Vaughn - 11.

Therefore, the Amendment was declared defeated.

The roll call vote on SB 362 w SA 2, 4, 5 was then taken on motion of Senator Vaughn and revealed 19 Senators voting YES and 2 (Minner and Zimmerman) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 384 was taken up for consideration on motion of Senator McBride:

SB 384 - AN ACT TO AMEND PART IV, TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES; AND PROVIDING FOR A TAX ON CERTAIN CONTROLLED SUBSTANCES.

SA 1 to the Bill was introduced by Senator McBride. The Bill and the Amendment were then laid on the table on motion of Senator McBride.

SB 383 was taken up for consideration on motion of Senator Torbert:

SB 383 - AN ACT TO AMEND CHAPTER 5, PART I, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE; AND PROVIDING FOR A PROHIBITION AGAINST CERTAIN KEYS OR OTHER DEVICES WHICH PERMIT THE USER TO ENTER AND/OR OPERATE A MOTOR VEHICLE WITHOUT THE PROPER IGNITION KEY.

The privilege of the floor was extended to Gary Dalton (Senate Attorney) after which the Bill was laid on the table on motion of Senator Torbert.

HB 371 w HA 1, 2 was taken up for consideration on motion of Senator Adams:

HB 371 w HA 1, 2 - AN ACT TO MODERNIZE THE LAWS RELATING TO THE DELAWARE NATIONAL GUARD.

The privilege of the floor was extended to Colonel James P. Adams, Delaware National Guard, after which the Bill was laid on the table on motion of Senator Adams.

SCR 108 was introduced and considered for adoption on motion of Senator Cook:

SCR 108 - EXTENDING SIXTY-FIVE "HEARTY" BIRTHDAY WISHES TO DUANE OLSEN, CONTROLLER GENERAL, ON THIS FOURTH DAY OF APRIL, 1984. Sponsors: Senator Cook; Representative Bennett.

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

At 4:58 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., April 5, 1984.

The Senate reconvened at 2:01 p.m., April 5, 1984, Senator Cordrey presiding.

The following Committee reports were announced:

From the Highways and Transportation Committee: HB 396 w HA 1, 2 - 5 Merits; SB 386 - 6 Merits.

The following legislation was introduced:

SB 408 - AN ACT TO AMEND SUBCHAPTER III, CHAPTER 20, TITLE 15, DELAWARE CODE, RELATING TO REGISTRATION BY MAIL. Sponsors: Senators McDowell, Martin, Adams, Cordrey, Holloway, Marshall, McBride, Minner, Torbert, Vaughn, Zimmerman; Representatives Campanelli, Jonkiert, Soles. Assigned to Insurance and Elections Committee.

SB 409 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 11, TITLE 30, OF THE DELAWARE CODE TO PROVIDE FOR AN INCOME TAX CREDIT NOT TO EXCEED \$50.00, FOR DEPENDENT CARE EXPENSES INCURRED BY VOLUNTEERS TO CHARITABLE ORGANIZATIONS. Sponsor: Senator Bair. Assigned to Revenue and Taxation Committee.

SB 410 - AN ACT TO AMEND CHAPTER 13, TITLE 2, DELAWARE CODE RELATING TO MOTOR FUEL TAX REIMBURSEMENT FUND. Sponsor: Senator Minner. Assigned to Highways and Transportation Committee.

SB 411 - AN ACT TO AMEND DELAWARE CODE, TITLE 16, AS IT RELATES TO THE REGULATORY PROVISIONS CONCERNING PUBLIC HEALTH FOR RESIDENTIAL FACILITIES FOR DEVELOPMENTALLY DISABLED PERSONS. Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

SJR 12 - PROVIDING FOR THE ESTABLISHMENT OF AN AD HOC COMMITTEE TO RECOMMEND A COMPREHENSIVE STATE PLAN FOR ASBESTOS DETECTION AND CONTROL IN STATE OWNED BUILDINGS. Sponsors: Senators Zimmerman, Vaughn, Torbert, Sharp, Holloway, Berndt, Adams, Martin, McDowell, Minner, Cordrey; Representatives Buckworth, Clendaniel, Dixon, Houghton, Jonkiert, Outten, Plant, Sills, West. Assigned to Administrative Services/Energy Committee.

SA 1 to SB 389. Sponsor: Senator Adams. Placed with the Bill.

SA 2 to SB 384. Sponsor: Senator McBride. Placed with the Bill.

At 2:07 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 20th Legislative Day.

20TH LEGISLATIVE DAY April 5, 1984

The Senate convened at 2:07 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Arnold.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 20.

ABSENT: Senator Neal - 1.

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

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 171; HCR 172; HCR 173; HCR 174; HCR 175; SCR 105; SCR 106; SCR 107; SCR 108.

The following legislation was introduced:

HCR 172 - REQUESTING OBSERVANCE OF VICTIM AWARENESS WEEK. Sponsors: Representatives Terry, Houghton; Senator Minner. Laid on the table.

HCR 171 - MOURNING THE DEATHS OF DR. FRANK O'BRIEN, CRUSADER FOR CLEAN AIR, AND OF HIS WIFE, NOTED PEDIATRICIAN, DR. MARGARET SMITH O'BRIEN. Sponsors: Representatives Maroney, Smith, D. Ennis, Sills; Senators McDowell, Holloway. Laid on the table.

HCR 173 - COMMEMORATING THE DELAWARE BOARD OF NURSING ON THE OCCASION OF THE SEVENTY-FIFTH ANNIVERSARY OF THE BOARD, 1909-1984. Sponsors: Representative Quillen and all Representatives and all Senators. Laid on the table.

HCR 174 - EXTENDING SYMPATHY TO THE FAMILY OF LLOYD CEARLEY, SR., AGE 66, WHO DIED ON FEBRUARY 26, 1984. Sponsors: Representative Terry; Senators Torbert, Minner. Laid on the table.

HCR 175 - EXTENDING SINCERE GRATITUDE TO JEROME N. (JERRY) UNRUH FOR HIS UNSELFISH SERVICE AND HIS COMMITMENT TO THE PRESERVATION OF FARMLAND IN NEW CASTLE COUNTY. Sponsors: Representative Jester, Senator Vaughn. Laid on the table.

Senators Holloway and Citro marked PRESENT.

SB 41 was taken up for consideration on motion of Senator Holloway:

SB 41 - AN ACT TO AMEND SUBCHAPTER II, TITLE 30, DELAWARE CODE, RELATING TO PERSONAL EXEMPTIONS ON STATE INCOME TAX.

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

At 2:25 p.m., Senator Sharp presiding.

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

SCR 101 was lifted from the table and considered for adoption on motion of Senator Cordrey:

SCR 101 - COMMENDING TERESA G. CAREY OF THE INDIAN RIVER SCHOOL DISTRICT FOR BEING SELECTED AS DELAWARE TEACHER OF THE YEAR FOR 1984.

The privilege of the floor was extended to Teresa G. Carey (Teacher of the Year) who introduced her students who were present in the Chamber.

Senator Zimmerman marked PRESENT.

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

At 2:53 p.m. on motion of Senator Cordrey, the Senate recessed for Party Caucus and reconvened at 4:30 p.m. Senator Cordrey presiding.

On motion of Senator Cordrey, Senate Consent Calendar #14 was taken up for consideration. The 4 House Concurrent Resolutions on the Calendar were:

HCR 171 - MOURNING THE DEATHS OF DR. FRANK O'BRIEN, CRUSADER FOR CLEAN AIR, AND OF HIS WIFE, NOTED PEDIATRICIAN, DR. MARGARET SMITH O'BRIEN.

HCR 173 - COMMEMORATING THE DELAWARE BOARD OF NURSING ON THE OCCASION OF THE SEVENTY-FIFTH ANNIVERSARY OF THE BOARD, 1909-1984.

HCR 174 - EXTENDING SYMPATHY TO THE FAMILY OF LLOYD CEARLEY, SR., AGE 66, WHO DIED ON FEBRUARY 26, 1984.

HCR 175 - EXTENDING SINCERE GRATITUDE TO JEROME N. (JERRY) UNRUH FOR HIS UNSELFISH SERVICE AND HIS COMMITMENT TO THE PRESERVATION OF FARMLAND IN NEW CASTLE COUNTY.

Senators Martin, Littleton, Connor, Marshall marked PRESENT.

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

SB 410 was stricken at the request of the sponsor, Senator Minner.

On motion of Senator Zimmerman, SJR 12 was taken up for consideration under suspension of the necessary rules:

SJR 12 - PROVIDING FOR THE ESTABLISHMENT OF AN AD HOC COMMITTEE TO RECOMMEND A COMPREHENSIVE STATE PLAN FOR ASBESTOS DETECTION AND CONTROL IN STATE OWNED BUILDINGS.

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

Senator Adams introduced to the Senate two guests from Bridgeville (Mr. and Mrs. Pfeiffer) who were present in the Chamber.

SB 386 was taken up for consideration on motion of Senator Holloway:

SB 386 - AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF TRANSPORTATION TO NAME THE BRIDGE LOCATED IN THE 700 BLOCK OF SOUTH HEALD STREET IN WILMINGTON THE PAUL F. LIVINGSTON BRIDGE IN HONOR OF THE LATE PAUL F. LIVINGSTON.

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

SB 179 was taken up for consideration on motion of Senator Holloway:

SB 179 - AN ACT TO AMEND CHAPTER 46, TITLE 6, DELAWARE CODE, RELATING TO EQUAL RIGHTS TO HOUSING.

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

At 5:00 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., April 10, 1984.

The Senate reconvened at 2:53 p.m., April 10, 1984, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted SCR 103 and passed HB 459, HB 471, HB 472, HB 480 and HB 481 w HA 1.

The following legislation was introduced:

SB 412 - AN ACT TO AMEND CHAPTER 17, TITLE 7 TO EXEMPT DEAF PERSONS FROM LEAD OR GUIDE DOG LICENSURE FEES AND REQUIRING ISSUANCE OF AN IDENTIFICATION CARD TO BLIND AND DEAF LICENSEES; AND FURTHER TO AMEND CHAPTER 21, TITLE 31 RELATING TO DEAF PERSONS AND THEIR GUIDE OR LEAD DOGS AND THEIR ACCESS TO PUBLIC ACCOMMODATIONS. Sponsor: Senator McDowell. Assigned to Health-Social Services/Aging Committee.

SB 413 - AN ACT TO AMEND CHAPTER 13, TITLE 2, DELAWARE CODE RELATING TO MOTOR FUEL TAX REIMBURSEMENT FUND. Sponsors: Senators Minner and Torbert; Representatives Clendaniel and West. Assigned to Revenue and Taxation Committee.

HB 459 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO REAPPORTIONMENT OF STATE LEGISLATIVE DISTRICTS. Sponsor: Representative Jester. Assigned to Judiciary Committee.

HB 471 - AN ACT TO AMEND CHAPTER 21, TITLE 21, OF THE DELAWARE CODE RELATING TO THE INSPECTION OF VEHICLES OWNED BY FIRE COMPANIES. Sponsors: Representative B. Ennis, Senator Torbert; Representatives Clark, Gilligan, Hebner, Jester, Oberle, Outten, Sills, Spence; Senators Minner, Vaughn. Assigned to Public Safety Committee.

SR 137 - URGING THE GOVERNOR AND THE GOVERNOR TO EXERCISE THEIR
AUTHORITY TO SETTLE THE LABOR DISPUTE . DEPARTMENT OF CORRECTION.
Sponsors: Senators Sharp, Cordrey, Vaughn. Immediately suricken at the request of Senator Sharp.

HB 472 - AN ACT TO PROVIDE FOR THE DEACCESSION OF AN ANTIQUE HAND-DRAWN
PUMPER TO THE CLAYTON FIRE COMPANY NO. 1, INC. Sponsors: Representatives B. Ennis,
Bennett, Buckworth, Clark, Outten, Quillen, Spence, Terry; Senators Cook, Minner, Torbert, Vaughn.
Assigned to Public Safety Committee.

HB 480 - AN ACT TO AMEND ARTICLE 3, SUBTITLE I, TITLE 6 OF THE DELAWARE CODE
RELATING TO DISHONORED CHECKS, DRAFTS OR ORDERS. Sponsors: Representatives Outten,
Barnes, Bennett, Buckworth, Clark, Dixon, Sills, Spence, Van Sant; Senators Torbert, Zimmerman.
Assigned to Finance Committee.

HB 481 w HA 1 - AN ACT TO AMEND TITLE 16, SECTION 122, DELAWARE CODE RELATING TO
THE PREVENTION AND CONTROL OF THE SPREAD OF VACCINE PREVENTABLE DISEASES IN
CHILDREN. Sponsors: Representatives VanSant, Sills, West; Senators Holloway, McBride. Assigned
to Health-Social Services/Aging Committee.

At the request of Senator Sharp, Mrs. Nancy Norling (Chairman of the Delaware Public Service
Commission) was granted the privilege of the floor to speak on rate increases.

At 3:06 p.m., Lt. Governor Castle presiding.

At 3:26 p.m. the Senate took a short recess for change of tape and reconvened at 3:29 p.m., Lt.
Governor Castle presiding.

Mrs. Norling was still before the Senate and the privilege of the floor was also extended to Evan
Wilner (Office of the Public Advocate).

At 3:46 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 21st
Legislative Day.

21ST LEGISLATIVE DAY April 10, 1984

The Senate convened at 3:46 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

SB 407 was reported out of the Community Affairs Committee: 3 Merits.

Senator Martin was granted personal privilege of the floor to address the closing of the St.
George's Bridge for repairs.

Senator Marshall marked PRESENT.

At the request of Senator Connor, the privilege of the floor was extended to Nancy M. Norling,
(Chairman of the Delaware Public Service Commission) and Evan Wilner (Office of the Public
Advocate).

SB 363 was taken up for consideration on motion of Senator Vaughn:

SB 363 - AN ACT TO AMEND CHAPTER 42, SECTION 4209, TITLE 11 OF THE DELAWARE CODE,
RELATING TO THE METHOD OF PUNISHMENT FOR FIRST DEGREE MURDER.

SA 1 to the Bill (sponsored by Senator Berndt) was introduced and considered for adoption on motion
of the Senator. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Cordrey, Knox, Littleton, Marshall,
Martin, McBride, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 18.

NO: Senator Holloway - 1.

NOT VOTING: Senator McDowell - 1.

ABSENT: Senator Citro - 1.

Therefore, the Amendment was declared adopted.

Senator Citro marked PRESENT.

The privilege of the floor was extended to Eugene M. Hall of the Attorney General's Office after
which the roll call vote on SB 363 w SA 1 was taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Littleton, Marshall, Martin,
McBride, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 17.

NO: Senators Cordrey, Holloway, Knox, McDowell - 4.

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

Senator McBride introduced a group of Cub Scouts who were present in the Chamber.

HCR 172 was lifted from the table for consideration on motion of Senator Minner and the roll call
vote taken which revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by
the Senate and returned to the House.

At the request of Senator Cordrey, HB 480 which had been assigned to the Finance Committee, was
reassigned to the Small Business Committee.

At 5:00 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., April 11, 1984.

The Senate reconvened at 2:08 p.m., April 11, 1984, Senator Cordrey presiding.

The following legislation was introduced:

SB 414 - AN ACT TO AMEND CHAPTER 57, TITLE 16, DELAWARE CODE, RELATING TO VOLUNTARY AND INVOLUNTARY STERILIZATION, AND MAKING A SUPPLEMENTARY APPROPRIATION THEREFOR. Sponsor: Senator Holloway. Assigned to Finance Committee.

SB 415 - AN ACT TO AMEND CHAPTER 66, TITLE 18 DELAWARE CODE (INSURANCE CODE) RELATING TO LINE-OF-DUTY DEATH BENEFITS. Sponsor: Senator Holloway. Assigned to Insurance and Elections Committee.

At 2:10 p.m., Lt. Governor Castle presiding.

SB 416 - AN ACT TO AMEND TITLE 24, DELAWARE CODE, RELATING TO EX-OFFENDERS HAVING THE RIGHT TO PURSUE AN OCCUPATION OR PROFESSION. Sponsor: Senator Holloway. Assigned to Administrative Services/Energy Committee.

SB 417 - AN ACT TO AMEND CHAPTER 39 OF TITLE 14 AND CHAPTERS 55 AND 56, TITLE 29, DELAWARE CODE, TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS WHO RETIRED ON OR BEFORE JULY 1, 1983. Sponsors: Senators Cook and Berndt; Representative Bennett; Senators Adams, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman, Citro, Littleton, Neal; Representatives Anderson, Brady, Bunting, Campanelli, Clark, Clendaniel, Cordrey, Dixon, B. Ennis, George, Gilligan, Houghton, Jester, Jonktert, Meconi, Outten, Plant, Sills, Soles, Terry, VanSant, West, Wingate, Barnes, Boykin, Buckworth, Corrozi, Davis, D. Ennis, Fallon, Free, Hebner, Mack, Maroney, Oberle, Petrilli, Quillen, Roy, Smith, Spence. Laid on the table at the request of Senator Cook.

SB 418 - AN ACT TO AMEND CHAPTER 41, TITLE 14, DELAWARE CODE, RELATING TO THE RIGHT OF THE STATE TO TRANSCRIBE AND REPRODUCE INSTRUCTIONAL MATERIAL IN BRAILLE. Sponsors: Senators Holloway, Marshall, McBride, Torbert, Zimmerman; Representatives Boykin, Jester, Maroney, Oberle, Roy. Laid on the table at the request of Senator Holloway.

SB 419 - AN ACT TO AMEND CHAPTER 5, TITLE 13 OF THE DELAWARE CODE RELATING TO WAGE ATTACHMENTS. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SB 420 - AN ACT TO AMEND CHAPTER 43, TITLE 31 OF THE DELAWARE CODE RELATING TO COMMISSIONERS OF THE WILMINGTON HOUSING AUTHORITY. Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

SA 3 to SB 384. Sponsor: Senator McBride. Placed with the Bill.

SA 2 to SB 41. Sponsor: Senator Berndt. Placed with the Bill.

SA 1 to SB 386. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 408. Sponsor: Senator McDowell. Placed with the Bill.

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

SA 2 and SA 3 to SB 417. Sponsor: Senator Cook. Placed with the Bill.

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

STATE OF DELAWARE
Office of the Governor
April 10, 1984

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Alexander L. Searl, 403 Stafford Road, Wilmington, Delaware 19803, to be reappointed as a member of the Cash Management Policy Board for a term of three years, to end December 17, 1986.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, IV, Governor

STATE OF DELAWARE
Office of the Governor
April 10, 1984

To the Senate of the 132nd General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Mark W. Diehl, 121 Rehoboth Avenue, Rehoboth Beach, Delaware 19971, to be reappointed as a member of the Cash Management Policy Board for a term of three years, to end December 17, 1986.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, IV, Governor

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SR 138 was introduced and considered for adoption on motion of Senator Zimmerman:

SR 138 - COMMENDING DAVID DAY OF DOVER HIGH SCHOOL ON WINNING THE ORATORICAL CONTEST AT THE STATE LEVEL SPONSORED BY THE DEPARTMENT OF DELAWARE AMERICAN LEGION. Sponsor: Senator Zimmerman.

The roll call vote on the Resolution was taken and revealed 15 Senators voting YES and 6 (Berndt, Citro, Connor, Littleton, Martin, Neal) ABSENT; therefore, the Resolution was declared adopted.

SR 139 was introduced and considered for adoption on motion of Senator Zimmerman:

SR 139 - COMMENDING LAURA JAGGERS OF DOVER HIGH SCHOOL FOR HAVING WON A CONSTITUTIONAL SCHOLARSHIP OF ONE THOUSAND DOLLARS SPONSORED BY THE DELAWARE HERITAGE COMMISSION. Sponsor: Senator Zimmerman.

The roll call vote on the Resolution was taken and revealed 15 Senators voting YES and 6 (Berndt, Citro, Connor, Littleton, Marshall, Martin) ABSENT; therefore, the Resolution was declared adopted.

Senator Minner introduced a group of Milford School District students who were present in the Chamber.

At 2:23 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 22nd Legislative Day.

22ND LEGISLATIVE DAY April 11, 1984

The Senate convened at 2:23 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Arnold.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

Senator McBride marked PRESENT.

SB 417 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Cook:

SB 417 - AN ACT TO AMEND CHAPTER 39 OF TITLE 14 AND CHAPTERS 55 AND 56, TITLE 29, DELAWARE CODE, TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS WHO RETIRED ON OR BEFORE JULY 1, 1983.

SA 1 to the Bill was taken up for consideration on motion of Senator Knox.

Senator Berndt marked PRESENT.

Senator Cook moved that SA 1 be laid on the table. The roll call vote on the tabling motion was taken and revealed:

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

NO: Senators Arnold, Bair, Berndt, Knox, Littleton, Neal - 6.

ABSENT: Senators Citro, Connor, Martin - 3.

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

The Chair granted Senator Knox personal privilege of the floor. Senator Sharp objected since there was legislative business before the Senate. The roll call vote to override the Chair was taken and revealed:

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

NO: Senators Arnold, Bair, Berndt, Knox, Littleton, Neal - 6.

ABSENT: Senators Citro, Connor, Martin - 3.

Therefore, Senator Knox was denied personal privilege of the floor.

On motion of Senator Cook, SB 417 was then laid on the table.

Senator McDowell read from Robert's Rules of Order concerning the denial of the personal privilege of the floor.

SB 417 was then lifted from the table for further consideration on motion of Senator Cook.

Senators Martin and Littleton marked PRESENT.

SA 2 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 19 Senators voting YES and 2 (Citro and Connor) ABSENT; therefore, the Amendment was declared adopted.

SA 3 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cook and the roll call vote taken which revealed 19 Senators voting YES and 2 (Citro and Connor) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Don McArdle (Pension Office).

SA 4 to the Bill was introduced by Senator Knox and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Knox, Littleton, Neal - 8.

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

Therefore, the Amendment was declared defeated.

Senator Citro marked PRESENT.

SA 5 to the Bill was introduced by Senator Knox and immediately stricken at his request.

The roll call vote on SB 417 w SA 2, 3 was then taken and revealed 20 Senators voting YES and 1 (Knox) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 3:38 p.m. the Chair declared a standing recess for presentation of lilies to the Senators by the School groups present in the Chamber.

At 3:41 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:30 p.m., Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed SS 1 for SB 357, HB 488 and adopted HJR 17, HCR 165, HCR 177, HCR 178, HCR 179, HCR 180, SCR 101.

HJR 17 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Adams:

HJR 17 - TO DEVELOP PROGRAMS THAT ATTEMPT TO SAFELY AND RESPONSIBLY SEEK INFORMATION FROM SCHOOL STUDENTS REGARDING SERIOUS CRIMINAL BEHAVIOR AND PARTICULARLY IDENTIFICATION OF MAJOR DRUG PUSHERS. Sponsors: Representative Barnes, Senator Adams; Representatives Plant, B. Ennis, Houghton, Terry, Spence, Brady, VanSant, Mack, Roy, Clark, Buckworth; Senators Sharp, Zimmerman, Vaughn, Connor, Citro, Arnold, Berndt, Torbert, Cordrey.

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

SR 140 was introduced by Senator Holloway and considered for adoption on his motion:

SR 140 - COMMENDING THE GOVERNOR OF THE STATE OF DELAWARE AND THE MEMBERS OF THE 132ND GENERAL ASSEMBLY OF THE STATE OF DELAWARE FOR THEIR COMPASSION IN HELPING CITIZENS OF THIS STATE WHO ARE LESS FORTUNATE. Sponsor: Senator Holloway.

The privilege of the floor was extended to Jan Rheingold (West End Neighborhood House) and Arthur Boswell (Human Services Coalition) after which the roll call vote on the Resolution was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted.

HB 396 w HA 1, 2 was taken up for consideration on motion of Senator Martin:

HB 396 w HA 1, 2 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.

The privilege of the floor was extended to Gary Dalton (Senate Attorney) after which the roll call vote on the Bill was taken; however, the roll call was laid on the table before being announced on motion of Senator Martin.

The following Committee reports were announced:

From the Public Safety Committee: SB 348 - 3 Favorable, 1 Merits.

From the Banking Committee: SB 387 - 4 Merits.

From the Health-Social Services/Aging Committee: SB 411 - 4 Merits, SB 412 1 Favorable, 3 Merits.

From the Education Committee: SB 337 - 3 Merits; HB 440 w HA 1 - 3 Merits; HB 419 - 3 Merits, HB 239 w HA 1 - 3 Merits.

SCR 109 was introduced and immediately stricken on motion of Senator Torbert:

SCR 109 - COMMENDING AND THANKING THE MANY ORGANIZATIONS THROUGHOUT THE STATE ESPECIALLY IN KENT COUNTY FOR THEIR UNDAUNTED EFFORTS AND DEDICATION IN RESPONSE TO THE EMERGENCIES CAUSED BY THE STORM OF MARCH 25TH, 1984. Sponsors: Senators Torbert, Minner, Cook, Vaughn, Zimmerman.

SA 1 to SB 391 (sponsored by Senator Zimmerman) was introduced and place with the Bill.

SCR 113 was introduced and considered for adoption on motion of Senator Minner:

SCR 113 - CELEBRATING THE 10 YEAR ANNIVERSARY OF THE STATE OF DELAWARE DESIGNATING THE LADYBUG AS OUR STATE BUG. Sponsors: Senators Minner, Adams; Representatives Clendaniel, Terry.

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

Senate Consent Calendar #15 was taken up for consideration on motion of Senator Minner. The three Senate Concurrent Resolutions and four House Concurrent Resolutions comprising the Calendar were:

SCR 110 - COMMENDING STACY MAYHEW OF WILLIAM PENN HIGH SCHOOL UPON BEING HONORED BY THE NATIONAL CENTURY III LEADERS PROGRAM. Sponsors: Senator Connor, Representative Mack.

SCR 111 - COMMENDING AND THANKING THE MANY ORGANIZATIONS THROUGHOUT THE STATE ESPECIALLY IN KENT COUNTY FOR THEIR UNDAUNTED EFFORTS AND DEDICATION IN RESPONSE TO THE EMERGENCIES CAUSED BY THE STORM OF MARCH 25, 1984. Sponsors: Senators Torbert, Adams, Minner, Cook, Vaughn, Zimmerman.

SCR 112 - SUPPORTING THE ATTORNEY GENERAL IN HIS LITIGATION CONCERNING THE ALFRED I. DU PONT ESTATE. Sponsors: Senator Bair; Representative Soles.

HCR 165 - ESTABLISHING A BLUE RIBBON TASK FORCE TO CONDUCT A STUDY OF THE BUSINESS LICENSE AND GROSS RECEIPT TAX STATUTES OF DELAWARE AND TO RECOMMEND NEEDED REFORMS OF THESE STATUTES. Sponsors: Representatives Outten, Barnes, Bennett, Clark, Plant, Silis; Senator Zimmerman.

HCR 177 - COMMENDING HARRY M. O'BRIEN, RETIRED TOWN MANAGER OF SMYRNA, FOR HIS 13 YEARS OF EXCEPTIONAL ADMINISTRATION. Sponsors: Representatives B. Ennis, Senator Vaughn.

HCR 178 - DECLARING SUPPORT OF CONTINUATION OF REGISTRATION WITH THE SELECTIVE SERVICE AND DECLARING THE WEEK OF APRIL 9, 1984, AS REGISTRATION AWARENESS WEEK IN DELAWARE. Sponsors: Representatives Brady, Roy.

HCR 179 - REQUESTING GOVERNOR PIERRE S. DU PONT, IV, TO PROCLAIM MAY 3RD, 1984, AS DELAWARE DAY OF PRAYER. Sponsors: Representatives Barnes, Spence, Davis; Senators Adams, Littleton.

The roll call vote on Consent Calendar #15 was then taken and revealed 21 Senators voting YES; therefore, the House Concurrent Resolutions on the Calendar were declared adopted by the Senate and returned to the House and the Senate Concurrent Resolutions were sent to the House for consideration.

HCR 180 was introduced and considered for adoption on motion of Senator Marshall:

HCR 180 - URGING THE CITY OF WILMINGTON TO SELL CERTAIN LANDS TO THE DELAWARE SOLID WASTE AUTHORITY. Sponsors: Representatives Jonkiert, George, Gilligan, Plant, Silis, Spence; Senators Marshall, Sharp.

The privilege of the floor was extended to N. C. Vasuki (Delaware Solid Waste Authority).

Senator Holloway moved that the Resolution be laid on the table. The roll call vote on the tabling motion was taken and revealed:

YES: Senators Adams, Connor, Holloway, Martin, McDowell, Minner, Neal - 7.

NO: Senators Arnold, Bair, Berndt, Citro, Cook, Cordrey, Knox, Littleton, Marshall, McBride, Sharp, Torbert, Vaughn - 13.

NOT VOTING: Senator Zimmerman - 1.

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

Senator Holloway moved that the Resolution be laid on the table until the Mayor of Wilmington could appear as a witness. The roll call vote on the tabling motion was taken and revealed:

YES: Senators Holloway, Martin, McBride, McDowell - 4.

NO: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Knox, Littleton, Marshall, Minner, Neal, Sharp, Torbert, Vaughn - 16.

NOT VOTING: Senator Zimmerman - 1.

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

The roll call vote on the Resolution was then taken and revealed 18 Senators voting YES and 3 (Holloway, McBride, McDowell) voting NO; therefore, the Resolution was declared adopted by the Senate and returned to the House.

At 5:52 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., April 12, 1984.

The Senate reconvened at 2:30 p.m., April 12, 1984, Senator Cordrey presiding.

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

SS 1 for SB 250 (sponsored by Senator Citro) was introduced and assigned to Insurance and Elections Committee:

SS 1 for SB 250 - AN ACT TO AMEND CHAPTER 42, TITLE 18 OF THE DELAWARE CODE RELATING TO THE DELAWARE INSURANCE GUARANTY ASSOCIATION BY REDEFINING THE DEFINITION OF INSOLVENT INSURER.

The Secretary announced that a message from the House informed the Senate that it had passed HB 496, HB 417 w HA 2, SB 347, HB 470 w HA 1.

The following legislation was introduced:

HB 417 w HA 2 - AN ACT TO AMEND CHAPTER 17, TITLE 7, OF THE DELAWARE CODE RELATING TO PROHIBITION OF DOGS ON STATE COASTAL BEACHES. Sponsors: Representatives Quillen and Bunting. Assigned to Natural Resources and Environmental Control Committee.

HB 470 w HA 1 - AN ACT TO AMEND CHAPTERS 1, 21 AND 45, TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL MOBILE EQUIPMENT. Sponsors: Representative Cordrey, Senator Minner. Assigned to Public Safety Committee.

HB 488 - AN ACT TO AMEND CHAPTER 27, TITLE 29 OF THE DELAWARE CODE RELATING TO METHODS OF PAYMENT TO STATE EMPLOYEES. Sponsor: Representative Bennett. Assigned to Finance Committee.

HB 496 - AN ACT TO AMEND CHAPTER 21, TITLE 21, OF THE DELAWARE CODE TO PROVIDE FOR SPECIAL LICENSE TAGS FOR DISABLED VETERANS. Sponsors: Representative Cordrey, Senator Minner. Assigned to Public Safety Committee.

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

HJR 19 - DIRECTING THE DEPARTMENT OF TRANSPORTATION TO PROVIDE FOR TWO-WAY TRAFFIC FOR PASSENGER VEHICLES EXCLUDING BUSES ON THE NORTH BOUND LANES OF THE ST. GEORGE'S BRIDGE WHILE THE SOUTH BOUND LANES ARE UNDER CONSTRUCTION. Sponsors: Representatives Jester and B. Ennis; Senator Vaughn; Representatives Bennett, Brady, Bunting, Clark, Clendaniel, Cordrey, George, Gilligan, Houghton, Outten, Plant, Sills, Soles, Terry, VanSant, West, Wingate; Senators Cordrey, Martin, McDowell, Minner, Sharp, Torbert.

The privilege of the floor was extended to Raymond S. Pusey (Department of Transportation).

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

At 2:41 p.m., Lt. Governor Castle presiding.

At 3:20 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 23rd Legislative Day.

23RD LEGISLATIVE DAY

April 12, 1984

The Senate convened at 3:20 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

SR 141 was introduced and considered for adoption on motion of Senator Holloway:

SR 141 - COMMENDING THE NATIONAL SORORITY OF PHI DELTA KAPPA, INC., RHO CHAPTER FOR FIFTY YEARS OF DEDICATED AND OUTSTANDING SERVICE TO THE CITIZENS OF WILMINGTON AND THE STATE OF DELAWARE. Sponsor: Senator Holloway.

Senator McBride marked PRESENT.

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

SB 389 was lifted from the table for consideration on motion of Senator Adams.

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

The roll call vote on SB 389 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Martin and Neal) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 340 was taken up for consideration on motion of Senator Holloway:

SB 340 - AN ACT TO AMEND CHAPTER 5, TITLE 13, DELAWARE CODE, TO REQUIRE MANDATORY JAIL TERMS FOR REPEAT VIOLATORS OF FAMILY COURT ORDERS.

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

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

SB 407 - AN ACT CONCERNING THE RESPONSIBILITY OF DELAWARE MUNICIPALITIES AND COUNTIES TO DISPLACE COMPETITION WITH REGARD TO CERTAIN MUNICIPAL, COUNTY AND FRANCHISED SERVICES.

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

At 3:57 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:35 p.m., Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted SCR 110, SCR 111, SCR 112, SCR 113.

SCR 114 was introduced and considered for adoption on motion of Senator Vaughn:

SCR 114 - PROVIDING THAT THE REPORTING DATE OF THE COMMITTEE ON WORK RELEASE, SUPERVISED CUSTODY AND OTHER RELATED PROGRAMS BE EXTENDED. Sponsor: Senator Vaughn.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES and 4 (Arnold, Bair, Knox, Littleton) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

The following communication from the Governor was read:

STATE OF DELAWARE
OFFICE OF THE GOVERNOR
April 12, 1984

To the Members of the Senate of the 132nd General Assembly

The following nominations submitted to the Senate on March 17, 1983, are hereby formally withdrawn: Holger H. Harvey, to be appointed a member of the Environmental Appeals Board; Edward C. Painter, to be appointed a member of the Environmental Appeals Board

Sincerely,
Pierre S. duPont, IV, Governor
* * * * *

The privilege of the floor was extended to Representative Anderson at the request of Senator Martin.

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

SCR 115 - EXPRESSING SYMPATHY TO THE FAMILY OF ANITA V. HUGHES, 19, OF NEWARK, NEW JERSEY, A STUDENT AT DELAWARE STATE COLLEGE WHO WAS FATALLY INJURED FRIDAY EVENING WHILE CROSSING U.S. 13. Sponsors: Senators Zimmerman, Holloway; Representative Outten.

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

HB 239 w HA 1 was taken up for consideration on motion of Senator McBride:

HB 239 w HA 1 - AN ACT TO AMEND CHAPTER 14, TITLE 14 OF THE DELAWARE CODE RELATING TO THE CONDUCT OF TEACHER TERMINATION HEARINGS.

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

SB 340 was lifted from the table for consideration on motion of Senator Holloway;

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

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

The Secretary announced that a message from the House informed the Senate that it had passed SB 417 w SA 2, 3, HA 2.

On motion of Senator Cook, SB 417 w SA 2, 3 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 2.

The roll call vote on SB 417 w SA 2, 3, HA 2 was then taken and revealed 20 Senators voting YES and 1 (Knox) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

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

The Senate reconvened at 2:24 p.m., May 1, 1984, Senator Cordrey presiding.

The following legislation was introduced:

SB 422 - AN ACT TO AMEND CHAPTER 13 AND CHAPTER 17, TITLE 14 OF THE DELAWARE CODE TO ESTABLISH A DIVISION IV FUNDING CATEGORY. Sponsors: Senator Knox; Representatives Free, Roy, Corrozi. Assigned to Education Committee.

SB 424 - AN ACT TO AMEND CHAPTER 66, TITLE 16 OF THE DELAWARE CODE RELATING TO ABOVE-GROUND STORAGE TANKS FOR STORING OR DISPENSING KEROSENE AT RETAIL FUEL OUTLETS. Sponsors: Senators Sharp and Arnold. Assigned to Public Safety Committee.

SB 425 - AN ACT TO AMEND PART I OF CHAPTER 83, TITLE 11, DELAWARE CODE, RELATING TO A QUOTA SYSTEM WITH RESPECT TO THE ISSUANCE OF CITATIONS OR TICKETS BY LAW ENFORCEMENT OFFICIALS OF THE STATE. Sponsors: Senators McBride, Torbert, Vaughn. Assigned to Judiciary Committee.

At 2:26 p.m., Lt. Governor Castle presiding.

At 2:27 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 24th Legislative Day.

24TH LEGISLATIVE DAY
MAY 1, 1984

The Senate convened at 2:27 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Adams.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

Legislative Advisories #27 and 28 received from the Office of Counsel to the Governor were read which informed the Senate of the Governor's action on passed legislation as follows:

LEGISLATIVE ADVISORY #27 - On April 16, 1984 the Governor signed SB 289 (Volume 64, Chapter 245, Laws of Delaware), SB 297 w SA 2 (Volume 64, Chapter 246, Laws of Delaware); on April 6 the Governor signed HJR 14 (no Chapter assigned); on April 12 the Governor vetoed SB 97.

LEGISLATIVE ADVISORY #28 - On April 23, 1984 the Governor signed SB 347 (Volume 64, Chapter 247, Laws of Delaware), SS 1 for SB 357 (Volume 64, Chapter 248, Laws of Delaware), HJR 17 (no Chapter assigned); On April 24 the Governor signed SB 417 w SA 2, 3, HA 2 (Volume 64, Chapter 249, Laws of Delaware), SJR 12 (no Chapter assigned).

The Secretary announced that a message from the House informed the Senate that it had passed SB 362 w SA 2, 4, 5 and adopted SCR 115 and SJR 12.

The following communication received from the Governor was read:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
April 12, 1984

To the Senate of the 132nd General Assembly of the State of Delaware

With the concurrence of its sponsors, I am returning to the Senate without my signature Senate Bill 97, which is entitled: "AN ACT TO AMEND DELAWARE CODE, TITLE 16, AS IT RELATES TO THE REGULATORY PROVISIONS CONCERNING PUBLIC HEALTH FOR RESIDENTIAL FACILITIES FOR DEVELOPMENTALLY DISABLED PERSONS."

The basic intent of the bill is to give the Board of Health the authority to license rest homes, nursing home and related facilities for the care of one or more developmentally disabled persons.

However, the language of Section 4 of the bill may be construed to go beyond this licensing function and give the Division of Public Health additional, far-reaching responsibilities over developmentally disabled persons. Such a broad extension of responsibilities goes far beyond the intent of the legislation.

In addition to the Division of Public Health, the Advisory Council for the Coordination of Services to the Handicapped has expressed reservations about this provision.

I understand a corrected version of the bill - Senate Bill No. 411 - has passed the Senate and will soon be introduced in the House, assuring that the licensing function will be addressed.

Accordingly, I return Senate Bill 97 without my signature.

Respectfully submitted,
Pierre S. duPont, IV, Governor

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The following legislation was introduced:

SA 1 to SB 348. Sponsor: Senator Sharp. Placed with the Bill.

SA 1 to HJR 19. Sponsor: Senator McBride. Placed with the Resolution.

SB 387 was taken up for consideration on motion of Senator Adams:

SB 387 - AN ACT TO AMEND CHAPTER 7, TITLE 5 OF THE DELAWARE CODE, RELATING TO CORPORATION LAW FOR STATE BANKS.

Senators Littleton, Marshall and Neal marked PRESENT.