

Representative Worthen moved to lift **HB 997** from the Speakers Table. Motion adopted by voice vote.

HB 997 — "An Act to amend Chapter 381, Volume 59, Laws of Delaware, being the 1975 Budget Appropriation Act. Originally designated **HB 750** as amended by Chapter 523, Volume 59, Laws of Delaware being the Omnibus Amendment to the 1975 Budget Appropriation Act originally designated **HB 1113** relating to the Reversion of Funds from the Delaware Agency to reduce crime."

Representative Worthen requested the privilege of the floor for Mr. Duane Olsen, Controller General.

Roll call was taken and revealed:

YES: Representatives Billingsley, Boulden, Brady, Byrd, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Lynch, Maxwell, McGinnis, Miller, Minner, Plant, Riddagh, Ridings, Rispoli, Seibel, Smith, Worthen, Mr. Speaker Jonkiert — 28.

NO: Representatives Arnold, Leshner, McKay, Morris — 4.

NOT VOTING: Representatives Powell, Sincok, Temple — 3.

ABSENT: Representatives Ambrosino, Cain, Derrickson, Johnson, Matushefske, Spence — 6.

Therefore the Bill was declared passed by the House.

Representative McGinnis moved that **HB 1076** be lifted from the Speakers Table.

Motion adopted by voice vote.

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

Representative McGinnis requested the privilege of the floor for Mr. Bill Bradley, Chief Counsel to the Governor.

Representative McGinnis requested that the Chief Clerk call the Attorney General's Office and ask that Mr. Gary Wilson be present promptly at 1:30 p.m. on Tuesday, May 25, 1976.

Representative McGinnis moved to place **HB 1076** on the Speakers Table. Motion adopted by voice vote.

Representative Worthen brought **HB 998** before the House for consideration.

HB 998 — "An Act to amend Chapter 142, Volume 59, Laws of Delaware, being the 1974 Budget Appropriation Act, originally designated **SB 392** as amended by **SA 1** and as further amended by Chapter 222, Volume 59, Laws of

Delaware, relating to the Reversion of Funds from the Delaware Agency to reduce crime.”

Roll call was taken and revealed:

YES: Representatives Ambrosino, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Lynch, McGinnis, Miller, Minner, Plant, Powell, Ridings, Rispoli, Seibel, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 28.

NO: Representatives Arnold, Leshner, McKay — 3.

NOT VOTING: Representative Sincok — 1.

ABSENT: Representatives Brady, Darling, Derrickson, Ferguson, Johnson, Matushefske, Maxwell, Morris, Riddagh — 9.

Therefore, the Bill was declared passed by the House.

Representative Plant brought **HB 995** before the House for consideration.

HB 995 — “An Act to provide a supplementary appropriation to the Public Defender of the State of Delaware.”

Roll call was taken and revealed:

YES: Representatives Ambrosino, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Leshner, Lynch, Matushefske, McGinnis, McKay, Miller, Minner, Plant, Powell, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 32.

NOT VOTING: Representative Arnold — 1.

ABSENT: Representatives Brady, Darling, Derrickson, Ferguson, Johnson, Maxwell, Morris, Riddagh — 8.

Therefore, the Bill was declared passed by the House.

Representative LeGates requested **HB 729** be deferred to the end of the Agenda, and yielded to Representative Matushefske.

Representative Matushefske brought **HB 1017** before the House for consideration.

HB 1017 — “An Act making a supplementary appropriation to the Delaware National Guard for the relief of Dominick E. Scatasti, injured while on duty.”

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, George, Gilligan, Gordy, Harrington, Hebner, LeGates, Leshner, Lynch, Matushefske, McGinnis, Miller, Minner, Plant, Powell, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr.

Speaker Jonkiert — 30.

NO: Representatives Billingsley, McKay, Ridings — 3.

ABSENT: Representatives Brady, Derrickson, Ferguson, Johnson, Kelly, Maxwell, Morris, Riddagh — 8.

Therefore, the Bill was declared passed by the House.

Representative McGinnis moved to Waive the requirement for a Fiscal Note.

Motion was adopted by voice vote.

Representative Darling brought **HB 1014** before the House for consideration.

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

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Leshner, Lynch, Matushefske, McGinnis, McKay, Miller, Minner, Plant, Powell, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 34.

ABSENT: Representatives Brady, Derrickson, Ferguson, Johnson, Maxwell, Morris, Riddagh — 7.

Therefore, the Bill was declared passed by the House.

Representative George yielded to Representative Minner.

Mr. Speaker assigned **HB 932** to House Administration

Representative Minner brought **HB 1042** before the House for consideration.

HB 1042 — “An Act to amend Chapter 41, Title 11, Delaware Code relating to the Hourly Rates of Payment allowable to Defendants towards payment of Fines and Costs.”

Roll call was taken and revealed:

YES: Representatives Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Darling, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Leshner, Lynch, McGinnis, McKay, Miller, Minner, Plant, Powell, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 31.

NO: Representative Ambrosino — 1.

NOT VOTING: Representative Derrickson — 1.

ABSENT: Representatives Brady, Connor, Ferguson, Johnson, Matushefske, Maxwell, Morris, Riddagh — 8.

Therefore, the Bill was declared passed by the House.

Representative Cain requested **HB 868** be deferred, and yielded to Representative Rispoli.

Mr. Speaker assigned **HB 868** to the House Administration Committee.

Representative Rispoli brought **SB 614** before the House for consideration.

SB 614 — "An Act to repeal Chapter 812, Volume 60, Laws of Delaware and to amend Chapter 216, Volume 27, Laws of Delaware entitled "An Act to Amend, Revise, and Consolidate the Charter of the City of New Castle."

Representative Rispoli moved to table roll call on **SB 614**. Motion was adopted by voice vote.

Representative McGinnis brought **SB 371** before the House for consideration.

SB 371 — "An Act to amend Subchapter 111, Chapter V, Title 11, Delaware Code, establishing Criminal Offenses for the Pirating of Recordings and establishing Penalties therefor."

HA 2 was brought up for consideration by Representative McGinnis, and was adopted by voice vote.

Representative McGinnis moved to strike **HA 3**. So ordered by Mr. Speaker.

Representative McGinnis moved to place roll call on **SB 371** on the Speakers Table. Motion was adopted by voice vote.

Representative McGinnis moved to suspend the Agenda Rules, for the consideration of one Bill.

Representative Rispoli brought **SB 531** before the House for consideration.

SB 531 — "An Act to amend Chapter 34, Volume 58, Laws of Delaware, being an Act entitled "An Act to reincorporate the Town of Blades," relating to Provisions for Voting in an Annexation Election."

Representative Rispoli moved to table roll call. Motion was adopted by voice vote.

Representative Billingsley moved that **HB 1017** be recalled, so that the matter of a Fiscal Note requirement could be considered. Representative Sincock seconded the motion.

Representative Matushefske moved that **HB 1017** be recalled, so that the matter of a Fiscal Note requirement be considered. Motion was adopted by voice vote.

Representative Gordy requested **SS 1** for **SB 247 w SA 2, HA 1, 2, 3**, be deferred to the end of Agenda, and yielded to Representative Rispoli.

Representative Rispoli brought **SB 686** before the House for consideration.

SB 686 — “An Act to amend Volume 36, Laws of Delaware, Chapter 1929 entitled an Act changing the name of “The Town of Dover” to “The City of Dover” and establishing a Charter therefor, said Amendment being to change the Charter concerning the designation of Boundaries of the City therein; changing the Hours that the Polls shall remain open for Municipal Elections and the place of holding elections; changing Election Rules concerning a Tie Vote in Municipal Elections; changing the Provisions for Quorum and Provisions for Special Elections; abolishing the Right of the Mayor to vote and providing that Members of the Planning Commission cannot hold Elected City Offices at the same time and making other changes to the Charter.”

Representative Rispoli moved to table the roll call on **SB 686**. Motion was adopted by voice vote.

Representative Matushefske moved to rescind the roll call on **HB 1017**. Motion adopted by voice vote.

HB 1017 — “An Act making a Supplemental Appropriation to the Delaware National Guard for the relief of Dominick E. Scatasti, injured while on duty.”

Representative Matushefske moved to Waive Fiscal Note requirement on **HB 1017**. Motion was adopted by voice vote.

Representative Matushefske brought **HA 1** up for consideration. **AA 1** was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Clendaniel, Connor, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Leshner, Lynch, Matushefske, McGinnis, Miller, Minner, Plant, Powell, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 31.

NO: Representatives Billingsley, McKay — 2.

NOT VOTING: Representative Derrickson — 1.

ABSENT: Representatives Brady, Darling, Ferguson, Johnson, Maxwell, Morris, Riddagh — 7.

Therefore, the Bill was declared passed by the House.

Representative McGinnis moved to recess for Caucus at 4:10 p.m.

Mr. Speaker called the House to order at 5:03 p.m.

Representative Maxwell moved to lift **SB 502** from the Speakers Table. Motion adopted by voice vote.

SB 502 — "An Act to amend Chapter 31 of Title 19, Delaware Code relating to Licensing and Regulating Employment Agencies."

Representative Plant requested **HA 4** to **SB 502** be stricken.

Representative Byrd introduced **HA 3** to **SB 502**. Adopted by voice vote.

Representative Maxwell introduced **HA 5** to **SB 502** from the floor to be brought up for consideration. Amendment adopted by voice vote.

Mr. Speaker requested the privilege of the floor for House Attorney John Rich.

Representative Maxwell moved to place **SB 502** on the Speakers Table. Motion was adopted by voice vote.

Representative McGinnis brought **HCR 80** before the House for consideration.

HCR 80 — "Requesting the Controller General to Conduct a Management Audit of the Office of the State Auditor."

Representative McGinnis moved to remove Representative Sincok's name from **HCR 80**. So ordered by Mr. Speaker.

Roll call was taken and revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Kelly, LeGates, Lynch, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Mr. Speaker Jonkiert — 23.

NO: Representatives Ambrosino, Arnold, Billingsley, Derrickson, Hebner, Leshner, McKay, Ridings, Smith, Spence — 10.

NOT VOTING: Representatives Riddagh, Seibel, Sincok — 3.

ABSENT: Representatives Brady, Connor, Johnson, Matushefske, Powell — 5.

Therefore, the Bill was declared passed by the House.

Representative Morris introduced **SCR 77** to be brought before the House for consideration.

SCR 77 — "Requesting the Department of Corrections and the Division of State Police to confer immediately on a Training Program for Correctional Officers."

HA 1 to **SCR 77** was brought before the House, and adopted by voice vote.

SCR 77 w HA 1 was adopted by voice vote.

Representative Riddagh brought **HB 724** before the House for consideration.

HB 724 — “An Act to amend Article 1, Section 9 of the Constitution of the State of Delaware by eliminating the Prohibitions against Change of Venue.”

Representative Riddagh moved to place **HB 724** on the Speakers Table. Motion was adopted by voice vote.

HB 486 was reported out of Health and Social Services Committee with 5 Merits.

SB 622 was reported out of Health and Social Services Committee with 2 Favorable, 2 Merits.

Representative McGinnis moved to recess at 5:26 p.m. to the Call of the Chair.

The Speaker called the House to order at 1:50 p.m. May 25, 1976.

The Majority Leader moved to adjourn at 1:50 p.m., thereby ending the previous Legislative Day.

35TH LEGISLATIVE DAY

The House reconvened at 1:50 p.m.

A Prayer was offered by Reverend Leonard Hatch, of the First Baptist Church of Dover.

The Speaker led those present in a Pledge of Allegiance to the Flag.

PRESENT: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 41.

The minutes were read and approved as posted.

The following pre-filed legislation was introduced:

HB 1114 — “An Act to amend Chapter 5, Title 11, Delaware Code, relating to Licenses for the carrying of Concealed Deadly Weapons.” Introduced by Representative Worthen. Assigned to Judiciary Committee.

HB 1115 — “An Act to provide a Disability Pension for Grace G. Gottwals, a former employee of the State Highway Department.” Introduced by Representative McGinnis. Assigned to Appropriations Committee.

HB 1116 — “An Act to amend Chapter 84, Title 29,

Delaware Code, relating to Hiring of Seasonal Employees by the Department of Highways and Transportation." Introduced by Representatives Boulden and LeGates. Assigned to Highway and Transportations Committee.

HB 1117 — "An Act to amend Part XI, Title 29 of the Delaware Code, to provide for Registration of Legislative Agents to require Reports by Legislative Agents, to prohibit certain types of Compensation for Legislative Agents and to prescribe Penalties for Violations thereof." Introduced by Representatives Worthen, Billingsley, Hebner, Brady and Others. Assigned to House Administrative Committee.

HB 1118 — "An Act to amend Chapter 69, Part VI, Title 29 of the Delaware Code relating to the Procurement of Motor Vehicles for the State." Introduced by Representative Ferguson. Assigned to Appropriations Committee.

HB 1119 — "An Act to amend Chapter 9, Part I, Title 10 of the Delaware Code relating to an Adjudication of Delinquency by the Family Court." Introduced by Representatives Connor and Ferguson. Assigned to Judiciary Committee.

HB 1120 — "An Act to amend Chapter 1, Title 26 of the Delaware Code relating to the Public Service Commission; and providing for a Delaware Energy Lifeline Act." Introduced by Representatives Kelly and Jonkiert. Assigned to Aging Committee.

HB 1121 — "An Act to amend Chapter 9, Part II, Title 29 of the Delaware Code relating to Committee consideration of Bills and Resolutions." Introduced by Representative Connor. Assigned to House Administrative Committee.

HB 1122 — "An Act to amend Title 24 of the Delaware Code relating to Professions and Occupations; and providing for a System of Legislative Oversight and Regulatory Accountability." Introduced by Representative Connor. Assigned to Administrative Services Committee.

HB 1123 — "An Act to amend Delaware Code, Titles 14 and 16, as they relate to the Custody, Care, Treatment, and Education of Pupils at the Governor Bacon Health Center." Introduced by Representatives Billingsley and Worthen. Assigned to Education Committee.

HB 1124 — "An Act to provide a supplementary appropriations to the Mount Pleasant School District to Defray Expenses to be incurred by the Mount Pleasant High School Choir, representing the State of Delaware in the Festival of

Nations." Introduced by Representative Ambrosino. Assigned to Appropriations Committee.

HA 1 to HB 1079, introduced by Representative Lynch, and placed with the Bill.

HA 1 to SS 1 for SB 235, introduced by Representative Matushefske, and placed with the Bill.

HA 2 to SB 575, introduced by Representative George, and placed with the Bill.

HA 1 to SB 619, introduced by Representative Boulden, and placed with the Bill.

HA 1 to SB 718, introduced by Representative Smith, and placed with the Bill.

Representative Matushefske requested **HCR 81** be brought before the House for consideration, and the Resolution was adopted by voice vote.

Representative Plant brought **HR 150** before the House for consideration.

HR 150 — "Commending the Wilmington Board of Education and its Attorneys, Louis R. Lucas and Louis L. Redding, for their outstanding Service in the School Desegregation Suit."

Representative McGinnis moved to recess at 2:15 p.m.

Mr. Speaker called the House to order at 2:16 p.m.

Representative Plant moved to Table **HR 150**.

Roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, Billingsley, Brady, Byrd, Clendaniel, Connor, Derrickson, George, Harrington, Hebner, Johnson, LeGates, Leshner, Lynch, McGinnis, Miller, Minner, Plant, Rispoli, Seibel, Sincok, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 25.

NO: Representatives Arnold, Boulden, Cain, Darling, Ferguson, Gilligan, Gordy, Kelly, Maxwell, McKay, Morris, Powell, Riddagh, Ridings, Smith — 15.

ABSENT: Representative Matushefske — 1.

Therefore, **HR 150** was placed on the Speakers Table.

Representative Plant brought **HR 151** before the House for consideration.

HR 151 — "Requesting Governor Sherman W. Tribbitt to include the Warden in any top personnel changes he makes at Delaware Correctional Center."

Representative Gordy moved to Table **HR 151**. Representative Clendaniel seconded the Motion.

Representative Plant moved to Strike **HR 151**. So ordered

by Mr. Speaker, and Representative Gordy withdrew his motion to Table **HR 151**.

Representative Gilligan brought **SCR 78** before the House for consideration. **SCR 78** adopted by voice vote.

SCR 78 — "Commending Raymond E. Tomasetti for fourteen years of Service to Public Education in Delaware as a Member of the Claymont Board of Education."

HB 767 w SA 1 was sent over from the Senate. Representative George brought the Bill before the House for consideration.

HB 767 — "An Act to amend Chapter 27, Part I, Title 18, Delaware Code relating to Insurance; and providing Basic Readability Requirements for Automobile Insurance Policy Forms."

Representative George moved to place **HB 767 w SA 1** on the Speakers Table. Motion was adopted by voice vote.

Representative McGinnis moved that **HB 1076** be lifted from the Speakers Table. Motion was adopted by voice vote.

HB 1076 — "An Act to amend Chapter 7, Title 5, Delaware Code, relating to Payments of Dividends by Banks and Trust Companies."

Representative McGinnis requested privilege of the floor for Mr. Gary Wilson, Deputy Attorney General.

Representative McGinnis moved to table roll call on **HB 1076**. Motion was adopted by voice vote.

Representative McGinnis moved to recess at 3:08 p.m. for Caucus.

Mr. Speaker called the House to order at 5:16 p.m.

The Reading Clerk read a portion of Rule 38 of the Rules of the House of Representatives, at the request of Mr. Speaker in reference to a question regarding Lobbyist, asked earlier by Representative Ambrosino.

Rule 38 — Registration of Lobbyists

Any person who is employed for compensation paid by others than the Legislature and whose employment calls for or includes activity in or about the House of Representatives in regard to legislation must register with the Chief Clerk of the House of Representatives. Such person shall disclose in the detail deemed by the Chief Clerk necessary, the following information which will be recorded in a register kept by the Chief Clerk: (1) the name and address of the registrant; (2) the name and address of the registrant's employer including any association, organized group, State agency or office, or labor

union, and in case of multiple employers a sufficient number so identified as to indicate the class or classes registered with whose interests the registrant is concerned; and (3) the subject or subjects of legislation to which his employment relates.

A person to whom this requirement of registration applies may not appear before a House committee in pursuance of his employment until he is registered except upon special invitation of the committee, nor shall he in such pursuit try to influence the legislative judgment or action of a member of the House.

A person who is registered under this rule, or who should be registered under it, when appearing before a committee shall disclose to the committee those in whose interest he speaks, the purpose of his appearance and when he or the person for whom he appears has a pecuniary or other special interest in a measure or proposal different than the public generally, which is not apparent from his testimony, the fact thereof. Further, in pursuance of the employment for which he is or should be registered he must not knowingly furnish false information or make a false statement which is material and relevant to any matter with an intention to, or which he should know will have a tendency to influence the judgment or action of the House or of a committee thereof.

Representative McGinnis moved to lift **HB 1076** from the Speakers Table. Motion adopted by voice vote.

Roll call was taken on **HB 1076** and revealed:

YES: Representatives Boulden, Byrd, Clendaniel, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matush ~~ke~~, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Sincok, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 29.

NO: Representatives Ambrosino, Billingsley, Brady, Connor, McKay, Seibel, Smith — 7.

NOT VOTING: Representatives Arnold, Cain, Hebner, Leshner, Ridings — 5.

Therefore, the Bill was declared passed by the House.

Representative Gordy brought **HB 622** before the House for consideration.

HB 622 — "An Act to amend Chapter 6, Title 13, Delaware Code, relating to Reciprocal Enforcement of Support."

The House was recessed at 5:25 p.m. to repair the tape.

Mr. Speaker called the House to order at 5:26 p.m.

Representative Plant moved to place **HB 622** on the Speakers Table. Motion was defeated by voice vote. Therefore **HB 622** remained before the House.

Roll call was taken and revealed:

YES: Representatives Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Leshner, Lynch, McGinnis, McKay, Minner, Morris, Powell, Riddagh, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 34.

NO: Representatives Plant and Ridings — 2.

NOT VOTING: Representatives Ambrosino, Johnson, Matushefske, Maxwell, Miller — 5.

Therefore the Bill was declared passed by the House.

Representative George moved that **HB 767 w SA 1** be lifted from the Speakers Table. Motion was adopted by voice vote.

HB 767 — “An Act to amend Chapter 27, Part I, Title 18, Delaware Code relating to Insurance and providing Basic Readability Requirements for Automobile Insurance Policy Forms.”

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 40.

ABSENT: Representative McGinnis — 1.

Therefore, the Bill was declared passed by the House.

Representative Boulden requested **SB 418** be deferred, and brought **HB 1066** before the House for consideration.

HB 1066 — “An Act to amend Chapter 43, Title 21, Delaware Code, relating to Motor Vehicles, used by Railroad Companies to Transport Employees.”

Mr. Speaker assigned **SB 418** to House Administration Committee.

Roll call was taken on **HB 1066** and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington,

Johnson, Kelly, LeGates, Lynch, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 36.

NO: Representatives Hebner and McKay — 2.

NOT VOTING: Representatives Leshner and Smith — 2.

ABSENT: Representative Matushefske — 1.

Therefore, the Bill was declared passed by the House.

Representative Gordy requested **SB 449** be deferred indefinitely, and yielded to Representative Morris.

Representative Morris brought **HJR 43** before the House for consideration.

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

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Minner, Morris, Powell, Riddagh, Ridings, Rispoli, Sincok, Smith, Spence, Temple, Mr. Speaker Jonkiert — 34.

NO: Representatives Johnson, Miller, Plant, Seibel, Worthen — 5.

ABSENT: Representatives Brady, Matushefske — 2.

Therefore, the Bill was declared passed by the House.

Representative McGinnis requested **HB 700** be removed from the Agenda. So ordered by Mr. Speaker.

Representative Byrd brought **HB 1041** before the House for consideration.

HB 1041 — “An Act to amend Chapter 33, Title 19, Delaware Code relating to Unemployment Compensation.”

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 41.

Therefore, the Bill was declared passed by the House.

The House recessed for Committee Hearings at 6:07 p.m.
Mr. Speaker called the House to order at 6:23 p.m.

HB 1112 — 1 Favorable, 5 Merits; **HB 1113** — 1 Favorable, 5 Merits; were reported out of Aging Committee.

HB 1058 — 3 Favorable, 3 Merits; **HB 1069** — 4 Favorable, 2 Merits; were reported out of Agriculture Committee.

HB 992 was reported out of House Administration Committee with 2 Merits, 3 Unfavorable.

SB 678 was reported out of Appropriations Committee with 4 Merits.

Reported out of Public Safety Committee are as follows:
HS 1 for **HB 544** — 4 Merits; **SB 675** — 4 Merits; **SB 718** — 4 Merits.

Mr. Speaker announced that on this day May 25, 1976, the 128th General Assembly surpassed the record of 1117 House Bills introduced in the 127th General Assembly.

As of today, 1,124 House Bills have been introduced.

Representative McGinnis recessed at 6:25 p.m. to the call of the Chair.

Mr. Speaker called the House to order at 1:53 p.m. May 26, 1976.

House Bills reported out of Community Affairs Committee as follows: **HB 1102** — 4 Merits, 1 Unfavorable; **HB 1094** — 5 Merits; **HB 1081** — 5 Merits; **HB 1110** — 1 Favorable, 4 Merits; **HB 953** — 5 Merits.

Senate Bills reported out of Community Affairs Committee: **SB 702** — 4 Merits; **SB 317 w HA 1** — 4 Merits.

36TH LEGISLATIVE DAY

The Majority Leader moved to adjourn at 1:53 p.m. May 26, 1976, thereby ending the previous Legislative Day.

The House reconvened at 1:53 p.m.

A Prayer was offered by Reverend James H. Williams, of Union Baptist Church.

The Speaker led those present in a Pledge of Allegiance to the Flag.

PRESENT: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker

Jonkiert — 41.

The minutes of the previous Legislative were approved as posted.

The following pre-filed legislation was introduced:

HB 1125 — "An Act to amend Chapter 19, Title 24 of the Delaware Code by revising and establishing Criteria for Licensing Registered Professional Nurses and Registered Practical Nurses Licensed in other States." Introduced by Representative LeGates. Assigned to Health and Social Services Committee.

HB 1126 — "An Act to amend Chapter 5, Title 13, Delaware Code relating to Violation of Support Orders." Introduced by Representative Worthen. Assigned to Judiciary Committee.

HB 1127 — "An Act to amend Chapter 1, Title 26 of the Delaware Code relating to the Public Service Commission; and providing for a Delaware Lifeline Utilities Act." Introduced by Representative Maxwell. Assigned to Administrative Services Committee.

HB 1128 — "An Act to amend Chapter 496, Volume 57, Laws of Delaware and Chapter 52, Title 30, Delaware Code, relating to Registration of Private Motor Carriers." Introduced by Representative Minner. Assigned to Public Safety Committee.

HB 1129 — "An Act authorizing and directing the Board of Pension Trustees to permit Dorothy V. Jackson to pay Certain Sums into the Pension Fund in order to obtain a Pension which does not contain Deductions for Disability." Introduced by Representative Ambrosino. Assigned to Appropriations Committee.

HA 1 to HB 1008, introduced by Representative Miller and placed with the Bill.

HA 1 to HB 1072, introduced by Representative Gordy, and placed with the Bill.

HA 1 to HJR 46, introduced by Representative George, and placed with the Bill.

SB 659 w SA 1 — "An Act authorizing and directing the Board of Pension Trustees to grant a Survivor's Pension to Mrs. Ellis P. Sartin, widow of Mr. Ellis Price Sartin, a former County and State Employee." Introduced by Senator Isaacs. Assigned to Appropriations Committee.

SB 674 — "An Act to amend Chapter 5, Title 13 of the Delaware Code relating to Jurisdiction of the Family Court

over Support Agreements." Introduced by Senator Kearns. Assigned to Judiciary Committee.

SB 707 — "An Act to amend Chapter 44, Title 9, Delaware Code, relating to Kent County by amending the Penalty Provisions for Enforcement of Building Codes." Introduced by Senators Cook and Zimmerman. Assigned to Community Affairs Committee.

SB 710 — "An Act to amend Chapter 271, Volume 60, Laws of Delaware, entitled "An Act authorizing the State of Delaware to borrow money to be used for Capital Improvements and Expenditures in the nature of Capital Investments and to Issue Bonds and Notes therefor and appropriating the Monies to various Agencies of the State and to borrow money to be used for the Local Share of School Construction Programs and to Issue Bonds and Notes therefore and appropriating the Monies to the State Board of Education on behalf of Local School Districts." Introduced by Senator Isaacs. Assigned to Appropriations Committee.

SB 714 — "An Act to amend Title 17 and Title 21, of the Delaware Code relating to Toll Evasion on the Delaware River and Bay Authority Memorial Bridge (Twin Spans). Introduced by Senator Cicione; Representatives Gilligan, Maxwell, Byrd, Kelly. Assigned to Public Safety Committee.

SB 733 — "An Act authorizing the State of Delaware to borrow money to be used for the Installation of Guard Towers at the Delaware Correctional Center, Smyrna, Delaware and to Issue Bonds and Notes therefor and appropriating the Money borrowed to the Department of Corrections." Introduced by Senators Sharp and Isaacs. Assigned to Appropriations Committee.

HA 3 to SB 575, introduced by Representative George, and placed with the Bill.

HA 4 to SB 575, introduced by Representatives Gordy, Clendaniel, Derrickson, Harrington, Lynch, Temple, and placed with the Bill.

HA 5 to SB 575, introduced by Representative George, and placed with the Bill.

Representative Ferguson requested that the following letter from Mae R. Carter be read into the record:

**University of Delaware
Newark, Delaware 19711
Commission on The Status of Women**

May 20, 1976

Rep. John P. Ferguson
Legislative Hall
Dover, Del. 19901

Dear Representative Ferguson:

The Commission on the Status of Women of the University of Delaware, composed of and representing students, staff, professionals, faculty and administrators, is vitally interested in the proposed budget for the University of Delaware. As members of the University of Delaware President's Commission, we are charged with stimulating thinking on basic social changes as newly defined roles for men and women emerge and with analyzing the status and progress of women as students and employees of the University.

We know you are interested in maintaining a state university that is open to all segments of Delaware Citizenry, that has the best educational opportunities on all levels for Delaware students of all ages, and that provides employment opportunities equal to other components of the state. We also know the high expectations of people for leadership in the state with limited financial resources. However, the commission on the status of Women is very concerned about the proposed level of state support for the university in fiscal year 1977 and the way the cuts will affect the university and all the programs and people that are part of it. We appreciate your very difficult position of having to balance a budget and yet fund the state's many requests to maintain our excellent state services, but we would like to point out that the university in general and all its constituents will suffer in comparison with other universities and in the role it performs for the state if we are funded at the proposed level.

Specifically the cuts may especially impede the progress that has been made in the status of women at all levels in the university. New doors are being opened in employment both by legal rulings and by changing attitudes but without its proposed budget the university will not be able to hire either to replace or to fill new positions. This will, of course, take its toll on all levels—staff, professional and faculty. Worse still, in order to balance its budget, the university will have to eliminate positions and when all areas are scrutinized the largest number of cut backs that will be seen possible will be in the staff—mostly women.

The university is proceeding on its way with the very long

overdue and needed upgrading of clerical ranks, consisting mostly of women, and this cannot be financed with the present proposed state funding for the university.

Expansion of Women's Studies, a relatively new area of study at the university, will be impeded as will be many creative areas that strengthen the university and make it an important part of our society as it keeps up with basic social changes.

We thank you for your consideration of this very important matter—important to all citizens of Delaware, men and women, boys and girls who are our future students, employees and voting citizens. The Commission on the Status of Women represents the fulfillments of potential in men and women in our constantly changing society and urges you as a representative of the people of Delaware and their best interests to help the university provide for the future of the state.

Sincerely yours,
Mae R. Carter

Commission on the Status of Women

Mae R. Carter, Chairperson

Beverly Baxter

Julie Cox

Patricia Erisman

Ronald Frey

Agnes Green

Irwin G. Greenfield

Arthur Halprin

Betty J. Haslett

Mary Ann Hitchens

Laurene Shuman

Norrine B. Spencer

Robert J. Taggart

Sally Vernon

Althea Williams

Representative Plant requested that the following Editorial be made part of the record, An Editorial from The Morning News, Wilmington, Del. Wednesday May 26, 1976. Headline "How Can We Accept Corrections Bullying?"

We confess to almost total frustration over this state's bland acceptance of a corrections system dominated by legislative arrogance and ignorance.

Governor Sherman W. Tribbitt is being driven into a corner by the bullies of the legislature and may well dump Paul

Keve as acting prison commissioner.

Mr. Keve knows what prison administration is all about, but like all people he is not indispensable. The questions are: Who comes after Keve? And what happens then?

The answers are: More of the same. And probably worse.

As we write this, a supplemental appropriations bill is before the legislature to provide the corrections department with \$600,000 needed to meet its needs for the year. If it isn't passed soon, the June 15 payroll won't be met. The straight talk of it is that certain powerful legislators are holding the bill for ransom. They want Keve out. They want him out so they can have a yes-man in charge.

And what do they know about prison administration?

Almost nothing.

Some have relations who are disgruntled employees of the corrections system, or former employees who were discharged.

The governor deserves credit for having had the gumption to stick by his appointee. But he also shares some of the responsibility for not having cracked down on the arm-twisters in the legislature for their intrusions into operational procedures.

They wrecked the reorganizational plan in corrections a year ago. Tribbitt should have vetoed the legislation, but he signed it and we were given a reorganization plan that provided no salary for the commissioner, no secretary, no business manager and no funds with which to reorganize. If ever there was a literal exercise in legislative irresponsibility, this was a classic case.

No state can have administration by the legislature.

What we have in Delaware are people like J. Donald Isaacs, owner-operator of a 600-acre grain and beef farm; Thomas B. Sharp, a sheet metal foreman; Charles Hughes, operator of a security service, and others like them, insisting on knowing all the answers to a problem that demands professionalism.

The governor can solve the problem for good.

Let him nominate one of the above as commissioner of corrections.

The system will go to hell in no time, but it might teach Delaware the lesson it needs so desperately to learn.

The Reading Clerk informed us that the Senate had passed the following: **SB 714, HB 851, HCR 81** — Dated, 5/25/76; **SCR 76, HCR 79** — Dated, 5/19/76; **HB 910** —

Dated, 5/19/76.

Legislative Advisory No. 81; from the Office of Counsel to the Governor. The Governor approved the following legislation on the indicated dates: **SB 700**, 5/20/76; **HJR 45**, 5/20/76; **HS 1** for **HB 896**, 5/21/76; **HB 747**, 5/21/76; **HB 1029**, 5/21/76; **SB 648 w SA 1**, 5/22/76; **SB 328 w HA 1**, 5/22/76; **SB 593 w SA 1**, 5/22/76; **SS 1** for **SB 526 w HA 1**, 5/22/76; **HB 991**, 5/22/76; **HB 861**, 5/22/76; **HB 888 w HA 1**, 5/22/76; **HB 812**, 5/24/76; **HB 784 w HA 1**, 5/24/76.

The Governor neither approved nor disapproved **SB 573 w SA 1**; therefore, **SB 573 w SA 1** became law without the Governor's signature. "Providing a supplementary appropriation to the Delaware State College to be used to complete a sewage treatment project." (Chapter 415, Volume 60, Laws of Delaware.)

The following are approved Bills from Legislative Advisory No. 79: **SB 563**, 5/13/76; **SB 634 w HA 1**, 5/14/76; **SB 467**, 5/14/76; **HB 345**, 5/14/76; **HB 763 w HA 2**, 5/14/76; **HB 149**, 5/14/76; **HB 417**, 5/14/76; **HB 859**, 5/14/76; **HB 646**, 5/14/76; **HB 820**, 5/14/76; **HCR 72**, 5/14/76; **SCR 71**, 5/14/76.

The following Bills were reported out of Judiciary Committee: **HB 1001** — 1 Favorable, 4 Merits; **HB 1054** — 5 Merits; **HB 1100** — 1 Favorable, 4 Merits; **HB 1101** — 1 Favorable, 4 Merits; **HB 1103** — 1 Favorable, 4 Merits; **SB 613** — 5 Merits; **HB 930** — 2 Favorable, 3 Merits.

Representative Plant brought **HCR 82** before the House for consideration. Resolution was adopted by voice vote.

HCR 82 — "Requesting certain members of the Senate to refrain from making Personal Remarks on the Senate Floor about Members of the House of Representatives."

Representative Lynch moved to suspend all rules for the purpose of acting on **SB 575 w SA 1**, **HA 1**, **2**, **3**, **4**, **5**. Motion was adopted by voice vote.

SB 575 — "An Act to amend Chapter 26, Title 14, Delaware Code relating to Vocational School Tax Fund."

Representative Matushefske requested **HA 1** to **SB 575** be stricken.

Representative George moved to place **HA 2** to **SB 575** on the Speakers Table. Motion adopted by voice vote.

Representative George brought **HA 3** before the House for consideration.

Representative Worthen requested the privilege of the

floor for Mr. William Keene, Superintendent of the Appoquinimink School District.

Representative Morris requested the privilege of the floor for Mr. Charles Hoff, Superintendent of Kent County Vocational School District.

Representative Brady moved to table **SB 575**.

Roll call was taken on the motion and revealed:

YES: Representatives Ambrosino, Brady, Derrickson, Hebner, Leshner, McKay, Ridings, Smith — 8.

NO: Representatives Billingsley, Boulden, Cain, Clendaniel, Connor, Darling, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Sincock, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 30.

ABSENT: Representatives Arnold, Byrd, Ferguson — 3.

Therefore the motion was declared defeated, and **SB 575** remained before the House.

Roll call was taken on **HA 3** to **SB 575** and revealed:

YES: Representatives Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Sincock, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 33.

NO: Representatives Ambrosino, Arnold, Hebner, McKay, Ridings — 5.

NOT VOTING: Representatives Derrickson and Leshner — 2.

ABSENT: Representative Smith — 1.

Therefore the Bill was declared passed by the House.

Representative Gordy brought **HA 4** before the House for consideration. **HA 4** was adopted by voice vote.

Representative George brought **HA 5** before the House for consideration.

Representative Ambrosino requested the privilege of the floor for Mrs. Martha Bachman, Chairman of the Council on Career and Vocational Education.

Representative Ambrosino requested that the Sponsor of the Bill and Amendment, lay the Bill **SB 575** on the Table until The House of Representatives can get clarification of existing laws covering Vocational Districts and Boards.

Representative Arnold requested the privilege of the floor

for Mr. John Rich, House Attorney.

Roll call was taken on HA 5 to SB 575 and revealed:

YES: Representatives Boulden, Brady, Byrd, Clendaniel, Darling, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Maxwell, Miller, Minner, Morris, Plant, Riddagh, Rispoli, Seibel, Smith, Worthen, Mr. Speaker Jonkiert — 25.

NO: Representatives Ambrosino, Arnold, Billingsley, Cain, Connor, Derrickson, Leshar, Ridings, Sincok, Spence — 10.

NOT VOTING: Representatives McKay, Powell, Temple — 3.

ABSENT: Representatives Ferguson, Matushefske, McGinnis — 3.

Therefore HA 5 was declared passed by the House.

Representative Spence introduced and brought HA 6 before the House for consideration.

Representative Spence requested the privilege of the floor for Mr. John Rich, House Attorney.

Representative Spence moved to strike HA 6. So ordered by Mr. Speaker.

Representative Spence introduced and brought HA 7 before the House for consideration.

Representative Spence moved to strike HA 7. So ordered by Mr. Speaker.

Representative Spence introduced and brought HA 8 before the House for consideration.

Representative Spence moved to Table HA 8. Motion was adopted by voice vote.

Representative Darling introduced and brought HA 9 to SB 575 before the House for consideration. HA 9 was adopted by voice vote.

Representative Ridings introduced and brought HA 10 before the House for consideration.

Roll call was taken on HA 10 and revealed:

YES: Representatives Ambrosino, Arnold, McKay, Ridings, Sincok, Spence — 6.

NO: Representatives Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, George, Gilligan, Harrington, Hebner, Johnson, Kelly, LeGates, Leshar, Lynch, Matushefske, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Smith, Temple, Worthen, Mr. Speaker Jonkiert — 31.

NOT VOTING: Representatives Derrickson, Ferguson,

Gordy, Maxwell — 4.

Therefore **HA 10** was defeated by the House.

Representative McKay introduced and brought **HA 11** before the House for consideration.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Brady, Hebner, Leshner, McKay, Riddagh, Ridings, Sincock, Smith, Spence — 11.

NO: Representatives Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, George, Johnson, LeGates, Lynch, Matushefske, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Seibel, Worthen, Mr. Speaker Jonkiert — 21.

NOT VOTING: Representatives Derrickson, Ferguson, Gilligan, Gordy, Harrington, Kelly, Maxwell, Powell, Temple — 9.

HA 11 was declared defeated by the House.

Representative Spence introduced and brought **HA 12** before the House for consideration. **HA 12** was defeated by voice vote.

Representative Lynch moved to Table the roll call on **SB 575 w HA 3, 4, 5, 9.**

Representative Gordy moved to suspend all rules for the purpose of introducing and acting on **HB 1130.** Motion adopted by voice vote.

HB 1130 — "An Act to amend Chapter 26, Title 14, Delaware Code, relating to Vocational School Tax Fund."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

NO: Representatives Billingsley, Brady, Ridings, Seibel — 4.

Therefore, the Bill was declared passed by the House.

Representative George brought **HB 1045 w SA 1** before the House for consideration.

HB 1045 — "An Act to provide a supplementary appropriation to the Department of Correction for Operations for the Fiscal Year Ending June 30, 1976, and Certain Prior Year Obligations."

Representative George moved to table **HB 1045 w SA 1**. Motion was adopted by voice vote.

Representative McGinnis moved to recess at 5:28 p.m.

Mr. Speaker called the House to order at 6:04 p.m.

Representative Matushefske moved to suspend all rules for the purpose of introducing and acting on **HB 1131**. Motion was adopted by voice vote.

HB 1131 — "An Act to amend Chapter 10, Title 14 of the Delaware Code relating to Vocational Technical School Districts."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Leshner, Lynch, Matushefske, McGinnis, McKay, Miller, Minner, Morris, Riddagh, Ridings, Rispoli, Sincock, Smith, Temple, Mr. Speaker Jonkiert — 27.

NO: Representatives Billingsley, Brady, Cain, Plant — 4.

NOT VOTING: Representatives Connor, Derrickson, Johnson, LeGates, Maxwell, Powell, Seibel, Spence, Worthen — 9.

ABSENT: Representative Kelly — 1.

Therefore, the Bill was declared passed by the House.

Representative Lynch moved to lift roll call on **SB 575**.

Motion adopted by voice vote.

SB 575 — "An Act to amend Chapter 26, Title 14, Delaware Code relating to Vocational School Tax Fund."

Roll call was taken and revealed:

YES: Representatives Billingsley, Brady, Cain, Clendaniel, Derrickson, George, Gordy, Harrington, Johnson, LeGates, Lynch, Matushefske, McGinnis, McKay, Miller, Minner, Morris, Plant, Rispoli, Seibel, Temple, Worthen, Mr. Speaker Jonkiert — 23.

NO: Representatives Ambrosino, Arnold, Boulden, Byrd, Ferguson, Gilligan, Hebner, Kelly, Maxwell, Ridings, Sincock, Smith, Spence — 13.

NOT VOTING: Representatives Connor, Darling, Leshner, Powell, Riddagh — 5.

Therefore, the Bill was declared passed by the House.

Representative George moved that **HB 1045** be lifted from the Speakers Table. Motion adopted by voice vote.

HA 1 to HB 1045 was introduced and brought before the House for consideration by Representative George, and adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Byrd, Cain, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Ridings, Rispoli, Seibel, Sincock, Smith, Temple, Worthen, Mr. Speaker Jonkiert — 34.

NO: Representatives Clendaniel, Ferguson, Morris, Riddagh, Spence — 5.

ABSENT: Representatives Boulden and Kelly — 2.

Therefore the Bill was declared passed by the House.

Representative McGinnis moved for recess for Minority Party discussion.

Mr. Speaker called the House to order at 6:23 p.m.

Representative LeGates brought **HB 994** before the House for consideration.

HB 994 — “An Act to amend Chapter 7, Title 19 of the Delaware Code relating to Employment Practices; and prohibiting the Hiring of Illegal Aliens.”

Representative LeGates requested the privilege of the floor for Mr. Bill Wagner, House Attorney.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

ABSENT: Representatives Derrickson, Kelly, Matushefske, Ridings — 4.

Therefore, the Bill was declared passed by the House.

Representative Byrd requested **HB 1006** be deferred to the end of the Agenda, and yielded to Representative Rispoli.

Representative Rispoli brought **SB 635** before the House for consideration.

SB 635 — “An Act to amend Part VI, Chapter 61, Title 29, Delaware Code, relating to Funds received from State Operated Housing Projects under the Auspices of the Delaware State Housing Authority or the Department of Community Affairs and Economic Development.”

Representative Rispoli yielded to Representative Miller, a Co-Sponsor of **SB 635**.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Johnson, LeGates, Leshner, Lynch, Matushefske, Maxwell, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 35.

NOT VOTING: Representatives Derrickson, Hebner — 2.

ABSENT: Representatives Harrington, Kelly, McGinnis, Ridings — 4.

Therefore, the Bill was declared passed by the House.

Representative Lynch brought **SB 577** before the House for consideration.

SB 577 — “An Act to amend Title 10, Title 11, Title 14, and Title 31, of the Delaware Code relating to Parents and Children; and providing Criteria in Certain Cases for the Definition of Truant Behavior and Truancy.”

Representative Lynch moved to Table **SB 577**. Motion was adopted by voice vote.

Representative Worthen brought **HS 1** for **HB 647** before the House for consideration.

HS 1 for **HB 647** — “An Act to amend Chapter 60, Title 7, Delaware Code, relating to Water Allocation by the Secretary of the Department of Natural Resources and Environmental Control.”

The Reading Clerk read in the Fiscal Projections from the Fiscal Note to **HS 1** for **HB 647** at the request of Representative Worthen.

Fiscal Note

Bill: **HS 1** for **HB 647**

Sponsor: Representative Worthen

Description: An Act protecting citizens affected by water allocations and to provide for petition and hearings.

FY 1977: \$31,247

FY 1978: \$32,809

FY 1979: \$34,450

Office of the Controller General

May 25, 1976

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson,

Ferguson, George, Gilligan, Gordy, Hebner, Johnson, LeGates, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 35.

NO: Representatives Boulden, Morris — 2.

ABSENT: Representatives Harrington, Kelly, Leshner, Matushefske — 4.

Therefore **HS 1** for **HB 647** was declared passed by the House.

Representative Minner moved to suspend all the necessary rules for the purpose of introducing and acting on **SB 745**. Motion was adopted by voice vote.

SB 745 — “An Act concurring in a Proposed Amendment to Article VIII of the Constitution of the State of Delaware, relating to the Uniformity of Taxes; and Assessment and Taxation of Land devoted to Agriculture and Forest Use; collection under General Laws; Exemption for Public Welfare Purposes.”

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

NO: Representatives Billingsley and Brady — 2.

NOT VOTING: Representative Leshner — 1.

ABSENT: Representative Kelly — 1.

Therefore, the Bill was declared passed by the House.

Representative McGinnis moved to recess at 7:06 p.m. for conference.

Mr. Speaker called the House to order at 7:11 p.m.

Representative George moved to rescind the roll call on **HB 1045**. Motion was adopted by voice vote.

HB 1045 — “An Act to provide a supplementary appropriation to the Department of Correction for Operations for the Fiscal Year ending June 30, 1976, and Certain Prior Year Obligations.”

Representative George moved that roll call on **HA 1** to **HB 1045** be rescinded. Motion adopted by voice vote.

Representative George requested **HA 1** be stricken. So ordered by Mr. Speaker.

Roll call was taken on **HB 1045**, and revealed:

YES: Representatives Arnold, Byrd, Cain, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Powell, Riddagh, Rispoli, Sincok, Smith, Spence, Temple, Mr. Speaker Jonkiert — 30.

NO: Representatives Ambrosino, Billingsley, Boulden, Brady, Clendaniel, McKay, Morris, Ridings, Seibel, Worthen — 10.

ABSENT: Representative Kelly — 1.

Therefore the Bill was declared passed by the House.

Representative McGinnis moved to recess at 7:16 p.m. to the Call of the Chair.

The Speaker called the House to order at 1:58 p.m. May 27, 1976.

The Majority Leader moved to adjourn at 1:59 p.m., thereby ending the previous Legislative Day.

37TH LEGISLATIVE DAY

The House reconvened at 1:59 p.m.

A Prayer was offered by Representative Thomas Temple.

The Speaker led those present in a Pledge of Allegiance to the Flag.

PRESENT: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 41.

The minutes of the previous day were approved as posted.

The following pre-filed Legislation was introduced:

HB 1132 — "An Act to amend Title 6 and Title 16 of the Delaware Code relating to the Reclamation and Recycling of Solid Waste and Discarded Litter." Introduced by Representatives Leshner and Smith. Assigned to Labor and Commerce Committee.

HB 1133 — "An Act to amend Chapter 17, Title 24 of the Delaware Code relating to Medicine, Surgery and Osteopathy; and providing for a Definition of Death." Introduced by Representatives Smith, Hebner, LeGates, Maxwell, Ridings, Sincok, Temple; Senator Berndt. Assigned to Health and

Social Services Committee.

HA 1 to HB 658, introduced by Representative Spence, placed with the Bill.

HA 1 to HB 1015, introduced by Representative Boulden, and placed with the Bill.

HA 1 to HB 1036, introduced by Representative Maxwell, and placed with the Bill.

HA 1 to HB 1111, introduced by Representative Worthen, and placed with the Bill.

HA 1 to HB 1129, introduced by Representative Ambrosino, and placed with the Bill.

SB 385 w SA 1 — "An Act to amend Chapter 504, Volume 59, Laws of Delaware entitled "An Act to amend Subchapter 11 of Chapter 43, Title 21, Delaware Code, relating to Lighted Lamps on Motor Vehicles." Introduced by Senator Castle, and assigned to Public Safety Committee.

SB 582 — "An Act to amend Chapter 87 of Title 10, Delaware Code, relating to the Prothonotary." Introduced by Senator Kearns. Assigned to Judiciary Committee.

SB 719 — "An Act authorizing the Public Service Commission to Expend Funds from the Public Service Commission Regulatory Revolving Fund to employee consultants to assist the Auditor in the preparation of Technical Phases of Fuel Adjustment Hearings." Introduced by Senator Martin. Assigned to Appropriations Committee.

HA 1 to SB 577, introduced by Representative Billingsley, and placed with the Bill.

HB 1134 — "An Act to amend Part IV, Title 29, Delaware Code, establishing an Office of Highway Safety and transferring to said office all the Duties, Powers, Functions and Employees of the Office of Federal-State Highways Safety Coordinator." Introduced by Representative Harrington. Assigned to House Administration Committee.

House Bills reported out of Revenue and Finance Committee as follows: **HB 901** — 1 Favorable, 5 Merits; **HB 818** — 1 Favorable, 5 Merits; **HB 849** — 1 Favorable, 5 Merits; **HB 1035** — 1 Favorable, 5 Merits; **HB 915** — 1 Favorable, 5 Merits.

Reported out of Constitution Revenue Committee: **HB 191** — 4 Favorable, 2 Merits; **HB 169** — 3 Favorable, 2 Merits.

Representative Powell brought **HR 152** before the House for consideration. Adopted by voice vote.

HR 152 — Expressing the sincere congratulations of the 128th General Assembly to Karen Faulkner, State Winner of

the Bicentennial Spelldown for Elementary Schools."

Representative Ambrosino introduced and brought **HR 153** before the House for consideration.

Representative Ambrosino moved to place **HR 153** on the Speakers Table. Representative McGinnis seconded the motion. Motion adopted by voice vote.

Representative Gordy brought **HB 604 w SA 1** before the House for consideration.

HB 604 — "An Act to amend Chapter 4, Title 21, Delaware Code, relating to Reciprocity Agreements for Driver's License."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 39.

ABSENT: Representatives Boulden, George — 2.

Therefore, the Bill was declared passed by the House.

Representative McGinnis moved to recess at 2:28 p.m. for Caucus.

Mr. Speaker called the House to order at 3:42 p.m.

Representative Gordy brought **HB 1025** before the House for consideration.

HB 1025 — "An Act to amend Section 938, Title 10, Delaware Code to allow the Family Court to proceed against an 18 year old as an Adult even though charged with the offense while a Juvenile."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, Leshner, Lynch, Matushefske, Maxwell, McKay, Minner, Morris, Powell, Riddagh, Ridings, Smith, Spence, Temple, Worthen Mr. Speaker Jonkiert — 32.

NO: Representatives Billingsley, Miller, Plant, Seibel — 4.

NOT VOTING: Representative Sincock — 1.

ABSENT: Representatives Derrickson, LeGates,

McGinnis, Ridings — 4.

Therefore, the Bill was declared passed by the House.

Representative Byrd moved to suspend all the necessary rules for the purpose of introducing and acting on **HB 1135**.

Motion adopted by voice vote.

HB 1135 — “An Act to amend Title 4 of the Delaware Code relating to Licenses for Non-Profit Groups and Organizations; and to Licenses for Caterers.”

Representative Byrd moved to place **HB 1135** on the Speaker's Table. Motion adopted by voice vote.

Mr. Speaker deferred **HB 1061** to the end of the Agenda.

Representative Riddagh brought **HB 1057** before the House for consideration.

HB 1057 — “An Act to amend Chapter 75, Part V, Title 15 of the Delaware Code relating to Municipal and Town Elections; and providing for a Reduction in the amount of Time Polls must stay open when there is only one candidate for each office.”

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 39.

ABSENT: Representatives Brady and McGinnis — 2.

Therefore the Bill was declared passed by the House.

Representative Riddagh brought **HJR 44** before the House for consideration.

HJR 44 — “Commending the Participants and Organizers of the 1976 Delaware Special Olympics.”

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

ABSENT: Representatives Brady, Ferguson, McGinnis — 3.

Therefore, the Bill was declared passed by the House.

Representative Boulden brought before the House **SB 609** for consideration.

SB 609 — "An Act to amend Chapter 1 of Title 17, Delaware Code relating to General Jurisdiction of the Department of Highways and Transportation."

Mr. Speaker recessed the House at 4:10 p.m. to repair the Tape.

Mr. Speaker called the House to order at 4:12 p.m.

Roll call was taken on **SB 609**, and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

NOT VOTING: Representative Derrickson — 1.

ABSENT: Representatives Matushefske, Maxwell, McGinnis — 3.

Therefore the Bill was declared passed by the House.

Representative Boulden requested **SJR 55** be deferred to the end of the Agenda, and moved to lift **HB 1015** from the Speaker's Table. Motion was adopted by voice vote.

HB 1015 — "An Act to amend Chapter 21, Title 21, Delaware Code relating to "PC" License Plates."

HA 1 was brought before the House for consideration by Representative Boulden, and adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McKay, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen — 35.

NO: Representatives Clendaniel, Harrington, Mr. Speaker Jonkiert — 3.

NOT VOTING: Representative Minner — 1.

ABSENT: Representatives McGinnis, Miller — 2.

Therefore, the Bill was declared passed by the House.

Representative Cain requested **HB 1013** be deferred to Thursday June 3, 1976.

Representative Gordy brought **HB 1072** before the House for consideration.

HB 1072 — “An Act to amend Chapter 3, Title 21, Delaware Code, relating to Fees for Certified Records.”

Representative Gordy brought **HA 1** before the House for consideration, and it was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 40.

ABSENT: Representative McGinnis — 1.

Therefore, the Bill was declared passed by the House.

Representative Boulden requested **SB 619 w HA 1** be deferred to the end of the Agenda, and yielded to Representative Gilligan.

Representative Gilligan brought **HB 1061** before the House for consideration.

HB 1061 — “An Act to amend Title 9, relating to Counties to correct Editorial Errors in the Delaware Code Annotated.”

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 40.

ABSENT: Representative George — 1.

Therefore, the Bill was declared passed the House.

Representative Gordy brought **SB 671** before the House for consideration.

SB 671 — “An Act to amend Chapter 41, Part III, Title 21 of the Delaware Code relating to motor vehicles; and providing for a rebuttable presumption in instances involving the unlawful passing of a school bus.”

Roll call on the Bill was taken and revealed:

YES: Representatives Clendaniel, Darling, Ferguson, Gordy, Lynch, Minner and Temple — 7.

NO: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Connor, Derrickson, George, Gilligan, Hebner, Kelly, LeGates, Leshner, Matushefske,

Maxwell, McGinnis, McKay, Miller, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Worthen, Mr. Speaker Jonkiert — 31.

NOT VOTING: Representative Johnson — 1.

ABSENT: Representative Harrington — 1.

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

At 4:47 p.m. Representative McGinnis moved to recess for party caucuses. The House reconvened at 5:07 p.m.

Representative McGinnis introduced **HR 154** for consideration and was adopted by voice vote.

HR 154 — "Expressing the sorrow of the House of Representatives at the passing of M.A. Tarumianz, M.D., a leader in the development of psychiatric medicine."

Representative Matushefske requested that **SS 1** for **SB 235 w HA 1** be deferred to the end of the Agenda and yielded to Representative Lynch.

Representative Lynch moved to lift **SB 577** from the Speakers Table and the motion was adopted by voice vote.

SB 577 — "An Act to amend Title 10, Title 11, Title 14, and Title 31 of the Delaware Code relating to parents and children; and providing criteria in certain cases for the definition of truant behavior and truancy."

Representative Seibel moved to table **SB 577**. A roll call was taken on the motion.

YES: Representatives Derrickson, George, Johnson, Plant, Rispoli, Seibel and Mr. Speaker Jonkiert — 7.

NO: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, Gordy, Harrington, Hebner, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, Minner, Morris, Powell, Riddagh, Ridings, Sincok, Smith, Spence, Temple, Worthen — 31.

NOT VOTING: Representative McKay — 1.

ABSENT: Representatives Brady and Miller — 2.

Therefore, the motion to table the Bill was defeated and **SB 577** remained before the House for consideration.

Representative Billingsley brought **HA 1** to **SB 577** before the House for consideration.

Roll call on **HA 1** was taken and revealed:

YES: Representatives Billingsley, Brady, Byrd, George, Kelly, Lynch, McKay, Rispoli, Seibel, Worthen, Mr. Speaker Jonkiert — 11.

NO: Representatives Ambrosino, Arnold, Boulden, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Hebner, Johnson, LeGates, Leshner, Maxwell, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Sincok, Smith, Spence, Temple — 28.

NOT VOTING: Representatives Matushefske and McGinnis — 2.

Therefore, **HA 1** for **SB 577** was declared defeated.

Roll call on **SB 577** was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Minner, Morris, Powell, Riddagh, Ridings, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 34.

NO: Representatives Brady, Johnson, Matushefske, Miller, Plant, Rispoli, Seibel — 7.

Therefore **SB 577** was declared passed the House and ordered back to the Senate.

Representative George moved to suspend all rules for the purpose of introducing and acting on **HB 1136**. Motion was adopted by voice vote.

HB 1136 — "An Act to provide a supplemental appropriation to the Department of Corrections for operations for the fiscal year ending June 30, 1976."

Roll call vote on **HB 1136** was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Byrd, Cain, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, Miller, Minner, Plant, Powell, Rispoli, Sincok, Smith, Temple, Worthen, Mr. Speaker Jonkiert — 32.

NO: Representatives Clendaniel, Morris, Riddagh, Spence — 4.

NOT VOTING: Representatives McKay and Ridings — 2.

ABSENT: Representatives Billingsley, Matushefske, Seibel — 3.

Therefore, **HB 1136** was declared passed the House and was sent to the Senate for consideration.

Representative Hebner brought **HR 155** before the House for consideration.

HR 155 — "Expressing concern over the present security system at Legislative Hall."

Representative George made a point of order that **HR 155** was not legal because a simple resolution is only effective within the House of Representatives.

Representative Hebner moved to strike **HR 155** and it was so ordered by the Speaker.

Representative Ambrosino moved to lift **HR 153** from the Speakers Table and the motion was adopted by voice vote.

HR 153 — "Requesting all school boards which have, in addition to lawful school taxes, levied "an additional ten percent with county officials for the formulation of a procedure which will return all funds unlawfully collected as soon as possible."

Roll call on the resolution was taken and revealed:

YES: Representatives Ambrosino, Arnold, Brady, Byrd, Cain, Connor, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Maxwell, McGinnis, McKay, Miller, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 32.

NO: Representatives Boulden, Clendaniel, Darling, Lynch, Minner — 5.

NOT VOTING: Representative Ferguson — 1.

ABSENT: Representatives Billingsley, Matushefske, Seibel — 3.

Therefore **HR 153** was declared passed the House.

Representative Ambrosino moved that copies of this resolution be sent to all school districts.

Representative Boulden amended the motion to include copies of the roll call.

The amended motion was adopted by voice vote and copies of the resolution and its roll call were to be sent to all the school districts in the State of Delaware.

Representative McGinnis moved for a recess for committee meetings at 5:50 p.m.

The House was called to order at 6:11 p.m.

Committee Reports were:

From Aging: **HB 1120** — 3 Favorable, 2 Merits.

From Appropriations: **HB 1055** — 6 Merits; **HB 1048** — 5 Merits; **SB 548** — 6 Merits.

From Administrative Services: **HB 1059** — 4 Merits; **SB 454** — 1 Favorable, 4 Merits; **SB 18** — 4 Merits; **HB 1122** — 5 Merits; **HB 842** — 2 Merits, 2 Unfavorable; **HB 257** — 5 Merits.

From Health and Social Services: **HB 1111** — 4 Merits.
 From Revenue and Finance: **HB 1098** — 4 Merits; **HB 874** — 5 Merits; **HB 1049** — 1 Favorable, 2 Merits, 2 Unfavorable.

Representative McGinnis moved that the House recess to the call of the Chair.

Mr. Speaker recessed the House until 1:30 p.m. Tuesday, June 1, 1976.

The Speaker called the House to order at 2:51 p.m. June 1, 1976.

Senate Bills reported out of Community Affairs Committee as follows: **SS 2** for **SB 256** — 4 Favorable, 1 Unfavorable.

House Bills reported out of Federal and State Relations Committee: **HB 838** — 3 Favorable, 2 Merits.

The Majority Leader moved to adjourn at 2:53 p.m., thereby ending the previous Legislative Day.

38TH LEGISLATIVE DAY

The House reconvened at 2:53 p.m.

A Prayer was offered by the Reverend Richard Copple.

The Speaker led those present in a Pledge of Allegiance to the Flag.

PRESENT: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 41.

The minutes of the previous Legislative Day were approved as posted.

Representative Plant brought **HR 156** before the House for consideration. Adopted by voice vote.

HR 156 — "Requesting the State Planning Office and the Department of Corrections to survey the use of Electronic Devices to improve security at the Delaware Correctional Institution."

Representative Plant brought **HR 157** before the House for consideration. Adopted by voice vote.

HR 157 — "Requesting the Delaware Congressional Delegation to ask for an Independent Investigation of the FBI activity with respect to the Assassination of the Reverend Dr.

Martin Luther King, Jr.”

Representative Matushefske introduced and brought before the House **HCR 83** for consideration. Adopted by voice vote.

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

The following pre-filed Legislation was introduced:

HB 1137 — “An Act to amend Chapter 87, of Title 10, Delaware Code relating to Mileage Fees charged by Sheriffs.” Introduced by Representative Byrd. Assigned to the Appropriations Committee.

HB 1138 — “An Act to amend Chapter 11, Part XI, Title 16 of the Delaware Code relating to Nursing Homes; and providing for a Nursing Home Advocate Committee.” Introduced by Representatives Kelly and Jonkiert. Assigned to Aging Committee.

HB 1139 — “An Act to amend Chapter 59, Title 29, Delaware Code, to provide for vacant positions in Pay Grades 5-10 to be filled by Agency Recruitment Efforts and to give employment preference to the unemployed with no other source of Income surpassing poverty level.” Introduced by Representative Minner. Assigned to Labor and Commerce Committee.

HB 1140 — “An Act to amend Chapter 29, Part XI, Title 31 of the Delaware Code relating to the Elderly; and providing for an Elder Service Corps.” Introduced by Representatives Kelly and Jonkiert. Assigned to Aging Committee.

Representative McGinnis moved that the House recess for caucus at 2:02 p.m.

Mr. Speaker called the House to order at 3:36 p.m.

Representative Minner deferred **HB 986** to the end of the agenda and yielded to Representative Maxwell.

Representative Maxwell moved to lift the roll call on **SB 126**. The motion was adopted by a voice vote.

SB 126 — “An Act to amend Subchapter I of Chapter 1, Title 26, Delaware Code, relating to discontinuance of Gas, Water or Electric Service by Public Utilities.”

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington,

Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 40.

NOT VOTING: Representative Jornlin — 1.

Therefore the Bill was declared passed by the House.

Representative Clendaniel brought **HB 992** before the House for consideration.

HB 992 — “An Act to amend Chapter 5, Title 1, Delaware Code, to provide that Return Day shall be a Legal Holiday in 1976 as part of the Statewide Observance of the Bicentennial Year.”

Mr. Derrickson requested that the Fiscal Year amounts be read from the fiscal note for **HB 992**.

The Reading Clerk read as follows:

**128th GENERAL ASSEMBLY
SECOND SESSION — 1976
FISCAL NOTE**

BILL: House Bill No. 992

SPONSOR: Representative Clendaniel

DESCRIPTION: An Act to make Return Day a legal holiday State-wide for 1976, only as part of the Bicentennial observance.

FY 1976

Additional General Funds -0-

FY 1977

General Funds Required: \$7,067

FY 1978

General Funds -0-

Office of the Controller General

April 22, 1976

Representative Ridings requested the privilege of the floor for Mr. Fred VanSant from the Controller's Office.

Roll call was taken and Representative Clendaniel moved to table the roll call on **HB 992**. The motion was adopted by a voice vote.

Representative Kelly requested that **HB 1070** be deferred until June 2, 1976.

Representative Worthen requested that **HB 1052** be deferred until June 2, 1976.

Representative LeGates deferred **HB 729** to the end of the Agenda and yielded to Representative Matushefske.

Mr. Speaker assigned **HB 729** to the House Administration Committee.

Representative Matushefske moved for the suspension of all rules for the purpose of acting on **SB 674**.

Representative Matushefske withdrew his motion at the request of Mr. Speaker.

Representative Morris deferred **HB 952** to the end of the Agenda and yielded to Representative Darling.

Representative Darling brought **HB 1110** before the House for consideration.

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

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 40.

ABSENT: Representative Powell — 1.

Therefore the Bill was declared passed the House.

Representative Gilligan requested that **SB 622** be deferred until June 2, 1976.

Representative Morris brought **HB 486** before the House for consideration.

HB 486 — "An Act to amend Subchapter VI, Title 31, Delaware Code, relating to Child Day Care Centers."

Representative Morris moved to place **HB 486** on the Speakers Table. The Motion was adopted by voice vote.

Representative Matushefske moved to suspend all rules for the purpose of acting on **SB 674**.

Representative Matushefske withdrew the above motion.

The Chief Clerk read the Judiciary Committee Report on **SB 674** — 1 Favorable, 3 Merits.

Representative Matushefske moved for the suspension of the Agenda rules for the sole purpose of acting on **SB 674**. Motion adopted by voice vote.

SB 674 — "An Act to amend Chapter 5, Title 13, of the Delaware Code relating to Jurisdiction of the Family Court over Support Agreements."

Representative Gordy requested the privilege of the floor

for House Attorney John Rich.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Seibel, Sincock, Smith, Temple, Worthen, Mr. Speaker Jonkiert — 36.

NO: Representatives Ferguson and Rispoli — 2.

NOT VOTING: Representatives Maxwell and Ridings —

2.

ABSENT: Representative Spence — 1.

Therefore the Bill was declared passed by the House.

Representative Ambrosino moved to suspend all rules to act on **HR 143**.

Representative Ambrosino withdrew his motion for suspension of rules.

Representative LeGates brought **SB 236 w HA 1, HA 2** before the House for consideration.

SB 236 — “An Act to amend Part VII, Title 7 of the Delaware Code relating to the Control and Abatement of Noise.”

Representative LeGates yielded to Representative Worthen.

Representative Worthen moved to place **SB 236** on the Speaker’s Table. Motion was adopted by voice vote.

Representative Gordy brought **SB 675 w SA 2, 4** before the House for consideration.

SB 675 — “An Act to amend Chapter 41, of Title 21, Delaware Code relating to Omnibus changes in the Department of Public Safety.”

Representative Gordy requested the privilege of the floor for Mr. James Turner, from Delaware Safety Council.

Representative Plant requested the privilege of the floor for House Attorney John Rich.

Mr. James Turner returned to the floor.

Roll call was tabled on motion of Representative Gordy. Motion was adopted by voice vote.

Representative McGinnis moved that the Agenda rules be suspended for the sole purpose of acting on one Bill. Motion was adopted by voice vote.

Representative Rispoli brought **SB 702** before the House

for consideration.

SB 702 — “An Act to reincorporate the Town of Millsboro.”

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 40.

ABSENT: Representative Kelly — 1.

Therefore the Bill was declared passed by the House.

Representative Rispoli moved that roll call on **SB 531** be lifted from the Speaker's Table. Motion was adopted by voice vote.

SB 531 — “An Act to amend Chapter 24, Volume 58, Laws of Delaware being an Act entitled “An Act to reincorporate the Town of Blades,” relating to provisions for voting in an Annexation Election.”

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Clendaniel, Connor, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Leshner, Lynch, Matushefske, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 35.

ABSENT: Representatives Cain, Darling, Ferguson, Johnson, Maxwell, Morris — 6.

Therefore the Bill was declared passed by the House.

Representative Rispoli moved to lift roll call on **SB 614**. Motion was adopted by voice vote.

SB 614 — “An Act to repeal Chapter 812, Volume 60, Laws of Delaware and to amend Chapter 216, of Volume 27, Laws of Delaware, entitled “An Act amending, revising and consolidating the Charter of the City of New Castle.”

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith,

Spence, Temple, Worthen, Mr. Speaker Jonkiert — 40.

ABSENT: Representative Ferguson — 1.

Therefore the Bill was declared passed by the House.

Representative Rispoli moved to lift roll call on **SB 686** from the Speaker's Table. Motion was adopted by voice vote.

SB 686 — "An Act to amend Volume 36, Laws of Delaware, Chapter 1929 entitled "An Act changing the name of "The Town of Dover" to the "City of Dover" and establishing a Charter therefore, said amendment being to change the Charter concerning the designation and boundaries of the City therein; changing the hours the polls shall remain open for Municipal Elections and the place of holding Elections; changing the Election Rules concerning a tie vote in Municipal Elections; changing the provisions for a Quorum and provisions for Special Elections; abolishing the right of the Mayor to vote and providing that Members of the Planning Commission cannot hold Elected City Offices at the same time and making other changes to the Charter."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 41.

Therefore the Bill was declared passed by the House.

Representative Gordy moved that roll call on **HB 1013** be lifted from the Speaker's Table. Motion adopted by voice vote.

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

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 40.

ABSENT: Representative Plant — 1.

Therefore the Bill was declared passed by the House.

Representative Byrd moved to lift **HB 1135** from the Speaker's Table. Motion was adopted by voice vote.

HB 1135 — "An Act to amend Title 4 of the Delaware Code relating to Licenses for Non-Profit Groups and Organizations; and to Licenses for Caterers."

Representative Byrd brought **HA 1** before the House for consideration. Amendment was adopted by voice vote.

Representative Byrd requested the privilege of the floor for Mr. Joseph Walling, Chairman of Delaware Alcoholic Beverage Control Board."

Representative Billingsley introduced **HA 2** from the floor, and brought it before the House for consideration. **HA 2** was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Boulden, Byrd, Cain, Darling, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Matushefske, Maxwell, McGinnis, Miller, Morris, Plant, Rispoli, Temple, Worthen, Mr. Speaker Jonkiert — 21.

NO: Representatives Arnold, Billingsley, Brady, Clendaniel, Connor, Leshner, Lynch, Riddagh, Ridings, Smith, Spence — 11.

NOT VOTING: Representatives Ambrosino, Derrickson, Hebner, McKay, Minner, Powell, Seibel, Sincock — 8.

ABSENT: Representative Ferguson — 1.

Therefore the Bill was declared passed by the House.

House Bills reported out of House Administration Committee as follows: **HB 932** — 4 Merits; **HB 1117** — 4 Merits, 1 Unfavorable; **HB 1134** — 4 Merits.

House Bills reported out of Judiciary Committee as follows: **HB 805** — 4 Merits; **HB 890** — 5 Merits; **HB 854** — 5 Merits.

Reported out of Labor Committee as follows: **HB 825** — 4 Merits; **HB 324** — 3 Merits, 1 Unfavorable.

Reported out of Public Safety Committee as follows: **HB 1128** — 4 Merits; **SB 615** — 4 Merits; **HB 567** — 4 Merits.

HB 1126 was reported out of Judiciary Committee with 1 Favorable, 3 Merits.

Reported out of Natural Resources and Environmental Control Committee as follows: **HB 826** — 4 Merits, 1 Unfavorable; **SS 1**, **SB 631** — 4 Merits; **SB 681** — 6 Merits.

Representative McGinnis moved to recess at 6:45 p.m.

Mr. Speaker recessed to the call of the Chair.

Mr. Speaker called the House to order at 1:50 p.m. June 2, 1976.

HB 1099 was reported out of Constitution Revision Committee with 5 Merits.

39TH LEGISLATIVE DAY

The Majority Leader moved to adjourn at 1:51 p.m., thereby ending the previous Legislative Day.

The House reconvened at 1:51 p.m.

A Prayer was offered by Rabbi Norman S. Goldman of Dover.

The Speaker led those present in a Pledge of Allegiance to the Flag.

PRESENT: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 41.

The minutes of the previous day were approved as posted.

The Chief Clerk informed the House that the Senate had passed the following Bills: **SB 729, 738, 630, HB 1076, HJR 41** — 6/1/76; **SB 385 w SA 1, HB 1130, HCR 82** (lost) — 5/26/76; **HB 1004, HB 959 w HA 1, HB 604 w SA 1** — 5/26/76; **SB 719, HB 473, HB 989** — 5/26/76; **HB 420 w HA 1 and SA 1** — 5/26/76.

From the Office of Counsel to the Governor, Legislative Advisory #82 — The Governor approved the following on indicated dates: **HB 1130** — 5/28/76; **HCR 78** — 5/28/76; **HCR 79** — 5/28/76; **HB 988** — 5/29/76.

The following pre-filed Legislation was introduced:

HB 1141 — “An Act to amend Part XI, Title 16 of the Delaware Code relating to the Public Health and Safety; and providing for a Delaware Oil Recycling Act.” Introduced by Representative Ambrosino. Assigned to Health and Social Services Committee.

HB 1142 — “An Act proposing an Amendment to the Constitution of the State of Delaware.” Introduced by Representatives Worthen, Hebner; Senators Manning, Kearns. Assigned to Constitution Revision Committee.

HB 1143 — “An Act authorizing the State of Delaware to borrow money and to Issue Bonds and Notes therefor; and appropriating the Funds thus obtained to the Department of Highways and Transportation, to finance certain Capitol

Improvements and Expenditures.” Introduced by Representative Derrickson and Senator Cordrey. Assigned to Appropriations Committee.

HB 1144 — “An Act to amend Title 4, Delaware Code, concerning the Sale of Alcoholic Beverages.” Introduced by Representative Billingsley. Assigned to Labor and Commerce Committee.

HB 1145 — “An Act to amend Subchapter I, Chapter 59, Title 29, Delaware Code relating to Exemptions in the Classified Service.” Introduced by Representatives Morris and Riddagh. Assigned to Adult Corrections Committee.

HB 1146 — “An Act to amend Chapter 371, Volume 60, Laws of Delaware entitled “An Act to amend Chapter 1, Title 8, Delaware Code, relating to the General Corporation Law.” Introduced by Representative McGinnis. Assigned to Banking and Insurance Committee.

HB 1147 — “An Act to amend Chapter 23, Title 30, Delaware Code relating to Vending Machine License and Identifying Labels.” Introduced by Representative Cain. Assigned to Revenue and Finance.

HB 1148 — “An Act to amend Chapter 69, Part VI, Title 16 of the Delaware Code relating to the Discharging of Firearms; and prohibiting same under certain circumstances.” Introduced by Representatives Connor, Ferguson, Maxwell. Assigned to Public Safety Committee.

HA 1 to HB 191, introduced by Representative Worthen, and placed with the Bill.

HA 1 to HB 981, introduced by Representative Gordy, and placed with the Bill.

HA 1 to HB 1039, introduced by Representative Cain, and placed with the Bill.

HA 1 to HB 1052, introduced by Representative Worthen, and placed with the Bill.

HA 1 to HB 1109, introduced by Representative Worthen, and placed with the Bill.

HJR 47 — “Memorializing each Member of the Delaware Congressional Delegation to do all within; his power to ensure that fair consideration is given to the ILC Industries, Inc., contract application and presentation for the Contract (Proposal No. 9-BC7-4-6-1P) to be awarded for the Construction of a Space Suit to be used in the Shuttle Space Program by the National Aeronautics and Space Administration.” Introduced by Representatives Minner, Morris, Miller, McGinnis, Darling;

Senator Isaacs. Assigned to Labor and Commerce Committee.

SB 630 — "An Act to amend Chapter 52 of Title 30, Delaware Code, relating to Penalty Assessments payable by mail." Introduced by Senator Adams. Assigned to Revenue and Finance Committee.

SB 690 — "An Act to amend an Act entitled "An Act to incorporate the Town of Milton" to provide a sum which may be borrowed upon anticipation of revenues." Introduced by Senator Adams. Assigned to Community Affairs Committee.

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

SS 1 for SB 711 w SA 1 — "An Act to affirm the authority and responsibility of the Board of Trustees of Delaware State College in connection with the control of the College's Fees, Tuitions and other Revenues including Funds received by Gift, Devise or Grand; and further providing that the Board of Trustees furnish an annual financial report to the Governor and give the State Auditor access to all appropriate financial books and records of the College." Introduced by Senator Zimmerman. Assigned to Education Committee.

SB 712 — "An Act to amend Chapter 25 of Title 29, Delaware Code relating to the Department of Justice supplying Legal Advice and Counsel to Delaware State College." Introduced by Senator Zimmerman. Assigned to Judiciary Committee.

SB 713 w SA 1 — "An Act to amend Chapter 65 of Title 29, Delaware Code relating to Cost of Living Salary Supplements for Employees at Delaware State College." Introduced by Senator Zimmerman. Assigned to Appropriations Committee.

SB 729 — "An Act to amend an Act being Chapter 197, Volume 54, Laws of Delaware, as amended, entitled "An Act revising the prior Charter of the City of Rehoboth Beach and establishing a new Charter therefor and prescribing the Powers and Duties of the Commissioners of Rehoboth Beach" to provide a day when voters must register in order to vote in the Annual Municipal Election." Introduced by Senator Cordrey. Assigned to Community Affairs Committee.

SB 738 — "An Act to amend Chapters 19 and 20, Title 14 of the Delaware Code relating to Local School Taxes and Local

Bonds." Introduced by Senator Adams. Assigned to Education Committee.

Representative Sincock brought **HR 158** before the House for consideration. **HR 158** was adopted by voice vote.

HR 158 — "Expressing the Best Wishes of the 128th General Assembly to Father Robert D. Askenbrenner, as he leaves the staff of Salesianum High School."

Representative Leshner moved to suspend the necessary rules for the purpose of introducing and acting on **HJR 48**. Motion adopted by voice vote.

HJR 48 — "Relative to the Observance of Delaware Family Week."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 39.

ABSENT: Representatives LeGates, Matushefske — 2.

Therefore, the Resolution was declared passed by the House.

Representative Arnold introduced **HR 159**, and brought it before the House for consideration **HR 159** was adopted by voice vote.

HR 159 — "Congratulating Shawna Santos of John Dickinson High School upon being chosen Miss Delaware National Teenager."

Representative Kelly introduced and brought **HR 160** before the House for consideration. **HR 160** was adopted by voice vote.

HR 160 — "Commending Dawn Gallucio for her proficiency in Ballet."

Representative Rispoli introduced and brought **HCR 84** before the House for consideration.

HCR 84 — "Commending the Wilmington City Administration for its part in encouraging the Concert Series of the Philadelphia Orchestra at the Grand Opera House."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington,

Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 39.

NOT VOTING: Representative Ridings — 1.

ABSENT: Representative Matushefske — 1.

Therefore the Bill was declared passed by the House.

Representative Kelly brought **HB 1070** before the House for consideration.

HB 1070 — “An Act to amend Chapter 25, Title 24 of the Delaware Code relating to the Compiling, Distribution and Posting of the Prices of the one hundred most commonly Prescribed Drugs.”

HA 1 to the Bill was brought before the House by Representative Kelly to be taken up for consideration. Motion was adopted by voice vote.

Representative Kelly brought **HA 2** to the Bill before the House for consideration. Motion to Table **HA 2** by Representative Kelly. Motion adopted by voice vote.

Representative Kelly brought **HA 3** before the House for consideration, and then moved that **HA 3** be tabled. Motion adopted by voice vote.

HA 4 to the Bill was brought before the House for consideration by Representative Morris by request.

Representative Kelly moved to table **HB 1070**. Representative Harrington seconded the motion. Motion adopted by voice vote.

Representative Worthen brought **HB 1052** before the House for consideration.

HB 1052 — “An Act to amend Chapter 1, Title 24, Delaware Code relating to Certified Public Accountants; and removing the full time Public Practice of Accountancy as a requirement for the waiver of examination.”

Representative Worthen introduced and brought before the House **HA 1** for consideration.

Representative Maxwell requested the privilege of the floor for Mr. Frank a Gunip, Chairman of the Delaware Commission of Delaware Society of Certified Public Accountants.

The House recessed at 3:10 p.m. to repair the Tape.

Mr. Speaker called the House to order at 3:12 p.m.

Representative Worthen requested the privilege of the floor for Mr. Ronald Allen, representing himself as a

professional CPA who is not recognized in the State he lives in.

Representative Derrickson requested the privilege of the floor for Mr. Robert Hoyt, Member of State Board of Accountancy in Delaware.

HA 1 was defeated by voice vote.

Representative Worthen requested that **HB 1052** be placed on the Speaker's Table. Motion adopted by voice vote.

Representative Morris requested the personal privilege of the floor to observe a moment of silence due to the death of Representative Ferguson's Brother.

Representative Gilligan brought **HB 990 w SA 1** before the House for consideration.

HB 990 — "An Act to amend Chapter 17, Title 24, Delaware Code, relating to Medicine, Surgery and Osteopathy; and providing for a Delaware Medical Practices Act."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

ABSENT: Representatives Connor, Ferguson, Johnson — 3.

Therefore the Bill was declared passed by the House.

Representative Gilligan deferred **HB 622 w SA 1** to the end of the Agenda and brought **HB 838** before the House for consideration.

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

Representative Gilligan yielded to Representative Riddagh.

Roll call was taken on **HB 838** and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Riddagh, Ridings, Rispoli, Sincok, Smith, Spence, Temple, Mr. Speaker Jonkiert — 33.

NO: Representatives Billingsley, George, Plant, Seibel, Worthen — 5.

ABSENT: Representatives Ferguson, Matushefske, Powell — 3.

Therefore the Bill was declared passed by the House.

Representative Worthen brought **HS 1** for **HB 544 w HA 1** before the House for consideration.

HS 1 for **HB 544** — “An Act to amend Title 21, Delaware Code, relating to Motor Vehicles and requiring the Registration and Control of Off-Highway Vehicles and providing a supplementary appropriation therefor.”

HA 1 was brought before the House for consideration. Amendment was adopted by voice vote.

HA 2 was brought before the House for consideration by Representative Boulden. Amendment was adopted by voice vote.

Representative Worthen moved to place **HS 1** for **HB 544** on the Speaker's Table. Motion adopted by voice vote.

Representative Minner brought **HB 1069** before the House for consideration.

HB 1069 — “An Act to amend Chapter 21, Title 21 of the Delaware Code, relating to Farm Trucks.”

Roll call was taken and revealed:

YES: Representatives Clendaniel, Darling, Derrickson, George, Gordy, Harrington, Johnson, Lynch, McGinnis, Miller, Minner, Morris, Plant, Riddagh, Spence, Temple — 16.

NO: Representatives Ambrosino, Arnold, Billingsley, Brady, Byrd, Connor, Hebner, Maxwell, McKay, Powell, Ridings, Rispoli, Seibel, Smith, Mr. Speaker Jonkiert — 15.

NOT VOTING: Representatives Boulden, Cain, Gilligan, Kelly, LeGates, Leshner, Matushefske, Worthen — 8.

ABSENT: Representatives Ferguson and Sincok — 2.

Therefore the Bill was declared lost by the House.

Representative Gordy requested that a communication from Richard R. Wier Jr. Attorney General be read into the record.

June 2, 1976

Honorable William J. Gordy

Chairman

House Banking and Insurance Committee

Dover, Delaware 19901

Dear Representative Gordy:

I was distressed to read in the paper that you have opened the previously closed meeting between your committee and my office to the public.

Perhaps you and other committee members misconstrued the role of my office in the Farmers Bank investigation in particular or its role in criminal cases in general. It is the function of my office to investigate allegations of criminal conduct and in that regard we are prohibited from disclosing details substantially prejudice the successful completion of such investigations, it also would severely impact prejudicially upon the rights of those being investigated.

As you know, the genesis of my investigation into Farmers Bank matter was a formal complaint by the State Auditor of criminal conduct. That investigation has been ongoing since February 1, 1976, and may result in criminal charges within the next few months. I have apprised the Governor, and any members of the General Assembly who have asked that my investigation will also result in a thorough report on the reasons for the Bank's present precarious financial condition. In my talk with you yesterday, I asked about confidentiality at our meeting and you advised that you could not guarantee that members would not disclose matters discussed at that meeting. In view of that disclaimer, I would have required absolute confidentiality at that meeting; otherwise, the meeting would serve no useful purpose.

I believe the General Assembly has the right to ensure that the truth is brought out concerning the Bank's decline. I also believe that my already-on-going investigation will bring out that truth and any concurrent investigation by the General Assembly will substantially prejudice the possibility of reaching that truth and would be a duplicitous effort - wasting taxpayer's money.

Therefore, since I cannot disclose the details you apparently want in order to evaluate whether to conduct your own investigation, I can see no purpose in meeting and withdraw my consent to meet under the present situation.

Sincerely,
Richard R. Wier, Jr.
Attorney General

RRW, Jr: pmc

cc: Honorable Sherman W. Tribbitt

Representative Gordy moved that the above letter be made part of the record. So ordered by Mr. Speaker.

Representative Gordy stated that the House Banking and Insurance Committee will meet at 11:30, Tuesday, June 8, 1976, in the House Majority Caucus Room.

Representative Ambrosino moved that Attorney General Richard R. Wier be subpoenaed to appear before the committee meeting of the House Banking and Insurance Committee on June 8, 1976 to discuss the Civil matters of the Farmer's Bank case.

Representative Connor seconded the motion.

Representative Ambrosino withdrew his motion at the request of Representative McGinnis.

Representative Kelly moved to lift **HB 1070** from the Speaker's Table. Motion adopted by voice vote.

HB 1070 — "An Act to amend Chapter 25, Title 24 of the Delaware Code relating to the Compiling, Distribution and Posting of the Prices of the one hundred most commonly Prescribed Drugs."

Representative Kelly yielded to Representative Morris.

Representative Morris requested that **HA 4** to **HB 1070** be stricken.

Representative Kelly introduced and brought **HA 5** before the House for consideration.

Representative Kelly requested the privilege of the floor for Mr. Marvin Wiesen, President of the State Board of Pharmacists.

Representative Kelly moved that **HB 1070** be placed on the Speaker's Table. Motion adopted by voice vote.

Representative Derrickson introduced and brought **HCR 85** before the House for consideration. Motion adopted by voice vote.

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

The House recessed at 5:41 p.m. for Committee Meetings.

Mr. Speaker called the House to order at 6:03 p.m.

HB 1145 was reported out of Health and Social Services Committee with 2 Favorable, 2 Merits.

HJR 32 was reported out of Community Affairs Committee with 4 Merits.

HB 1138 was reported out of Aging Committee with 6 Merits.

SB 261 was reported out of Education Committee with 6 Merits.

HB 1095 was reported out of Labor and Commerce

Committee with 4 Merits.

HB 1034 was reported out of Labor and Commerce Committee with 1 Favorable, 3 Merits.

Reported out of Labor and Commerce Committee as follows: **HB 1044** — 1 Favorable, 3 Merits; **HB 1097** — 4 Merits; **HB 1139** — 1 Favorable, 3 Merits.

SB 714 was reported out of Public Safety Committee with 4 Merits.

HB 1027 was reported out of Public Safety Committee with 3 Merits, 1 Unfavorable.

SB 597 was reported out of Public Safety Committee with 4 Merits.

SS 1 to **SB 247** was reported out of House Administration Committee with 5 Merits.

HB 1116 was reported out of Highway and Transportation Committee with 6 Merits.

Representative McGinnis moved to recess at 6:06 p.m. to the call of the Chair.

The Speaker called the House to order at 1:51 p.m. June 2, 1976.

SB 673 was reported out of Community Affairs Committee with 5 Merits.

40TH LEGISLATIVE DAY

The Majority Leader moved to adjourn at 1:53 p.m. June 3, 1976, thereby ending the previous Legislative Day.

The House reconvened at 1:53 p.m.

A Prayer was offered by Bonita B. Welch, Former Bill Clerk of the House, Harrington, Delaware.

The Speaker led those present in a Pledge of Allegiance to the Flag.

PRESENT: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 40.

ABSENT: Representative Ferguson — 1.

The minutes of the previous day were approved as posted.

The following pre-filed legislation was introduced:

HB 1149 — "An Act to repeal Chapter 59, Title 29, of the Delaware Code relating to the Merit System and inserting a

New Chapter 59." Introduced by Representatives Gordy and Clendaniel. Assigned to Banking and Insurance Committee.

HB 1150 — "An Act to amend Chapter 29, Title 24, Delaware Code relating to Real Estate Brokers and Salesmen." Introduced by Representative McGinnis. Assigned to Administrative Services Committee.

HB 1151 — "An Act to amend Chapter 4, Title 21 of the Delaware Code to require Out of State Trucking Concerns to Register at least half of their Vehicles in Delaware." Introduced by Representative Matushefske. Assigned to Public Safety Committee.

HB 1152 — "An Act to amend Part IV, Title 29, Delaware Code by creating the position of Governor's Highway Safety Representative." Introduced by Representative Harrington. Assigned to House Administration Committee.

HB 1153 — "An Act to amend Chapter 48, Title 9, Delaware Code relating to Regional Planning in Kent County." Introduced by Representative McGinnis. Assigned to Community Affairs Committee.

HB 1154 — "An Act directing the transfer of Oak Grove School site of East Dover Hundred, Kent County, Delaware to J. Ward Hurley and Mildred J. Hurley." Introduced by Representative McGinnis and Senator Zimmerman. Assigned to Administrative Services Committee.

HS 1 for HB 892 — "An Act to amend Subchapter XI, Chapter 3, Title 31, Delaware Code, relating to Child Care Licensing." Introduced by Representatives Worthen, Miller, Johnson, Maxwell, Gilligan, Seibel. Assigned to Health and Social Services Committee.

HA 1 to HS 1 for HB 892, introduced by Representative Cain and placed with the Bill.

SB 466 w SA 1 — "An Act to amend Chapter 43, Title 21, Delaware Code relating to Tires." Introduced by Senator Adams and Representative Gordy. Assigned to Public Safety Committee.

SB 680 — "An Act to amend Chapter 69, Title 29, Delaware Code, relating to the establishment of Policies and Procedures for Contracting Professional Services by the State, its Agencies, Municipalities or Political Subdivisions, School Boards; defining Professional Services establishing competitive selection procedures or individuals providing professional services; establishing truth in negotiations requirements for Professional Service Contracts and setting

penalties therefor; and providing for State Professional Assistance to Municipalities and Political Subdivision in the selection and negotiation of Professional Service Contracts." Introduced by Senators Isaacs and Elliott; Representatives McGinnis and McKay. Assigned to Community Affairs Committee.

HA 4 to SS 1 for SB 247, introduced by Representative Gordy, and placed with the Bill.

HA 9 to SB 259, introduced by Representative Riddagh, and Senator Isaacs, and placed with the Bill.

Representative McGinnis requested the personal privilege of the floor for Mrs. Bonita Welch, of Harrington, Delaware, Former Bill Clerk of the House of Representatives. Mrs. Welch gave a Bicentennial Salute to the State of Delaware.

Representative Boulden requested that the following communication from Representative Boulden be made part of the record.

IMMEDIATE RELEASE

I was extremely happy to learn this morning that New Castle County Government has no immediate plans for taking over all ambulance service in the County.

According to accounts, a Boston management study firm by the name of Arthur D. Little has recommended such a move.

First of all, I am sure the people of New Castle County do not have to be reminded of the tax money they save as a result of the volunteer companies with their ambulances and rescue wagons, and the dedication of the hundreds of volunteers throughout the entire State of Delaware.

I am sure at some time in all families there has been that occasion when there was nobody to turn to but these volunteers—either because of an unfortunate fire, or a necessary trip to a hospital for emergency treatment.

As for the management study, I understand there are some features that county officials may wish to consider. But I want to make it clear that having the county take over all ambulance service from the well-organized and dedicated volunteers is going to cost the taxpayers a tremendous sum of money.

Representative Cain introduced and brought **HR 161** before the House for consideration. "Expressing the thanks of the House to Henry Cleaver for the Gift of an 1876 American Flag to Delaware City." **HR 161** was adopted by voice vote.

HCR 86 — “Expressing the sympathy of the General Assembly to Representative John P. Ferguson on the death of his brother, Guy Ferguson.” Was introduced and brought before the House by Representative Gordy. **HCR 86** adopted by voice vote.

Representative McGinnis moved for suspension of Agenda rules to consider **HB 1001** — “An Act to amend Chapter 1, Title 13 of the Delaware Code relating to Domestic Relations and providing for certain changes in the Laws pertaining to Marriage.”

Representative Minner brought **HB 1001** before the House for consideration. Representative Minner introduced and brought before the House for consideration **HA 1** to the Bill.

Mr. Speaker recessed the House at 2:20 p.m.

Mr. Speaker called the House to order at 2:22 p.m.

HA 1 to **HB 1001** was adopted by voice vote.

Representative Minner requested the personal privilege of the floor for Mr. Maurice Hartnett, Member of the National Conference of Commissioners for Uniform State Laws.

Representative Connor requested a ruling from the Chair regarding the synopsis of the Bill.

Mr. Speaker referred to Rule 20 on Page 23 of the House Rules: “No Bill or joint resolution shall be introduced into the House unless it be “prefaced” by a brief statement of its purpose which shall be known as the title and shall also contain the text of the bill or joint resolution in full. At the end of each bill introduced after May 1, 1973 the author shall include a brief synopsis of the intent of the Bill.” Mr. Speaker ruled that if the synopsis is in error and does not truly represent the intent of the Bill, that the sponsor should draw up another synopsis.

Mr. Speaker conferred with Mr. John Rich, and stated that the synopsis is germane to the Bill. Mr. Speaker requested that Mr. Rich give his opinion on the question before the House. Mr. Rich stated that the synopsis was germane to the bill.

Mr. Hartnett was again granted the privilege of the floor.

Representative Brady moved that **HB 1001** be placed on the Speaker's Table. Representative Minner seconded the motion. Motion was adopted by voice vote.

Representative Gordy introduced **HB 1155** from the Floor. “An Act to amend Chapter 55, Title 29, and Chapter 39, Title 14, Delaware Code, relating to State Employees pension

plan and Teachers retirement and disability pensions.”

Mr. Speaker assigned **HB 1155** to the Banking and Insurance Committee.

Representative Harrington moved to recess for a Caucus at 3:15 p.m.

Mr. Speaker called the House to order at 5:47 p.m.

Representative Maxwell moved to lift **SB 502** from the Speaker's Table. “An Act to amend Chapter 31 of Title 19, Delaware Code relating to Licensing the Regulating Employment Agencies.” **HA 6** to **SB 502** was introduced and brought before the House for consideration by Representative Maxwell. Amendment adopted by voice vote.

Representative Maxwell moved to table the Roll Call on **SB 502**. Motion adopted by voice vote.

Representative LeGates brought **HB 356 w SA 1** before the House for consideration. “An Act repealing Chapter 19, of Title 6, Delaware Code, relating to “Fair Trade Laws.”

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Leshner, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 36.

NOT VOTING: Representatives Derrickson, Lynch, Matushefske — 3.

ABSENT: Representatives Ferguson and Johnson — 2.

Therefore the Bill was declared passed by the House.

Representative Cain deferred **HB 1031** until June 9th, 1976.

Representative Kelly deferred **HB 1112** to the end of the Agenda, and yielded to Representative Byrd.

Representative Byrd brought **HB 1044** before the House for consideration. “An Act to amend Chapter 33, Title 19, Delaware Code, relating to Unemployment Compensation.”

Representative Byrd moved to place **HB 1044** on the Speaker's Table. Motion adopted by voice vote.

Representative Plant introduced and brought **HR 162** before the House for consideration. “Welcoming Mr. Roy Wilkins, Executive Director of National Association for the Advancement of Colored People, to the State of Delaware on June 4, 1976. **HR 162** was adopted by voice vote.”

Representative Kelly brought **HB 1113 w HA 1** before

the House for consideration. "An Act to amend Chapter 11, Part XI, Title 16 of the Delaware Code relating to Sanatoria, Rest Homes, Boarding Homes and related Institutions."

Representative Kelly brought **HA 1** before the House for consideration. **HA 1** was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Byrd, Cain, Clendaniel, Connor, Darling, George, Gilligan, Gordy, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 34.

NO: Representative Boulden — 1.

NOT VOTING: Representatives Derrickson, Harrington, Ridings, Sincock, Smith — 5.

ABSENT: Representative Ferguson — 1.

Therefore the Bill was declared passed by the House.

Representative George introduced **HB 1156**. "An Act to amend Title 10 and Title 31 of the Delaware Code relating to Mandatory Commitment of Minors who have been Adjudicated Delinquent by Family Court for having committed certain Designated Acts."

Mr. Speaker assigned **HB 1156** to Judiciary Committee.

Representative Gordy moved to strike **HB 981** — "An Act to amend Chapter 9, Subchapter I, Title 10, of the Delaware Code relating to the Organization, Administration and Operation of the Family Court of the State of Delaware."

Representative Ambrosino moved to strike **HB 1141**.

Representative McGinnis moved to recess at 6:18 p.m. to the Call of the Chair.

The Speaker called the House to order at 2:00 p.m. June 8, 1976.

SS 1 to SB 711 was reported out of Education Committee with 5 Merits.

SB 712 was reported out of Judiciary Committee with 4 Merits.

HB 1156 was reported out of Judiciary Committee with 3 Merits, 1 Unfavorable.

HB 705 was reported out of Judiciary Committee with 2 Merits, 2 Unfavorable.

SB 690 was reported out of Community Affairs Committee with 6 Merits.

HS 1 for HB 915 was reported out of Revenue and

Finance Committee with 1 Favorable, 4 Merits.

41ST LEGISLATIVE DAY

The Majority Leader moved to adjourn at 2:01 p.m., June 8, 1976, thereby ending the previous Legislative Day.

The House reconvened at 2:01 p.m.

A Prayer was offered by Reverend Charles Moyer, of What Coat Methodist Church, Camden, Delaware.

The Speaker led those present in a Pledge of Allegiance to the Flag.

The minutes of the previous day were approved as posted.

PRESENT: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 41.

The Chief Clerk informed the House that the Senate had passed the following Bills: **HCR 86; HJR 39, 44; HB 944; HB 735 w HA 1, 2; HB 790; SB 737 w SA 1, 2; HB 1016 w HA 1; HB 920 w HA 1; HB 993; HB 832; HB 1135 w HA 1, 2; SB 680; HB 990 w SA 1, HA 2-3-4 — 6/3/76.**

From the Office of the Counsel to the Governor, Legislative Advisory #83; The Governor approved the following Legislation on June 4, 1976:

HB 851 — Amends Chapter 6, Title 24, Delaware Code, relating to electrologists.

HB 989 — Amends Chapter 51, Title 30, Delaware Code, relating to reports of distributors and special fuel users and dealers.

HB 767 w SA 1 — Amends Chapter 27, Title 18, Delaware Code, relating to readability requirements for automobile insurance forms.

HB 959 w HA 1 — Amends Chapter 21, Title 21, Delaware Code, relating to inspection of small trailers.

HB 995 — A supplementary appropriation to the Public Defender of the State of Delaware.

SB 635 — Amends Chapter 61, Title 29, Delaware Code, relating to funds received from State operated housing projects.

HB 473 — Amends Chapter 5, Title 11, Delaware Code, pertaining to the Crime of obscenity and providing an

additional penalty that the business license of the one convicted shall be suspended for one year.

HCR 81 — Requesting WTUX to continue to broadcast ethnic programs.

SCR 77 w HA 1 — Requesting the Department of Corrections and Division of State Police to confer on a training program for correctional officers.

SCR 78 — Commends Raymond E. Tomasetti for 14 years of service to Public education in Delaware as a member of the Claymont Board of Education.

The Reading Clerk read the following Veto Message into the record, from the Governor at 2:15 p.m.

June 7, 1976

To The House of Representatives
of the 128th General Assembly
of the State of Delaware

On May 27, 1976, I received House Bill No. 1131 entitled:
"AN ACT TO AMEND CHAPTER 10, TITLE 14,
DELAWARE CODE RELATING TO VOCATIONAL-
TECHNICAL SCHOOL DISTRICTS."

I have decided to return this bill without my signature for several reasons.

House Bill No. 1131 does not have attached to it a fiscal note of the Controller General as required by §1904, Title 29, Delaware Code. While at first blush, it would seem that since the funding of such is by a New Castle County assessment on real property and therefore would have no impact on the State budget, in the final analysis we all realize that there are direct General Fund appropriations for the operation of the three vocational-technical schools in the proposed F.Y. '77 budget in excess of \$6 million and that additional State Funds would be needed were I to sign this measure into law.

The recent bill, Senate Bill No. 575, as amended, allowing an 8 cents/100 tax on assessed valuation of real property in the county was expected to be sufficient for the operation of the vocational-technical schools of the three districts. It has been explained that the bill was not costed-out with the realization of this consolidation bill. Were this bill to become law, there would be an additional dollar impact on the taxing authority of the district to the amount in excess of \$300,000 for F.Y. '77.

The 8-cent level in short was not projected to cover the operation of a consolidated leveled-up Vocational-Technical

School District which this bill would have created.

With this in mind, it would seem that the legislature would very much want to see the projected fiscal impact this bill would have created and for this reason I deem the absence of the fiscal note significant and not de minimus.

Similarly, I have been advised that the rules and regulations of the Department of Health, Education and Welfare would require significant shifting of programs, students, teachers and administration within such a consolidated district and all without sufficient time to allow a smooth and orderly transition.

I wish to state that a county-wide district which would deal with the specialized needs of Vocational and Technical Education would appear to be a good idea and I shall create without delay a Study Commission to examine the problems and propose a method to create such a district as envisioned in theory by this bill with the mandate that they draft legislation to accomplish this at the earliest moment during the 129th General Assembly.

I shall direct the Study Commission, however, to do more than was envisioned by this present piece of legislation, for I personally feel that a major problem must be dealt with in the Vocational Technical area in the immediate future. Presently, there is a greater demand for a Vocational Technical Education than can be accommodated by the present system (nor was such demand to have been met by the bill before me at this time) and, therefore, I will expect the Study Commission as an integral part of their mandate to address themselves to proposing the means for providing a Vocational Technical Education for every youngster desiring that education throughout this State.

Sincerely,
Sherman W. Tribbitt
Governor

SWT/sd

The following pre-filed legislation was introduced:

HB 1157 — "An Act to amend Chapter 271, Volume 60, Laws of Delaware entitled "An Act authorizing the State of

Delaware to borrow money to be used for Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes therefor and appropriating the Monies to various agencies of the State and to borrow money to be used for the Local Share of School Construction Programs and to Issue Bonds and Notes therefor and appropriating the Monies to the State Board of Education on behalf of Local School Districts." Introduced by Representatives Gilligan and Ridings. Assigned to Health and Social Services Committee.

HB 1158 — "An Act to amend the Delaware Code and relating to Doctors of Pediatric Medicine." Introduced by Representatives Gilligan, Ridings. Assigned to Health and Social Services Committee.

HS 1 to HB 1050 — "An Act to amend Title 7 of the Delaware Code relating to Falconry Licensing and the creation of a Falconry Advisory Board." Introduced by Representatives Byrd, Sincock, Smith. Assigned to Natural Resources and Environmental Control Committee.

HA 2 to HB 849, introduced by Representative Cain, and placed with the Bill.

HA 1 to HB 1059, introduced by Representative Maxwell, and placed with the Bill.

HA 1 to HB 1067, introduced by Representative Billingsley, and placed with the Bill.

HA 1 to SS 2 for SB 256, introduced by Representatives McGinnis and Derrickson, and placed with the Bill.

HA 2 to SS 2 for SB 256, introduced by Representatives McGinnis and Derrickson, and placed with the Bill.

HA 1 to SB 441, introduced by Representative Gordy, and placed with the Bill.

HA 1 to SB 615, introduced by Representative Boulden, and placed with the Bill.

HA 2 to SB 619, introduced by Representative Boulden, and placed with the Bill.

SB 596 w SA 1 — "An Act relating to the salary of Roland R. Harbin, a Teacher employed by New Castle Gunning Bedford School District." Introduced by Representative Connor and Senator McCullough. Assigned to Appropriations Committee.

SB 688 — "An Act to amend Chapter 23, Title 30 and Title 31 of the Delaware Code relating to Special Licenses for Peddlers who are Handicapped, and relating to the definition

of Handicapped Persons.” Introduced by Senator Murphy. Assigned to Revenue and Finance Committee.

SB 737 w SA 1, 2 — “An Act transferring Juvenile Motor Vehicle Violations from the exclusive jurisdiction of the Family Court to the Justice of the Peace Courts, with certain exceptions, by amending Title 10 and Title 21 of the Delaware Code.” Introduced by Senators Kearns and Isaacs. Assigned to Judiciary Committee.

HB 1159 — “An Act to amend Subchapter XI, Title 21 of the Delaware Code by providing for the suspension of Driver’s License for non payment of Parking Tickets, Summonses, or Citations.” Introduced by Representative George, and assigned to Judiciary Committee.

Representative Smith moved that the necessary rules be suspended for the purpose of introducing and acting on **HJR 49** — “To adopt Energy Conservation as a State Policy and to set Goals for the State of Delaware.” Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Minner, Morris, Plant, Powell, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

ABSENT: Representatives Boulden, Matushefske, Miller, Riddagh — 4.

Therefore the Bill was declared passed by the House.

Representative Morris moved for the suspension of all rules for the purpose of introducing and acting on **SJR 61**. “Regarding the extension of the Reporting Date of the Ad Hoc Committee to study the Prisoners Bill of Rights established pursuant to Senate Joint Resolution No. 58.” Motion adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Matushefske, Maxwell, McGinnis, McKay, Minner, Morris, Plant, Powell, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

ABSENT: Representatives Cain, Lynch, Miller, Riddagh
— 4.

Therefore the Bill was declared passed by the House.

Representative Plant introduced and brought before the House **HCR 88** for consideration. "Providing for the appointment of a Special Committee to determine whether the Getty Oil Company owes the State of Delaware back taxes and, if so, how much."

Representative Maxwell requested a ruling from Mr. Speaker as to whether the request of subpoena power for the people in **HCR 88** was unique. Mr. Speaker stated, it was not unique.

Representative Sincock questioned the validity of the resolution for technical reasons, and requested a ruling of the Chair.

Mr. Speaker ruled that **HCR 88** as it stands will cease to be effective on Election Day. The end of the 128th General Assembly. He also ruled that it should be a Joint Resolution, so that the Governor could sign it and give it the effect of law.

Representative Plant moved to withdraw **HCR 88**. So ordered by Mr. Speaker.

Representative Minner brought **HCR 87** before the House for consideration. "Congratulating the Milford High School Softball Team upon winning the State's First Championship Tourney." **HCR 87** was adopted by voice vote.

Representative Temple introduced and brought before the House **HR 163** for consideration. "Commending John Wesley Evans, III as Top Honor Student at the Margaret S. Sterck School." **HR 163** adopted by voice vote.

Representative Ferguson moved that the necessary rules be suspended for the purpose of acting on **HB 1155**. "An Act to amend Chapter 55, Title 29, and Chapter 39, Title 14, Delaware Code, relating to State Employees Pension Plan and Teachers Retirement and Disability Pensions." Motion defeated by voice vote.

Representative Ferguson moved for a five minute recess at 3:03 p.m.

Mr. Speaker called the House to order at 3:08 p.m.

Representative Ferguson moved to suspend all rules for the purpose of acting on **HB 1155**.

Roll call was taken and revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, Gordy, Harrington, Johnson, Kelly,

LeGates, Lynch, McGinnis, Morris, Plant, Rispoli, Temple, Worthen, Mr. Speaker Jonkiert — 19.

NO: Representatives Derrickson, Hebner, McKay, Riddagh, Ridings, Seibel, Sincock, Smith, Spence — 9.

NOT VOTING: Representatives Ambrosino, Arnold, Billingsley, Brady, George, Gilligan, Leshner, Matushefske, Maxwell, Powell — 10.

ABSENT: Representatives Connor, Miller, Minner — 3.
Therefore the motion was declared defeated.

Representative George requested **SB 678** be deferred to the end of the Agenda, and brought **HB 1048** before the House for consideration. "An Act to provide a supplemental appropriation to the State Treasurer for Interest due on obligations through June 30, 1976."

Roll call was taken and revealed:

YES: Representatives Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Plant, Powell, Rispoli, Seibel, Sincock, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 29.

NOT VOTING: Representatives Brady, Derrickson, Hebner, Leshner, McKay, Morris, Riddagh, Ridings, Smith — 9.

ABSENT: Representatives Ambrosino, Ferguson, Minner — 3.

Therefore the Bill was declared passed by the House.

Representative Ferguson moved to suspend all rules for the sole purpose of acting on **HB 1155**.

Roll call on motion was taken and revealed:

YES: Representatives Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Mr. Speaker Jonkiert — 23.

NO: Representatives Brady, Derrickson, Hebner, Matushefske, McKay, Riddagh, Ridings, Seibel, Sincock, Smith, Spence — 11.

NOT VOTING: Representatives Ambrosino, Arnold, Billingsley, Boulden, Connor, Leshner, Powell — 7.

Therefore the motion on **HB 1155** was declared passed by the House.

Representative Derrickson introduced and brought **HA 1** to **HB 1155** before the House for consideration.

Representative Ferguson moved that **HA 1** to **HB 1155**

be tabled.

Representative George brought up a point of order that, HA 1 was not in order because the rules of the House require that an amendment which would change the fiscal impact of a bill, must have a separate fiscal note accompanying it. Mr. Speaker ruled that the point of order could not be discussed because a motion to Table HA 1 was before the House.

Roll call on the motion to table HA 1 was taken and revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Rispoli, Temple, Worthen, Mr. Speaker Jonkiert — 24.

NO: Representatives Ambrosino, Arnold, Billingsley, Brady, Connor, Derrickson, Hebner, Leshner, McKay, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence — 16.

ABSENT: Representative Morris — 1.

Therefore HA 1 was declared tabled by the House.

The House was recessed at 3:52 p.m. to repair the Tape.

Mr. Speaker called the House to order at 4:00 p.m.

Mr. Speaker responded to Representative George's question, and said that if HA 1 were not tabled, it would require a fiscal note.

Representative George requested the privilege of the floor for Mr. Russell Dineen, a Member of the Board of Pensions. Mr. Dineen could not be found for questioning.

Representative Ferguson requested the privilege of the floor for Mr. Albert Pike III, Vice President and Actuarial of Edward H. Friend and Company.

Representative Sincock deferred his question and wanted the record to show that he was christened, Richard Sincock II.

Representative Ferguson moved for a recess at 5:48 p.m. Representative McGinnis amended the motion to be for a five minute recess.

Mr. Speaker called the House to order at 6:57 p.m.

Representative Clendaniel introduced, and brought before the House HA 2 to HB 1155 for consideration.

Representative Ridings stated that HA 2 needed a Fiscal Note because it changed the Fiscal impact of the Bill.

Representative Gordy moved for a waiver of the Fiscal Note requirement. Motion was adopted by voice vote, therefore, HA 2 remained before the House.

Representative Gordy requested the privilege of the floor for Mr. Pike.

Representative Gordy moved that **HA 2** be placed on the Speaker's Table. Motion prevailed by voice.

Representative McGinnis moved to recess at 7:09 p.m. Representative Harrington seconded the motion.

Mr. Speaker called the House to order at 7:31 p.m.

Representative Clendaniel introduced and brought **HA 3** to **HB 1155** before the House for consideration. **HA 3** was adopted by voice vote.

Representative Riddagh introduced and brought **HA 4** to **HB 1155** before the House for consideration. Representative McGinnis moved to table **HA 4** to **HB 1155**.

Roll call on the motion was taken and revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Mr. Speaker — 24.

NO: Representatives Ambrosino, Arnold, Billingsley, Brady, Connor, Hebner, Leshner, McKay, Powell, Riddagh, Ridings, Seibel, Sincok, Smith, Spence — 15.

ABSENT: Representatives Derrickson, George — 2.

Therefore **HA 4** was declared tabled by the House.

Representative Sincok requested the privilege of the floor for Mr. Ernst Danneman, Vice-Chairman, State Board of Trustees for the Pension Fund. Representative McGinnis requested a roll call on the request for the Privilege of the floor for Mr. Danneman. Representative Sincok withdrew his request.

Representative Ambrosino requested the privilege of the floor for Mr. Danneman. Representative McGinnis seconded the request.

Representative Connor moved to lay **HB 1155** on the Speakers Table. Representative Ambrosino seconded the motion.

Representative Ferguson moved to table the motion to table **HB 1155**.

Roll Call on the Motion was taken and revealed:

YES: Representatives Billingsley, Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Rispoli, Temple,

Worthen, Mr. Speaker Jonkiert — 25.

NO: Representatives Ambrosino, Connor, Morris, Seibel, Smith, Spence — 6.

NOT VOTING: Representatives Arnold, Brady, Hebner, Leshar, McKay, Powell, Riddagh, Ridings, Sincok — 9.

ABSENT: Representative Derrickson — 1.

Therefore **HB 1155** remained before the House.

Roll Call was taken on **HB 1155** and revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Mr. Speaker Jonkiert — 25.

NO: Representatives Ambrosino, Arnold, Billingsley, Brady, Connor, Hebner, Leshar, McKay, Powell, Riddagh, Ridings, Seibel, Sincok, Smith, Spence — 15.

ABSENT: Representative Derrickson — 1.

Therefore the Bill was declared passed by the House.

Representative Kelly introduced **HB 1160**. "An Act authorizing the Department of Highways and Transportation to use certain Funds appropriated by the Water Tower in the Town of Newport."

Mr. Speaker assigned **HB 1160** to Highways and Transportation Committee.

Representative Rispoli introduced **HR 164** — "Congratulating Mayor Thomas C. Maloney and the Citizens of Wilmington for Super Sunday." Brought before the House for consideration, and adopted by voice vote.

Representative Matushefske moved to suspend all rules for the purpose of introducing **HB 1161**. "An Act to amend Chapter 435, Volume 60, Laws of Delaware, also known as "An Act to amend Chapter 26, Title 14, Delaware Code, relating to Funds." Motion was adopted by voice vote.

Mr. Speaker assigned **HB 1161** to the Judiciary Committee.

Representative Connor moved to restore **HB 1069** to the Calendar. "An Act to amend Chapter 21, Title 21, of the Delaware Code relating to Farm Trucks."

Roll call was taken on the motion and revealed:

YES: Representatives Ambrosino, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Leshar, Matushefske, Maxwell, McGinnis, Miller, Minner, Riddagh, Rispoli,

Sincock, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 27.

NO: Representatives Arnold, Brady, Hebner, McKay, Morris, Powell, Ridings, Seibel, Smith — 9.

ABSENT: Representatives Billingsley, Derrickson, George, Lynch, Plant — 5.

Therefore the motion to restore **HB 1069** passed the House.

Representative Minner moved that Roll Call on **HB 1069** be tabled. Motion was adopted by voice vote.

HB 1065 was reported out of Judiciary Committee with 4 Merits.

Representative McGinnis moved to Recess at 8:35 p.m. to the Call of the Chair.

The Speaker called the House to order at 2:10 p.m. June 9, 1976.

HB 1153 was reported out of Community Affairs Committee with 2 Favorable, 4 Merits.

HB 1160 was reported out of Highways and Transportation Committee with 5 Merits.

42ND LEGISLATIVE DAY

The Majority Leader moved to adjourn at 2:12 p.m. June 9, 1976, thereby ending the previous Legislative Day.

The House reconvened at 2:12 p.m.

A Prayer was offered by Reverend John T. Randolph, of Wyoming United Methodist Church, Wyoming, Delaware.

The Speaker led those present in a Pledge of Allegiance to the Flag.

PRESENT: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 38.

ABSENT: Representatives Ferguson, George, Seibel — 3.

The minutes of the previous day were approved as posted.

The Reading Clerk read a message from the Office of the Counsel to the Governor: Legislative Advisory #84.

The Governor approved the following legislation on the indicated date:

SB 555 w HA 1 — 6/7/76 — Amends Chapter 1 and 3, Title 15, Delaware Code, relating to definitions of "Party" or "political party" and "primary election" also provides for the

supplying of voter lists to political party chairman and others.

SB 556 w SA 1 and HA 1 — 6/7/76 — Amends Chapter 33, Title 15, Delaware Code, relating to nominations of candidates by parties; and providing a supplementary appropriation to various Departments of Election.

HB 1004 — 6/7/76 — Amends Chapter 80, Title 29, Delaware Code, relating to hiring of seasonal employees by the Department of Natural Resources and Environmental Control.

The Governor vetoed the following bill on the indicated date:

HB 1131 — 6/7/76 — Amends Chapter 10, Title 14, Delaware Code, relating to Vocational—Technical School Districts.

The following pre-filed legislation was introduced:

HB 1162 — “An Act to amend Title 29 of the Delaware Code and relating to Purchase of Vehicles for use by the State of Delaware.” Introduced by Representative Smith, and Senator Knox. Assigned to Public Safety Committee.

HB 1163 — “An Act to amend Chapter 10, Title 17, Delaware Code relating to Bikeways and use of Funds for Planning, Construction or Designation of Bikeways.” Introduced by Representative Worthen. Assigned to Highways and Transportation Committee.

HB 1164 — “An Act to amend Chapter 49, Title 10 and Chapter 5, Title 13, Delaware Code relating to Execution and Attachment of Wages.” Introduced by Representative Worthen. Assigned to Judiciary Committee.

HB 1165 — “An Act to amend Part XI, Title 16, of the Delaware Code relating to the Public Health and Safety; and providing for a Delaware Oil Recycling Act.” Introduced by Representatives LeGates and Ambrosino. Assigned to Natural Resources and Environmental Control Committee.

HB 1166 — “An Act to amend Chapter 43, Title 21, Delaware Code to permit the use of Flashing Red Lights on Tow Trucks which are being used to perform a service pursuant to a Contract or Agreement between the Owner thereof and the State.” Introduced by Representative Jonkiert. Assigned to Public Safety Committee.

HB 1167 — “An Act to amend Chapter 7, Title 4, Delaware Code, to permit Importers and Retailers to Sell Alcoholic Liquors at reduced prices.” Introduced by Representatives Cain and Worthen. Assigned to Labor and Commerce Committee.

HB 1168 — “An Act to amend Chapter 7, Title 4, Delaware Code, to permit Retailers to Sell individual bottles of Alcoholic Liquors at a Discount.” Introduced by Representatives Cain and Worthen. Assigned to Labor and Commerce Committee.

HB 1169 — “An Act to relieve a certain employee of the State of Delaware from the obligation of Repaying to the State Certain Deductions for Health Insurance Coverage for Spouse Erroneously Deducted.” Introduced by Representative Minner. Assigned to Appropriations Committee.

HB 1170 — “An Act to direct the Department of Health and Social Services to correct and close the Account of Mrs. Blanche Phillips, a former patient at the Delaware State Hospital.” Introduced by Representative Gordy. Assigned to Community Affairs Committee.

HB 1171 — “An Act to incorporate the Village of Ardencroft.” Introduced by Representative Smith. Assigned to Community Affairs Committee.

HB 1172 — “An Act to amend Title 21 of the Delaware Code and relating to Registration and Registration Fees for certain Motor Vehicles.” Introduced by Representative Smith and Senator Knox. Assigned to Public Safety Committee.

HB 1173 — “An Act to amend Title 6 of the Delaware Code relating to certain Standards of Construction Mason Work.” Introduced by Representatives Smith, LeGates; Senators Knox and Martin. Assigned to Labor and Commerce Committee.

HS 1 for HB 1105 — “An Act to amend Chapter 5, Title 17, Delaware Code relating to Dedication of New Road to the Public; Approval Required; Bond; Penalties.” Introduced by Representatives Worthen, Cain, Maxwell, Sincock, McKay; Senator Hughes. Assigned to Highways and Transportations Committee.

HA 1 to HB 818, introduced by Representative Cain, and placed with the Bill.

HA 2 to HS 1 for HB 892, introduced by Representative Cain, and placed with the Bill.

HA 1 to HB 1089, introduced by Representative Lynch, and placed with the Bill.

HA 1 to HB 1160, introduced by Representative Kelly, and placed with the Bill.

SB 736 — “An Act to amend Chapter 21, Part XI, Title 21, of the Delaware Code relating to the Registration and Inspection of Motor Vehicles owned by Disabled Veterans.”

Introduced by Senator Cicione. Assigned to Public Safety Committee.

SB 742 w SA 1-4 — "An Act to amend Title 31, Delaware Code relating to Licensed Clinical Social Workers." Introduced by Senators Holloway and Manning; Representatives Miller and Gilligan. Assigned to Health and Social Services Committee.

SJR 62 — "Commending the Townsend Women's Club, the Official Townsend Bicentennial Committee and the New Castle County Government for jointly sponsoring an extraordinary and transcendently impressive Bicentennial Tribute to the Town of Townsend, Delaware on June 12th and 13th. Introduced by Senator Isaacs. Assigned to House Administration Committee.

Representative Plant introduced and brought **HR 165** before the House for consideration. "Requesting the Delaware Congressional Delegation to Sponsor or Support Legislation requiring full Financial Disclosure by Multinational Companies."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Riddagh, Ridings, Rispoli, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 31.

NO: Representatives Billingsley and Sincock — 2.

NOT VOTING: Representatives Derrickson and Leshner — 2.

ABSENT: Representatives Boulden, Ferguson, George, McKay, Powell, Seibel — 6.

Therefore the Bill was declared passed by the House.

Mr. Speaker granted the privilege of the floor to State Senator Roger Martin to discuss Separation Day in New Castle, Delaware on June 15, 1976.

Representative McGinnis recessed for Caucus at 2:40 p.m.

Mr. Speaker called the House to order at 4:23 p.m.

Representative Cain brought **HB 1031** — "An Act to amend Chapter 11, Title 12, Delaware Code, relating to Abandoned Property Funds resulting from Escheats before the House for consideration." **HA 1** was brought before the House for consideration by Representative Cain, and adopted by voice vote.

Roll call on **HB 1031** was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincock, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 34.

ABSENT: Representatives Billingsley, Ferguson, George, Matushefske, Minner, Seibel, Smith — 7.

Therefore the Bill was declared passed by the House.

Representative Cain moved to lift **HB 816** from the Speaker's Table. "An Act to amend Chapter 21, Title 30, Delaware Code, relating to General Provisions concerning Occupational and Business Licenses, to provide for Prorating of Fees, and for other purposes."

HA 2 to **HB 816** was brought before the House for consideration by Representative Cain, and adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Sincock, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 34.

NO: Representative Brady — 1.

NOT VOTING: Representative Ridings — 1.

ABSENT: Representatives Boulden, Ferguson, George, Seibel, Smith — 5.

Representative Maxwell brought **SB 718** before the House for consideration. "An Act directing the Secretary of State to Execute and Deliver Deeds to certain persons for Land in Baltimore Hundred, Sussex County, Delaware."

HA 1 was brought before the House for consideration by Representative Smith, and was adopted by voice vote.

Roll call was taken on **SB 718** and revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Derrickson, Gilligan, Gordy, Harrington, Johnson, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Sincock, Spence, Temple, Mr. Speaker Jonkiert — 26.

NO: Representatives Ambrosino, Arnold, Billingsley, Brady, Connor, Hebner, Leshner, McKay, Ridings, Smith,

Worthen — 11.

NOT VOTING: Representative Kelly — 1.

ABSENT: Representatives Ferguson, George, Seibel — 3.
Therefore the Bill was declared passed by the House.

Representative Rispoli deferred **SB 317** to the end of the Agenda, and yielded to Representative Cain.

Representative Cain brought **HB 1098** before the House for consideration. "An Act to amend Chapter 11, Title 30, Delaware Code relating to the Limitation on Itemized Deductions and Personal Exemptions."

Representative Cain requested the privilege of the floor for Mr. Robert Smyers, Deputy Director of the Division of Revenue of the Department of Finance.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 37.

NOT VOTING: Representative Derrickson — 1.

ABSENT: Representatives Ferguson, George, Seibel — 3.
Therefore, the Bill was declared passed by the House.

Representative Lynch deferred **HB 930** to the end of the Agenda, and yielded to Representative Matushefske.

Representative Matushefske brought **SB 712** before the House for consideration. "An Act to amend Chapter 25 of Title 29, Delaware Code relating to the Department of Justice supplying legal advice and counsel to the Delaware State College."

Mr. Speaker assigned **HB 930** to the House Administration Committee.

Representative Matushefske yielded to Representative Miller on **SB 712**.

Roll Call was taken and revealed:

YES: Representatives Boulden, Brady, Byrd, Cain, Clendaniel, Darling, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Riddagh, Rispoli, Temple, Worthen, Mr. Speaker Jonkiert — 25.

NO: Representatives Ambrosino, Arnold, Billingsley, Connor, Derrickson, Leshner, McKay, Morris, Powell, Ridings, Sincock, Smith, Spence — 13.

ABSENT Representatives Ferguson, George, Seibel — 3.
Therefore the Bill was declared passed by the House.

Representative Byrd deferred **HB 1006** and yielded to Representative Harrington.

Mr Speaker assigned **HB 1006** to House Administrative Committee.

Representative Harrington brought **HB 1134** before the House for consideration. "An Act to amend Part IV, Title 29, Delaware Code, establishing an Office of Highway and Safety and transferring to said office all the duties, powers, functions and employees of the Office of Federal-State Highways Safety Coordinator."

Representative Harrington requested that the Reading Clerk read the following letter into the record:

June 1, 1976

Mr. Walter E. Nedwick
Governor's Representative
Coordinator for Highway Safety
Treadway Towers
9 East Loockerman Street
Dover, Delaware 19901
Dear Mr. Nedwick:

Sections 4901 through 4904 of Delaware House Bill 1134 are in conformance with NHTSA order 900-4 entitled "Guidelines for the Designation of a State Agency responsible for Highway Safety." We appreciate the action you have taken to bring the State in compliance with these requirements.

If you have any questions please call.

Sincerely,
William H. Eargle, Jr.
Financial Manager

Representative Derrickson requested that portions of Fiscal Note for **HB 1134** be read into the record:

TO: Representative Harrington
FROM: John Frazer
SUBJECT: Fiscal Note for House Bill No. 1134
TOPIC: Act establishing an office of Highway Safety and Transferring to said office all duties, powers, functions, and employees of the office of Federal State Highway Safety Coordinator.

Your proposed legislation does not require a fiscal note.

Any Fiscal information you may have concerning the

proposed legislation will be appreciated.

Comments: Bill Steel of State Personnel does not foresee any fiscal impact because of this legislation.

Representative Derrickson stated that the communication from Mr. Frazer did not constitute a Fiscal note.

Representative Harrington moved to waive the requirement for a Fiscal Note.

Representative Sincock stated that the above communication stated that there was no Fiscal impact and that no fiscal note was needed.

Mr. Speaker asked Representative Harrington if he knew of any fiscal impact.

Representative Harrington stated that he knew of no State Money that would be required.

Mr. Speaker ruled that no fiscal note would be required.

Representative Harrington requested the privilege of the floor for Mr. Walt Nedwick, who represents the Governor for the Department of Highways and Safety.

Roll call was taken and revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Mr. Speaker — 23.

NO: Representatives Ambrosino, Arnold, Billingsley, Brady, Leshner, Riddagh, Spence — 7.

NOT VOTING: Representatives Connor, Derrickson, Hebner, McKay, Plant, Ridings, Sincock, Smith — 8.

ABSENT: Representatives Ferguson, George, Seibel — 3.
Therefore the Bill passed the House.

Representative Matushefske brought **SS 1** for **SB 235 w HA 1** before the House for consideration. "An Act to amend Title 10 and Title 11 of the Delaware Code relating to Court Practices and Procedure; and providing Legal Representation for Public Officers and Employees under certain circumstances."

HA 1 was brought before the House for consideration by Representative Matushefske.

Representative Matushefske moved that **HA 1** be stricken.

Roll call was taken on **SS 1** to **SB 235** and revealed:

YES: Representatives Ambrosino, Arnold, Boulden,

Byrd, Clendaniel, Connor, Darling, Derrickson, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincock, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 32.

NO: Representatives Billingsley, Brady, Hebner, Maxwell — 4.

NOT VOTING: Representative Smith — 1.

ABSENT: Representatives Cain, Ferguson, George, Seibel — 4.

Therefore the Bill was declared passed by the House.

Representative McGinnis moved for suspension of all rules for introducing and acting on **SJR 62**. Motion was adopted by voice vote.

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

Representative McGinnis deferred to Representative Spence on **SJR 62**.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Derrickson, Gilligan, Gordy, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 36.

ABSENT: Representatives Darling, Ferguson, George, Harrington, Seibel — 5.

Therefore the Bill was declared passed by the House.

Representative Boulden deferred **SJR 55**, and brought **HB 1099** before the House for consideration. “An Act proposing an Amendment to Article 4, Section 2 of the Constitution of the State of Delaware relating to Active Judicial Duty by Retired Judges.”

Mr. Speaker assigned **SJR 55** to the House Administrative Committee.

Representative Maxwell requested the privilege of the floor for House Attorney John Rich.

Representative Boulden moved to place **HB 1099** on the Speaker’s Table. Motion adopted by voice vote.

Representative Boulden deferred **SB 619** to Wednesday June 16, 1976.

Representative Matushefske brought **SB 613** before the House for consideration. "An Act to amend §9801 (1) (A) Chapter 98, Title 10 of the Delaware Code, relating to the establishment of a New Rate."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Byrd, Cain, Clendaniel, Connor, Derrickson, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 36.

ABSENT: Representatives Boulden, Darling, Ferguson, George, Seibel — 5.

Therefore the Bill was declared passed by the House.

Representative Matushefske brought **HB 1100** before the House for consideration. "An Act to amend Chapter 43, Title 11, Delaware Code relating to the Creation of Pre-Sentence Investigators for the Court of Common Pleas of the State of Delaware."

Representative Derrickson stated that he thought a Fiscal Note is required for **HB 1100**.

Mr. Speaker ruled that a Fiscal Note is required.

Representative Matushefske moved that **HB 1100** be placed on the Speaker's Table. Motion was seconded by Representative Sincok. Motion was adopted by voice vote.

Representative Matushefske requested that **HB 1101** be brought before the House for consideration. "An Act to amend Chapter 13, Title 10, Delaware Code, relating to Administrative Procedure of the Court of Common Pleas of the State of Delaware."

Representative Derrickson questioned the lack of a Fiscal Note for **HB 1101**.

Mr. Speaker ruled that a Fiscal Note is required.

Representative Matushefske moved to place **HB 1101** on the Speaker's Table. Motion adopted by voice vote.

Representative Matushefske deferred **HB 1102** to the end of the Agenda, and yielded to Representative Minner.

Representative Minner brought **HB 1139** before the House for consideration. "An Act to amend Chapter 59, Title 29, Delaware Code, to provide for Vacant Positions in Pay

Grades 5-10 to be filled by Agency Recruitment Efforts and to give employment preference to the unemployed with no other source of income surpassing poverty level."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Gilligan, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Powell, Riddagh, Rispoli, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 31.

NO: Representatives Arnold and McKay — 2.

NOT VOTING: Representatives Derrickson, Leshar, Ridings — 3.

ABSENT: Representatives Ferguson, George, Gordy, Plant, Seibel — 5.

Therefore the Bill was declared passed by the House.

Representative Minner moved to lift the Roll Call on **HB 1069**.

Roll call was taken and revealed:

YES: Representatives Boulden, Cain, Clendaniel, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, McGinnis, Miller, Minner, Morris, Plant, Riddagh, Rispoli, Sincok, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 26.

NO: Representatives Ambrosino, Arnold, Billingsley, Brady, Connor, Hebner, Maxwell, McKay, Powell, Ridings, Seibel, Smith — 12.

NOT VOTING: Representatives Byrd and Leshar — 2.

ABSENT: Representative Ferguson — 1.

Therefore the Bill was declared passed by the House.

Representative Matushefske deferred **HB 1103** to the end of the Agenda, and yielded to Representative Byrd.

Representative Byrd moved to lift **HB 1044** from the Speaker's Table. Motion adopted by voice vote.

The House recessed at 7:03 to repair the Tape.

The Speaker called the House to order at 7:12 p.m.

Representative Byrd moved to place **HB 1044** on the Speaker's Table. Motion was adopted by voice vote.

Representative Cain brought **HB 901** before the House for consideration. "An Act to amend Chapter 27, Title 30, Delaware Code, relating to Manufacturers License Requirements and Taxes."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley,

Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

ABSENT: Representatives Boulden, Ferguson, George, Seibel — 4.

Therefore the Bill was declared passed by the House.

Representative Cain brought **HB 818** before the House for consideration. "An Act to amend Chapter 53, Part IV, Title 30, Delaware Code, relating to Tobacco Products Licenses and Fees."

HA 1 to **HB 818** was brought before the House for consideration by Representative Cain.

Representative Cain requested the privilege of the floor for Mr. Robert Smyers.

HA 1 to **HB 818** was adopted by voice vote.

Representative Cain moved to table **HB 818**. Motion adopted by voice vote.

Representative Cain brought **HB 849** before the House for consideration. "An Act amending Title 30, Chapter 13, of the Delaware Code by Repealing and Revising certain Laws relating to Inheritance Tax."

Representative Cain requested that **HA 1** to **HB 849** be stricken.

Representative Cain brought **HA 2** to **HB 849** before the House for consideration.

Representative Cain requested the privilege of the floor for the House Attorney, John Rich.

Representative Cain requested the privilege of the floor for Mr. Robert Smyers.

Representative Sincock moved to place **HB 849** on the Speaker's Table. The motion was seconded by Representative Cain. The motion was adopted by voice vote.

Representative Cain moved to lift **HB 819** from the Speaker's Table. The motion was adopted by voice vote. House amendment 2 was stricken by Representative Cain.

HB 819 — "An Act to amend Chapter 23, Title 30, Delaware Code, relating to Occupational License for Mobile Home Parks."

HA 3 was introduced and brought before the House for consideration by Representative Cain. **HA 3** was adopted by

voice vote.

Roll call was taken on **HB 819** and revealed:

YES: Representatives Billingsley, Boulden, Byrd, Cain, Darling, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Ridings, Rispoli, Sincock, Temple, Worthen, Mr. Speaker Jonkiert — 26.

NO: Representatives Brady, Clendaniel, Riddagh, Spence — 4.

NOT VOTING: Representatives Ambrosino, Arnold, Connor, Derrickson, Hebner, Leshner, McKay, Smith — 8.

ABSENT: Representatives Ferguson, George, Seibel — 3.

Therefore the Bill was declared passed by the House.

Representative Cain moved to lift **HB 818** from the Speaker's Table. The motion was adopted by voice vote.

HB 818 — "An Act to amend Chapter 53, Part IV, Title 30, Delaware Code, relating to Tobacco Products Licenses and Fees."

Roll was taken on **HB 818** and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincock, Smith, Temple, Worthen, Mr. Speaker Jonkiert — 36.

NO: Representatives Derrickson and Spence — 2.

ABSENT: Representatives Ferguson, George, Seibel — 3.

Therefore the Bill was passed by the House.

Representative Cain moved to suspend all rules to introduce and act on **HS 1** for **HB 815**. The motion was adopted by voice vote.

HS 1 for **HB 815** — "An Act to amend Chapter 23, Title 30, Delaware Code, relating to Occupational Licenses to exempt certain Incidental Sales from the Retailer Licensing Requirements."

Roll call was taken on **HS 1** for **HB 815** and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

ABSENT: Representatives Ferguson, George, Seibel — 3.
Therefore the Bill was declared passed by the House.

Representative Cain introduced and brought **HR 166** before the House for consideration. "To Apprise the Delaware House of Representatives and the Public At Large of a Behemoth Contest in Weight Reduction Involving Representatives John Matushefske of New Castle and Al O. Plant of Wilmington, Each Presently Weighing Approximately 260 Lbs., Avoirdupois."

HR 166 was adopted by voice vote.

Representative Gordy introduced and brought before the House for consideration **HR 167** — "Expressing the Hopes of the House that Norman S. Hudson, of Millsboro, will Make a Full Recovery from His Serious Illness."

HR 167 was adopted by voice vote.

Representative Lynch requested that **HB 1087** be stricken.

Representative LeGates requested that **HB 977** be stricken.

Representative Byrd requested that **HB 1006** be stricken.

HB 1150 was reported out of the Administrative Services Committee with 4 Merits.

SB 466 was reported out of the Public Safety Committee with 4 Merits.

HB 1146 was reported out of the Banking and Insurance Committee with 5 Merits.

HB 1148 was reported out of the Public Safety Committee with 4 Merits.

HJR 47 was reported out of the Federal and State Relations Committee with 5 Merits.

At 8:25 p.m. Representative McGinnis moved to recess to the call of the Chair.

The Speaker called the House to order at 2:04 p.m. June 10, 1976.

HB 1171 was reported out of Community Affairs Committee with 2 Favorable, 3 Merits.

SB 680 was reported out of Community Affairs Committee with 1 Favorable, 4 Merits.

The Majority Leader moved to adjourn at 2:05 p.m., thereby ending the previous Legislative Day.

43RD LEGISLATIVE DAY

The House reconvened at 2:05 p.m. June 10, 1976.

A Prayer was offered by Representative Al O. Plant.

The Speaker led those present in a Pledge of Allegiance of the Flag.

PRESENT: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 39.

ABSENT: Representatives Matushefske and McKay — 2.
The minutes were approved as posted.

The following pre-filed legislation was introduced:

HB 1174 — “An Act to amend Part I, Title 18 of the Delaware Code relating to Title Insurance and Title Insurers.” Introduced by Representative Connor. Assigned to Banking and Insurance Committee.

HB 1175 — “An Act to amend Chapter 13, Title 30, Delaware Code relating to Delaware Inheritance Taxes.” Introduced by Representative McGinnis. Assigned to Revenue and Finance Committee.

HB 1176 — “An Act to amend Chapter 51, Part V, Title 29 of the Delaware Code relating to Pension Plan Payments by State Employees.” Introduced by Representative Matushefske. Assigned to Appropriations Committee.

HB 1177 — “An Act to amend Title 25 of the Delaware Code by creating a New Chapter 46 to provide that the costs of demolition of buildings paid for by Funds of any Municipality or Political Subdivision shall be a Lien upon all Lands within the County owned by the Owners of such buildings.” Introduced by Representatives Rispoli, Jonkiert; Senator Schlor. Assigned to Community Affairs Committee.

HB 1178 — “An Act to amend Chapter 79, Part VI, Title 3 of the Delaware Code relating to the prevention of Cruelty to Animals.” Introduced by Representative Smith. Assigned to Agriculture Committee.

HA 1 to HB 1005, introduced by Representative Ridings, and placed with the Bill.

HJR 50 — “Congratulating those who made the Delaware Special Olympics a success, and acknowledging the Importance and Benefits derived from the Special Olympics.” Introduced by Representative Riddagh and Senator Zimmerman. Assigned to Community Affairs Committee.

SB 411 — “An Act to grant approval to the Department of Natural Resources and Environmental Control to purchase approximately 565 Acres of Valuable Lands and Marsh adjacent to Existing State Wildlife Areas.” Introduced by Senator Isaacs. Assigned to Natural Resources and Environmental Control Committee.

HA 4 to SB 236, introduced by Representative Worthen, and placed with the Bill.

HA 3 to SS 2 for SB 256, introduced by Representative McGinnis, and placed with the Bill.

HB 1179 — “An Act to amend Chapter 74 and Chapter 79, Title 3 of the Delaware Code relating to the Prevention of Cruelty to Animals.” Introduced by Representative Smith. Assigned to Appropriations Committee.

Representative Connor moved to suspend all rules for the purpose of acting on **HB 891**. “An Act to amend Chapter 27, Part III, Title 30 of the Delaware Code relating to the Manufacturers’ License Requirements and Taxes; and providing for an Excise Tax on the processing of Crude Petroleum.” Representative Ambrosino seconded the motion.

Roll call on motion was taken and revealed:

YES: Representatives Ambrosino, Boulden, Brady, Connor, Derrickson, George, Hebner, Johnson, Miller, Morris, Plant, Riddagh, Ridings, Rispoli, Smith, Spence — 16.

NO: Representatives Cain, Clendaniel, Darling, Gordy, Harrington, LeGates, Worthen, Mr. Speaker Jonkiert — 8.

NOT VOTING: Representatives Arnold, Ferguson, Gilligan, Kelly, Leshner, Lynch, Maxwell, Minner, Powell, Seibel, Sincock, Temple — 12.

ABSENT: Representatives Billingsley, Byrd, Matushefske, McGinnis, McKay — 5.

Motion on **HB 891** was declared defeated by the House.

Representative Ferguson deferred **HB 191** to the end of the Agenda, and yielded to Representative Morris.

Representative Morris brought **HB 1145** before the House for consideration. “An Act to amend Subchapter I, Chapter 59, Title 29, Delaware Code relating to Exemptions in the Classified Service.” Representative Morris yielded to Representative Riddagh, a Co-Sponsor of **HB 1145**.

Representative Sincock requested the privilege of the floor for Mr. Fred VanSant, from the Controller General’s Office.

Representative Morris requested the privilege of the floor for Mr. Chester Gove, President of 1726 Public Employee

Union for Adult Corrections.

Representative Morris moved to place **HB 1145** on the Speaker's Table. Motion was adopted by voice vote.

Representative Ferguson deferred **HB 169** to a day certain. That day being June 14, 1976.

Representative Cain deferred **HB 1035** to a day certain. That day being June 14, 1976.

Representative Cain brought **HS 1** for **HB 915** before the House for consideration. "An Act to Amend Chapter 29, Part III, Title 30, of the Delaware Code by Requiring a Special License for a Transient Retailer and Providing for an Additional Fee on Aggregate Gross Receipts." Representative Cain yielded to Representative Sincock, who is a joint sponsor of **HS 1** for **HB 915**.

A roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Byrd, Cain, Clendaniel, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, Plant, Powell, Ridings, Rispoli, Seibel, Sincock, Smith, Temple, Worthen, Mr. Speaker Jonkiert — 30.

NO: Representatives Boulden, Riddagh, Spence — 3.

NOT VOTING: Representatives Connor and Johnson — 2.

ABSENT: Representatives Ferguson, Matushefske, McKay, Miller, Minner, Morris — 6.

Therefore the Bill was declared passed by the House.

Representative Kelly deferred **HB 1120** to the end of the Agenda, and brought **HB 1160** before the House for consideration. "An Act Authorizing the Department of Highways and Transportation to Use Certain Funds Appropriated by the "Annual Capitol Improvements Act of 1976" for the Purchase and Erection of a New Water Tower in the Tower of Newport." Representative Kelly requested that **HA 1** for **HB 1160** be stricken.

A roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock,

Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 36.

ABSENT: Representatives: Darling, Derrickson, Ferguson, Matushefske, McKay — 5.

Therefore the Bill was declared passed by the House.

Representative Worthen brought **HB 1111 w HA 1** before the House for consideration. "An Act to Amend Chapter 9, Title 16, Delaware Code, so as to Improve and Expand Procedures for Reporting Incidents of Child Abuse to Appropriate State Agencies."

HA 1 was brought before the House by Representative Worthen. **HA 1** was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives: Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

ABSENT: Representatives: Ferguson, Matushefske, McKay — 3.

Therefore the Bill was declared passed by the House.

Representative Maxwell brought **HB 1059 w HA 1** before the House for consideration.

HB 1059 — "An Act to Amend Chapter 2, Title 24, Delaware Code, Relating to Landscape Architects."

Representative Maxwell moved to Table the Bill and the motion was adopted by voice vote.

Representative Maxwell brought **SB 454** before the House for consideration. "An Act to amend an Act, being Chapter 63, Volume 12, Laws of Delaware, entitled "An Act to Incorporate the Artisans' Savings Bank"" passed at Dover on February 28, 1861, as the same has since been renewed, amended and changed by amending Section 3, thereof to provide that the Savings Bank may Make Unsecured Loans, and to provide further that the Savings Bank be permitted to conduct generally Checking Account Services." Motion adopted by voice vote.

Representative Maxwell moved to place **SB 454** on Speaker's Table. Motion adopted by voice vote.

Representative Maxwell brought **SB 18 w SA 1, SA 2,**

HA 1 before the House for consideration. "An Act to amend Subchapter I of Chapter 1, Title 26, Delaware Code relating to Disqualifications for serving as a member of the Public Service Commission."

HA 1 to **SB 18** was brought before the House by Representative Maxwell.

Representative Maxwell moved to place **SB 18** on the Speaker's Table. Motion was adopted by voice vote.

Representative Temple brought **HB 1094** before the House for consideration. "An Act to amend an Act entitled "An Act Amending, Revising and Consolidating the Charter of the City of Seaford" to increase the amount which may be borrowed by the City of Seaford in anticipation of Revenues."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Spence, Temple, Mr. Speaker Jonkiert — 35.

ABSENT: Representatives Ferguson, Matushefske, Maxwell, McKay, Smith, Worthen — 6.

Therefore the Bill was declared passed by the House.

Representative Darling brought **HB 1054** before the House for consideration. "An Act to amend Chapter 89, Part VI, Title 10 of the Delaware Code relating to Fees and Costs; and providing for Fees paid to Witnesses."

Representative Morris brought **HA 1** to **HB 1054** before the House for consideration. **HA 1** to **HB 1054** was adopted by voice vote.

Representative George asked for a ruling from Mr. Speaker as to whether **HB 1054** would affect the Budget Act, which has not yet been considered because it involves money for the next Fiscal Year.

Mr. Speaker stated that if it is an appropriation or supplementary appropriation for the next fiscal year, **HB 1054** cannot precede the Budget Act, and agreed with Representative Sincock that **HB 1054** is not an appropriation and, therefore can precede the Budget Act.

Roll Call was taken and revealed:

YES: Representatives Byrd, Darling, Ferguson, Gordy, Harrington, Johnson, Lynch, Minner, Plant, Rispoli, Mr. Speaker Jonkiert — 11.

NO: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Cain, Clendaniel, Connor, Derrickson, George, Gilligan, Hebner, Kelly, Leshner, McGinnis, Morris, Powell, Riddagh, Ridings, Seibel, Sincok, Smith, Spence, Temple, Worthen — 25.

ABSENT: Representatives LeGates, Matushefske, Maxwell, McKay, Miller — 5.

Therefore the Bill was declared defeated by the House.

The House recessed for Caucus at 4:25 p.m.

Mr. Speaker called the House to order at 5:37 p.m.

Representative Leshner brought **HB 842 w HA 1** before the House for consideration. "An Act to amend Title 24 of the Delaware Code relating to the Registration and Licensing of Marriage Counselors."

Representative Leshner brought **HA 1** before the House for consideration. Amendment was adopted by voice vote.

Roll call on **HB 842** was taken and revealed:

YES: Representatives Ambrosino, Brady, Cain, Connor, Darling, Derrickson, George, Gilligan, Harrington, Johnson, Kelly, LeGates, Leshner, Lynch, Plant, Powell, Riddagh, Sincok, Smith, Spence, Temple — 21.

NO: Representatives Boulden, Seibel — 2.

NOT VOTING: Representatives Arnold, Billingsley, Byrd, Clendaniel, Gordy, McGinnis, Miller, Minner, Morris, Ridings, Worthen, Mr. Speaker Jonkiert — 12.

ABSENT: Representatives Ferguson, Harrington, Matushefske, Maxwell, McKay, Ridings — 6.

Therefore the Bill was declared passed by the House.

Representative Miller moved to lift **SB 454** from the Speaker's Table. Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 35.

NOT VOTING: Representative Gilligan — 1.

ABSENT: Representatives Ferguson, Matushefske, Maxwell, McKay, Smith — 5.

Therefore the Bill was declared passed by the House.

Representative Boulden moved to lift the Roll Call on **SB 629**. Motion adopted by voice vote.

SB 629 — “An Act to amend Chapter 9 of Title 26, Delaware Code, relating to Charges made for Directory Assistance Calls.”

Roll call was taken and revealed:

YES: Representatives Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Harrington, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Worthen, Mr. Speaker Jonkiert — 34.

NO: Representatives Clendaniel, Gordy, Temple — 3.

NOT VOTING: Representatives Ambrosino, Hebner, Maxwell, McKay — 4.

Representative McGinnis moved to lift roll call on **HB 262**. Motion adopted by voice vote.

HB 262 — “An Act to amend Chapter 21, Title 21 of the Delaware Code relating to Vehicle Registration by Non-Residents.”

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 39.

NOT VOTING: Representatives Matushefske, McKay — 2.

Therefore the Bill was declared passed by the House.

Representative Gordy moved to lift Roll Call on **HB 762**.

HB 762 — “An Act proposing an Amendment to Article V, Section 4A of the Constitution of the State of Delaware to permit a registered voter to vote an Absentee Ballot if the voter is on Vacation.”

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 40.

NOT VOTING: Representative McKay — 1.

Therefore the Bill was declared passed by the House.

Representative Worthen moved to lift **HS 1** for **HB 544** from the Speaker's Table. Motion adopted by voice vote.

HS 1 for HB 544 — "An Act to amend Title 21, Delaware Code, relating to Motor Vehicles and requiring the Registration and Control of Off-Highway Vehicles and providing a supplementary appropriation therefor."

Representative Worthen moved that Roll Call be Tabled. Motion was adopted by voice vote.

Representative Riddagh moved to lift **HB 724** from the Speaker's Table. Motion adopted by voice vote.

HB 724 — "An Act to amend Article I, Section 9 of the Constitution of the State of Delaware by eliminating the prohibitions against Change of Venue."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

ABSENT: Representatives Matushefske, Maxwell, McKay — 3.

Therefore the Bill was declared passed by the House.

Representative McGinnis moved for suspension of Agenda Rules for the consideration of three Bills.

Representative Smith brought **HB 1171** before the House for consideration. "An Act to Incorporate the Village of Ardencroft."

Roll call on **HB 1171** was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

NO: Representative Boulden — 1.

ABSENT: Representatives Matushefske, Maxwell, McKay — 3.

Therefore the Bill was declared passed by the House.

Representative Ambrosino brought **HB 257** before the

House for consideration. "An Act to amend Chapter 1, Title 26 of the Delaware Code relating to the Public Service Commission; and providing Public Access to Certain Information."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

NO: Representative Darling — 1.

ABSENT: Representatives Matushefske, Maxwell, McKay — 3.

Therefore the Bill was declared passed by the House.

Representative George moved to suspend all rules for the purpose of introducing and acting on **HB 1180** — "An Act to permit the Board of Education of the Mount Pleasant Reorganized School District to transfer certain Funds from its Debt Service Account to its Current Operating Account." Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

NO: Representative Darling — 1.

ABSENT: Representatives Matushefske, Maxwell, McKay — 3.

Therefore the Bill was declared passed by the House.

Representative George moved that **SB 507** be lifted from the Speaker's Table. "An Act making a supplementary appropriation to the Department of Administrative Services for the purpose of paying Employees who failed to receive their Annual Increment." Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Leshner, Lynch, McGinnis, Miller,

Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Temple, Worthen, Mr. Speaker Jonkiert — 36.

ABSENT: Representatives Hebner, Matushefske, Maxwell, McKay, Spence — 5.

Therefore the Bill was declared passed by the House.

Representative George brought **HB 1055** before the House for consideration. "An Act to provide a supplemental appropriation to the Department of Administrative Services, for Operational Costs for Fiscal Year 1976."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, McGinnis, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Sincock, Temple, Worthen, Mr. Speaker Jonkiert — 33.

NO: Representatives Morris, Seibel, Spence — 3.

NOT VOTING: Representative Clendaniel — 1.

ABSENT: Representatives Matushefske, Maxwell, McKay, Smith — 4.

Therefore the Bill was declared passed by the House.

Representative George brought **SB 548** before the House for consideration. "An Act authorizing a supplemental appropriation to the State Board of Examiners and Registration of Architects, Division of Business and Occupational Regulation, Department of Administrative Services, for the purpose of reimbursement for the Expenses of the 1974 Middle Atlantic Regional Conference of the National Council of Architectural Registration Boards."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Billingsley, Byrd, Cain, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Kelly, McGinnis, Minner, Morris, Plant, Powell, Ridings, Rispoli, Temple, Worthen, Mr. Speaker Jonkiert — 21.

NO: Representatives Arnold, Brady, Lynch, Riddagh, Seibel, Smith, Spence — 7.

NOT VOTING: Representatives Clendaniel, Connor, Derrickson, Hebner, Leshner, Sincock — 6.

ABSENT: Representatives Boulden, Johnson, LeGates, Matushefske, Maxwell, McKay, Miller — 7.

Therefore the Bill was declared passed by the House.

Representative Minner deferred **HB 986** to the end of the Agenda, and yielded to Representative Jonkiert.

Representative Jonkiert brought **HB 1156** before the House for consideration. "An Act to amend Title 10 and Title 31 of the Delaware Code relating to Mandatory Commitment of Minors who have been Adjudicated Delinquent by Family Court for having committed certain Designated Acts."

HA 1 to HB 1156 was introduced and brought before the House for consideration by Representative Jonkiert.

Representative Jonkiert requested the privilege of the floor for Mr. David Swayze, City Solicitor of Wilmington, Delaware.

HA 1 to HB 1156 was adopted by voice vote.

Representative Jonkiert again requested the privilege of the floor for Mr. Swayze.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Kelly, LeGates, Leshner, Lynch, McGinnis, Miller, Minner, Morris, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 34.

NO: Representative Plant — 1.

ABSENT: Representatives Ferguson, Hebner, Johnson, Matushefske, Maxwell, McKay — 6.

Therefore the Bill was declared passed by the House.

Representative Morris deferred **HB 952** to the end of the Agenda, and yielded to Representative Gilligan.

Representative Gilligan brought **SB 622** before the House for consideration. "An Act to amend Part XI, Title 16, Delaware Code by adding a New Chapter to be Designated as Chapter 6, to provide assistance for the Operation of a Program to detect and treat Streptococcal Infections; and to provide a supplemental appropriation to Implement the Provisions of this Act."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Harrington, Johnson, Kelly, LeGates, Leshner, Lynch, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 32.

ABSENT: Representatives Byrd, Cain, Ferguson, Gordy, Hebner, Matushefske, Maxwell, McGinnis, McKay — 9.

Therefore the Bill was declared passed by the House.

Representative Plant moved for suspension of all rules for the purpose of introducing and acting on **HB 1181**. "An Act to amend Chapter 31, Title 19, of the Delaware Code relating to the Regulation of Employment Agencies." The motion was adopted by voice vote.

Representative Plant requested the privilege of the floor for House Attorney John Rich.

Representative Plant moved to Table the Roll Call on **HB 1181**. Motion was adopted by voice vote.

Representative Kelly moved to have **HB 1070** lifted from the Speaker's Table. "An Act to amend Chapter 25, Title 24 of the Delaware Code relating to the Compiling, Distribution and Posting of the Prices of the one hundred most commonly Prescribed Drugs."

HA 5 to **HB 1070** was brought before the House for consideration by Representative Kelly, who then moved that **HA 5** be stricken.

HA 6 was stricken by Representative Lynch.

HA 7 was brought before the House for consideration by Representative Kelly.

Representative Ambrosino requested a ruling from the chair as to the validity of **HA 7** in reference to the Title of the Bill.

Mr. Speaker ruled that **HA 7** was not consistent with the Title of the Bill, and would detract from the meaning of the Bill.

Representative Kelly moved to place **HB 1070** on the Speaker's Table. Motion was adopted by voice vote.

Representative McGinnis introduced and brought **HR 168** before the House for consideration. "Relating to the Staff Party." Motion was adopted by voice vote.

Representative McGinnis moved to strike **HB 1153**.

Representative Sincock moved that **HB 645** and **HB 685** be stricken.

Representative Morris moved that **HB 1145** be stricken.

HB 1158 was reported out of Health and Social Services Committee with 5 Merits; **SB 742** — 1 Favorable, 4 Merits; **HS 1** for **HB 892** — 2 Favorable, 3 Merits.

Reported out of Appropriations Committee as follows: **HB 1137** — 4 Merits; **HB 1063** — 4 Merits; **HB 1083** — 4 Merits; **HB 1170** — 4 Merits; **SB 719** — 4 Merits; **SB 506** — 4 Merits; **SB 542** — 4 Merits; **SB 610** — 4 Merits.

Reported out of Public Safety Committee as follows: **SB 736** — 4 Merits; **HB 1060** — 4 Merits.

Reported out of Education Committee as follows: **HB**

1067 — 2 Favorable, 2 Merits; **HB 984** — 5 Favorable, 1 Merits; **SB 738** — 4 Merits.

Reported out of Natural Resources and Environmental Control Committee as follows: **SB 441** — 2 Favorable, 4 Merits; **HB 1091** — 2 Favorable, 4 Merits; **SB 411** — 2 Favorable, 4 Merits.

Representative McGinnis moved to recess to the call of the Chair at 7:55 p.m.

44TH LEGISLATIVE DAY

The Speaker called the House to order at 1:29 p.m. June 14, 1976.

The Majority Leader moved to adjourn at 1:30 p.m., thereby ending the previous Legislative Day.

The House reconvened at 1:30 p.m.

A Prayer was offered by Representative Al O. Plant.

The Speaker led those present in a Pledge of Allegiance to the Flag.

PRESENT: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 40.

ABSENT: Representative Leshner — 1.

The minutes of the previous day were approved as posted.

The following pre-filed legislation was introduced:

HB 1182 — “An Act to amend Part I, Title 18 of the Delaware Code relating to the Transfer of Property to a person in consideration for the Furnishing of Lifetime Care.” Introduced by Representatives Kelly and Jonkiert. Assigned to Aging Committee.

HB 1183 — “An Act to amend Chapter 21, Title 21, Delaware Code relating to Penalties for the Improper Display of Tags on Motor Vehicles.” Introduced by Representative Jonkiert. Assigned to Public Safety Committee.

HB 1184 — “An Act to amend Chapter 21, Title 21, Delaware Code relating to Number Plates for Motor Vehicle Manufacturers and Dealers.” Introduced by Representative Jonkiert. Assigned to Public Safety Committee.

HB 1185 — “An Act to amend Chapter 67, Title 16, of the Delaware Code by permitting an increase in the number of Fire

Police.” Introduced by Representative Clendaniel. Assigned to Community Affairs Committee.

HB 1186 — “An Act to amend Chapter 20, Part XI, Title 16 of the Delaware Code relating to Hearing Aid Dealers.” Introduced by Representatives Kelly and Jonkiert. Assigned to Aging Committee.

HB 1187 — “An Act to amend Part I, Title 19 of the Delaware Code relating to Age Discrimination in Employment.” Introduced by Representatives Kelly and Jonkiert. Assigned to Aging Committee.

HB 1188 — “An Act to amend Chapter 21, Title 21, Delaware Code relating to increase of Fees charged by the Motor Vehicle Department for Special Number Plates.” Introduced by Representative Jonkiert. Assigned to Public Safety Committee.

HA 1 to HB 169, introduced by Representative Ferguson, and placed with the Bill.

HA 2 to HB 191, introduced by Representative Ferguson, and placed with the Bill.

HA 1 to HB 1116, introduced by Representatives Boulden and LeGates, and placed with the Bill.

HA 1 to HB 1146, introduced by Representative McGinnis, and placed with the Bill.

SB 95 — “An Act to amend Chapter 9, Title 7 of the Delaware Code relating to Menhaden Fishing.” Introduced by Senators Elliott, Isaacs and Cordrey. Assigned to Natural Resources and Environmental Control Committee.

SB 430 w SA 2 — “An Act to amend Chapter 47, Title 16, Delaware Code relating to Controlled Substances.” Introduced by Senator Holloway. Assigned to Health and Social Services Committee.

HA 4 to SS 2 for SB 256, introduced by Representative Lynch, and placed with the Bill.

HA 1 to SB 597, introduced by Representative Gordy, and placed with the Bill.

HA 1 to HA 2 to SB 619, introduced by Representative Boulden, and placed with the Bill.

The Clerk informed the House that the following Legislation had been passed by the Senate.

June 3, 1976: **SB 596 w SA 1; SB 688, HB 356 w SA 1.**

June 8, 1976: **SJR 62; HB 1072 w HA 1; SB 736; (HB 838, Lost).**

June 9, 1976: HB 1013; HB 1061; HB 1014.

June 10, 1976: HB 1155 w HA 3.

The Reading Clerk read the following veto message from the Governor at 1:38 p.m.:

To the House of Representatives
of the 128th General Assembly
of the State of Delaware

On June 3, 1976, I received House Bill No. 790 entitled:

“An Act to Amend Chapter 21, Part XI, Title 21 of the Delaware Code Relating to the Priority of a Claim of an Insured Person Over the Subrogation Claims of an Insurer; and Arbitration Rights as to Losses to a Motor Vehicle.”

I am returning this bill without my signature, not because I am opposed to the concept of this legislation, but because of technical problems it will probably cause and also because of the need to review and resolve the whole broader problem area of whether or not subrogation should be eliminated in our automobile “No-Fault” law.

It is my understanding that this legislation was intended to assure that our insured motorist would be paid first from any available automobile liability insurance, ahead of the claim of the insurance companies enforcing their subrogation rights for claims they have paid to their own insureds in the same accidents. This is a concept with which I fully concur. However, the bill as drawn will cause serious problems that may well cause the elimination of the intercompany arbitration system now in effect as to such subrogation claims and thereby instead of permitting this efficient cheap method of determination of such claims, force these subrogation claims to be filed as Superior Court cases leading to enormously increased expense and a substantial future burden on our already overburdened Superior Court system.

Representative LeGates, the sponsor of the legislation, has requested that I veto this legislation and he and I have therefore determined that the best course of action here is to request Insurance Commissioner John F. Richardson to form a commission composed of members of the public, not only this question of the priority between insureds and insurance companies enforcing subrogation claims, but also the broader question of whether or not there should be an elimination of such subrogation claims entirely in our auto-no-fault law and related matters. The Commissioner has agreed to promptly

form such a commission and it will recommend legislation by January 1, 1977. Hopefully, it will adopt the same type of thorough approach to this problem exhibited by the Medical Malpractice Review Commission I appointed last year where representatives of the public and legislative sectors joined with various interested parties in coming up with a comprehensive legislative suggestion early enough in that session to permit its careful review and thereafter receive the appropriate action by the legislature.

Sincerely,
 Sherman W. Tribbitt
 Governor

Representative Ferguson brought **HB 169** before the House for consideration. "An Act proposing an Amendment to the Constitution of the State of Delaware, relating to Initiative and Referendum."

HA 1 was brought before the House for consideration by Representative Ferguson. **HA 1** was adopted by voice vote.

Representative Ferguson requested the privilege of the floor for House Attorney Tom Shiels.

Mr. Speaker requested that Mr. Ferguson place **HB 169** on the Speaker's Table until Mr. Shiels came before the House.

Representative Ferguson moved to place **HB 169** on the Speaker's Table, and the motion was adopted by voice vote.

Representative Cain brought **HB 1035** before the House for consideration. "An Act to amend Chapter 23, Title 39, Delaware Code, relating to Occupational Licensee Requirements and Fees, to require Lessors of Commercial Property to be licensed thereunder and to repeal the Provision in Chapter 54, Title 30, Delaware Code, relating to the Realty Transfer Tax on Leases."

HA 1 to **HB 1035** was brought before the House for consideration by Representative McKay.

Representative McKay requested the privilege of the floor for Mr. Bill Wagner, House Attorney.

Representative Cain yielded to Representative Clendaniel, a Sponsor of **HB 1035**.

Representative Cain moved to place **HB 1035** on the Speaker's Table. Motion adopted by voice vote.

Representative McGinnis brought **SS 2** for **SB 256 w SA 1, 2, 5 w HA 1, 2, 3** before the House for consideration. "An Act to amend Title 29 of the Delaware Code by adding a New

Part relating to Freedom of Information and requiring that Meetings of Public Bodies and Records of Public Bodies be open to Personal Inspection by any Citizen of the State of Delaware.”

Representative McGinnis requested that Attorney John Rich be given the privilege of the floor.

HA 1 was brought before the House for consideration by Representative McGinnis, and was adopted by voice vote.

HA 2 to SS 2 for SB 256 was brought before the House for consideration. He then moved to table **HA 2**. Motion was adopted by voice vote.

HA 3 to SS 2 for SB 256 was brought before the House for consideration, by Representative McGinnis, and adopted by voice vote.

HA 4 to SS 2 for SB 256 was brought before the House for consideration by Representative Lynch.

Roll call was taken and revealed:

YES: Representatives Boulden, Byrd, Clendaniel, Darling, Ferguson, Gordy, Lynch, Temple — 8.

NO: Representatives Ambrosino, Arnold, Brady, Cain, Connor, Derrickson, Gilligan, Harrington, Hebner, Johnson, Kelly, LeGates, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Powell, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Worthen, Mr. Speaker Jonkiert — 27.

ABSENT: Representatives Billingsley, George, Leshner, Matushefske, Plant, Riddagh — 6.

Therefore **HA 4** was declared lost by the House.

HA 5 to the Bill was introduced and brought before the House for consideration by Representative Byrd, and adopted by voice vote.

Representative McGinnis requested that **HA 2** be stricken.

Representative Ambrosino requested the privilege of the floor for Mr. John Rich, House Attorney.

HA 6 to SS 2 for SB 256 was introduced and brought before the House for consideration by Representative Derrickson, and adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Byrd, Cain, Clendaniel, Connor, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 35.

NO: Representatives Boulden, Darling, Rispoli — 3.

ABSENT: Representatives Leshner, Lynch, Matushefske — 3.

Therefore **HA 6** was declared passed by the House.

Representative Cain moved to lift **HB 1035** from the Speaker's Table. The Motion was adopted by voice vote.

Representatives Derrickson and McGinnis stated that they both have a conflict of interest due to business. They apologized for having previously debated **HB 1035**, and left the floor.

HA 1 to **HB 1035** was brought before the House for consideration by Representative McKay.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Connor, Gordy, Maxwell, McKay, Ridings, Seibel, Sincock, Smith, Temple — 13.

NO: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Harrington, Hebner, Johnson, Kelly, LeGates, Miller, Minner, Morris, Riddagh, Rispoli, Spence, Worthen, Mr. Speaker Jonkiert — 21.

ABSENT: Representatives Derrickson, Leshner, Lynch, Matushefske, McGinnis, Plant, Powell — 7.

Therefore **HA 1** to **HB 1035** was declared defeated by the House.

HA 2 to **HB 1035** was brought before the House for consideration by Representative Cain, in lieu of Representative Derrickson, who had previously stated a conflict of interest. **HA 2** was adopted by voice vote.

Roll call was taken on **HB 1035 w HA 2** and revealed:

YES: Representatives Billingsley, Boulden, Brady, Cain, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Mr. Speaker Jonkiert — 21.

NO: Representatives Ambrosino, Arnold, Clendaniel, McKay, Riddagh, Ridings, Sincock, Smith, Spence — 9.

NOT VOTING: Representatives Connor, Hebner, Lynch, Powell — 4.

ABSENT: Representatives Byrd, Derrickson, Leshner, Matushefske, Maxwell, McGinnis, Seibel — 7.

Therefore the Bill was declared passed by the House.

Representative Ferguson moved to lift **HB 169** from the Speaker's Table. Motion was adopted by voice vote.

HA 2 was introduced and brought before the House for

consideration by Representative Ferguson.

Roll call on **HA 2** was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, McGinnis, Miller, Minner, Morris, Powell, Riddagh, Rispoli, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 29.

NO: Representatives Billingsley, Brady, Derrickson, McKay, Ridings, Seibel, Sincock, Smith — 8.

ABSENT: Representatives Hebner, Leshner, Maxwell, Plant — 4.

HA 2 to the Bill was declared passed by the House.

Representative Worthen requested the privilege of the floor for House Attorney John Rich.

Mr. Speaker recessed at 4:30 p.m.

Mr. Speaker called the House to order at 4:45 p.m.

Mr. Speaker granted the privilege of the floor for Attorney John Rich.

Representative Maxwell requested a ruling from the Chair on a possibility of amending House Rules defining Emergency Legislation.

Mr. Speaker stated that any possibility would exist if there are 21 votes.

Representative Ferguson moved that **HB 169** as amended be placed on the Speaker's Table. Motion was adopted by voice vote.

Representative Minner brought **HB 1128** before the House for consideration. "An Act to amend Chapter 496, Volume 57, Laws of Delaware and Chapter 52, Title 30, Delaware Code relating to Registration of Private Motor Carriers." Representative Sincock excused himself because of a possible conflict of interest.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Maxwell, McGinnis, McKay, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 35.

NOT VOTING: Representative Sincock — 1.

ABSENT: Representatives George, Leshner, Matushefske, Miller, Seibel — 5.

Therefore the Bill was declared passed by the House.

Representative Boulden brought **SB 615 w HA 1** before the House for consideration. "An Act to amend Titles 17 and 21, Delaware Code relating to Omnibus changes in the Department of Highways and Transportation and the Department of Public Safety."

Representative Boulden requested the privilege of the floor for Mr. Ray Pusey, Department of Highways and Transportation, to explain **HA 1 to SB 615**. **HA 1 to SB 615** was adopted by voice vote.

Representative Boulden requested a Roll Call, and then moved that the Roll Call be Tabled. Motion was adopted by voice vote.

Representative Ambrosino introduced **HCR 89** to be brought before the House for consideration. "Congratulating the Salesianum School Baseball Team on winning the 1976 Delaware High School Baseball Tournament." **HCR 89** was adopted by voice vote.

Representative Gordy brought **HB 567 w HA 1** before the House for consideration. "An Act to amend Chapter 27, Title 21, Delaware Code, relating to Suspension and Revocation of License for Refusal to submit to a Chemical Test."

HA 1 to HB 567 was brought before the House for consideration by Representative Gordy. **HA 1** was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

ABSENT: Representatives George, Leshner, Miller — 3.

Therefore the Bill was declared passed by the House.

Representative Cain brought **HCR 90** before the House for consideration. "According sincere thanks to William Bradford, Jr. for forty-four years of Exemplary Service to his Bank, Community and State." **HCR 90** was adopted by voice vote.

Representative Gordy introduced **HS 1 for HB 1189** before the House for consideration. "An Act to repeal Chapter 59, Title 29, of the Delaware Code relating to the Merit System and inserting a New Chapter 59." Assigned to Banking and Insurance Committee.

Representative Gordy introduced and brought **HB 1189** before the House for consideration. "An Act authorizing the Department of Administrative Services to use Certain Funds appropriated by the Annual Capital Improvements Act of 1976, for the Construction of a Building for the use of the Justice of the Peace Courts." Assigned to Appropriations Committee.

Representative Minner introduced **HB 1190** to be brought before the House for consideration. "An Act to amend Chapter 87, Title 29, Delaware Code relating to the Creation of a Delaware Agriculture Museum Board; and further empowering the Department of State to lease 10 Acres of Land from the Board of Trustees of Delaware State College for the site of the Agriculture Museum; and further providing Funds for the Design and Construction of the Delaware Agriculture Museum by appropriating and transferring Funds from the Capital Investment Fund." Assigned to Appropriations Committee.

HB 167 was reported out of Aging Committee with 2 Favorable, 4 Merits.

Reported out of Judiciary Committee are as follows: **HB 1159** — 5 Merits; **HB 680** — 5 Merits; **HB 1085** — 5 Merits; **HB 1159** — 5 Merits.

Reported out of House Administration Committee are as follows: **SB 628** — 3 Favorable, 2 Merits, 1 Unfavorable; **HB 848** — 3 Merits, 2 Unfavorable.

HB 764 was reported out of Revenue and Finance Committee with 1 Favorable, 2 Merits, 1 Unfavorable.

HB 880 was reported out of Constitution Revision with 2 Favorable, 2 Merits, 1 Unfavorable.

HB 1142 was reported out of Constitution Revision with 1 Favorable, 3 Merits, 1 Unfavorable.

HB 316, 547, 774 were stricken.

Representative McGinnis moved to recess at 6:15 p.m. to the Call of the Chair.

45TH LEGISLATIVE DAY

The Speaker called the House to order at 1:38 p.m. June 15, 1976.

The Majority Leader moved to adjourn at 1:39 p.m., thereby ending the previous Legislative Day.

The House reconvened at 1:39 p.m.

A Prayer was offered by Reverend John T. Randolph.

The Speaker led those present in a Pledge of Allegiance to

the Flag.

PRESENT: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

ABSENT: Representatives Cain, Leshner, Sincock — 3.

The Minutes of the previous day were approved as posted.

The following pre-filed legislation was introduced:

HB 1191 — “An Act to amend Chapter 3, Chapter 4 and Chapter 5, Title 28, Delaware Code relating to Sports and Amusements; and prohibiting the Employment of certain persons.” Introduced by Representative Ambrosino. Assigned to Administrative Services Committee.

HB 1192 — “An Act to amend Chapter 9 and Chapter 11, Title 13 of the Delaware Code relating to Adoption and Termination of Parental Rights.” Introduced by Representative Worthen. Assigned to Judiciary Committee.

HB 1193 — “An Act to amend Chapter 7, Title 14, Delaware Code, relating to authority to Administer Corporal Punishment.” Introduced by Representative Clendaniel. Assigned to Education Committee.

HB 1194 — “An Act to provide a supplementary appropriation to the Department of Justice.” Introduced by Representative Harrington. Assigned to Appropriations Committee.

HS 1 for HB 912 — “An Act making a supplementary appropriation to the State Board of Education for the purpose of Adjusting the Formula for reimbursement to the School Bus Contractors and the School District for the Transportation of Public School Pupils during Fiscal Year ending June 30, 1976.” Introduced by Representative Temple. Assigned to Appropriations Committee.

HA 3 to HS 1 for HB 544, introduced by Representative Worthen, and placed with the Bill.

HA 1 to HB 1162, introduced by Representative Smith and Senator Knox, and placed with the Bill.

HJR 51 — “Designating “Delaware” by Sarah Carlson as the Bicentennial State Poem.” Introduced by Representative Ambrosino. Assigned to Administrative Services Committee.

HB 1195 — “An Act to provide a supplementary appropriation to the Department of Justice.” Introduced by Representative Harrington. Assigned to Appropriations Committee.

SS 1 to SB 320 — “An Act to amend Title 29, Delaware Code, relating to Administrative Procedures Governing certain State Agencies.” Introduced by Senator Kearns. Assigned to House Administrative Services Committee.

SB 705 — “An Act to amend Chapter 6, Title 29, Delaware Code, relating to Identification of State Vehicles.” Introduced by Senator Cook. Assigned to House Administrative Services Committee.

SB 741 — “An Act to amend Chapter 3, Title 21, Delaware Code relating to Uncollectable Checks.” Introduced by Senator Adams. Assigned to Public Safety Committee.

SB 750 w SA 1 — “An Act to amend Chapter 27, Title 21, of the Delaware Code, relating to Suspension of Driver Licenses.” Introduced by Senator Adams. Assigned to Public Safety Committee.

SB 765 — “An Act to amend Subchapter 1, Chapter 25, Title 24, Delaware Code relating to Composition of the State Board of Pharmacy.” Introduced by Senator Schlör. Assigned to Health and Social Services Committee.

SB 766 — “An Act authorizing the Delaware Institute for Veterinary Medical Education to enter into Contractual Arrangements with the University of Pennsylvania and Cornell University for positions in their entering classes in Veterinary Medicine for the Academic Year 1977; and further providing a Pay-Back System for Recipients of Financial Assistance.” Introduced by Senators Adams, Cordrey and Knox. Assigned to Agriculture Committee.

HA 2 to SB 317, introduced by Representative Rispoli, and placed with the Bill.

HA 1 to SB 729, introduced by Representative Derrickson, and placed with the Bill.

SB 767 — “An Act authorizing the Adoption of the World Wheelchair Symbol as the Wheelchair-User Symbol for the State of Delaware.” Introduced by Senators Holloway and Manning; Representative LeGates. Assigned to Natural Resources and Environmental Control Committee.

Representative Plant requested that the following Communication be made part of the record:

107 East 9th Street
Wilmington, Delaware 19801

June 15, 1976

The Honorable Herman M. Holloway, Sr.
 Legislative Hall
 Dover, Delaware 19901
 Dear Senator Holloway:

We the following citizens and representatives of our community have read in the News-Journal papers about a Bill introduced by Senator Cicone expanding the Court-mandated Interim School Board for desegregation from five to eleven.

We find this action to be quite premature, and that it fails to follow the spirit, if not the letter, of the law.

We strongly oppose such a Bill and question the legality of having such legislation acted upon and passed by the General Assembly.

We further strongly urge that no action be taken upon the pending bill. We the members of the Concerned Citizens for Public Education urge your support and the support of your colleagues in the elimination of this problem.

Our signatures may be examined at the above address.

Sincerely,

CONCERNED CITIZENS FOR PUBLIC
 EDUCATION

(Copy: The Honorable Al O. Plant)

Charly Logan	Joseph D. Wilkerson
Herman L. Jackson	Harlan W. Roberts
J. E. Harris	Thomas H. Hudgins
Minnie Lancaster	Charles H. Driver
Mr. and Mrs. James C. Combs	Freddie Hickman
Minnie Carter	James H. Sills, Jr.
James M. Baker	Harvey Ronald Hubbard
Lillian M. DuPree	C. Howard Moore
James C. Davis	Mary Santiago
Wm. H. Maxfield	Emma S. Noel
Arthur Scott	Harman R. Carey
William Lucky	Gladys Morris
Herman Holloway, Jr.	Doretha A. Morris
Fletcher Wilson	Earl Newman
Agnes Pierce	Clarence R. Burton
Louise Dillard	Gail Combs
Hazel D. Plant	Representative Al O. Plant

The Reading Clerk informed the House that the Senate had passed the following legislation: **SB 767; HB 1048; SB 765; HJR 43** on June 14, 1976.

Legislative Advisory #86, from the Office of Counsel to the Governor: The Governor approved the following legislation on June 14, 1976. **HB 832; HB 920 w HA 1; HB 944; HB 990 w HA 2, 3, 4 and SA 1; HB 993; HB 1016 w HA 1; HB 1042; HB 1135 w HA 1 and 2; HCR 86.**

The Governor vetoed **HB 790.**

The following legislation was reported out of Highways and Transportation Committee: **HB 1163 — 3 Merits, 2 Unfavorable; HS 1 to HB 1105 — 5 Merits.**

HB 1185 was reported out of Community Affairs Committee with 4 Merits.

SB 729 was reported out of Community Affairs Committee with 6 Merits.

Representative Connor congratulated the members of the Legislature, and the Staff for their Costumes on Separation Day in New Castle, and thanked them for giving their time to be there.

Representative Minner brought **HCR 91** before the House for consideration. "Saluting the Players, Cheerleaders, Coaches, The Delaware 1976 All Star Football Game Child and Others associated with this outstanding Annual Event benefitting the Delaware Association for Retarded Children, and designating August 21, 1976, as Delaware All-Star Football Day in Delaware."

HCR 91 was adopted by voice vote.

Representative Minner introduced the 1976 All Star Child, Sammy Hollis, from Houston, Delaware. Appearing on the floor with Sammy Hollis were the following:

Mr. & Mrs. Calvin Hollis (Parents)

Miss Rebecca Hollis (Sister)

Mr. Joe Purzycki, Football Coach of Caesar Rodney High School; and Coach of Blue Team in All Star Game.

Mr. Bruce Reynolds, Football Coach of William Penn High School and Coach of Gold Team in All Star Game.

Ms. Adele Rugg, Member of All Star Game Committee.

Mr. Robert Voshell, Member of All Star Game Committee.

Representative Maxwell introduced and brought before the House for consideration **HCR 92.** "Providing for Appointment of a Committee to select a State Poem for Delaware." **HCR 92** was adopted by voice vote.

Representative Riddagh brought **HR 127** before the House for consideration, and then moved to place **HR 127** on the Speaker's Table. Motion was adopted by voice vote.

Representative McGinnis recessed the House for Caucus

at 2:05 p.m.

Mr. Speaker called the House to order at 3:28 p.m.

Representative Boulden moved that **HB 803** be lifted from the Speaker's Table. Motion was adopted by voice vote. "An Act to amend Chapter 27, Part XI, Title 10 of the Delaware Code relating to Special Constables for Railroad Companies."

Roll call was taken and revealed:

YES: Representatives Arnold, Billingsley, Boulden, Brady, Byrd, Clendaniel, Connor, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, Lynch, Maxwell, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 30.

NOT VOTING: Representatives Derrickson and Seibel — 2.

ABSENT: Representatives Ambrosino, Cain, Darling, Hebner, LeGates, Leshner, Matushefske, McGinnis, Sincock — 9.

Therefore the Bill was declared passed by the House.

Representative Boulden brought **SB 619 w HA 1** before the House for consideration.

Representative Boulden moved to Strike **HA 1** to the Bill.

Representative Boulden brought **HA 2** before the House for consideration.

Representative Boulden requested the privilege of the floor for Mr. Raymond Pusey, of the Department of Highways and Transportation. **HA 2** was adopted by voice vote.

Representative Boulden brought **HA 1** to **HA 2** to **SB 619** before the House for consideration. **HA 1** to **HA 2** to **SB 619** was adopted by voice vote.

Representative Boulden again requested the privilege of the floor for Mr. Raymond Pusey.

Roll call was taken, and Representative Boulden moved to Table Roll Call. Motion was adopted by voice vote.

Representative Gordy moved to lift Roll Call on **SB 675**. Motion was adopted by voice vote. He then moved that Roll Call on **SB 675** be rescinded, and the motion was adopted by voice vote.

Representative Gordy brought **HA 1** to **SB 675** before the House for consideration. **HA 1** to **SB 675** was adopted by voice vote.

Representative Maxwell brought **HA 2** to **SB 675** before the House for consideration. Representative Maxwell moved that **HA 2** be stricken.

Representative Gordy moved to Table the Roll Call on **SB 675**. Motion was adopted by voice vote.

Representative Connor brought **HB 1122** before the House for consideration. "An Act to amend Title 24 of the Delaware Code relating to Professions and Occupations and providing for a System of Legislative Oversight and Regulatory Accountability."

Representative George requested a definition from Mr. Speaker, as to what constitutes Legislative Council. Mr. Speaker stated that Legislative Council is the duly elected members from the House and Senate plus two appointed members.

Representative Ferguson requested the privilege of the floor for Mr. Duane Olsen.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Byrd, Clendaniel, Connor, Derrickson, Ferguson, George, Gilligan, Harrington, Hebner, Johnson, Kelly, LeGates, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Powell, Riddagh, Ridings, Rispoli, Seibel, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 32.

NO: Representatives Boulden, Darling, Gordy, Lynch, Morris — 5.

ABSENT: Representatives Cain, Leshner, Plant, Sincok — 4.

Therefore the Bill was declared passed by the House.

Representative Minner moved to lift Roll Call on **HB 967** — "An Act to provide a supplementary appropriation to the Town of Bowers Beach for repayment to the State Recreation Assistance Fund."

Roll call on **HB 967** revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

NOT VOTING: Representatives Leshner and Sincok — 2.

ABSENT: Representative McGinnis — 1.

Therefore the Bill was declared passed by the House.

Representative Worthen deferred **HB 1117** to the end of the Agenda, and yielded to Representative McGinnis.

Representative McGinnis brought **HJR 47** before the

House for consideration. "Memorializing each Member of the Delaware Congressional Delegation to do all in his power to ensure that fair consideration is given to the ILC Industries, Inc. Contract (Proposal No. 9-BC7-4-6-1P) to be awarded for the Construction of a Space Suit to be used in the Shuttle Space Program by the National Aeronautics and Space Administration."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Powell, Riddagh, Ridings, Seibel, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 36.

ABSENT: Representatives Cain, Leshner, Plant, Rispoli, Sincok — 5.

Therefore the Resolution was declared passed by the House.

Representative Jonkiert deferred **HB 932** to the end of the Agenda, and yielded to Representative Matushefske.

Representative Matushefske moved to suspend all rules for the purpose of acting on **SB 582**. Motion was adopted by voice vote.

Representative Matushefske moved to place **SB 582** on the Speaker's Table.

Representative Gilligan deferred **HB 324** until June 21, 1976.

Representative LeGates brought **SB 681 w SA 1** before The House for consideration. "An Act to amend Subchapter 1 of Chapter 7, Title 7, Delaware Code, relating to Game Animals."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Seibel, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 36.

ABSENT: Representatives Byrd, Cain, Leshner, Rispoli, Sincok — 5.

Representative LeGates deferred **SS 1** for **SB 631** to the end of the Agenda, and brought **SB 411** before the House for

consideration. "An Act to grant approval to the Department of Natural Resources and Environmental Control to purchase approximately 565 Acres of Valuable Land and Marsh adjacent to existing State Wildlife Areas."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Billingsley, Boulden, Clendaniel, Darling, Ferguson, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Riddagh, Ridings, Smith, Spence, Temple, Mr. Speaker Jonkiert — 25.

NO: Representatives Derrickson, Hebner, Morris — 3.

NOT VOTING: Representatives Arnold, Brady, McKay, Powell — 4.

ABSENT: Representatives Byrd, Cain, Connor, George, Leshner, Rispoli, Seibel, Sincok, Worthen — 9.

Therefore the Bill was declared passed by the House.

A Two minute recess was called at 5:00 p.m. to repair the tape.

The House was called to order at 5:02 p.m.

Representative Boulden moved to lift **HB 1099** from the Speaker's Table. Motion adopted by voice vote.

HA 1 to the Bill was brought before the House for consideration by Representative Boulden, and adopted by voice vote.

Roll call was taken on **HB 1099** and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Connor, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 32.

NO: Representatives Clendaniel, Darling, Morris — 3.

ABSENT: Representatives Cain, Ferguson, Kelly, Leshner, Miller, Sincok — 6.

Therefore the Bill was declared passed by the House.

Representative Matushefske moved that **SB 582** be lifted from the Speaker's Table. "An Act to amend Chapter 87, of Title 10, Delaware Code relating to the Prothonotary." Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Clendaniel, Connor, Darling, George, Gilligan, Gordy, Harrington, Johnson, Lynch, Matushefske, Maxwell, McKay, Miller, Minner, Morris, Plant, Powell,

Riddagh, Rispoli, Seibel, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 30.

NO: Representatives Hebner, Ridings, Smith — 3.

NOT VOTING: Representative Derrickson — 1.

ABSENT: Representatives Cain, Ferguson, Kelly, LeGates, Leshner, McGinnis, Sincock — 7.

Therefore the Bill was declared passed by the House.

Representative Matushefske moved to suspend rules for the purpose of introducing and acting on **HB 1196** — “An Act to amend Part C, Subchapter III, Title 10 of the Delaware Code relating to the Visitation Rights of Grandparents.” Motion was adopted by voice vote.

Representative Matushefske moved to place **HB 1196** on the Speaker’s Table. Motion was adopted by voice vote.

Representative Arnold moved to suspend rules to introduce three Bills. Motion was adopted by voice vote.

HB 1197 — “An Act proposing an Amendment to Article XI, Section 19, of the Constitution of the State of Delaware, of 1897, as amended, relating to the Power and Authority of the General Assembly to pass and enact Local or Special Laws creating or changing the Boundaries of School Districts.” Assigned to Education Committee.

HB 1198 — “An Act to amend Chapter 6, Title 14, Delaware Code as it relates to Students transferring from one Public School District to another.” Assigned to Education Committee.

HB 1199 — “An Act continuing the Special Legislative Committee formed pursuant to **HCR 51** of the 128th General Assembly to enable the Committee to continue to Study the Judicial Opinions in the Desegregation Case of Evans v. Buchanan and to make recommendations to the General Assembly and further providing a supplementary appropriation therefor.” Assigned to Education Committee.

Representative George moved to suspend all rules for the purpose of introducing **HB 1200**. “An Act to amend Chapter 184, Volume 60, Laws of Delaware, relating to the Collection and Release of Real Estate Taxes within the City of Wilmington.” **HB 1200** assigned to Community Affairs Committee.

Representative Matushefske moved to lift **HB 1196** from the Speaker’s Table. Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley,

Boulden, Brady, Byrd, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

ABSENT: Representatives Cain, Leshar, Sincock — 3.

SB 766 was reported out of Aging Committee with 4 Favorable, 2 Merits.

HB 969 was reported out of Labor Committee with 4 Merits.

HB 1177 was reported out of Community Affairs Committee with 1 Favorable, 3 Merits.

HB 1192 was reported out of Judiciary Committee with 4 Merits.

Reported out of Appropriations Committee as follows: **HB 964** — 5 Merits; **HB 1157** — 5 Merits; **SB 710** — 4 Merits; **SB 574** — 5 Merits.

HS 1 to **HB 1149** was reported out of Banking and Insurance Committee with 1 Favorable, 5 Merits.

Representative McGinnis moved to recess at 5:28 p.m. to the Call of the Chair.

The Speaker called the House to order at 1:49 p.m. June 17, 1976.

SB 765 was reported out of Health and Social Services with 1 Favorable and 3 Merits.

Reported out of Community Affairs Committee as follows: **HB 170** — 3 Merits, 1 Unfavorable; **SB 707** — 6 Merits; **SB 423** — 5 Merits; **SS 1** to **SB 523** — 6 Merits; **HB 928** — 5 Merits; **HB 925** — 5 Merits; **HB 924** — 5 Merits; **HB 1200** — 5 Merits; **HB 80** — 5 Merits; **HB 376** — 6 Merits.

HB 1166 was reported out of Public Safety Committee with 2 Merits, 2 Unfavorable.

Representative Plant requested that **HB 996** and **HB 1181** be Stricken.

Mr. Speaker moved to strike **HB 1085**.

46TH LEGISLATIVE DAY

The Majority Leader moved to adjourn at 1:54 p.m. June 17, 1976, thereby ending the previous Legislative Day.

The House reconvened at 1:54 p.m.

A Prayer was offered by Dr. John T. Randolph, of Wyoming United Methodist Church.

The Speaker led those present in a Pledge of Allegiance to

the Flag.

PRESENT: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 40.

ABSENT: Representative Leshner — 1.

The Minutes of the previous day were approved as posted.

The following legislation was introduced as follows:

HB 1201 — “An Act to amend Title 5, Delaware Code, relating to the Farmers Bank Commission.” Introduced by Representatives Jonkiert, McGinnis, Harrington. Assigned to Banking and Insurance Committee.

HB 1202 — “An Act to amend Part VI, Title 29, Delaware Code relating to State Government; and providing for Legislative Control over Budgetary Outlay and Receipt Totals.” Introduced by Representative Ambrosino. Assigned to Appropriations Committee.

HB 1203 — “An Act to amend Chapter 1, Title 27 of the Delaware Code relating to Religious Organizations, Societies and Corporations.” Introduced by Representative Ferguson, and assigned to Judiciary Committee.

HS 1 for HB 887 — “An Act to amend Part III, Title 25, of the Delaware Code relating to Landlord-Tenant Code.” Introduced by Representative Rispoli, and assigned to Community Affairs Committee.

HS 1 for HB 926 — “An Act to amend Chapter 55, Part III, Title 25 of the Delaware Code relating to the Landlord-Tenant Code; and providing Limitations upon the amount of which may be demanded as a Security Deposit.” Introduced by Representative Rispoli, and assigned to Community Affairs Committee.

HS 1 for HB 927 — “An Act to amend Chapter 55, Part III, Title 25 of the Delaware Code relating to access by a Landlord or Tenant to a Rental Unit.” Introduced by Representative Rispoli. Assigned to Community Affairs Committee.

SB 763 — “An Act to amend Chapter 5, Title 4, Delaware Code, relating to Grounds for Refusal of Alcoholic Liquor Licenses.” Introduced by Senator Cordrey. Assigned to Labor and Commerce Committee.

SB 775 — "An Act authorizing the State of Delaware to borrow money to be used for the Construction of a Forty Bed Maximum Security Unit and a Ten Bed Mental Patient Unit at the Delaware Correctional Center, Smyrna, Delaware and to Issue Bonds and Notes therefor and appropriating the Money borrowed to the Department of Corrections." Introduced by Senators Sharp and Isaacs; Representative Morris. Assigned to Appropriations Committee.

Representative Riddagh requested that **HR 127** be lifted from the Speaker's Table. Motion adopted by voice vote. **HR 127** was adopted by voice vote.

Representative Connor introduced and brought **HR 169** before the House for consideration. "Providing for a Moratorium upon the implementation of any Reorganization Scheme until Public Hearings have been held, until the Public has been fully informed and given a chance to have some Input, and until the True Cost or Savings of any such Plan or combination of Plans is accurately determined."

Representative Ferguson moved to Table **HR 169**. Representative Connor requested a roll call on the motion.

Roll call on the motion was taken and revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, McGinnis, Minner, Morris, Plant, Rispoli, Temple, Worthen, Mr. Speaker Jonkiert — 23.

NO: Representatives Ambrosino, Brady, Connor, Hebner, McKay, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence — 12.

ABSENT: Representatives Arnold, Billingsley, Derrickson, Leshner, Maxwell, Miller — 6.

Therefore **HR 169** was placed on the Speakers Table.

Representative LeGates deferred **SS 1** for **SB 631**, and yielded to Representative Morris.

Mr. Speaker assigned **SS 1** for **SB 631** to House Administration Committee.

Representative Morris brought **HB 952** before the House for consideration.

HB 952 — "An Act to amend Chapter 65, Part IV, Title 11 of the Delaware Code relating to Prisons and Prisoners; and granting certain Employment Powers to the Department of Corrections."

Representative Morris introduced and brought **HA 1** to **HB 952** before the House for consideration, and was adopted

by voice vote.

Roll call was taken on **HB 952** and revealed:

YES: Representatives Arnold, Byrd, Cain, Clendaniel, Darling, Ferguson, Gilligan, Gordy, Harrington, Hebner, Johnson, LeGates, Lynch, Maxwell, McGinnis, Minner, Morris, Plant, Powell, Riddagh, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 27.

NO: Representatives Ambrosino, Brady, Connor, Ridings — 4.

NOT VOTING: Representatives Kelly and McKay — 2.

ABSENT: Representatives Billingsley, Boulden, Derrickson, George, Leshner, Matushefske, Miller, Rispoli — 8.
Therefore the Bill was declared passed by the House.

Representative Cain moved to suspend Agenda Rules for the Purpose of Acting on **HB 1083**. Motion was adopted by voice vote.

Representative Cain brought **HB 1083** before the House for consideration. "An Act making a supplementary appropriation to the State Treasurer for Operations."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, Gilligan, Gordy, Harrington, Johnson, Kelly, Lynch, McGinnis, McKay, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 32.

ABSENT: Representatives Billingsley, Derrickson, George, Hebner, LeGates, Leshner, Matushefske, Maxwell, Miller — 9.

Therefore the Bill was declared passed by the House.

Representative Connor deferred **HB 890** to the end of the Agenda, and yielded to Representative Ferguson.

Representative Ferguson brought **HB 1148 w HA 1** before the House for consideration. "An Act to amend Chapter 69, Part VI, Title 16 of the Delaware Code relating to the Distribution of Firearms; and prohibiting same under certain circumstances."

Representative Connor brought **HA 1** to **HB 1148** before the House for consideration. Representative Connor requested **HA 1** to **HB 1148** be stricken.

Representative Ferguson requested the privilege of the floor for House Attorney John Rich.

Representative Ferguson moved to place **HB 1148** on the

Speaker's Table. Motion was adopted by voice vote.

Representative McKay brought **HB 825 w HA 1** before the House for consideration. "An Act to amend Subchapter I of Chapter 23, Title 19 of the Delaware Code, relating to Workmen's Compensation."

Representative McKay moved to place **HB 825 w HA 1** on the Speaker's Table. Motion was adopted by voice vote.

Representative McKay brought **HB 826** before the House for for consideration. "An Act to amend Chapter 7, Title 7, Delaware Code, relating to the Fine for Trespassing with Gun or Dog."

Representative Gordy requested the privilege of the floor for House Attorney, John Rich.

Mr. Speaker called for recess at 3:17 p.m. for Mr. Rich to study the Bill.

Mr. Speaker called the House to order at 3:20 p.m.

Mr. Rich determined that, **HB 826** should be a 2/3 Majority Bill instead of a simple Majority Bill.

Representative McKay moved to place **HB 826** on the Speaker's Table. Motion was adopted by voice vote.

Representative McKay brought **HB 805** before the House for consideration. "An Act to amend Subchapter VI, Chapter 5, Title 11, Delaware Code, relating to the Definition of Public Servant."

Representative Maxwell requested the privilege of the floor for House Attorney, John Rich.

Representative McKay requested the privilege of the floor for United States Attorney, Laird Stabler.

Representative McKay withdrew his request, and requested the privilege of the floor for House Attorney, John Rich.

Representative McKay moved that the roll call on **HB 805** be tabled. Motion was adopted by voice vote.

Representative Worthen moved to lift the Roll Call on **HS 1** for **HB 544**. Motion was adopted by voice vote.

Representative Worthen moved to rescind the roll call, and motion was adopted by voice vote.

Representative Worthen brought **HA 3** to **HS 1** for **HB 544** before the House for consideration. The amendment was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson,

George, Gordy, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Minner, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Temple, Worthen, Mr. Speaker — 32.

NO: Representatives Ambrosino, Gilligan, Morris, Spence — 4.

NOT VOTING: Representative Ferguson — 1.

ABSENT: Representatives Harrington, Leshar, Miller, Plant — 4.

Therefore **HS 1** for **HB 544** was declared passed by the House.

Representative Worthen deferred **HB 1126** to the end of the Agenda, and brought **HS 1** for **HB 1105** before the House for consideration.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Maxwell, McGinnis, McKay, Minner, Morris, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Worthen, Mr. Speaker Jonkiert — 35.

NOT VOTING: Representatives Ferguson and Temple — 2.

ABSENT: Representatives Leshar, Matushefske, Miller, Plant — 4.

Therefore **HS 1** for **HB 1105** was declared passed by the House.

Representative Gordy brought **SB 714** before the House for consideration. Representative Gordy moved to place **SB 714** on the Speaker's Table.

Representative Gordy brought **SB 597 w HA 1** before the House for consideration. "An Act to amend Chapter 27, Title 21, of the Delaware Code relating to Suspension of Drivers' Licenses."

Representative Gordy brought **HA 1** to **SB 597** before the House for consideration. **HA 1** was adopted by voice vote.

Representative Gordy moved to table the Roll Call on **SB 597**.

Representative Gordy brought **HB 1027** before the House for consideration.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington,

Hebner, Johnson, Kelly, LeGates, Lynch, Maxwell, McGinnis, McKay, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Mr. Speaker Jonkiert — 37.

ABSENT: Representatives Leshner, Matushefske, Miller, Worthen — 4.

Therefore the Bill was declared passed by the House.

Representative McGinnis introduced and brought **HCR 93** before the House for consideration. "Expressing Best Wishes to Boys State of 1976 and congratulating the Newly Elected Boys State Officials." **HCR 93** was adopted by voice vote.

Representative McGinnis recessed for Caucus at 4:40 p.m.

Mr. Speaker called the House to order at 6:15 p.m.

Representative Gordy moved to lift **SB 714** from the Speaker's Table. Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Matushefske, Maxwell, McGinnis, McKay, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Mr. Speaker Jonkiert — 34.

ABSENT: Representatives Byrd, Ferguson, Johnson, Leshner, Lynch, Miller, Worthen — 7.

Therefore the Bill was declared passed by the House.

Representative Cain deferred **HB 1095** to the end of the Agenda, and yielded to Representative Rispoli.

Representative Rispoli brought **HB 1177** before the House for consideration.

Representative Rispoli moved to place **HB 1177** on the Speaker's Table. Motion was adopted by voice vote.

Representative Cain deferred **HB 1097** to the end of the Agenda, and yielded to Representative George.

Representative George brought **HB 1200** before the House for consideration.

Representative George moved to table Roll Call. Motion was adopted by voice vote.

Representative Byrd brought **HB 1034** before the House for consideration. "An Act to amend Chapter 7, Part I, Title 19 of the Delaware Code relating to Liability for Inspection of Places of Employment."

HA 1 to **HB 1034** was brought before the House by

Representative Byrd, and adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 40.

ABSENT: Representative Leshner — 1.

Therefore the Bill was declared passed by the House.

Representative Kelly deferred **HB 1138** to the end of the Agenda, and yielded to Representative Plant.

Representative Plant brought **HB 764** before the House for consideration.

Representative Plant moved to place **HB 764** on the Speaker's Table. Motion was adopted by voice vote.

Representative Lynch brought **SB 261 w SA 1, 2** before the House for consideration. "An Act to amend Subchapter 11, Chapter 19, Title 14 of the Delaware Code relating to the Taxation and Assessment of Mobile Homes."

Roll call was taken and revealed:

YES: Representatives Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, Gordy, Hebner, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Morris, Powell, Riddagh, Ridings, Smith, Spence, Temple, Worthen — 25.

NO: Representatives Ambrosino, Arnold, Brady, Gilligan, Johnson, Plant, Rispoli, Seibel, Sincok, Mr. Speaker Jonkiert — 10.

NOT VOTING: Representatives Derrickson, George, McKay, Minner — 4.

ABSENT: Representatives Harrington, Leshner — 2.

Therefore the Bill was declared passed by the House.

Reported out of Education Committee as follows: **HB 1197** — 3 Favorable, 3 Merits; **HB 1198** — 3 Favorable, 3 Merits; **HB 1199** — 3 Favorable, 3 Merits.

Representative Arnold moved to suspend the Agenda Rules to act on three House Bills. Motion was adopted by voice vote.

Representative Arnold brought **HB 1199** before the House for consideration. "An Act continuing the Special Legislative Committee formed pursuant to **HCR 51** of the

128th General Assembly to enable the Committee to continue to study the Judicial Opinions in the Desegregation Case of Evans V. Buchanan and to make recommendations to the General Assembly and further providing a supplementary appropriation therefor."

HA 1 to the Bill was brought before the House for consideration by Representative Maxwell, and adopted by voice vote.

Representative Ferguson stated that **HA 1** to **HB 1199** changed the Title and therefore was not Valid.

Mr. Speaker stated that **HA 1** only broadened the Title, and that was perfectly legal. Representative Sincok concurred.

The House recessed at 7:12 p.m. to repair the Tape.

Mr. Speaker called the House to order at 7:15 p.m.

Roll call was taken on **HB 1199** and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Morris, Powell, Riddagh, Ridings, Seibel, Sincok, Smith, Spence, Worthen — 33.

NO: Representatives Miller, Plant, Rispoli — 3.

NOT VOTING: Representatives Johnson, Minner, Temple, Mr. Speaker Jonkiert — 4.

ABSENT: Representative Leshar — 1.

Therefore the Bill was declared passed by the House.

Representative Arnold brought **HB 1198** before the House for consideration. "An Act to amend Chapter 6, Title 14, Delaware Code as it relates to Students transferring from one School District to another."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Connor, Darling, Derrickson, Ferguson, Gilligan, Hebner, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Powell, Riddagh, Ridings, Seibel, Sincok, Smith, Spence, Worthen — 27.

NO: Representatives Clendaniel, Harrington, Johnson, Morris, Plant, Rispoli — 6.

NOT VOTING: Representatives Brady, George, Gordy, Miller, Minner, Temple, Mr. Speaker Jonkiert — 7.

ABSENT: Representative Leshar — 1.

Therefore the Bill was declared passed by the House.

Representative Arnold brought **HB 1197** before the House for consideration. "An Act proposing an Amendment to Article XI, Section 19, of the Constitution of the State of Delaware, of 1897, as amended, relating to the Power and Authority of the General Assembly to pass and enact Local or Special Laws creating or changing the Boundaries of School Districts."

Representative Arnold moved to table roll call on **HB 1197**. Motion was adopted by voice vote.

Representative Arnold moved to suspend all rules for the purpose of introducing and Acting on **HB 1204**. "An Act providing for the Interim School Board mandated by the May 19, 1976 Opinion and the June 15, 1976 Order of the United States District Court for the District of Delaware in Evans V. Buchanan, Civil Action Nos. 1816-1822, to consist of Thirteen Members." Motion was adopted by voice vote.

Representative Maxwell brought **HA 1** to **HB 1204** before the House for consideration. **HA 1** was adopted by voice vote.

Roll call was taken on **HB 1204** and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Lynch, Maxwell, McGinnis, McKay, Morris, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence, Worthen — 31.

NO: Representatives Johnson, Matushefske, Plant, Rispoli, Mr. Speaker Jonkiert — 5.

NOT VOTING: Representatives Brady, Miller, Minner, Temple — 4.

ABSENT: Representative Leshner — 1.

Therefore the Bill was declared passed by the House.

Representative Gordy moved to suspend all rules for the Purpose of introducing **HB 1205** — "An Act to amend Chapter 45, of Title 21, Delaware Code relating to Law Enforcement Weighing Procedures and Equipment." Motion adopted by voice vote. Mr. Speaker assigned **HB 1205** to Public Safety Committee.

Representative George moved to suspend all rules for the purpose of introducing **HB 1206** — "An Act authorizing the State of Delaware to borrow money to be used for Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes therefor and

appropriating the Monies to the State Board of Education." Mr. Speaker assigned HB 1206 to Appropriations Committee.

Representative Connor moved to suspend all rules for the purpose of introducing and acting on HJR 52 — "Expressing thanks to the People of New Castle, for the splendid hospitality shown to Members of the 128th General Assembly of the State of Delaware on the Occasion of the Celebration of the Re-enactment of the 200th Anniversary of Delaware's Separation from the British Crown, June 15, 1776." Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 39.

ABSENT: Representatives George and Leshner — 2.

Therefore HJR 52 was declared passed by the House.

Representative Darling moved to suspend all rules for the purpose of introducing two Bills. Motion was adopted by voice vote.

Representative Darling introduced HS 1 for HB 1053 — "An Act to amend Chapter 68, Part VI, Title 29 of the Delaware Code relating to the Powers and Duties of the Division of Purchasing of the Department of Administrative Services." Mr. Speaker assigned HS 1 for HB 1053 to Administrative Services Committee.

Representative Darling introduced HS 1 for HB 1047 — "An Act to amend Chapter 69, Part VI, Title 29 of the Delaware Code relating to the Procurement of Materiel and Award of Contracts for Public Works by State Agencies." Mr. Speaker assigned HS 1 for HB 1047 to Appropriations Committee.

Representative Plant moved to lift HB 764 from the Speakers Table. Motion was adopted by voice vote. Representative Plant then moved to Table Roll Call on HB 764. Motion was adopted by voice vote.

Mr. Speaker reassigned HB 1179 from Appropriations Committee to Agriculture Committee.

Representative Kelly deferred HB 1112 to the end of the Agenda, and yielded to Representative Lynch.

Representative Lynch brought SS 1 for SB 711 before the House for consideration. "An Act to affirm the authority and

responsibility of the Board of Trustees of Delaware State College in connection with the Control of the College's Fees, Tuition and Other Revenues including Funds received by Gift, Devise or Grant; and further providing that the Board of Trustees furnish annually a Financial Report to the Governor and give the State Auditor access to all Books and Records of the College."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

ABSENT: Representatives Leshar, Matushefske, Smith — 3.

Therefore the Bill was declared passed by the House.

Representative Arnold moved to lift Roll Call on **HB 1197**. Motion was adopted by voice vote.

Roll call on **HB 1197** revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Matushefske, Maxwell, McGinnis, McKay, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence, Temple, Worthen — 29.

NO: Representatives Brady, Darling, George, Johnson, Lynch, Minner, Morris, Plant, Rispoli, Mr. Speaker Jonkiert — 10.

NOT VOTING: Representative Miller — 1.

ABSENT: Representative Leshar — 1.

Therefore, **HB 1197** was declared passed by the House.

Representative Rispoli brought **SB 673** before the House for consideration. "An Act to amend Title 16 of the Delaware Code by Adding a New Chapter relating to the Littering of Public or Private Property and the Depositing of Refuse in Navigable Waters."

Representative Rispoli brought **HA 1** before the House for consideration. **HA 1** was adopted by voice vote.

Representative Billingsley questioned the presence of a Fiscal Note for **SB 673**.

Mr. Speaker stated that there is a Fiscal Note.

Representative Rispoli moved to place **SB 673** on the

Speaker's Table. Motion was adopted by voice vote.

Representative Boulden deferred **HB 1116** to the end of the Agenda, and moved to lift **SB 419** from the Speaker's Table. Motion was adopted by voice vote. "An Act to amend Chapter 1, Title 17, Delaware Code, relating to Highways and the Powers and Duties of the Department of Highways and Transportation."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Ferguson, Gilligan, Gordy, Harrington, Kelly, LeGates, Matushefske, Maxwell, McGinnis, Minner, Morris, Powell, Riddagh, Rispoli, Seibel, Sincock, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 29.

NO: Representatives Darling, George, Hebner, Lynch, Plant — 5.

NOT VOTING: Representatives Derrickson, McKay, Miller, Ridings, Smith — 5.

ABSENT: Representatives Johnson, Leshner — 2.

Therefore the Bill was declared passed by the House.

Representative Maxwell brought **SB 451** before the House for consideration. "An Act to amend Chapter 66, Title 16, Delaware Code, relating to the Inclusion of Deputy State Fire Marshals into the State Personnel Commission's Merit System." Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Morris, Riddagh, Rispoli, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 24.

NO: Representatives Billingsley, Connor, Seibel, Smith — 4.

NOT VOTING: Representatives Ambrosino, Arnold, Brady, Hebner, McKay, Powell, Ridings, Sincock — 8.

ABSENT: Representatives Derrickson, Johnson, Leshner, Minner, Plant — 5.

Therefore the Bill was declared passed by the House.

Representative Gordy brought **SS 1** to **SB 247 w SA 2, HA 1, 2, 3, 4** before the House for consideration.

Representative Gordy moved to place **SS 1** for **SB 247** on the Speaker's Table. Motion was adopted by voice vote.

Representative McGinnis moved to suspend all rules for the Purpose of introducing **HB 1207** — "An Act to amend Title

5, Delaware Code, relating to the Farmer's Bank Commission." Motion was adopted by voice vote.

HB 1207 was assigned to House Administration Committee.

SB 596 was reported out of Labor and Commerce Committee with 4 Merits.

HJR 42 was reported out of Agriculture Committee with 3 Merits, 1 Unfavorable.

Reported out of Appropriations Committee as follows: **HB 1190** — 4 Merits; **HB 1189** — 4 Merits; **HB 1071** — 4 Merits; **HB 1194** — 4 Merits; **HB 1195** — 4 Merits; **HB 623** — 4 Merits.

HB 718 was reported out of Revenue and Finance Committee with 4 Merits.

SB 213 was reported out of Health and Social Services Committee with 5 Favorable.

HB 1206 was reported out of Health and Social Services Committee with 4 Merits.

Representative McGinnis moved to recess the House at 9:30 p.m. to the Call of the Chair.

The Speaker called the House to order at 2:43 p.m. June 21, 1976.

HB 1007 was reported out of Labor and Commerce Committee with 4 Merits.

HB 1009 was reported out of Labor and Commerce Committee with 4 Merits.

Reported out of Community Affairs Committee as follows: **HS 1** for **HB 926** — 2 Favorable, 3 Merits; **HS 1** for **HB 887** — 2 Favorable, 3 Merits; **HS 1** for **HB 927** — 1 Favorable, 3 Merits.

Representative McKay requested **HA 1** to **HB 825** be stricken.

47TH LEGISLATIVE DAY

The Majority Leader moved to adjourn at 2:45 p.m., thereby ending the previous Legislative Day.

The House reconvened at 2:45 p.m.

A Prayer was offered by Representative Ronald Darling.

The Speaker led those present in a Pledge of Allegiance to the Flag.

PRESENT: Representatives Ambrosino, Arnold, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant,

Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 39.

ABSENT: Representatives Billingsley and Leshner — 2.

The Minutes of the previous day were approved as posted.

The following pre-filed Legislation was introduced:

HB 1208 — "An Act to amend Chapter 51, Part V, Title 16 of the Delaware Code relating to Mental Health; and providing for the Expungement or Nullification of Certain Records." Introduced by Representative Ambrosino. Assigned to Health and Social Services Committee.

HB 1209 — "An Act to amend Chapter 59, Title 29, Delaware Code, relating to Rules regarding Leave for Merit System Employees." Introduced by Representative Darling. Assigned to State and Federal Relations Committee.

HB 1210 — "An Act making a supplementary appropriations to the Department of Community Affairs and Economic Development for the purpose of paying Compensation due Certain Department Personnel for Fiscal Year 1974." Introduced by Representative McGinnis. Assigned to Appropriations Committee.

HB 1211 — "An Act to amend Chapter 10, Title 14 of the Delaware Code and relating to Salary Schedules in Reorganized School Districts." Introduced by Representatives Ridings, Lynch, Hebner; Senator Hughes. Assigned to Education Committee.

HB 1212 — "An Act designating Certain Employees of the Kent Soil and Water Conservation District as Employees of the Department of Natural Resources and Environmental Control, placing the Positions occupied by such Employees in the Classified Service of this State and Reallocating Certain Budgeted Appropriations." Introduced by Representative Darling, and assigned to Natural Resources and Environmental Control Committee.

HB 1213 — "An Act to amend Chapter 271, Volume 60, Laws of Delaware, entitled "An Act authorizing the State of Delaware to borrow Money to be used for Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes therefor and appropriating the Monies to various Agencies of the State and to borrow money to be used for the Local Share of School Construction Programs and to Issue Bonds and Notes therefor and appropriating the Monies to the State Board of Education on behalf of Local School Districts." Introduced by Representative McGinnis. Assigned to Appropriations Committee.

to Appropriations Committee.

HB 1214 — "An Act to amend Part II, Title 16 of the Delaware Code relating to the Public Health and Welfare; and providing the Right of an Individual to Die with Dignity." Introduced by Representative Arnold. Assigned to Health and Social Services Committee.

HB 1215 — "An Act to amend Chapter 25, Title 24, of the Delaware Code relating to the Practice of Pharmacy." Introduced by Representatives Kelly, Ambrosino, Johnson. Assigned to Health and Social Services Committee.

HB 1216 — "An Act authorizing the State of Delaware to borrow money and to Issue Bonds and Notes therefor; and appropriating the Funds thus obtained to the Department of Highways and Transportation." Introduced by Representative Derrickson. Assigned to Appropriations Committee.

HA 1 to HB 1168, introduced by Representative Maxwell, and placed with the Bill.

HA 1 to HB 1178, introduced by Representative Smith, and placed with the Bill.

SS 1 for SB 691 — "An Act to amend Chapter 17, Title 24 of the Delaware Code relating to Medicine, Surgery and Osteopathy; and providing for a Definition of Death." Introduced by Senator Berndt; Representative Smith. Assigned to Health and Social Services Committee.

SB 751 — "An Act making a supplementary appropriation to the Department of Finance for Payment of Claims relating to Veterans Military Pay No. 111." Introduced by Senator Cicione; Representatives Kelly, Byrd, Maxwell, Gilligan. Assigned to Appropriations Committee.

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

SB 772 w SA 1 — "An Act to provide for an Interim Desegregation School Board consisting of Eleven Members, each Member to be appointed by a School Board." Introduced by Senator Cicione. Assigned to Education Committee.

SB 782 — "An Act to amend Subchapter VIII, Chapter 65, Title 11, Delaware Code relating to Mandatory Training of Correctional Officers." Introduced by Senators Sharp, McCullough, Cicione, Hughes, Cook, Elliott. Assigned to Adult Corrections Committee.

The Reading Clerk informed the House that the following Legislation had passed the Senate: **HB 819 w HA 1, 3; HB 818 w HA 1; HB 816 w HA 1, 3; HCR 83; SB 782; SB 751; HS 1 for HB 815; HB 901; HB 1098; HB 1156 w HA 1; HB 1094; HB 320 w HA 1, SA 1; HB 418 w HA 2, 3; HCR 93.**

Representative Derrickson introduced and brought before the House for consideration, **HCR 94** — "Congratulating Deborah Rica Lipford, University of Delaware Senior, on winning the Miss Delaware Title at the Rehoboth Beach Competition." **HCR 94** was adopted by voice vote.

Representative Plant introduced **HR 170** to be brought before the House for consideration. "Requesting the State Board of Education to furnish the House of Representatives with a complete breakdown of Staffing and Positions throughout the Department of Public Instructions with respect to Racial Background of the Employees."

Representative Plant requested the privilege of the floor for House Attorney John Rich.

Representative McGinnis recessed for Caucus at 1:57 p.m., and reconvened at 3:55 p.m.

Representative Ridings moved to Table **HR 170**. Representative Spence seconded the motion. Motion adopted by voice vote.

Representative Ridings introduced **HR 171** — "Providing for the Establishment of a Special Committee to investigate the underlying causes for the Deterioration of Public Confidence in the Family Court of the State of Delaware."

Mr. Speaker assigned **HR 171** to Judiciary Committee.

Representative Derrickson introduced and brought before the House **HR 172** for consideration. "Congratulating our worthy Minority Whip, the Honorable Richard (Dick) Sincock, as he closes out a 32 year Career with the DuPont Company." **HR 172** prevailed by voice vote.

Representative Ferguson moved to lift **HB 169** from the Speaker's Table. Motion adopted by voice vote.

Representative Ferguson requested **HA 3** and **HA 4** to the Bill be stricken.

Representative Ferguson brought **HA 5** before the House for consideration. **HA 5** was adopted by voice vote.

Representative Ferguson brought **HA 6** before the House for consideration. Representative Ferguson then yielded to

Representative Miller, co-sponsor of **HA 6**.

Representative Miller moved to strike **HA 6**.

Representative Ferguson requested the privilege of the floor for Legislative Council Attorney Tom Shiels.

Representative Ferguson moved to Table the Roll Call on **HB 169**. Motion was adopted by voice vote.

Representative Gilligan deferred **HB 324** to the end of the Agenda, and brought **HB 1158** before the House for consideration.

Representative Gilligan introduced and brought **HA 1** to **HB 1158** before the House for consideration. **HA 1** was adopted by voice vote.

Representative Gilligan moved to place **HB 1158** on the Speaker's Table. Motion adopted by voice vote.

Representative Morris introduced and brought **HR 173** before the House for consideration. "Commending Miss Pamela Kitchen of Kent County for her Outstanding Achievement as a Big Sister and Congratulating Miss Kitchen for her Receipt of an Award from the Kent County Office of Big Sisters of Delaware." **HR 173** was adopted by voice vote.

Representative Jonkiert deferred **HB 705** to Wednesday June 23, 1976.

Representative Maxwell brought **HB 1065** before the House for consideration. "An Act to amend Chapter 92, Part VII, Title 10 of the Delaware Code relating to Justices of the Peace; and providing for their continuing Legal Education."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Hebner, Johnson, Kelly, LeGates, Matushefske, Maxwell, McGinnis, Miller, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 35.

NO: Representatives McKay and Minner — 2.

ABSENT: Representatives Billingsley, Harrington, Lynch, Leshner — 4.

Therefore the Bill was declared passed by the House.

Representative Matushefske moved to defer **HB 1102** to the end of the Agenda, and yielded to Representative Jonkiert.

Representative Jonkiert deferred **HB 1166** to Wednesday June 23, 1976.

Representative Matushefske deferred **HB 1103** to the end

of the Agenda, and moved to lift **HB 1101** from the Speaker's Table. Motion adopted by voice vote.

Representative Matushefske requested that Fiscal Note for **HB 1101** be read into the record. The Reading Clerk read the following:

128th General Assembly

Second Session—1976

Fiscal Note

Bill: House Bill No. 1101

Sponsor: Representative Matushefske

Description: Provide Chief Clerk for Court of Common Pleas

FY 1977:

Salary (Chief Clerk)	\$14,500
OEC	<u>2,487</u>
	\$16,987

FY 1978:

Cost	\$18,006
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FY 1979:

Cost	\$19,086
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Office of the Controller General

June 10, 1976

Representative Matushefske moved to place **HB 1101** on the Speaker's Table. Motion was adopted by voice vote.

Representative McGinnis brought **HB 1146** before the House for consideration. "An Act to amend Chapter 37, Volume 60, Laws of Delaware entitled "An Act to amend Chapter 1, Title 8, Delaware Code, relating to the General Corporation Law."

HA 1 to **HB 1146** was brought before the House for consideration, by Representative McGinnis. **HA 1** was adopted by voice vote.

Roll call was taken on **HB 1146** and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

ABSENT: Representatives Billingsley, Gordy, Leshner —

3.

Therefore the Bill was declared passed by the House.

Representative McGinnis deferred **HB 1150** to the end of the Agenda, and brought **HB 1049** before the House for consideration. "An Act to amend Chapter 11, Part II, Title 30, Delaware Code relating to Modifications of Personal Income for Purposes of Personal Income Taxes."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 36.

NOT VOTING: Representative Ridings — 1.

ABSENT: Representatives Billingsley, Derrickson, Gordy, Leshner — 4.

Therefore the Bill was declared passed by the House.

Representative Worthen brought **HB 320 w HA 1** and **SA 1** before the House for consideration. "An Act to amend Chapter 89, Title 10, Delaware Code, by changing the Chapter Heading of Chapter 89 and providing for Interpreters for Deaf Persons at Legal Proceedings and Fees for such Interpreters."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Maxwell, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 36.

ABSENT: Representatives Arnold, Gordy, Leshner, Matushefske, McGinnis — 5.

Therefore the Bill was declared passed by the House.

Representative Ferguson brought **HB 191** before the House for consideration.

Representative Ferguson moved to place **HB 191** on the Speaker's Table. Motion was adopted by voice vote.

Representative Kelly deferred **HB 1120** to the end of the Agenda, and yielded to Representative Lynch.

Representative Lynch brought **HB 1081** before the House for consideration. "An Act to require the County Council of Sussex County to pay \$7,500 to the Soil and Water Conservation Division of the Department of Natural

Resources to match the County's Share of Funds appropriated by the State for Tax Ditch Work in Fiscal 1975."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Byrd, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 36.

ABSENT: Representatives Billingsley, Cain, Gordy, Leshar, Matushefske — 5.

Therefore the Bill was declared passed by the House.

Representative Minner deferred **HB 986** to the end of the Agenda, and brought **HB 1190** before the House for consideration.

Representative Minner moved to table the Roll Call on **HB 1190**. Motion was adopted by voice vote.

Representative Gordy brought **HB 1063** before the House for consideration. "An Act making a supplementary appropriation to the Department of Highways and Transportation to Pay the Automobile Repair Cost incurred by Eskol Mariner, Jr. as the result of an accident on the Poplar Street Bridge at Laurel, Delaware."

HA 1 was brought before the House for consideration by Representative Gordy. **HA 1** was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Sincok, Spence, Temple, Worthen, Mr. Speaker — 33.

NO: Representatives Ambrosino, Arnold — 2.

NOT VOTING: Representatives McKay, Ridings — 2.

ABSENT: Representatives Billingsley, Brady, Leshar, Smith — 4.

Therefore the Bill was declared passed by the House.

Representative Minner moved to lift Roll Call on **HB 1190** from the Speaker's Table. Motion was adopted by voice vote. "An Act to amend Chapter 87, Title 29, Delaware Code relating to the Creation of a Delaware Agriculture Board and further empowering the Department of State to Lease 10 Acres

of Land from the Board of Trustees of Delaware State College for the Site of the Agriculture Museum; and further providing Funds for the Design and Construction of the Delaware Agriculture Museum by appropriating and transferring Funds from the Capital Investment Fund."

Roll call on **HB 1190** revealed:

YES: Representatives Ambrosino, Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, Gilligan, Gordy, Harrington, Johnson, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 29.

NO: Representatives Arnold, Connor, Ridings, Seibel — 4.

NOT VOTING: Representatives Brady, Derrickson, George, Hebner, Kelly, McKay — 6.

ABSENT: Representatives Billingsley, Leshner — 2.

Therefore **HB 1190** was declared passed by the House.

Representative Matushefske moved to lift **HB 1101** from the Speaker's Table. Motion was adopted by voice vote. Representative Matushefske moved to Table Roll Call. Motion was adopted by voice vote.

Representative Worthen introduced **HS 1** for **HB 321** — "An Act to amend Title 14 of the Delaware Code relating to the Reduction of the Number of Pupils composing a Unit in Kindergarten and Grade One through Grade Six, and providing a supplementary appropriation to provide for Reallocation to the School Districts to carry out this Intention."

Mr. Speaker assigned **HS 1** for **HB 321** to Education Committee.

Representative Matushefske moved for suspension of all rules for the purpose of introducing two Bills. Motion was adopted by voice vote.

Representative Matushefske introduced **HB 1217**. Mr. Speaker assigned the Bill to Education Committee.

Representative Matushefske introduced **HB 1218**. Mr. Speaker assigned the Bill to Judiciary Committee.

Representative McGinnis moved for the suspension of all rules for the purpose of introducing **HB 1219**. Mr. Speaker assigned **HB 1219** to Public Safety Committee.

Representative Gordy brought **HB 1170** before the House for consideration. "An Act to direct the Department of Health

and Social Services to Correct and Close the Account of Mrs. Blanche Phillips, a former patient at the Delaware State Hospital."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

NO: Representative Ridings — 1.

ABSENT: Representatives Billingsley, Leshar, Minner — 3.

Therefore the Bill was declared passed by the House.

Representative Matushefske moved that **HR 170** be stricken.

Representative McGinnis moved to suspend Agenda Rules to act on three Bills.

Representative Rispoli brought **SB 690** before the House for consideration. "An Act to amend an Act entitled "An Act to reincorporate the Town of Milton to provide a Sum which may be borrowed upon Anticipation Transit."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker, Jonkiert — 39.

ABSENT: Representatives Billingsley and Leshar — 2.

Therefore the Bill was declared passed by the House.

Representative Rispoli brought **SB 729** before the House for consideration. "An Act to amend an Act being Chapter 197, Volume 54, Laws of Delaware as amended, entitled "An Act revising the Prior Charter of the City of Rehoboth Beach and establishing a New Charter therefor and prescribing the Powers and Duties of the Commissioners of Rehoboth Beach" to provide a Day when Voters must Register in order to Vote in the Annual Municipal Elections."

HA 1 to **SB 729** was brought before the House for consideration by Representative Derrickson. **HA 1** was

adopted by voice vote.

Roll call was taken on **SB 729** and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

ABSENT: Representatives Billingsley, Byrd, Leshner — 3.

Therefore the Bill was declared passed by the House.

Representative Rispoli brought **SS 1** for **SB 523** before the House for consideration. "An Act to amend an Act being Chapter 143, Volume 57, Laws of Delaware, as amended entitled "An Act to incorporate the Town of South Bethany."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

ABSENT: Representatives Billingsley, Leshner, Matushefske — 3.

Therefore the Bill was declared passed by the House.

Representative Plant moved to lift the Roll Call on **HB 764** — "An Act to amend Chapter 9, Title 22, Delaware Code, relating to the Municipal User Tax." Motion was adopted by voice vote.

Roll call on **HB 764** revealed:

YES: Representatives Ambrosino, Brady, Byrd, Cain, Clendaniel, Darling, George, Harrington, Johnson, Kelly, LeGates, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Temple, Worthen, Mr. Speaker — 28.

NO: Representatives Arnold, Billingsley, Boulden, Connor, Derrickson, Ferguson, Gilligan, Gordy, Hebner, Morris, Spence — 11.

ABSENT: Representatives Leshner and Matushefske — 2.

Therefore the Bill was declared passed by the House.

Representative Ferguson moved to lift Roll Call on **HB 169** — "An Act proposing an Amendment to the Constitution

of the State of Delaware, relating to Initiative and Referendum."

Roll call on **HB 169** revealed:

YES: Representatives Ambrosino, Arnold, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Spence, Temple, Worthen — 32.

NO: Representatives Boulden, McKay, Seibel, Sincok, Smith, Mr. Speaker — 6.

NOT VOTING: Representative Ridings — 1.

ABSENT: Representatives Billingsley, Leshner — 2.

Therefore the Bill was declared passed by the House.

Representative George brought **SB 710** before the House for consideration. "An Act to amend Chapter 271, Volume 60, Laws of Delaware entitled "An Act authorizing the State of Delaware to borrow money to be used for Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes therefor and appropriating the Monies to Various Agencies of the State and to borrow money to be used for the Local Share of School Construction Programs and to Issue Bonds and Notes therefor and appropriating the Monies to the State Board of Education on behalf of Local School Districts."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 39.

ABSENT: Representatives Billingsley, Leshner — 2.

Therefore the Bill was declared passed by the House.

Representative Ambrosino moved to suspend the Agenda rules for the purpose of acting on **HB 1220**.

HB 1220 was reported out of Committee with 5 Merits.

A Motion to suspend rules was adopted by voice vote.

Representative Byrd asked for a point of order, because Representative Ambrosino's original motion was out of order because the Bill had not been out of Committee for 24 Hours. Mr. Speaker ruled that a new motion was in order.

Representative Ambrosino moved to suspend all rules for the purpose of Acting on **HB 1220** — “An Act making an Appropriation to the Division of Historical and Cultural Affairs to be used in the Renovation and Restoration of the Grand Opera House of the City of Wilmington.”

Representative McGinnis moved to Table the motion to suspend the rules. Motion was adopted by voice vote.

Representative Derrickson brought **HB 792** before the House for consideration. “An Act to amend an Act being Chapter 197, Volume 54, Laws of Delaware, as amended entitled “An Act revising the Prior Charter of the City of Rehoboth Beach and prescribing a New Charter therefor and prescribing the Powers and Duties of the Commissioners of Rehoboth Beach” to provide the Manner of Establishing the Fiscal Year.”

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 38.

ABSENT: Representatives Billingsley, Ferguson, Leshner — 3.

Therefore the Bill was declared passed by the House.

Representative Derrickson deferred **HB 781** to June 22, 1976.

Representative Derrickson brought **HB 953** before the House for consideration. “An Act to amend Chapter 212, Volume 25, Laws of Delaware entitled “An Act to Incorporate the Town of Bethany Beach and giving it authority to Issue Bonds” as amended and related to Qualifications and Filing for the Office of Commissioner, to Qualifications of Voters to Election Day, to the removal of Election Officials, to the procedure for conducting Municipal Elections and to the Procedure for Enacting Ordinances.”

HA 1 to the Bill was brought before the House by Representative Derrickson, and adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay,

Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

ABSENT: Representatives Billingsley, Harrington, Leshner — 3.

Therefore the Bill was declared passed by the House.

Representative George moved to lift the Roll Call on **HB 1200** — “An Act to amend Chapter 184, Volume 60, Laws of Delaware, relating to the Collection and Release of Real Estate Taxes within the City of Wilmington.”

Roll call on **HB 1200** revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 39.

NOT VOTING: Representative Billingsley — 1.

ABSENT: Representative Leshner — 1.

Therefore the Bill was declared passed by the House.

Representative Matushefske moved to lift Roll Call on **HB 1101** — “An Act to amend Chapter 13, Title 10, Delaware Code relating to Administrative Procedure of the Court of Common Pleas of the State of Delaware.”

Roll call was taken on the Motion revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Minner, Morris, Plant, Rispoli, Temple, Worthen, Mr. Speaker, Jonkiert — 23.

NO: Representatives Brady, McKay, Ridings, Seibel, Smith, Spence — 6.

NOT VOTING: Representatives Arnold, Derrickson, Riddagh — 3.

ABSENT: Representatives Ambrosino, Billingsley, Connor, Hebner, Leshner, Miller, Powell, Sincock — 8.

Therefore the Motion was passed by the House.

Roll call on **HB 1101** was taken and revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, McGinnis, Miller, Minner, Plant, Rispoli, Temple, Worthen, Mr. Speaker

— 23.

NO: Representatives Ambrosino, Arnold, Brady, Connor, Derrickson, Hebner, McKay, Powell, Riddagh, Ridings, Seibel, Sincok, Smith, Spence — 14.

NOT VOTING: Representatives Maxwell and Morris — 2.

ABSENT: Representatives Billingsley and Leshner — 2.

Therefore the Bill was declared passed by the House.

Representative Matushefske brought **HB 845** before the House for consideration. "An Act to amend Part VI, Chapter 21, Title 5, Delaware Code to Remove the Prohibition against Post-Judgement Wage Attachments."

Representative McGinnis moved to place Roll Call on the Speakers Table. Motion was adopted by voice vote.

HB 1220 was reported out of Appropriations Committee with 5 Merits.

HB 1028 was reported out of Appropriations Committee with 4 Merits.

HB 1210 was reported out of Appropriations Committee with 4 Merits.

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

HB 1213 was reported out of Appropriations Committee with 4 Merits.

HB 1089 was reported out of Administrative Services with 1 Favorable, 3 Merits.

SB 767 was reported out of Natural Resources and Environmental Control Committee with 3 Favorable, 1 Merits.

Representative McGinnis recessed the House at 8:04 to the Call of the Chair.

48TH LEGISLATIVE DAY

The Speaker called the House to order at 1:57 p.m. June 22, 1976.

The Majority Leader moved to adjourn at 1:58 p.m., thereby ending the previous Legislative Day.

The House reconvened at 1:58 p.m.

A Prayer was offered by the Reverend Kendall K. McCabe, Mt. Olivet United Methodist Church of Seaford.

The Speaker led those present in a Pledge of Allegiance to the Flag.

PRESENT: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch,

Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 40.

ABSENT: Representative Leshner — 1.

The Minutes of the previous day were approved as posted.

The Reading Clerk read a message from the Office of Counsel to the Governor. Legislative Advisory #87: The Governor approved the following legislation on 6/18/76: **HB 1014; HB 1061; HB 1072; HB 356 w HA 1; HB 735 w HA 1 1 and 2; HCR 87; HJR 39; HJR 44; SJR 61.**

Legislative Advisory #88: The Governor approved the following legislation on 6/21/76: **HB 1013; HB 621; SS 1 for SB 235; SB 613; SB 712; SJR 62.**

Representative Smith requested **HS 1** for **HB 1050** be stricken.

Representative McGinnis moved to lift **HB 1207** from the Speaker's Table. Representative McGinnis withdrew the previous motion and moved that all rules be suspended for the purpose of acting on **HB 1207**. Motion was adopted by voice vote.

Representative McGinnis moved to place **HB 1207** on the Speaker's Table. Motion was adopted by voice vote.

The following legislation was introduced:

HB 1221 — "An Act to amend Title 21 of the Delaware Code relating to the Regulation of Bicycles." Introduced by Representative Worthen. Assigned to Public Safety Committee.

HB 1222 — "An Act to amend Subchapter XI, Chapter 60, Title 7, of the Delaware Code by prohibiting the Sale of Building Lots unless Soil Conditions are satisfactory for Septic Tank, or Sewer Lines or adequate Sewage Treatment Facilities are in existence." Introduced by Representative Darling, and assigned to Natural Resources and Environmental Control Committee.

HA 1 to **HB 826**, introduced by Representative McKay, and placed with the Bill.

HA 2 to **HB 891**, introduced by Representative Connor, and placed with the Bill.

HA 3 to **HB 891**, introduced by Representative Connor, and placed with the Bill.

SB 583 — "An Act to amend Title 29, Delaware Code relating to Public Work Contracts and Procurements by exempting the County Library Department from the

requirements thereof." Introduced by Senator Kearns. Assigned to the Administrative Services Committee.

SB 670 — "An Act to amend Chapter 59, Title 11, Delaware Code relating to Sunday Hearings and Bail." Introduced by Senator McCullough. Assigned to the Judiciary Committee.

SB 701 — "An Act to amend Chapter 56, Title 29, Delaware Code entitled "Pension for Members of the State Judiciary"." Introduced by Senators Adams. Assigned to the Banking and Insurance Committee.

SB 771 — "An Act to amend Chapter 23, Title 10, Delaware Code relating to Deputies and Clerks." Introduced by Senators Adams and Cordrey. Assigned to the Judiciary Committee.

SB 773 — "An Act to amend Chapter 50, Title 18, Delaware Code, relating to Insurance Holding Companies in order to provide Notice to the Commissioner of any Declaration of Extraordinary Dividend or other Distribution and to require the Approval of the Commissioner in connection with certain transactions between Companies and Insurance Holding Company Systems." Introduced by Senators Murphy and Hughes. Assigned to the Banking and Insurance Committee.

SB 781 — "An Act directing the Secretary of State to Execute and Deliver a Deed to Port Mahon Wharf Co., Inc. of Lands previously Deeded to the State of Delaware by Port Mahon Wharf Co., Inc." Introduced by Senator Zimmerman. Assigned to the House Administration Committee.

Representative McGinnis moved for a recess for Caucus at 2:40 p.m. and reconvened at 3:44 p.m.

Mr. Speaker asked the Chief Clerk to read **SR 174** requesting the return of **HB 838**. The motion to return **HB 838** to the Senate was defeated by a voice vote.

Representative George moved to lift **SB 279** from the Speaker's Table. Motion was adopted by voice vote.

SB 279 — "An Act to provide a supplementary appropriation to the Division of Adult Corrections of the Department of Health and Social Services for payment of a portion of salary earned by promotion."

Roll call was taken and revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Matushefske, McGinnis, McKay, Miller, Morris, Powell, Riddagh, Rispoli, Sincok,

Spence, Temple, Worthen, Mr. Speaker Jonkiert — 27.

NOT VOTING: Representative Ridings — 1.

ABSENT: Representatives Ambrosino, Arnold, Billingsley, Brady, Derrickson, Gilligan, Leshner, Lynch, Maxwell, Minner, Plant, Seibel, Smith — 13.

Representative Morris moved to lift **HB 486** from the Speaker's Table. "An Act to amend Subchapter VI, Title 31, Delaware Code, relating to Child Day Care Centers." Motion was adopted by voice vote.

Representative Morris requested the privilege of the floor for Mr. John L. Sullivan, Department of Health and Social Services.

Roll call was taken on **HB 486** and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Matushefske, Maxwell, McGinnis, McKay, Miller, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 34.

NOT VOTING: Representative Ridings — 1.

ABSENT: Representatives Brady, Byrd, Hebner, Leshner, Lynch, Minner — 6.

Therefore the Bill was declared passed by the House.

Representative Rispoli moved to suspend the Agenda rules to act on six Bills.

Representative Rispoli brought **HS 1** for **HB 887** before the House for consideration. "An Act to amend Part III, Title 25 of the Delaware Code relating to the Landlord-Tenant Code."

Representative Rispoli requested the privilege of the floor for Mr. William Bundesen II, from the Department of Council of Delaware.

Representative Derrickson stated that he has a conflict of interest on **HS 1** for **HB 887**.

Representative Rispoli moved to table the Roll Call. Motion was adopted by voice vote.

Representative Rispoli brought **HB 924** before the House for consideration. "An Act to amend Title 10 and Title 25 of the Delaware Code relating to Landlord-Tenant Relationships."

Representative Rispoli moved to Table the Roll Call on **HB 924**. Motion was adopted by voice vote.

Representative Rispoli brought **HB 925** before the House for consideration.

HB 925 — “An Act to amend Chapter 55, Part III, Title 25 of the Delaware Code relating to Tenant obligations and Landlord remedies.”

HA 1 to **HB 925** was brought before the House for consideration by Representative Rispoli.

Representative Ambrosino again requested the privilege of the floor for Mr. Bundensen.

Representative Billingsley requested the privilege of the floor for Mr. James B. Jackson, Executive Vice-President of Delaware Bankers Association.

Roll call on **HA 1** was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Cain, Connor, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Riddagh, Ridings, Rispoli, Spence, Mr. Speaker Jonkiert — 26.

NO: Representatives Darling, Powell, Temple — 3.

NOT VOTING: Representatives Billingsley, Brady, Clendaniel, Derrickson, McKay, Seibel, Sincock, Smith, Worthen — 9.

ABSENT: Representatives Byrd, Leshner, Matushefske — 3.

Therefore **HA 1** was declared passed by the House.

The House recessed at 5:10 p.m. to repair the Tape, and reconvened at 5:13 p.m.

Representative Rispoli moved to place **HB 925 w HA 1** on the Speaker's Table. Motion was adopted by voice vote.

Representative Rispoli brought **HS 1** for **HB 926** before the House for consideration. Motion was adopted by voice vote.

HB 926 — “An Act to amend Chapter 55, Part III, Title 25 of the Delaware Code relating to the Landlord-Tenant Code; and providing limitations upon the amount of which may be demanded as a security deposit.”

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Maxwell, McGinnis, Miller, Plant, Riddagh, Rispoli, Seibel, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 29.

NO: Representatives Darling, McKay, Morris, Sincock —

NOT VOTING: Representatives Derrickson, Lynch, Powell, Ridings — 4.

ABSENT: Representatives Johnson, Leshner, Matushefske, Minner — 4.

Therefore **HS 1** for **HB 926** was declared passed by the House.

Mr. Donald Coker was given the privilege of the floor by Mr. Speaker, who discussed the Dedication of the Bicentennial Park.

Mr. Speaker requested the Chief Clerk to read **SR 174** again, as there was a question about the Resolution when the previous Vote was taken. The motion to return **HB 838** to the Senate passed by a voice vote, and the Speaker asked the Bill Clerk to return it to the Senate.

Representative Rispoli brought **HS 1** for **HB 927** before the House for consideration. Motion was adopted by voice vote.

HB 927 — “An Act to amend Chapter 55, Part III, Title 25 of the Delaware Code relating to access by a landlord or tenant to a rental unit.”

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

ABSENT: Representatives Derrickson, Leshner, Miller, Minner — 4.

Therefore **HS 1** for **HB 927** was declared passed by the House.

Representative Rispoli brought **HB 928** before the House for consideration. “An Act to amend Chapter 86, Part VIII, Title 29 of the Delaware Code relating to the Division of Consumer Affairs of the Department of Community Affairs and Economic Development.” Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Smith,

Spence, Temple, Worthen, Mr. Speaker Jonkiert — 34.

NO: Representatives Darling, Ridings, Sincock — 3.

NOT VOTING: Representatives Derrickson, Ferguson —

2.

ABSENT: Representatives Leshner and Minner — 2.

Representative Derrickson brought **HB 781** before the House for consideration, and moved to place it on the Speaker's Table. Motion was adopted by voice vote.

Representative Arnold deferred **HJR 32** to the end of the Agenda, and yielded to Representative Sincock.

Representative Sincock brought **HB 964** before the House for consideration. "An Act making a supplemental appropriation to the Department of Finance for the purpose of continuing to Fund the Delaware Econometric Model for the remainder of Fiscal Year 1976."

Representative George moved to waive the fiscal note requirement on **HB 964**. Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Morris, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

NO: Representative Boulden — 1.

ABSENT: Representatives Leshner, Minner, Plant — 3.

Therefore the Bill was declared passed by the House.

Representative Matushefske deferred **SB 698** to the end of the Agenda and moved to lift the Roll Call on **HB 845**. Motion was adopted by voice vote.

HB 845 — "An Act to amend Part IV, Chapter 21, Title 5, Delaware Code, to remove the prohibition against post-judgement wage attachments."

Representative Matushefske moved to rescind the Roll Call on **HB 845**. Motion was adopted by voice vote.

Representative Matushefske introduced and brought **HA 1** before the House for consideration. **HA 1** was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives: Ambrosino, Arnold, Boulden, Brady, Byrd, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner,

Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Morris, Powell, Riddagh, Rispoli, Smith, Spence, Temple, Worthen, Mr. Speaker — 33.

NO: Representatives: Billingsley, Seibel — 2.

NOT VOTING: Representatives Ridings and Sincok —

2.

ABSENT: Representatives Cain, Leshner, Minner, Plant — 4.

Therefore the Bill was declared passed by the House.

Mr. Speaker reassigned **HB 1215** from Health and Social Services Committee to Aging Committee.

Mr. Speaker recessed the House at 6:30 p.m., and reconvened at 7:00 p.m.

Representative George brought **SB 678** before the House for consideration.

SB 678 — “An Act to permit the Capitol School District to utilize portions of its major Capital Improvements fund for future capital improvements.”

HA 1 to the Bill was brought before the House for consideration by Representative Miller.

Representative Miller requested the Privilege of the floor for House Attorney John Rich.

HA 1 to **SB 678** was adopted by voice vote.

Representative Miller moved to table the Roll Call, and the Motion was adopted by voice vote.

Representative Rispoli moved to lift **HB 925** from the Speaker's Table.

HB 925 — “An Act to amend Chapter 55, Part III, Title 25 of the Delaware Code relating to tenant obligations and landlord remedies.”

HA 2 to the Bill was introduced and brought before the House for consideration by Representative Byrd.

Representative Plant moved to Table **HA 2**, and the motion was adopted by voice vote.

Representative Rispoli moved to table **HB 925**. Motion was adopted by voice vote.

Representative Matushefske brought **SB 662** before the House for consideration. “An Act to amend Chapter 7, Title 21 of the Delaware Code relating to the Jurisdiction of Offenses.” Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner,

Johnson, Kelley, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

NO: Representative Minner — 1.

ABSENT: Representatives Boulden and Leshner — 2.

Therefore the Bill was declared passed by the House.

Representative Gordy brought **SB 466 w SA 1, HA 1** before the House for consideration, then moved to place **SB 466** on the Speaker's Table. Motion was adopted by voice vote.

Representative George deferred **SB 506** to the end of the Agenda, and brought **SB 574 w SA 1** before the House for consideration. "An Act to amend Chapter 113, Volume 60, Laws of Delaware, it being the 1976 Budget Appropriation Act, originally designated as **SB 431** of the 128th General Assembly, as amended by Chapter 289, Volume 60, Laws of Delaware." Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Brady, Byrd, Cain, Ferguson, George, Harrington, Johnson, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Riddagh, Rispoli, Spence, Worthen, Mr. Speaker Jonkiert — 21.

NO: Representatives Ambrosino, Arnold, Boulden, Clendaniel, Connor, Darling, Gilligan, Gordy, Hebner, Kelly, Ridings — 11.

NOT VOTING: Representatives Billingsley, Derrickson, McKay, Powell, Seibel, Sincok, Temple — 7.

ABSENT: Representatives Leshner, Smith — 2.

Therefore the Bill was declared passed by the House.

Representative George brought **SB 542** before the House for consideration. "An Act to authorize Certain Persons to apply to the State of Delaware for Sums due them by Law and to make an appropriation therefor." Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 40.

ABSENT: Representative Leshner — 1.

Therefore the Bill was declared passed by the House.

Representative George brought **SB 610** before the House for consideration. "An Act to provide a supplementary appropriation to the Division of Economic Development of the Department of Community Affairs and Economic Development." Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Byrd, Cain, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Johnson, Kelly, LeGates, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Riddagh, Rispoli, Sincock, Temple, Worthen, Mr. Speaker Jonkiert — 23.

NO: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Connor, Harrington, Hebner, Lynch, McKay, Morris, Powell, Ridings, Seibel, Smith, Spence — 16.

NOT VOTING: Representative Clendaniel — 1.

ABSENT: Representative Leshner — 1.

Therefore the Bill was declared passed by the House.

Representative George brought **SB 719** before the House for consideration. "An Act authorizing the Public Service Commission to expend Funds from the Public Service Commission regulatory revolving Fund to employee consultants to assist the Auditor in the preparation of Technical Phases of Fuel Adjustment Hearings." Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 36.

NO: Representative Hebner — 1.

NOT VOTING: Representatives Ambrosino, McKay, Ridings — 3.

ABSENT: Representative Leshner — 1.

Therefore the Bill was declared passed by the House.

Representative Gordy brought **SB 736** before the House for consideration. "An Act to amend Chapter 21, Part XI, Title 21 of the Delaware Code relating to the Registration of Motor Vehicles owned by Disabled Veterans." Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 39.

ABSENT: Representatives Billingsley and Leshar — 2.

Therefore the Bill was declared passed by the House.

Mr. Speaker appointed a special Committee to formulate and present a Bond Bill. The Members are as follows:

Chairman: Representative George.

Representative Lynch

Representative Darling

Representative McKay

Representative Sincock

Representative Ambrosino

Representative Gordy brought **HB 1189** before the House for consideration. "An Act authorizing the Department of Administrative Services to use Certain Funds appropriated by the "Annual Capital Improvements Act of 1976" for the Construction of a building for the use of the Justice of the Peace Courts." Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 39.

ABSENT: Representatives Connor and Leshar — 2.

Therefore the Bill was declared passed by the House.

Representative Miller moved to lift Roll Call on **SB 678**.

Motion was adopted by voice vote.

SB 678 — "An Act to permit the Capitol School District to utilize portions of its major Capital Improvements fund for future Capital Improvements."

Roll call on **SB 678** revealed:

YES: Representatives Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings,

Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

NOT VOTING: Representatives Ambrosino and Connor — 2.

ABSENT: Representative Leshner — 1.

Therefore the Bill was declared passed by the House.

Representative Riddagh moved for the suspension of the Agenda rules to act on **HB 1157**. So ordered by Mr. Speaker.

HB 1157 — “An Act to amend Chapter 271, Volume 60, Laws of Delaware, entitled “An Act authorizing the State of Delaware to borrow money to be used for Capital Improvements and Expenditures in the nature of Capital Investments and to Issue Bonds and Notes therefor and appropriating the monies to various Agencies of the State and to borrow money to be used for the Local Share of School Construction Programs and to Issue Bonds and Notes therefor and appropriating the monies to the State Board of Education on behalf of Local School Districts.”

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 39.

ABSENT: Representatives Connor and Leshner — 2.

Therefore the Bill was declared passed by the House.

Representative McKay moved to lift the roll call on **HB 805**. The motion was adopted by voice vote.

Representative McKay moved to rescind the roll call on **HB 805**. The motion was adopted by voice vote.

Representative McKay brought **HA 1** to **HB 805** before the House for consideration. **HA 1** was defeated by voice vote.

Representative McGinnis moved for a recess at 8:05 p.m. Call to order at 8:10 p.m.

Representative McKay moved to rescind the voice vote on **HA 1** to **HB 805**. The motion was adopted by voice vote.

Representative Derrickson requested a voice vote on **HA 1** and **HA 1** was adopted by voice vote.

Representative Boulden moved to table the roll call on **HB 805 w HA 1**.

Roll call on the motion was taken and revealed:

YES: Representatives Boulden and Rispoli — 2.

NO: Representatives Ambrosino, Arnold, Billingsley, Brady, Byrd, Cain, Clendaniel, Darling, Derrickson, George, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 35.

ABSENT: Representatives Connor, Ferguson, Gilligan, Leshner — 4.

The motion to table the roll call was defeated.

A roll call was taken on **HB 805 w HA 1** and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Byrd, Cain, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Seibel, Sincok, Smith, Spence, Worthen — 31.

NO: Representatives Boulden, Clendaniel, Darling, Rispoli, Temple, Mr. Speaker Jonkiert — 6.

NOT VOTING: Representative Morris — 1.

ABSENT: Representatives Connor, Ferguson, Leshner — 3.

Therefore the Bill was declared passed by the House.

Representative LeGates moved to lift the roll call on **SB 259**. The motion was adopted by voice vote.

SB 259 — “An Act to amend Chapters 9 and 19 through 27 of Title 7, Delaware Code relating to the rules and regulations concerning Shellfish.”

Representative LeGates moved to rescind the roll call on **SB 259**. Motion was adopted by voice vote.

Representative Riddagh brought **HA 9** to the Bill before the House for consideration. **HA 9** was adopted by voice vote.

Representative Derrickson introduced and brought **HA 10** before the House for consideration. **HA 10** was adopted by voice vote.

Representative LeGates introduced and brought **HA 11** before the House for consideration. **HA 11** was adopted by voice vote.

Representative Spence brought **HA 12** before the House for consideration. **HA 12** was adopted by voice vote.

Representative Ambrosino moved to lift the Roll Call on **HA 1** to **SB 259**.

Roll call on **HA 1 to SB 259** revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Spence, Temple, Worthen — 37.

NO: Representatives Darling, LeGates, Mr. Speaker Jonkiert — 3.

Therefore **HA 1 to SB 259** was declared passed by the House.

SB 259 w SA 1, HA 1, 5, 6, 7, 8, 9, 10, 11, 12 was brought before the House for consideration by Representative LeGates.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

NO: Representative Clendaniel — 1.

ABSENT: Representatives Connor and Leshner — 2.

Therefore the Bill was declared passed by the House.

Representative LeGates moved to lift Roll Call on **HB 1003** — “An Act to amend Subchapter I, Chapter 7, Title 7 of the Delaware Code relating to Hunting or Shooting from various Vehicles.” Motion was adopted by voice vote.

Roll call on **HB 1003** revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 39.

NOT VOTING: Representatives Connor and Leshner — 2.

Therefore the Bill was declared passed by the House.

Representative Gordy moved to lift **SS 1** for **SB 247** from the Speaker's Table. “An Act to amend Title 21, of the Delaware Code relating to certain Penalty Assessments payable by mail.” Motion was adopted by voice vote.

Representative Gordy moved to strike **HA 1** and **HA 3** to the Bill.

Representative Gordy brought **HA 4** before the House for consideration. **HA 4** was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Clendaniel, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

ABSENT: Representatives Cain, Connor, Leshner, Matushefske — 4.

Therefore the Bill was declared passed by the House.

Representative LeGates moved to lift **SB 236** from the Speaker's Table. Motion was adopted by voice vote.

SB 236 — "An Act to amend Part VII, Title 7 of the Delaware Code relating to the control and abatement of noise."

Representative Byrd moved to strike **HA 1** and **HA 2**.

Representative Byrd brought **HA 3** before the House for consideration. **HA 3** was adopted by voice vote.

Representative Worthen brought **HA 4** before the House for consideration. **HA 4** was adopted by voice vote.

Representative Worthen moved to place **SB 236** on the Speaker's Table. Motion was adopted by voice vote.

Representative Derrickson moved to lift **HB 781** from the Speaker's Table. "An Act to amend an Act being Chapter 197, Volume 54, Laws of Delaware as amended entitled "An Act revising the prior Charter of the City of Rehoboth Beach and prescribing a new Charter therefor and prescribing the Powers and Duties of the Commissioners of Rehoboth Beach" to provide for one man one vote voting in Annexation Elections to provide for the use of voting machines in Annexation Elections, to provide for appeals from the assessments, to provide for notice of Elections other than the Annual Municipal Election, to provide a new time for filing petitions for nominations to provide a new time for review of petitions for nominations to increase the amount that can be raised by annexation, to provide a procedure for payment of Paving, Guttering and Curbing, to provide a procedure for borrowing money and Issuing Bonds."

Representative Derrickson brought **HA 1** to the Bill before the House for consideration. **HA 1** was adopted by voice

vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

ABSENT: Representatives Connor, Leshner, Maxwell — 3.

Therefore the Bill was declared passed by the House.

Representative McGinnis moved to suspend all rules for the introduction of **HB 1223**. Motion was adopted by voice vote.

Mr. Speaker assigned **HB 1223** to the House Administration Committee.

Representative LeGates moved to suspend all rules for the purpose of introducing **HB 1224** — "An Act to Amend Chapter 7, Title 7, of the Delaware Code and Relating to Shot Size Allowed to Take Game."

The Motion was adopted by voice vote.

Mr. Speaker assigned **HB 1224** to the Natural Resource and Environmental Control Committee.

The following bills have been reported out of committee:

House Administration: **SJR 57** — 1 Favorable, 3 Merits; **SB 781** — 3 Merits, 2 Unfavorable; **HB 1121** — 4 Merits, 1 Unfavorable.

Public Safety: **HB 1219** — 2 Merits, 2 Unfavorable.

Aging: **HB 1215** — 3 Favorable, 3 Merits.

Public Safety: **SB 750** — 3 Merits, 1 Unfavorable; **SB 741** — 4 Merits.

Administrative Services: **HB 1154** — 3 Merits, 2 Unfavorable.

Judiciary: **HB 1088** — 4 Merits; **HB 1218** — 5 Merits.

Representative McGinnis moved to recess at 9:05 p.m. to the call of the Chair.

49TH LEGISLATIVE DAY

The Speaker called the House to order at 1:54 p.m. June 23, 1976.

The Majority Leader moved to adjourn at 1:56 p.m., thereby ending the previous Legislative Day.

The House reconvened at 1:56 p.m.

A Prayer was offered by Reverend Kendall McCabe, of Mt.

Olivet Methodist Church of Seaford.

The Speaker led those present in a Pledge of Allegiance to the Flag.

PRESENT: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 41.

The Minutes of the previous day were approved as posted.

The following pre-filed legislation was introduced:

HB 1225 — “An Act to amend Chapter 53, Title 14, of the Delaware Code relating to Free Tuition for Delaware teachers at the University of Delaware.” Introduced by Representative Lynch and Senator McCullough. Assigned to Education Committee.

HB 1226 — “An Act authorizing the State Treasurer to reimburse certain Pensioners for overpayment of Blue Cross Premiums; and further providing a supplementary appropriation therefor.” Introduced by Representative Harrington, and assigned to Appropriations Committee.

HB 1227 — “An Act to amend Chapter 55, Title 29, Delaware Code relating to State Employees Pensions.” Introduced by Representatives McGinnis and Derrickson, and assigned to Appropriations Committee.

HA 1 to HB 1173, introduced by Representative Smith, and placed with the Bill.

HJR 53 — “Authorizing the Joint Education Committee to study the Administration and Operation of the Public School System in this State to continue until June 30, 1977, and to employ a consultant.” Sponsored by Representative Lynch and all Members of Joint Education Committee. Assigned to Education Committee.

SS 1 for SB 318 w SA 1-2-3 — “An Act to amend Chapter 36 of Title 24, Delaware Code, relating to the Registration of Professional Geologists.” Sponsored by Senator Martin, and assigned to Natural Resources and Environmental Control Committee.

SB 753 w SA 1 — “An Act to amend Chapter 64, Title 7 of the Delaware Code relating to the Delaware Solid Waste Authority; and providing for a means of replacing Directors on the Delaware Solid Waste Authority, clarifying meeting and

voting requirements, indicating Pension Coverage of Authority Employees clarifying Bond capabilities, clarifying definitions, and allowing for imposition of sanctions for Violations of Regulations and License Conditions." Sponsored by Senators Berndt, Isaacs; Representative Jonkiert. Assigned to Natural Resources and Environmental Control Committee.

SB 787 — "An Act to amend Title 11 and Title 29, Delaware Code, relating to Pension Benefits for Corrections Officers." Sponsored by Senators Isaacs, Sharp. Assigned to Appropriations Committee.

SB 788 w SA 1 — "An Act to amend Chapter 87, Part VI, Title 10 of the Delaware Code relating to Fees charged by the Family Court in Divorce Proceedings." Sponsored by Senator Kearns. Assigned to Judiciary Committee.

SB 806 — "An Act to amend Chapter 79, Delaware Code relating to the establishment of a Division of Mental Retardation." Sponsored by Senator Holloway. Assigned to Health and Social Services Committee.

HB 1073 was reported out of House Administration Committee with 5 Merits.

Representative Ambrosino brought **HR 174** before the House for consideration. "Congratulating Mike Paulone upon his being named to the United States Deaf and Impaired Olympic Team." **HR 174** was adopted by voice vote.

Representative Seibel introduced and brought **HR 175** before the House for consideration. "Expressing the sympathy of the Members of the House of Representatives to the Family of Marjorie Jane McKusick, M.D. One of Delaware's Leading Women, upon her death on June 22, 1976." **HR 175** adopted by voice vote.

Representative Gilligan brought **HCR 95** before the House for consideration. "Congratulating Steve Gregg, of Cooper Farms, on his selection for the United States Olympics Swimming Team." Adopted by voice vote.

Representative Arnold introduced Miss Delaware, Shawna Santos, National Teenager, and her Parents.

Representative McGinnis moved to lift **HB 1207** from the Speaker's Table. "An Act to amend Title 5, Delaware Code relating to the Farmer's Bank Commission." Motion was adopted by voice vote.

Representative McGinnis requested the privilege of the floor for Mr. Richard Jones, Esquire, Attorney for the Commissioners of the Farmer's Bank.

Roll call was taken and revealed:

YES: Representatives Boulden, Brady, Byrd, Cain, Clendaniel, Darling, Ferguson, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Ridings, Rispoli, Sincok, Temple, Worthen, Mr. Speaker — 28.

NO: Representatives Ambrosino, Billingsley, Connor, Hebner, Leshner, Riddagh — 6.

NOT VOTING: Representatives Arnold, Derrickson, McKay, Seibel, Smith — 5.

ABSENT: Representatives George and Spence — 2.

Therefore the Bill was declared passed by the House.

Representative McGinnis recessed for Caucus at 3:30 p.m., and Mr. Speaker called the House to order at 4:58 p.m.

Representative Ferguson moved to suspend all rules for the purpose of introducing and acting on **HB 1228**. Motion was adopted by voice vote.

Representative Ferguson brought **HB 1228** before the House for consideration. "An Act to amend Chapter 97, Title 16, Delaware Code relating to the Delaware Health Facilities Authority."

Roll call was taken on **HB 1228** and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Cain, Clendaniel, Connor, Darling, Ferguson, Gilligan, Gordy, Harrington, Hebner, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Minner, Morris, Powell, Riddagh, Rispoli, Seibel, Sincok, Spence, Temple, Worthen, Mr. Speaker — 28.

NO: Representative Plant — 1.

NOT VOTING: Representatives Brady, Derrickson, George, Johnson, Leshner, McKay, Ridings, Smith — 8.

ABSENT: Representatives Boulden, Byrd, Kelly, Miller — 4.

Therefore the Bill was declared passed by the House.

Representative LeGates moved to suspend all rules for the purpose of introducing **HB 1229** — "An Act to amend Chapter 23, Title 7, Delaware Code relating to the Rules and Regulations concerning Catch Limits of Crabs." Motion was adopted by voice vote. Mr. Speaker assigned **HB 1229** to Natural Resources and Environmental Control Committee.

Representative Gilligan moved to lift **HB 1158** from the Speakers Table. Motion was adopted by voice vote.

HB 1158 — "An Act to amend the Delaware Code and relating to Doctors of Podiatric Medicine."

HA 2 to HB 1158 was introduced and brought before the House for consideration, by Representative Ridings. **HA 2** was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 41.

Therefore the Bill was declared passed by the House.

Representative Jonkiert deferred **HB 705** to the end of the Agenda, and brought **HB 1218** before the House for consideration. "An Act to amend Chapter 56, Title 29, Delaware Code relating to Pensions for Judges of the Municipal Court for the City of Wilmington."

Representative Jonkiert moved to waive the requirement for a Fiscal Note on **HB 1218**. Motion was adopted by voice vote.

Representative Jonkiert moved to Table the Roll Call. Motion was defeated by voice vote.

Roll call was taken and revealed:

YES: Representatives Cain, George, Harrington, Johnson, Matushefske, Plant, Rispoli, Mr. Speaker — 8.

NO: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Connor, Darling, Derrickson, Ferguson, Gilligan, Hebner, Kelly, LeGates, Leshner, Lynch, McKay, Morris, Powell, Riddagh, Ridings, Seibel, Sincok, Smith, Spence, Worthen — 25.

NOT VOTING: Representatives Byrd, Clendaniel, Gordy, Maxwell, McGinnis, Miller, Minner, Temple — 8.

Mr. Speaker declared **HB 1218** defeated.

Representative Jonkiert deferred **HB 1166** to the end of the Agenda and brought **HB 1219** before the House for consideration. "An Act to amend Chapter 43, Title 21, Delaware Code to permit the use of Flashing Red Lights on Tow Trucks which are being used to perform a service pursuant to a Contract of Agreement between the Owner thereof and the State of Delaware or a Municipality or Political Subdivision thereof."

Representative Jonkiert moved to place **HB 1219** on the Speaker's Table. The motion was adopted by voice vote.

Representative Rispoli deferred **SB 317** to the end of the Agenda and yielded to Representative George.

Representative George brought **HB 1206** before the House for consideration. "An Act authorizing the State of Delaware to borrow money to be used for Capital Improvements and Expenditures in the nature of Capital Investments and to Issue Bonds and Notes therefor and appropriating the Monies to the State Board of Education."

Representative George requested the privilege of the floor for Dr. Thomas Minter, Superintendant of Schools in Wilmington, Delaware.

Representative George moved to table the roll call on **HB 1206**. The motion was adopted by voice vote.

Representative Gordy deferred **HB 1060** to the end of the agenda and yielded to Representative Gilligan.

Representative Gilligan brought **SB 742 w SA 1 and 4** before the House for consideration. "An Act to amend Title 31, Delaware Code, relating to licensed Clinical Social Workers."

Representative Gilligan requested the privilege of the floor for Mr. Frank Everett, Clinical Social Worker from Dover, Delaware.

Representative Gilligan requested the privilege of the floor for Mr. Duane Olsen, Controller General.

Representative Gilligan moved to table the roll call on **SB 742 w SA 1 and 4**. The motion was adopted by voice vote.

Representative McGinnis moved for a 15 minute recess at 6:14 p.m. Call to order at 7:00 p.m.

Representative Billingsley deferred **HB 984** to the end of the agenda and yielded to Representative Worthen.

Representative Worthen brought **HB 1117** before the House for consideration. "An Act to amend Part XI, Title 29 of the Delaware Code, to provide for registration of Legislative Agents to prohibit certain types of compensation for Legislative Agents and to prescribe penalties for violations thereof."

Representative Billingsley brought **HA 1** before the House for consideration. **HA 1** was adopted by voice vote.

Representative Worthen brought **HA 2** before the House for consideration. **HA 2** was adopted by voice vote.

Representative Hebner brought **HA 1** to **HA 2** to **HB 1117** before the House for consideration.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Billingsley, Brady,

Byrd, Derrickson, Hebner, Kelly, LeGates, Leshner, McKay, Miller, Plant, Riddagh, Ridings, Seibel, Sincok, Smith, Worthen — 18.

NO: Representatives Boulden, Cain, Clendaniel, Connor, Darling, Ferguson, Gilligan, Harrington, Matushefske, Maxwell, McGinnis, Minner, Morris, Rispoli, Spence, Temple, Mr. Speaker — 17.

NOT VOTING: Representatives Arnold, Lynch, Powell — 3.

ABSENT: Representatives George, Gordy, Johnson — 3.
Therefore **HA 1** to **HA 2** to **HB 1117** was declared lost.
Representative Billingsley brought **HA 3** before the House for consideration. **HA 3** was defeated by voice vote.

The House recessed at 7:30 p.m. to repair the Tape.

The House was called to order at 7:31 p.m.

Representative Boulden moved to recommit **HB 1117** w **HA 1** and **HA 2**.

Roll call on Motion to Recommit was taken and revealed:

YES: Representatives Boulden, Darling, Rispoli — 3.

NO: Representatives Ambrosino, Arnold, Billingsley, Brady, Byrd, Cain, Clendaniel, Connor, Derrickson, Gilligan, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 33.

NOT VOTING: Representative Ferguson — 1.

ABSENT: Representatives George, Gordy, Lynch, Matushefske — 4.

Therefore the Roll Call on the motion was declared lost.

Roll Call on **HB 1117** was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Byrd, Cain, Clendaniel, Connor, Derrickson, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Seibel, Sincok, Smith, Spence, Temple, Worthen. Mr. Speaker Jonkiert — 33.

NO: Representatives Boulden, Darling, Morris, Rispoli — 4.

NOT VOTING: Representative Ferguson — 1.

ABSENT: Representatives George, Lynch, Matushefske — 3.

Therefore the Bill was declared passed by the House.

Representative Arnold moved to suspend all rules for the

purpose of introducing and acting on **SB 796 w SA 1** — "An Act providing for the Interim School Board mandated by the May 19, 1976 opinion and the June 15, 1976 Order of the United States District Court for the District of Delaware in *Evans V. Buchanan* Civil Action Nos. 1816-1822 to consist of thirteen Members." Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Worthen — 36.

NO: Representatives Brady, Johnson, Plant, Mr. Speaker — 4.

NOT VOTING: Representative Temple — 1.

Therefore the Bill was declared passed by the House.

Representative Boulden brought **HB 803 w SA 1** before the House for consideration. "An Act to amend Chapter 27, Part XI, Title 10 of the Delaware Code relating to Special Constables for Railroad Companies."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 39.

NO: Representative Seibel — 1.

ABSENT: Representative Lynch — 1.

Therefore the Bill was declared passed by the House.

Representative LeGates brought **SB 441** before the House for consideration. "An Act to amend Part I, Title 7 of the Delaware Code providing Restrictions and Prohibitions against the killing of Red Foxes."

Representative Gordy brought **HA 1** before the House for consideration. **HA 1** was adopted by voice vote.

Representative LeGates brought **HA 2** before the House for consideration. **HA 2** was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley,

Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 40.

NO: Representative Seibel — 1.

Therefore the Bill was declared passed by the House.

Representative Gilligan moved to lift the Roll Call on **SB 742** — “An Act to amend Title 31, Delaware Code, relating to Licensed Clinical Social Workers.” Motion was adopted by voice vote.

Roll call was taken on **SB 742** and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Byrd, Connor, George, Gilligan, Harrington, Hebner, Johnson, Kelly, LeGates, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Rispoli, Seibel, Sincock, Worthen — 25.

NO: Representatives Boulden, Cain, Clendaniel, Darling, Derrickson, Ferguson, Gordy, Leshner, Lynch, McKay, Riddagh, Ridings, Smith, Spence, Temple, Mr. Speaker — 16.

Therefore the Bill was declared passed by the House.

Representative Miller brought **HB 879** before the House for consideration.

HB 879 — “An Act to amend Chapter 15, Title 13 of the Delaware Code relating to divorce and annulment; and providing for alimony under certain circumstances.”

HA 1 to the Bill was stricken by Representative Miller.

Representative Miller requested the privilege of the floor for House Attorney John Rich.

Representative Miller asked the privilege of the floor for House Attorney Mr. Harry Terry.

Representative Miller moved to Table the Roll Call on **HB 879**. Motion was adopted by voice vote.

Representative Byrd deferred **HB 1137** to the end of the Agenda, and moved to lift **SB 209** from the Speaker’s Table. Motion was adopted by voice vote.

SB 209 — “An Act to amend Chapter 33, Part XI, Title 6 of the Delaware Code relating to commerce and trade; and providing for the registration and protection of trademarks, brands and labels.”

Representative Billingsley brought **HA 1** to the Bill before the House for consideration. **HA 1** was adopted by voice

vote.

Roll Call was taken on **SB 209** and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 38.

NO: Representative Johnson — 1.

ABSENT: Representatives George and Plant — 2.

Therefore the Bill was declared passed by the House.

Representative Lynch brought **SB 738** before the House for consideration. "An Act to amend Chapter 19 and 20, Title 14 of the Delaware Code relating to Local School Taxes and Local Bonds."

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 39.

NO: Representatives Johnson, Plant — 2.

Therefore the Bill was declared passed by the House.

Representative LeGates brought **HB 1067** before the House for consideration. "An Act to amend Chapter 13, Title 14, Delaware Code providing for Interpreters and or Tutors for Students with Impaired Hearing."

HA 1 to **HB 1067** was brought before the House by Representative Billingsley and adopted by voice vote.

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 41.

Therefore the Bill was declared passed by the House.

Representative LeGates deferred **HB 1091** to the end of the Agenda, and brought **SB 767** before the House for

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

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 40.

ABSENT: Representative Ridings — 1.

Therefore the Bill was declared passed by the House.

Representative Worthen brought **HB 367 w SA 1** before the House for consideration. "An Act making a supplementary appropriation to Delaware Disadvantaged Foundation, Inc."

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 41.

Therefore the Bill was declared passed by the House.

Representative Worthen deferred **HB 892** to the end of the Agenda, and yielded to Representative Billingsley.

Representative Billingsley brought **HB 984** before the House for consideration.

HB 984 — "An Act to amend Chapter 17, Title 14 of the Delaware Code and relating to the procedure for certification of pupil units by the State Board of Education."

HA 1 was brought before the House for consideration by Representative Connor.

Representative Connor requested that **HA 1** be stricken.

HA 2 was brought before the House by Representative Billingsley. **HA 2** was adopted by voice vote.

Representative Worthen moved to place **HB 984** on the Speaker's Table. Motion was adopted by voice vote.

Representative Rispoli deferred **SB 680** to the end of the Agenda, and moved to lift Roll Call on **HB 924**. Motion was adopted by voice vote. "An Act to amend Title 10 and Title 25 of the Delaware Code relating to Landlord-Tenant

Relationships.”

Representative Rispoli moved to rescind the Roll Call. Motion was adopted by voice vote.

HA 1 to HB 924 was brought before the House by Representative Rispoli. Motion was adopted by voice vote.

Representative Rispoli moved to Table Roll Call on HB 924. Motion was adopted by voice vote.

Representative Rispoli moved to Lift SB 673 from the Speaker's Table. Motion was adopted by voice vote. “An Act to amend Title 16 of the Delaware Code by adding a New Chapter relating to the Littering of Public or Private Property and the Depositing of Refuse in Navigable Waters.”

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 39.

ABSENT: Representatives Ferguson, Gordy — 2.

Representative Jonkiert moved to place HB 1085 on the end of the Agenda, and yielded to Representative Sincock.

Representative Sincock brought HB 1220 before the House for consideration. “An Act making an appropriation to the Division of Historical and Cultural Affairs to be used in the Renovation and Restoration of the Grand Opera House of the City of Wilmington.”

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Worthen, Mr. Speaker — 36.

NO: Representative Spence — 1.

NOT VOTING: Representatives Derrickson, Morris, Temple — 3.

ABSENT: Representative Ferguson — 1.

Representative Jonkiert deferred HB 680 to the end of the Agenda, and yielded to Representative George.

Representative George brought SB 506 before the House for consideration. “An Act to relieve Certain Employees of the

State of Delaware from the obligation of repaying to the State certain excess Salary Payments unknowingly received by such Employees."

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, Miller, Morris, Plant, Powell, Rispoli, Sincock, Spence, Worthen, Mr. Speaker — 33.

NO: Representative Temple — 1.

NOT VOTING: Representatives Brady, McKay, Minner, Riddagh, Ridings, Seibel, Smith — 7.

Therefore the Bill was declared passed by the House.

Representative McGinnis moved to suspend all rules for the purpose of introducing **HB 1230**. Motion was adopted by voice vote.

Mr. Speaker assigned **HB 1230** to House Administration Committee.

Representative McGinnis requested that **HB 1227** be stricken.

Representative Lynch moved to suspend the rules for the purpose of introducing **HJR 54**. Mr. Speaker assigned **HJR 54** to Education Committee.

HJR 53 was reported out of Education Committee with 1 Favorable, 3 Merits.

HS 1 for **HB 1053** was reported out of Administrative Services Committee with 2 Merits, 2 Unfavorable.

SS 1 for **SB 320** was reported out of House Administration Committee with 5 Merits.

HB 893 was reported out of House Administration Committee with 3 Merits, 1 Unfavorable.

HB 1212 was reported out of Natural Resources and Environmental Control Committee with 1 Favorable, 3 Merits.

Reported out of Appropriations Committee as follows: **HB 1226** — 4 Merits; **HJR 37** — 4 Merits; **HS 1** for **HB 1047** — 3 Merits, 1 Unfavorable.

HS 1 for **HB 321** was reported out of Education Committee with 3 Favorable, 3 Merits.

SB 506 was reported out of Appropriations Committee with 4 Merits.

HB 1147 was reported out of Revenue and Finance Committee with 4 Merits.

SB 688 was reported out of Revenue and Finance Committee with 4 Merits.

HB 1205 was reported out of Public Safety Committee with 4 Merits.

SB 773 was reported out of Banking Committee with 6 Merits.

SB 737 was reported out of Judiciary Committee with 4 Merits.

Reported out of Health and Social Services Committee as follows: **SB 806** — 6 Merits; **HB 733** — 5 Merits.

HJR 50 was reported out of Community Affairs Committee with 3 Favorable, 2 Merits.

HB 780 was reported out of Health and Social Services with 2 Favorable, 4 Merits.

Mr. Speaker added Representative Byrd to the Bond Committee.

Representative McGinnis recessed the House at 10:05 p.m. to the call of the Chair.

The Speaker called the House to order at 1:49 p.m. June 24, 1976.

The Majority Leader moved to Adjourn at 1:50 p.m., thereby ending the previous Legislative Day.

50TH LEGISLATIVE DAY

The House reconvened at 1:50 p.m.

A Prayer was offered by Reverend Pamela Ledbetter, of United Methodist Church of Magnolia, Delaware.

The Speaker led those present in a Pledge of Allegiance to the Flag.

PRESENT: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 41.

The Reading Clerk informed the House that the Senate had passed the following Legislation: **SB 796 w SA 1; HB 1198; HB 1199 w HA 1; HB 1017 w HA 1; HB 803 w HA 1; 6/23/76.**

HB 367 w SA 1; SB 806; SS 1 for SB 318 w SA 1, 2, 3; HB 787; HB 869; 6/22/76.

HB 1069; SB 773 w SA 1; HB 845 w SA 2; SB 701 w SA 1; SB 781; HB 1066; HB 994; SB 670; Sb 771; SB 583;

HB 622; HB 1057; HB 1031 w HA 1; HB 724; 6/21/76.

SB 362 w SA 1; SJR 64; HB 952 w HA 1; HB 845 w HA 1; SA 1; HB 1207; 6/23/76.

SB 788 w SA 1; HB 1160; HCR 94; HJR 40; 6/22/76.

SB 630 was reported out of Revenue and Finance Committee with 5 Merits.

Representative Boulden introduced **HR 176** and brought it before the House for consideration. "Commending Shirley M. Tarrant, of Newark, for her part in the six-year Campaign to build a new Hospital at Stanton—The Omega Plan." **HR 176** was adopted by voice vote.

Representative Billingsley moved to strike **HB 207**.

Representative Boulden brought **SJR 64** before the House for consideration. "Making Bill Frank, Wilmington Morning New's Columnist, an Honorary Native of the State of Delaware."

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 38.

ABSENT: Representatives Byrd, Ferguson, Matushefske — 3.

Therefore **SJR 64** was declared passed by the House.

Representative Kelly requested **HB 1070** be stricken.

Representative McGinnis brought **SB 628** before the House for consideration. "An Act to amend Title 17, Chapter 6, Section 612 providing for an exemption from Delaware Turnpike Tolls for persons issued Special Plates for Handicapped Persons who pay a Fee of Five Dollars."

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 39.

ABSENT: Representatives Cain, Ferguson — 2.

Therefore the Bill was declared passed by the House.

Representative George brought **HB 1159** before the House for consideration. "An Act to amend Subchapter XI, Title 21 of the Delaware Code by providing for the suspension of Drivers License for non-payment of Parking Tickets, Summonses, or Citations.

Representative George requested the privilege of the floor for Mr. Dave Swayze, City Solicitor of Wilmington.

Representative George moved to place **HB 1159** on the Speaker's Table. Motion was adopted by voice vote.

HB 1142 was placed on the end of the Agenda by Mr. Speaker.

Representative Cain moved to lift **HB 849** from the Speaker's Table. Motion was adopted by voice vote.

Representative Cain moved to lift **HA 2** from the Speaker's Table. **HA 2** was adopted by voice vote.

Representative Billingsley requested **HA 3, 4, 5, 6** be Stricken.

Representative Billingsley brought **HA 7** before the House for consideration. **HA 7** was adopted by voice vote.

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 40.

ABSENT: Representative Brady — 1.

Therefore the Bill was declared passed by the House.

The following pre-filed legislation was introduced:

HB 1231 — "An Act providing a supplementary appropriation to the Division of Historical and Cultural Affairs of the Department of State for the purpose of compensating Harvey Shockley, Jr. for overtime and holiday work." Sponsored by Representative Minner. Assigned to the Appropriations Committee.

HB 1232 — "An Act to amend Chapter 81, Title 9, of the Delaware Code relating to exemptions from Taxation on real property situated in New Castle County." Sponsored by Representative Worthen. Assigned to the Community Affairs Committee.

HB 1233 — "An Act to amend Chapter 60, Title 7,

Delaware Code to require Issuance of a Certification regarding Suitability of Building Lots for installation of Septic Tank Sewage Disposal Systems." Sponsored by Representative Darling. Assigned to the Natural Resources and Environmental Control Committee.

HB 1234 — "An Act to amend Chapter 55, Title 29, Delaware Code relating to State Employees' Pensions." Sponsored by Representatives McGinnis and Derrickson. Assigned to the House Administration Committee.

HS 1 for HB 1121 — "An Act to amend Chapter 9, Part XI, Title 29, of the Delaware Code relating to Committee consideration of Bills and Resolutions." Sponsored by Representative Connor. Assigned to the Community Affairs Committee.

HA 1 to HB 1191 was placed with the Bill. Sponsored by Representative Ambrosino.

HA 1 to HB 1223 was placed with the Bill. Sponsored by Representative Derrickson.

HA 2 to HB 1223 was placed with the Bill. Sponsored by Representative Derrickson.

SB 362 w SA 1 — "An Act to amend Titles 24 and 31, Delaware Code, relating to the eligibility of Chiropractic Physicians for Compensation from Insurance, Group Hospital Services and Related Plans; and further providing Medical Care to the Indigent and Medically Indigent." Sponsored by Senators Murphy, Cook, Isaacs; Representatives Byrd and Miller. Assigned to the Health and Social Services Committee.

SB 724 — "An Act to amend Subchapter V and VI of Chapter 65, Title 11, Delaware Code, relating to the Establishment of two separate Classifications Committee." Sponsored by Senators Sharp, Cook, McCullough, Cicione, Hughes and Elliott. Assigned to the Adult Correction Committee.

SB 725 — "An Act to amend Subchapter VII, Chapter 65, Title 11, Delaware Code, relating to Furloughs for Inmates within the Delaware Correctional Center." Sponsored by Senators Sharp, Cook, McCullough, Cicione, Hughes, Elliott. Assigned to the Adult Corrections Committee.

SB 726 — "An Act to amend Subchapter VI, Chapter 65, Title 11, Delaware Code, relating to Work Release Programs and Policies and attending Educational Classes outside confines of the Correctional Institution." Sponsored by Senators Sharp, Cook, McCullough, Cicione, Hughes, Elliott.

Assigned to the Adult Corrections Committee.

SB 734 — "An Act to amend Chapter 89, Part VIII, Title 29, of the Delaware Code relating to the Department of Correction; and providing certain Criteria for the employment of Personnel." Sponsored by Senators Sharp, Morris and Representative Riddagh. Assigned to the Adult Corrections Committee.

SB 735 — "An Act to amend Chapter 43, Title 11, of the Delaware Code to bar Paroles for Prisoners who escape or attempts to escape." Sponsored by Senator Sharp. Assigned to the Adult Corrections Committee.

SB 794 — "An Act to amend Chapter 1, Title 1 of the Delaware Code relating to the Distribution of the Delaware Code to the State Police." Sponsored by Senator Adams. Assigned to the Community Affairs Committee.

SJR 64 — "Making Bill Frank, Wilmington Morning News Columnist, an Honorary Native of the State of Delaware." Sponsored by Senator McCullough.

Representative Darling moved to suspend all rules for the sole purpose of acting on **HB 694**. Motion was adopted by voice vote.

Representative Darling brought **HB 694** before the House for consideration. "An Act appropriating certain Monies to Lois Katherine Hopkins for the death of her husband, while in the performance of Official Duties in the Line of Service of the State of Delaware."

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 33.

NO: Representatives Billingsley, Seibel — 2.

NOT VOTING: Representatives Hebner, McKay, Ridings — 3.

ABSENT: Representatives Brady, Ferguson, George — 3. Therefore the Bill was declared passed by the House.

Representative LeGates brought **HB 167 w HA 1, 2** before the House for consideration. "An Act to amend Chapter 46, Title 6, of the Delaware Code relating to Equal Rights Housing."

Representative LeGates requested **HA 1** be stricken.

Representative LeGates brought **HA 2** before the House for consideration. **HA 2** was adopted by voice vote.

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 39.

ABSENT: Representatives Lynch and Morris — 2.

Therefore the Bill was declared passed by the House.

Representative Jonkiert deferred **HB 932** to the end of the Agenda, and yielded to Representative Harrington.

Representative Harrington brought **HB 1226** before the House for consideration. "An Act authorizing the State Treasurer to reimburse certain Pensioners for over payment of Blue Cross Premiums; and further providing a supplementary appropriation therefor."

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Worthen, Mr. Speaker — 39.

ABSENT: Representatives Boulden and Temple — 2.

Therefore the Bill was declared passed by the House.

Representative McGinnis moved to recess for caucus at 3:39 p.m.

Call to order at 4:40 p.m.

Mr. Speaker reassigned **HB 943** to the Judiciary Committee from the Appropriations Committee.

Representative Gilligan moved for the suspension of all rules for the purpose of introducing four (4) House Bills. The motion was adopted by voice vote.

Representative Gilligan introduced the following Bills:

HB 1236 — "An Act to amend Chapter 585, Volume 59, Laws of Delaware, authorizing the assignment of Certain Unallocated Funds to the Planned Wilmington Service Center." Assigned to the Health and Social Services Committee.

HB 1237 — "An Act to transfer Land from the Department of Health and Social Services to New Castle County." Assigned to the Appropriation Committee.

HB 1238 — "An Act to transfer Land from the Department of Health and Social Services to New Castle County." Assigned to Community Affairs Committee.

HB 1239 — "An Act to amend Chapter 5, Title 13, Delaware Code, related to the Duty to Support a Minor Child." Assigned to the Health and Social Services Committee.

Representative Kelly moved to suspend all rules for the introduction of **HB 1240**. The motion was adopted by voice vote. "An Act to amend Chapter 79, Title 29, Delaware Code, relating to the Council on Aging, Department of Health and Social Services." Assigned to the Aging Committee.

Representative Cain moved to suspend all rules for the sole purpose of introducing **HB 1241**. The motion was adopted by voice vote. "An Act to amend Chapter 5, Title 31, Delaware Code, relating to Marital Relationships and Eligibility for Public Assistance." Assigned to the Health and Social Services Committee.

Representative Matushefske moved to suspend all rules for the purpose of introducing **HB 1242**. The motion was adopted by voice vote. "An Act to amend Subchapter VII, Subpart B of Title 11, Delaware Code relating to the Operations of Massage Parlors." Assigned to the Judiciary Committee.

Representative Matushefske moved to suspend all rules for the purpose of introducing **HB 1243**. "An Act to amend Chapter 5, Title 10, of the Delaware Code to increase the number of Superior Court Judges." Assigned to the Judiciary Committee.

Representative McGinnis moved to suspend all rules for the introduction of Two Bills as follows: Motion was adopted by voice vote.

HB 1235 — "An Act to provide a supplementary appropriation to the Supreme Court." Assigned to the Appropriation Committee.

HB 1244 — "An Act to amend Title 29, Delaware Code, relating to the State Lottery." Assigned to the Revenue and Finance Committee.

Representative LeGates moved to suspend all rules for the purpose of introducing **HB 1245**. The motion was adopted by

voice vote. "An Act to amend Chapter 74, Title 16, Delaware Code relating to Radiation Control." Assigned to the Health and Social Services Committee.

Representative Cain moved to suspend all rules for the purpose of introducing **HB 1246**. The motion was adopted by voice vote. "An Act to amend Chapter 79, Title 29, Delaware Code, relating to Gifts, Grants, Devises, or Requests to the Department of Health and Social Services." Assigned to the Health and Social Services Committee.

Representative Worthen brought **HB 1163** before the House for consideration.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Byrd, Cain, Connor, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Plant, Powell, Ridings, Rispoli, Seibel, Smith, Worthen, Mr. Speaker — 30.

NO: Representatives Boulden, Darling, Derrickson, Minner, Morris, Riddagh, Sincock, Spence, Temple — 9.

NOT VOTING: Representative Clendaniel — 1.

ABSENT: Representative Ferguson — 1.

Therefore the Bill was declared passed by the House.

Representative Byrd brought **HB 969** before the House for consideration.

Representative Byrd moved to place **HB 969** on the Speakers Table. The motion was adopted by voice vote.

SB 701 w SA 1 was reported out of the Judiciary Committee on four (4) Merits.

Representative Matushefske moved to suspend Agenda Rules for the purpose of acting on **SB 701 w SA 1**.

The House recessed at 5:40 p.m.

The House reconvened at 5:43 p.m.

Roll Call was taken on **SB 701 w SA 1** and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Minner, Morris, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Mr. Speaker — 34.

ABSENT: Representatives Boulden, Byrd, Harrington, Hebner, Miller, Plant, Worthen — 7.

Therefore **SB 701** was declared passed by the House.

Representative Derrickson moved to lift the Roll Call on **SB 56**. Motion was adopted by voice vote. "An Act proposing an Amendment to Article 4, Section 2, 3 and 12 of the Constitution of the State of Delaware by increasing the Supreme Court to Five Justices and providing for a Quorum of the Supreme Court."

Roll Call on **SB 56** revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 40.

ABSENT: Representative Hebner — 1.

Therefore the Bill was declared passed by the House.

Representative Clendaniel brought **SB 766** before the House for consideration. "An Act authorizing the Delaware Institute for Veterinary Medical Education to enter into Contractual Arrangements with the University for positions in their entering classes in Veterinary Medicine for the Academic Year 1977; and further providing a Payback System for Recipients of Financial Assistance."

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 39.

ABSENT: Representatives Matushefske and Powell — 2.

Therefore the Bill was declared passed by the House.

Representative Worthen brought **HB 1192** before the House for consideration. "An Act to amend Chapter 9 and Chapter 11, Title 13 of the Delaware Code relating to Adoption and Termination of Parental Rights."

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McKay, Miller, Minner, Morris, Plant, Riddagh, Ridings, Rispoli,

Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 37.

ABSENT: Representatives Byrd, Derrickson, McGinnis, Powell — 4.

Therefore the Bill was declared passed by the House.

Representative Gordy deferred **SB 597** to the end of the Agenda, and brought **HB 1005** before the House for consideration. "An Act to amend Part IV, Title 16 and Title 21 of the Delaware Code relating to Regulation of Bicycles, Mopeds and Similar Vehicles."

HA 1 was brought before the House by Representative Ridings. **HA 1** was adopted by voice vote.

HA 1 to **HA 1** was brought before the House by Representative Worthen. **HA 1** to **HA 1** was adopted by voice vote.

HA 2 to **HA 1** was brought before the House by Representative Worthen for consideration. **HA 2** to **HA 1** was adopted by voice vote.

Representative Gordy requested the privilege of the floor for Mr. Paul Zimmerman, Executive Director of Motorized Bicycle Association.

The House recessed for Tape repair at 6:22 p.m.

Mr. Speaker called the House to order at 6:30 p.m.

Representative Gordy moved to Table **HB 1005**. Motion was adopted by voice vote.

Representative Lynch moved to lift the Roll Call on **SB 27** — "An Act to amend Chapter 7, Title 14 of the Delaware Code, relating to authority of Teacher's and Administrators in the Public Schools to administer Corporal Punishment."

Roll Call on **SB 27** was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Clendaniel, Darling, Ferguson, Gilligan, Gordy, Harrington, Jornlin, Kelly, Leshner, Lynch, McGinnis, McKay, Minner, Powell, Riddagh, Ridings, Rispoli, Smith, Spence, Temple, Mr. Speaker — 25.

NO: Representatives Billingsley, Cain, Connor, George, Johnson, LeGates, Matushefske, Maxwell, Miller, Morris, Plant, Seibel, Sincock, Worthen — 14.

NOT VOTING: Representatives Derrickson and Hebner — 2.

Therefore the Bill was declared passed by the House.

Representative Temple moved to suspend all rules to introduce **HB 1247** — "An Act authorizing a supplemental

appropriation to the Division of Public Health for the purpose of implementing the State Sanitary Plumbing Code in Sussex County and to provide an additional Sanitarian in Kent County." Motion was adopted by voice vote. Mr. Speaker assigned **HB 1247** to Appropriations Committee.

Representative Darling moved to suspend all rules for the purpose of introducing **HB 1248** — "An Act to amend Chapter 60, Title 7 of the Delaware Code authorizing the Department of Natural Resources and Environmental Control to require Certification and Insurance for conducting Percolation Test for Septic Tank Systems." Mr. Speaker assigned **HB 1248** to Natural Resources and Environmental Control Committee.

Representative Gordy moved to lift **HB 1005** from the Speakers Table, for the purpose of a Roll Call. Motion was adopted by voice vote.

Representative Gordy moved to table Roll Call. Motion was adopted by voice vote.

COMMITTEE REPORTS:

HB 1244 was reported out of Revenue and Finance with 5 Merits.

Reported out of Health and Social Services Committee as follows: **HB 1241** — 2 Merits, 2 Unfavorable; **HB 1246** — 4 Merits; **SB 362** — 3 Merits, 2 Unfavorable; **HB 1236** — 2 Favorable, 3 Merits; **HB 1239** — 2 Favorable, 2 Merits, 1 Unfavorable.

Reported out of Corrections Committee as follows: **SB 735** — 1 Favorable, 5 Merits; **SB 734** — 1 Favorable, 5 Merits; **SB 726** — 1 Favorable, 5 Merits; **SB 725** — 1 Favorable, 4 Merits; **SB 724** — 6 Merits.

Reported out of Appropriations Committee: **HB 1237** — 6 Merits; **HB 1235** — 6 Merits; **HB 1231** — 6 Merits.

HJR 54 was reported out of Education Committee with 2 Favorable, 3 Merits.

HB 1224 was reported out of Natural Resources and Environmental Control Committee with 6 Merits.

HB 1211 was reported out of Education Committee with 4 Merits, 1 Unfavorable.

HB 729 was reported out of Natural Resources and Environmental Control Committee with 5 Merits.

HB 1234 was reported out of House Administration Committee with 3 Favorable, 2 Merits.

Reported out of Natural Resources and Environmental Control Committee as follows: **SS 1** for **SB 318** — 5 Merits; **SB**

753 — 4 Merits, 1 Unfavorable.

Representative McGinnis moved to recess at 7:04 p.m. to the Call of the Chair.

The Speaker called the House to order at 1:45 p.m. June 25, 1976.

COMMITTEE REPORTS:

HB 1240 was reported out of Aging Committee with 1 Favorable, 3 Merits.

HB 1243 was reported out of Judiciary Committee with 1 Favorable, 1 Merits, 3 Unfavorable.

Reported out of Community Affairs Committee as follows:
HB 1232 — 4 Merits; **HB 1238** — 4 Merits.

51ST LEGISLATIVE DAY

The Majority Leader moved to adjourn at 1:47 p.m., thereby ending the previous Legislative Day.

The House reconvened at 1:47 p.m.

A Prayer was offered by Representative Spence.

The Speaker led those present in a Pledge of Allegiance to the Flag.

PRESENT: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 40.

ABSENT: Representative Seibel — 1.

The following pre-filed Legislation was introduced:

HA 2 to HB 1149, sponsored by Representative Gordy, and placed with the Bill.

HA 2 to HB 1178, sponsored by Representative Smith, and placed with the Bill.

HA 1 to HB 1230, sponsored by Representative Cain, and placed with the Bill.

SB 145 — "An Act to amend Subchapter III, Chapter 3, Title 9 of the Delaware Code relating to Award of Contracts for Public Works or Goods." Sponsored by Senator Martin. Assigned to Community Affairs Committee.

SB 768 — "An Act to amend Subchapter I, Chapter 87, Title 9, Delaware Code relating to the Lien for Unpaid Taxes in Kent County. Sponsored by Senator Cook. Assigned to Community Affairs Committee.

SB 769 — "An Act to amend Subchapter II, Chapter 87,

Title 9, Delaware Code relating to the Monition Method of Sale of Lands for Delinquent Taxes." Sponsored by Senator Cook. Assigned to Community Affairs Committee.

SB 804 — "An Act authorizing the New Castle Gunning Bedford School District to pay Mr. Charles E. Stapleford, Sr. six hundred ninety one dollars and twenty cents due to an incorrect calculation on the Operating Allowance Costs of Bus Route No. 28, Contract No. 1005 during the 1973-1974 School Year." Sponsored by Senator Isaacs. Assigned to Appropriations Committee.

HA 2 to SB 466, sponsored by Representative Gordy, and placed with the Bill.

HA 1 to SB 591, sponsored by Representative Lynch, and placed with the Bill.

SJR 65 — "Recognizing Eugene L. Cooper, alias, Corporal George C. Morris as being the only known Delawarean to have taken part in the Battle at the Little Big Horn." Sponsored by Senator Martin. Assigned to Judiciary Committee.

From the Office of Counsel to the Governor, Legislative Advisory #89, The Governor approved the following Legislation:

HB 1021; HB 1048; HB 1110; SB 548; HJR 43;
6/22/76.

SB 582; 6/23/76.

SB 718 w HA 1; HB 1155 w HA 3; 6/24/76.

Representative Boulden brought **SCR 80** before the House for consideration. "Congratulating the Delaware State Volunteer Firemen's Association for rededicating the Volunteer Firemen's Monument as a part of the State's observance of the Bicentennial Year." **SCR 80** was adopted by voice vote.

Representative Connor introduced and brought **HR 178** before the House for consideration. "Demanding and insisting that the Farmer's Bank and the Farmer's Bank Commission cease and discontinue paying money to A. Edwards Danforth, a former officer of the Bank who has left the State."

Mr. Speaker assigned **HR 178** to House Administration Committee.

Representative Connor requested a Roll Call on the assignment of **HR 178** to Committee.

Roll Call was taken and revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel,

Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Worthen, Mr. Speaker Jonkiert — 22.

NO: Representatives Ambrosino, Arnold, Billingsley, Brady, Connor, Derrickson, Hebner, Leshner, Maxwell, McKay, Powell, Riddagh, Ridings, Sincock, Smith, Spence, Temple — 17.

ABSENT: Representatives Darling and Seibel — 2.

Therefore HR 178 was assigned to House Administration Committee.

Representative Gilligan introduced and brought HCR 96 before the House for consideration. "Commending Edward F. Gliwa, M.D. for his outstanding service to the State as he prepares to retire on July 30 as Acting Director of the Division of Public Health." HCR 96 was adopted by voice vote.

Representative Clendaniel moved to suspend the rules for the purpose of acting on SJR 65 — "Recognizing Eugene L. Cooper, Alias Corporal George C. Morris as being the only known Delawarean to have taken part in the Battle at the Little Big Horn." The motion was adopted by voice vote.

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincock, Smith, Temple, Worthen, Mr. Speaker — 36.

NOT VOTING: Representative Derrickson — 1.

ABSENT: Representatives George, Matushefske, Seibel, Spence — 4.

Therefore SJR 65 was declared passed by the House.

Representative Ambrosino brought HR 177 before the House for consideration. "Congratulating William and Lillian Hebner on the Fifty-Fifth Anniversary of their Wedding." HR 177 was adopted by voice vote.

Representative Gordy brought HS 1 to HB 1149 w HA 1 before the House for consideration. "An Act to repeal Chapter 59, Title 29, of the Delaware Code relating to the Merit System and inserting a New Chapter 59."

HA 1 to HS 1 to HB 1149 was brought before the House for consideration, by Representative Minner. HA 1 was adopted by voice vote.

HA 2 to HS 1 to HB 1149 was brought before the House for consideration by Representative Gordy. **HA 2** was adopted by voice vote.

Representative Gordy requested that the Reading Clerk read the following communication from Jack Gibbons, Legislative Council, into the record:

MEMORANDUM

TO: Representative William J. Gordy
 FROM: Jack Gibbons
 Research Analyst
 RE: Department Personnel Roundup
 DATE: June 22, 1976

At your request we checked large and small departments and came up with the answer, unanimous, that the basic personnel work is now being done in the departments and can be done more efficiently and without additional help if the bill is passed to return personnel responsibility to the departments. One secretary of a large department said, "We can do it ourselves a helluva lot more efficiently." Another said that "We do all the work, but the Personnel Office makes the decisions and then we have to redo the work." In the Legislative Council-Comptroller General's Office, with 23 employees, Mrs. Maggie Smith does all the personnel work, including payroll, and she says it takes only 35 percent of her work time.

Among those we talked to in addition to Mrs. Smith were John Bryson, Secretary of the Department of Natural Resources and Environmental Control; Richard Haber, Director of the Division of Highways—both of whom were emphatic for the change—and Herb Dayton, of the Department of Public Safety. All of these agencies have their own personnel sections which would not have to be expanded should the personnel bill pass.

JG:sm

Representative Ridings requested the privilege of the floor for Mr. Fred VanSant from Controller General's Office.

Representative Gordy moved to place **HS 1 to HB 1149** on the Speaker's Table. Motion was adopted by voice vote.

Representative Connor brought **HB 890** before the House for consideration. "An Act to amend Title 11 and Title 29 of the Delaware Code relating to Crime and Criminal Procedure; and providing for Independent Counsel for the Prosecution of Criminal Matters."

Representative Connor brought **HA 1** before the House for consideration. **HA 1** was adopted by voice vote.

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, Leshner, Lynch, Matushefske, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 34.

NO: Representative Brady — 1.

ABSENT: Representatives Byrd, Ferguson, LeGates, Maxwell, Seibel — 5.

Therefore the Bill was declared passed by the House.

Representative Worthen deferred **HB 1126** to the end of the Agenda, and brought **HB 733** before the House for consideration. "An Act to amend Chapter 26, Title 24, of the Delaware Code relating to Physical Therapy; and permitting the Examining Board of Physical Therapists to set fees for Examinations and Temporary Certificates."

Representative Worthen brought **HA 1** to **HB 733** before the House for consideration. **HA 1** was adopted by voice vote.

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 38.

NOT VOTING: Representative Derrickson — 1.

ABSENT: Representatives LeGates and Seibel — 2.

Therefore the Bill was declared passed by the House.

Representative Cain deferred **HB 1095** to the end of the Agenda, and brought **SB 630** before the House for consideration. "An Act to amend Chapter 52 of Title 30, Delaware Code, relating to Penalty Assessments Payable by Mail."

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner,

Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 40.

ABSENT: Representative Seibel — 1.

Therefore the Bill was declared passed by the House.

Representative Cain deferred **HB 1097** to the end of the Agenda and yielded to Representative Lynch.

Representative Lynch brought **HB 623** before the House for consideration. "An Act authorizing the State of Delaware to Borrow Money and Issue Bonds and Noted therefor; and appropriating Funds thus obtained to the Division of Soil Conservation of the Department of Natural Resources and Environmental Control, which Funds shall be expended in accordance with the purposes of the Watershed Protection and Flood Prevention." Representative Lynch moved to table the roll call. The motion was adopted by voice vote.

Representative Kelly deferred **HB 1138** to the end of the Agenda and brought **HB 1240** before the House for consideration. "An Act to amend Chapter 79, Title 29, Delaware Code relating to the Council on Aging, Department of Health and Social Services."

Representative Kelly requested the Privilege of the floor for Eleanor Cain, Director of Aging.

A roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 37.

NOT VOTING: Representative McKay — 1.

ABSENT: Representatives Ferguson, Gordy, Seibel — 3.

Therefore the Bill was declared passed by the House.

Representative Kelly deferred **HB 1112** to the end of the Agenda and yielded to Representative Darling.

Representative Darling brought **HB 1071** before the House for consideration. "An Act to Incorporate the Village of Ardencroft."

Representative Darling brought **HA 1** before the House. **HA 1** was adopted by voice vote.

Representative Darling moved to table the Roll Call on **HB 1071**. Motion was adopted by voice vote.

Representative LeGates brought **SB 259 w SA 1, HA 1,**

HA 5, HA 6, HA 7, HA 8, HA 9, HA 10, HA 11, HA 12, SA 3, before the House.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Minner, Morris, Plant, Powell, Riddagh, Ridings, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 36.

ABSENT: Representatives Boulden, George, Miller, Rispoli, Seibel — 5.

Therefore the Bill was declared passed by the House.

Representative LeGates brought **HB 1116** before the House for consideration. "An Act to amend Chapter 84, Title 29, Delaware Code, relating to Hiring of Seasonal Employees by the Department of Highways and Transportation."

Representative LeGates brought **HA 1** to **HB 1116** before the House for consideration. **HA 1** was adopted by voice vote.

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 38.

ABSENT: Representatives Arnold, Johnson, Seibel — 3.

Therefore the Bill was declared passed by the House.

Representative McGinnis requested the House recess at 3:55 p.m. for Caucus.

The House was called to order at 6:33 p.m.

Representative Rispoli moved to suspend all rules for the purpose of introducing **HB 1249** — "An Act to amend Title 25 of the Delaware Code by creating a New Chapter 46 to provide that the costs of Demolition of Building paid for by Funds of any Municipality or Political Subdivision shall be a Lien upon all Lands within the State owned by the Owners of such Buildings."

Mr. Speaker assigned **HB 1249** to Community Affairs Committee.

Representative Morris brought **SCR 81** before the House for consideration. "Expressing Congratulations and Best

Wishes to the Camden-Wyoming Volunteer Fire Company on its Fiftieth Anniversary." **HCR 81** was adopted by voice vote.

Representative Clendaniel brought **HCR 97** before the House for consideration. "Congratulating Mr. and Mrs. Thurman Adams, Sr. of Bridgeville, on their 60th Wedding Anniversary which they will reach on Monday, June 28, 1976. Motion was adopted on **HCR 97** by voice vote.

Representative Clendaniel brought **HB 1185** before the House for consideration. "An Act to amend Chapter 67, Title 16, of the Delaware Code by permitting an increase in the number of Fire Police."

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincok, Smith, Spence, Temple, Mr. Speaker — 36.

ABSENT: Representatives Connor, Johnson, Minner, Seibel, Worthen — 5.

Therefore the Bill was declared passed by the House.

Representative Cain deferred **HB 880** to the end of the Agenda, and yielded to Representative Matushefske.

Representative Matushefske brought **HB 1217** before the House for consideration. "An Act to amend Chapter 10, Title 14, Delaware Code relating to Vocational School Districts."

Roll Call was taken on **HB 1217** and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Clendaniel, Darling, Ferguson, Gilligan, Gordy, Hebner, Kelly, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Morris, Plant, Powell, Ridings, Rispoli, Sincok, Smith, Temple, Mr. Speaker — 27.

NO: Representatives Billingsley, Brady, Cain, George, LeGates, Riddagh, Spence — 7.

NOT VOTING: Representative Harrington — 1.

ABSENT: Representatives Connor, Derrickson, Johnson, Minner, Seibel, Worthen — 6.

Therefore the Bill was declared passed by the House.

Representative Rispoli brought **SB 707** before the House for consideration. "An Act to amend Chapter 44, Title 9, Delaware Code relating to Kent County by amending the Penalty Provisions for enforcement of Building Codes."

Representative Rispoli moved to place **SB 707** on the

Speaker's Table. Motion was adopted by voice vote.

Representative Rispoli moved to lift **HB 925** from the Speaker's Table. Motion was adopted by voice vote.

Representative Rispoli moved to place **HB 925** on the Speaker's Table. Motion was adopted by voice vote.

Representative Miller moved to lift **HB 1008** from the Speaker's Table. Motion was adopted by voice vote. "An Act to amend Chapter 25, Title 24 of the Delaware Code relating to the Drug Selection Act; and Providing for the Obtaining of Information Concerning the Price Effects of Said Act, If Any."

Representative Miller brought **HA 1** before the House for consideration. Amendment was adopted by voice vote.

Roll Call was taken on **HB 1008** and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 35.

NOT VOTING: Representatives Ferguson, McKay, Ridings — 3.

ABSENT: Representatives Connor, Johnson, Seibel — 3.

Therefore the Bill was declared passed by the House.

Representative McGinnis moved to suspend all rules for the purpose of introducing and acting on **HB 1250** — "An Act to amend Chapter 91, Title 29 of the Delaware Code, relating to the Advanced Planning Fund." Motion was adopted by voice vote.

Roll Call was taken and revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Rispoli, Temple, Worthen, Mr. Speaker — 23.

NO: Representatives Ambrosino, Arnold, Billingsley, Brady, Derrickson, Hebner, Leshner, McKay, Morris, Powell, Ridings, Sincok, Spence — 13.

NOT VOTING: Representatives Riddagh and Smith — 2.

ABSENT: Representatives Connor, Johnson, Seibel — 3.

Therefore the Bill was declared passed by the House.

Representative Minner moved to suspend all rules for the Purpose of bringing **SB 770** out of Committee and acting on the Bill. "An Act to amend Subchapter XI, Chapter 3, Title 31,

Delaware Code relating to Boarding Homes for Children and providing Certain Exemptions.”

Roll Call was taken on the Motion and revealed:

YES: Representatives Ambrosino, Arnold, Cain, Clendaniel, Darling, Derrickson, Ferguson, Gordy, Harrington, Hebner, Leshner, Lynch, Matushefske, McKay, Minner, Morris, Powell, Riddagh, Ridings, Sincok, Smith, Spence, Temple — 23.

NO: Representatives Billingsley, Boulden, Brady, Byrd, George, Gilligan, Kelly, LeGates, Maxwell, Plant, Rispoli, Worthen, Mr. Speaker — 13.

NOT VOTING: Representatives McGinnis and Miller — 2.

ABSENT: Representatives Connor, Johnson, Seibel — 3.

Therefore the motion to suspend the rules on SB 770 passed the House.

Representative Minner moved to place SB 770 on the Speaker's Table. Motion was adopted by voice vote.

Representative Gordy moved to lift HS 1 for HB 1149 from the Speaker's Table. “An Act to repeal Chapter 59, Title 29, of the Delaware Code relating to the Merit System and inserting a new Chapter 59.”

Representative Gordy brought HA 3 before the House for consideration. Motion was adopted by voice vote.

Representative Ridings brought HA 4 to HB 1149 before the House for consideration.

Roll Call on HA 4 to HB 1149 was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Derrickson, Hebner, Leshner, McKay, Powell, Riddagh, Ridings, Sincok, Smith, Spence — 14.

NO: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Gilligan, Gordy, Harrington, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Mr. Speaker — 22.

ABSENT: Representatives Connor, Ferguson, George, Johnson, Seibel — 5.

Therefore HA 4 to HB 1149 was declared defeated.

Representative Gordy moved to Table the Roll Call on HS 1 to HB 1149. Motion was adopted by voice vote.

Representative McGinnis moved for suspension of rules for the purpose of acting on HB 1230 — “An Act amending Titles 2, 3, 7, 9, 17, 21, 23 and 19 of the Delaware Code providing for reorganization of the Department of Highways and

Transportation and making an appropriation for Preliminary Expenses for the New Department of Transportations from the Capital Investment Fund." Motion was adopted by voice vote.

Representative Cain introduced and brought HA 1 before the House for consideration.

Representative Cain moved to Table HA 1 to HB 1230. Motion was adopted by voice vote.

Representative McGinnis requested the privilege of the floor for Secretary John Marlarkey, Department of Finance to explain the next two amendments.

Representative McGinnis introduced and brought HA 2 before the House for consideration. HA 2 was adopted by voice vote.

Representative McGinnis brought HA 3 before the House for consideration. HA 3 was adopted by voice vote.

Representative Cain moved to lift HA 1 from the Speaker's Table. Motion was adopted by voice vote.

Roll Call was taken on HA 1 to HB 1230 and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Cain, Derrickson, Gilligan, Hebner, LeGates, Leshner, McKay, Minner, Powell, Riddagh, Ridings, Sincock, Smith, Spence, Worthen — 19.

NO: Representatives Boulden, Byrd, Clendaniel, Darling, Gordy, Harrington, Lynch, Matushefske, Maxwell, McGinnis, Miller, Morris, Plant, Rispoli, Temple, Mr. Speaker — 16.

NOT VOTING: Representative Kelly — 1.

ABSENT: Representatives Connor, Ferguson, George, Johnson, Seibel — 5.

Therefore HA 1 to HB 1230 was declared lost by the House.

Representative McGinnis requested the personal privilege of the floor for Secretary Malarkey.

Representative McKay requested a ruling from the Chair regarding the necessity of a Fiscal Note for HB 1230. Mr. Speaker ruled that no Fiscal Note was required.

Representative Brady requested the privilege of the floor for House Attorney Mr. Harry Terry.

Roll Call was taken on HB 1230 and revealed:

YES: Representatives Boulden, Byrd, Cain, Darling, George, Gilligan, Gordy, Harrington, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Rispoli, Temple, Worthen, Mr. Speaker — 21.

NO: Representatives Ambrosino, Arnold, Brady, Derrickson, Hebner, Leshner, Morris, Powell, Ridings, Sincock,

Smith, Spence — 12.

NOT VOTING: Representatives Billingsley, McKay, Riddagh — 3.

ABSENT: Representatives Clendaniel, Connor, Ferguson, Johnson, Seibel — 5.

Therefore the Bill was declared passed by the House.

HB 1249 was reported out of Community Affairs Committee with 1 Favorable, 4 Merits.

SB 705 was reported out of House Administration Committee with 1 Favorable, 4 Merits.

Representative McGinnis recessed the House at 7:45 p.m. to the Call of the Chair.

The Speaker called the House to order at 2:05 p.m. June 28, 1976.

Representative Smith moved to suspend all rules for the purpose of introducing a Bill. Motion was adopted by voice vote.

Representative Smith introduced **HB 1256**. Mr. Speaker assigned **HB 1256** to the Labor and Commerce Committee.

52ND LEGISLATIVE DAY

The Majority Leader moved to adjourn at 2:08 p.m., thereby ending the previous Legislative Day.

The House reconvened at 2:08 p.m.

A Prayer was offered by Representative Thomas Temple.

The Speaker led those present in a Pledge of Allegiance to the Flag.

PRESENT: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 41.

The Minutes of the previous day were approved as posted.

Representative Rispoli brought **SB 423** before the House for consideration. "An Act to amend Subchapter I, Chapter 5, Title 9, Delaware Code, relating to Suburban Communities Improvements."

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, Gilligan, Harrington, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Minner, Morris,

Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 35.

ABSENT: Representatives Billingsley, Derrickson, George, Gordy, Hebner, Miller — 6.

Therefore the Bill was declared passed by the House.

Representative Maxwell deferred to Representative Gilligan.

Representative Gilligan brought **SB 765** before the House for consideration, "An Act to amend Subchapter I, Chapter 25, Title 24, Delaware Code relating to Composition of the State Board of Pharmacy."

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Harrington, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 37.

ABSENT: Representatives Billingsley, Byrd, Gordy, Hebner — 4.

Therefore the Bill was declared passed by the House.

Representative LeGates deferred **HB 170 w HA 1** to the end of the Agenda, and brought **HB 1091** before the House for consideration. "An Act to grant approval to the Department of Natural Resources and Environmental Control to purchase a Tract of Land located within the Woodland Beach Wildlife Area, located near Smyrna, Kent County Delaware."

Representative LeGates moved to place **HB 1091** on the Speaker's Table. Motion was adopted by voice vote.

Representative Matushefske moved to suspend the Agenda rules for the purpose of acting on **HB 893** — "An Act to amend Chapter 59, Title 29, Delaware Code by placing Certain Employees of the Justice of the Peace Courts in the Merit System."

Representative Matushefske brought **HA 1** to **HB 893** before the House for consideration. **HA 1** was adopted by voice vote.

Representative Matushefske brought **HA 2** to **HB 893** before the House for consideration. **HA 2** was adopted by voice vote.

Roll Call was taken and revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel,

Darling, Ferguson, Gilligan, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Riddagh, Rispoli, Temple, Mr. Speaker — 23.

NO: Representatives Arnold, Billingsley, Brady, Derrickson, Hebner, Leshner, McKay, Powell, Seibel, Sincock, Smith, Spence, Worthen — 13.

NOT VOTING: Representative Ridings — 1.

ABSENT: Representatives Ambrosino, Connor, George, Gordy — 4.

Therefore the Bill was declared passed by the House.

Representative Rispoli moved to lift **SB 707** from the Speaker's Table. "An Act to amend Chapter 44, Title 9, Delaware Code, relating to Kent County by amending the Penalty Provisions for Enforcement of Building Codes." Adopted by voice vote.

Representative Rispoli moved to place **SB 707** on the Speaker's Table. The motion was adopted by voice vote.

Representative Rispoli moved to lift **HB 925 w HA 1 and 2** from the Speaker's Table. "An Act to amend Chapter 55, Part III, Title 25, Delaware Code relating to Tenant Obligations and Landlord Remedies." The Motion was adopted by voice vote.

HA 2 to HB 925 was brought before the House for consideration by Representative Byrd. **HA 2** was adopted by voice vote.

HA 3 to HB 925 was brought before the House for consideration by Representative Byrd. **HA 3** was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Billingsley, Boulden, Brady, Byrd, Cain, Connor, Ferguson, George, Gilligan, Hebner, Johnson, Kelly, LeGates, Maxwell, McGinnis, Miller, Rispoli, Temple, Worthen, Mr. Speaker — 20.

NO: Representatives Lynch, Sincock, Spence — 3.

NOT VOTING: Representatives Arnold, Clendaniel, Derrickson, Harrington, Leshner, McKay, Riddagh, Ridings, Seibel, Smith — 10.

ABSENT: Representatives Ambrosino, Darling, Gordy, Matushefske, Minner, Morris, Plant, Powell — 8.

Therefore the Bill was defeated in the House.

Representative Gilligan deferred **SB 213** to the end of the Agenda, and brought **HB 1028** before the House for consideration. "An Act making a supplementary

appropriation to the Division of Public Health of the Department of Health and Social Services for Influenza Vaccination."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Powell, Riddagh, Ridings, Rispoli, Sincock, Spence, Temple, Worthen, Mr. Speaker — 38.

NO: Representatives Seibel and Smith — 2.

ABSENT: Representative Plant.

Therefore the Bill was declared passed by the House.

Representative Harrington brought **HB 1194** before the House for consideration. "An Act to provide for a supplementary appropriation to the Department of Justice."

Representative Harrington moved to place **HB 1194** on the Speaker's Table. The motion was adopted by voice vote.

Representative Harrington brought **HB 1195** before the House for consideration. "An Act to provide for a supplementary appropriation to the Department of Justice."

Representative Harrington moved to place **HB 1195** on the Speaker's Table. The motion was adopted by voice vote.

Representative LeGates moved to lift **HB 1091** from the Speaker's Table.

Representative Legates brought **HA 1** to **HB 1091** before the house for consideration.

Representative LeGates requested the privilege of the floor for Mr. Daryl Louder of the Department of Fish and Wildlife.

A recess was called at 3:19 for tape repair.

Call to order at 3:24.

HA 1 to **HB 1091** was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, George, Gordy, Harrington, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, Minner, Plant, Riddagh, Ridings, Rispoli, Smith, Spence, Temple, Worthen, Mr. Speaker — 28.

NO: Representatives Brady, Connor, Derrickson, Hebner, McKay, Morris, Powell, Seibel — 8.

NOT VOTING: Representative Gilligan — 1.

ABSENT: Representatives Darling, Ferguson, Miller,

Sincock — 4.

Therefore the Bill was declared passed by the House.

Representative George brought **SB 596 w SA 1** before the House for consideration. "An Act relating to the salary of Roland R. Harbin, a teacher employed by the New Castle, Gunning Bedford School District."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 39.

ABSENT: Representatives Gordy and Matushefske — 2.

Therefore the Bill was declared passed by the House.

Representative McGinnis brought **HB 718 w HA 1 and HA 2** before the House for consideration. "An Act to amend Chapter 51 of Title 30, Delaware Code relating to Monthly Reports of Distributors."

Representative McGinnis brought **HA 1** to **HB 718** before the House for consideration.

Representative McGinnis requested **HA 1** to **HB 718** be stricken.

Representative McGinnis brought **HA 2** to **HB 718** before the House for consideration. **HA 2** was adopted by voice vote.

Representative McGinnis moved to place **HB 718** on the Speaker's Table. Motion was adopted by voice vote.

Representative Gilligan deferred **HB 324** to the end of the Agenda, and brought **HB 1238** before the House for consideration. "An Act to transfer Land from the Department of Health and Social Services to New Castle County."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 38.

NOT VOTING: Representative Minner — 1.

ABSENT: Representatives Billingsley and Boulden — 2.

Therefore the Bill was declared passed by the House.

Representative McGinnis recessed at 3:43 p.m. for Caucus.

Mr. Speaker called the House to order at 4:55 p.m.

Representative McGinnis moved to suspend all rules for the introduction of **HB 1253**. Motion was adopted by voice vote.

Mr. Speaker assigned **HB 1253** to Appropriations Committee.

Representative McGinnis moved to lift **HB 718** from the Speaker's Table. Motion was adopted by voice vote.

Representative McGinnis brought **HA 3** before the House for consideration. **HA 3** was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 38.

ABSENT: Representatives Brady, Matushefske, Morris — 3.

Therefore the Bill was declared passed by the House.

The House recessed for two minutes at 5:01 p.m.

Mr. Speaker called the House to order at 5:03 p.m.

Representative Harrington moved to lift **HB 1194** from the Speaker's Table. Motion was adopted by voice vote. "An Act to provide a supplementary appropriation to the Department of Justice." Motion was adopted by voice vote.

Representative Harrington brought **HA 1** to **HB 1194** before the House for consideration. **HA 1** was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Spence, Temple, Worthen, Mr. Speaker — 38.

ABSENT: Representatives Matushefske, Minner, Smith — 3.

Therefore the Bill was declared passed by the House.

Representative Harrington moved to lift **HB 1195** from the Speaker's Table. "An Act to provide a supplementary

appropriation to the Department of Justice." Motion was adopted by voice vote.

Representative Harrington brought HA 1 before the House for consideration. HA 1 was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 39.

ABSENT: Representatives Matushefske and Minner — 2.
Therefore the Bill was declared passed by the House.

Representative Cain moved to suspend all rules for the purpose of introducing and acting on HB 1257 — "An Act to amend Chapter 29, Title 24, Delaware Code relating to Real Estate Brokers and Salesmen." Motion was adopted by voice vote.

Representative Cain requested the privilege of the floor for Ms. Shirley Little, Delaware Association of Realtors.

Representative McGinnis stated that he had a conflict of interest on HB 1257, and left the floor.

Representative Powell stated that he had a conflict of interest on HB 1257, and left the floor.

Representative Sincock stated that he had a possible conflict of interest on HB 1257, and therefore would not participate in the action on this Bill.

Representative Cain again requested the privilege of the floor for Ms. Shirley Little.

Representative Cain moved to table HB 1257. Motion was adopted by voice vote.

Representative Plant moved to lift the roll call on HB 759. Motion was adopted by voice vote.

Representative Plant moved to table the roll call on HB 759, and the motion was adopted by voice vote.

Representative Matushefske deferred HB 1102 to the end of the Agenda, and yielded to Representative McGinnis.

Representative McGinnis brought SS 1 for SB 320 before the House for consideration. Representative McGinnis requested the privilege of the floor for Senator Francis Kearns.

Roll call was taken and revealed:

YES: Representatives Byrd, Cain, Clendaniel, Darling, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates,

Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 29.

NO: Representative Boulden — 1.

NOT VOTING: Representatives Arnold, Billingsley, Brady, Connor, Derrickson, Hebner, LeGates, McKay, Ridings — 9.

ABSENT: Representatives Ambrosino and Ferguson — 2.

Therefore the Bill was declared passed by the House.

Representative Gilligan moved to suspend all rules for the purpose of introducing and acting on **HB 1258**. Motion was adopted by voice vote.

Representative Gilligan brought **HB 1258** before the House for consideration. "An Act to amend Chapter 3, Title 28, Delaware Code, relating to the Taxes and Commissions on Pari-Mutuel and Totalizator Pools at Horse Racing Tracks."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Connor, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 37.

NOT VOTING: Representatives Clendaniel, Hebner, Leshner — 3.

ABSENT: Representative Darling — 1.

Therefore the Bill was declared passed by the House.

Representative Matushefske deferred **HB 1103** to the end of the Agenda, and brought **HB 987** before the House for consideration. "An Act making a supplementary appropriation to the Judicial Department to pay Automobile costs incurred by two Constables in the Line of Duty."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Rispoli, Seibel, Sincok, Spence, Temple, Worthen, Mr. Speaker — 35.

NO: Representatives Hebner, Morris, Ridings — 3.

NOT VOTING: Representative Derrickson — 1.

ABSENT: Representatives Darling and Smith — 2.

Therefore the Bill was declared passed by the House.

Representative McGinnis deferred **HB 1150** to the end of the Agenda, and brought **SB 705** before the House for consideration. "An Act to amend Chapter 6, Title 29, Delaware Code relating to Identification of State Vehicles."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Sincok, Spence, Temple, Worthen, Mr. Speaker — 37.

NO: Representatives McKay, Ridings and Smith — 3.

ABSENT: Representative Darling — 1.

Therefore the Bill was declared passed by the House.

Representative Kelly deferred **HB 1120** to the end of the Agenda, and brought **HB 1215** before the House for consideration. "An Act to amend Chapter 25, Title 24, Delaware Code, relating to the Practice of Pharmacy."

Representative Kelly brought **HA 1** to **HB 1215** before the House for consideration. **HA 1** was adopted by voice vote.

Representative Kelly moved to table the Roll Call and the motion was adopted by voice vote.

Representative Clendaniel moved to lift the Roll Call on **HB 992** — "An Act to amend Chapter 5, Title 1, Delaware Code to provide that Return Day shall be a Legal Holiday in 1976 as part of the Statewide observance of the Bicentennial Year."

Roll call was taken and revealed:

YES: Representatives Byrd, Cain, Clendaniel, Darling, Derrickson, Ferguson, George, Gordy, Harrington, Hebner, Johnson, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Ridings, Rispoli, Sincok, Temple, Mr. Speaker — 26.

NO: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Connor, Gilligan, Leshner, McKay, Riddagh, Seibel, Spence, Worthen — 13.

NOT VOTING: Representatives Kelly and Smith — 2.

Therefore the Bill was declared passed by the House.

Representative Gordy moved to lift Roll Call on **HS 1** to **HB 1149**. Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, Gordy, Harrington, Johnson, Kelly,

LeGates, Lynch, Matushefske, McGinnis, Miller, Minner, Morris, Plant, Riddagh, Spence, Temple, Mr. Speaker — 22.

NO: Representatives Ambrosino, Arnold, Billingsley, Brady, Connor, Derrickson, George, Gilligan, Hebner, Leshner, Maxwell, McKay, Powell, Ridings, Rispoli, Seibel, Sincok, Smith, Worthen — 19.

Therefore the Bill was declared passed by the House.

Representative McGinnis moved to recess for dinner at 6:10 p.m.

Call to order at 8:22 p.m.

Representative McGinnis moved to suspend all rules for the introduction of four bills. **HB 1251, 1252, 1254, 1255.**

HB 1251 — “An Act to amend Title 24 and Title 29 of the Delaware Code relating to the establishment of a Board of Massage and relating to the registration of Masseurs and Masseuses and Massage Parlors and providing penalties for Violations thereof.”

HB 1252 — “An Act proposing an Amendment to Section 22 and 23, Article III of the Delaware Constitution and relating to the Office of Sheriff.”

HB 1254 — “An Act to amend Chapter 17, Title 24, Delaware Code relating to Meetings of the Board of Medical Practice.”

HB 1255 — “An Act to amend Title 9, Title 11 and Title 22 of the Delaware Code relating to Police Safety Equipment; providing for restrictions in the purchase of such Equipment, and for State purchase in certain instances.”

HB 1251 was assigned to the Health and Social Services Committee.

HB 1252 was assigned to the Constitutional Revision Committee.

HB 1254 was assigned to the Health and Social Services Committee.

HB 1255 was assigned to the Community Affairs Committee.

Representative LeGates moved to suspend all rules for the introduction of **HB 1259**. The motion was adopted by voice vote. “An Act to amend Chapter 28, Part II, Title 9 of the Delaware Code, and repealing Provisions relating to a Water Supply and Flood Control System in the White Clay Creek Watershed.” **HB 1259** was assigned to the Community Affairs Committee.

Representative Lynch moved to suspend all rules for the

introduction of **HB 1260** — "An Act to amend Chapters 13, 17 and 31, Title 41, of the Delaware Code to include severely Mentally Handicapped Children under the Jurisdiction of the Public School System and to provide an appropriation therefor." The Motion was adopted by voice vote. **HB 1260** was assigned to the Education Committee.

Representative Minner deferred **HB 986** to the end of the Agenda and brought **HB 1231** before the House for consideration. "An Act providing a supplementary appropriation to the Division of Historical and Cultural Affairs of the Department of State for the purpose of compensating Harvey Shockley, Jr. for Overtime and Holiday Work Time."

Roll call was taken and revealed:

YES: Representatives Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Sincock, Spence, Temple, Worthen, Mr. Speaker — 30.

NO: Representatives Hebner, Seibel and Smith — 3.

NOT VOTING: Representatives Ambrosino, Brady and Ridings — 3.

ABSENT: Representatives Arnold, Ferguson, Leshner, Rispoli — 4.

Therefore the Bill was declared passed the House.

Representative Worthen moved to lift **HB 984** from the Speaker's Table. "An Act to amend Chapter 17, Title 14 of the Delaware Code and relating to the Procedure for Certification of Pupil Units by the State Board of Education." The motion was adopted by voice vote. **HA 3** to **HB 984** was brought before the House for consideration, by Representative Worthen. **HA 3** was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 37.

ABSENT: Representatives Arnold, Ferguson, Leshner, Rispoli — 4.

Therefore the Bill was declared pass the House.

Representative Matushefske deferred **HB 1009** to the end of the Agenda and yielded to Representative Gordy.

Representative Gordy brought **SB 773** before the House for consideration. "An Act to amend Chapter 50, Part I, Title 18, of the Delaware Code relating to Insurance Holding Companies in order to provide Notice to the Commissioner of any Declaration of Extraordinary Dividend or other Distribution and to require the Approval of the Commissioner in connection with certain Transactions between Insurance Holding Company Systems."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshar, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 37.

ABSENT: Representatives Arnold, Ferguson, George, Rispoli — 4.

Therefore the Bill was declared passed by the House.

Representative Gilligan deferred **HB 1007** to the end of the Agenda, and brought **HB 1237** before the House for consideration. "An Act to amend Chapter 585, Volume 59, Laws of Delaware, authorizing the Assignment of certain Unallocated Funds to the Planned Wilmington Service Center."

Representative Gilligan moved to table the Roll Call. Motion was adopted by voice vote.

Representative Lynch brought **HB 1089** before the House for consideration. "An Act to amend Chapter 27, Title 24, Delaware Code, relating to Professional Land Surveyors."

Representative Lynch brought **HA 1** to **HB 1089** before the House for consideration. **HA 1** was adopted by voice vote.

Representative Lynch moved to place **HB 1089** on the Speaker's Table. Motion was adopted by voice vote.

Representative Lynch deferred **HJR 42** to the end of the Agenda and yielded to Representative Worthen.

Representative Worthen brought **HS 1** for **HB 321** before the House for consideration.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Billingsley, Boulden,

Byrd, Cain, Clendaniel, Connor, Derrickson, George, Gilligan, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, Miller, Plant, Powell, Seibel, Spence, Temple, Worthen — 26.

NO: Representatives Brady, Darling, Gordy, McKay, Morris, Riddagh, Mr. Speaker — 7.

NOT VOTING: Representatives Ridings and Smith — 2.

ABSENT: Representatives Arnold, Ferguson, Matushefske, Minner, Rispoli, Sincock — 6.

Therefore the Bill was declared passed by the House.

Representative Lynch brought **HB 1037** before the House for consideration. "An Act to amend Chapter 27, Title 21, of the Delaware Code relating to Driver License Permits for those under 18 years of age."

Representative Lynch moved to table the roll call. Motion was adopted by voice vote.

Representative McGinnis moved to lift the Roll Call on **SB 371**. "An Act to amend Subchapter 111, Chapter V, Title 11, Delaware Code, establishing Criminal Offenses for the Pirating of Records and establishing Penalties therefor."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincock, Smith, Temple, Worthen, Mr. Speaker — 37.

NO: Representatives Arnold, Seibel and Spence — 3.

ABSENT: Representative Ferguson — 1.

Therefore the Bill was declared passed by the House.

Representative George moved for the suspension of all rules for the purpose of introducing Thirteen Bills. Motion was adopted by voice vote.

Assigned to Appropriations Committee as follows:

HB 1261 — "An Act making a supplementary appropriation to Geriatrics Services of Delaware, Incorporated."

HB 1262 — "An Act to aid Organizations maintaining Residential Facilities by making appropriations therefor."

HB 1263 — "An Act to aid certain Civic Organizations which maintain Emergency Vehicles by making appropriations therefor."

HB 1264 — "An Act to aid Delaware State Fair, Inc., by making an appropriation therefor."

HB 1265 — “An Act making an appropriation to Big Brothers Association of Northern Delaware, Inc.”

HB 1266 — “An Act making an appropriation to the Delaware Association of Chiefs of Police for Camp Barnes to aid in Operational Expenses.”

HB 1267 — “An Act to aid the Delaware Guidance Services for Children and Youth, Inc., by making an appropriation therefor.”

HB 1268 — “An Act to aid WHYI, Inc., engaged in Educating the People of this State, by making an appropriation therefor.”

HB 1269 — “An Act to aid Veterans’ Organizations by making an appropriation therefor.”

HB 1270 — “An Act making an appropriation to Diamond State Youth, Inc.”

HB 1271 — “An Act to aid Delaware Safety Council, Inc., engaged in Educating the People of this State as to Safety, by making an appropriation therefor.”

HB 1272 — “An Act to aid Mid-Sussex Rescue Squad, Inc., which is organized to Operate and Maintain an Ambulance in the Public Service, by making an appropriation therefor.”

HB 1273 — “An Act to aid certain Fire Companies which are organized to Extinguish Fires or Maintain Ambulances or Rescue Trucks, by making an appropriation therefor.”

HB 1274 — “An Act making appropriations for the Expense of the State Government for the Fiscal Year ending June 30, 1977, and to amend Certain Pertinent Statutory Provisions.”

Representative Morris brought **SB 782** before the House for consideration. “An Act to amend Subchapter VIII, Chapter 65, Title 11, Delaware Code relating to Mandatory Training of Correctional Officers.”

Representative Morris requested the privilege of the floor for Senator Sharp.

Roll call was taken and revealed:

YES: Representatives Boulden, Brady, Cain, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Hebner, Johnson, Kelly, LeGates, Leshner, Matushefske, Maxwell, McGinnis, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 31.

NO: Representatives Clendaniel, Lynch, McKay — 3.

NOT VOTING: Representatives Ambrosino, Byrd, Connor, Harrington, Miller — 5.

ABSENT: Representatives Arnold and Billingsley — 2.
Therefore the Bill was declared passed by the House.

Representative Cain moved to lift **HB 1257** from the Speaker's Table. Motion was adopted by voice vote.

Privilege of the floor was requested for House Attorney by Representative Smith. The privilege of the floor was granted to House Attorney Mr. Wagner.

Representative Cain moved to place **HB 1257** on the Speaker's Table. Motion was adopted by voice vote.

Representative Jonkiert moved to lift **HB 681** from the Speaker's Table. "An Act proposing an Amendment to Article I, Section 4, of the Constitution of Grand Juries and the Vote necessary to find a Bill of Indictment from the Constitution." Motion adopted by voice vote. He then moved to Table the Roll Call, and the Motion was adopted by voice vote.

The following pre-filed legislation was introduced:

HB 1253 — "An Act appropriating certain Unexpended Bond Funds of State for the repair of the Roof of the Octagonal Schoolhouse." Sponsored by Representative McGinnis. Assigned to the Appropriations Committee.

HB 1251 — "An Act to amend Title 24 and Title 29, of the Delaware Code relating to the establishment of a Board of Massage and relating to the Registration of Masseurs and Massage Parlors and providing Penalties for Violations thereof." Sponsored by Representative McGinnis. Assigned to the Health and Social Services Committee.

HB 1252 — "An Act proposing an Amendment to Section 22 and 23, Article III, of the Delaware Constitution and relating to the Office of Sheriff." Sponsored by Representative Brady and Seibel. Assigned to the Constitutional Revisions Committee.

HB 1254 — "An Act to amend Chapter 17, Title 24, Delaware Code relating to Meetings of the Board of Medical Practice." Sponsored by Representative Gilligan. Assigned to the Health and Social Services Committee.

HB 1255 — "An Act to amend Title 9, Title 11 and Title 22 of the Delaware Code relating to Police Safety Equipment; providing for Restrictions in the purchase of such Equipment, and for State Purchase in certain Instances." Sponsored by Representatives Connor, Ferguson, and Senator Murphy. Assigned to the Community Affairs Committee.

HA 2 to HB 942 was placed with the Bill. Sponsored by Representative LeGates.

HA 2 to HB 965 was placed with the Bill. Sponsored by Representative Lynch.

HA 2 to HB 1005 was placed with the Bill. Sponsored by Representative Ridings.

HA 1 to HB 1208 was placed with the Bill. Sponsored by Representative Ambrosino.

HA 1 to HB 1215 was placed with the Bill. Sponsored by Representative Kelly.

SB 415 w SA 3, 4 — "An Act to amend Chapter 12 of Title 3, Delaware Code, relating to the Registration Classification of Pesticide Products and Certification of those who use Pesticides classified for restricted use and further providing for the Enforcement of same." Sponsored by Senator Isaacs. Assigned to the Agriculture Committee.

SB 566 w SA 1, 2 — "An Act to amend Chapter 55 of Title 14, Delaware Code, providing for Optometric Institutional Aid and further providing a supplementary appropriation thereof." Sponsored by Senator Cicione. Assigned to the Education Committee.

SB 708 — "An Act to amend Chapter 1, of Title 23, Delaware Code relating to Navigation and Waters, and providing Pilotage Rates for Duly Licensed Pilots." Sponsored by Senators Cook, Isaacs and Cordrey. Assigned to the Community Affairs Committee.

SB 709 (2/3) — "An Act proposing an Amendment to Section I, Article VIII, of the Constitution of the State of Delaware relating to Taxation and the Power of Counties and Incorporated Municipalities to exempt Property within their respective Boundaries from Property Taxation." Sponsored by Senator Isaacs. Assigned to the Agriculture Committee.

SB 717 — "An Act authorizing and directing the Board of Pension Trustees to process and grant a Disability Pension for Ann E. Cannon for her years of service as Deputy Clerk for the Magistrate 11, New Castle, Delaware; and further providing a supplementary appropriation thereof." Sponsored by Senator McCullough and Representative Connor. Assigned to the Appropriation Committee.

SB 809 — "An Act authorizing and directing the Board of Pension Trustees to accept the Application for a Survivors Pension from Mrs. Bessie George, widow of the late John C. George. A former Employee of the Division of Highways, and further providing a supplementary appropriation therefor." Sponsored by Senator Isaacs. Assigned to the Appropriation Committee.

SB 808 — "An Act to amend Chapter 65, Title 65, of Title

29, Delaware Code, relating to the Powers of the Board of Trustees of Delaware State College regarding Salary Supplements for certain Employees. Sponsored by Senator Zimmerman. Assigned to the Appropriation Committee.

SB 760 — "An Act to amend Chapter 45, Title 21, Delaware Code relating to use of Highways by Department of Highways and Transportation Vehicles." Sponsored by Senator Steele. Assigned to the Highways and Transportation Committee.

HA 3 to **SS 1** for **SB 372** was placed with the Bill. Sponsored by Representative Connor.

Representative Matushefske brought **HB 1196 w SA 1** before the House for consideration. "An Act to amend Part C, Subchapter III, Title 10 of the Delaware Code relating to the Visitation Rights of Grandparents."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Boulden, Brady, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Leshner, Lynch, Matushefske, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincock, Spence, Temple, Mr. Speaker — 32.

NO: Representatives McKay, Seibel and Worthen — 3.

NOT VOTING: Representative Maxwell — 1.

ABSENT: Representatives Arnold, Billingsley, Byrd, Johnson, Sincock — 5.

Therefore the Bill was declared passed by the House.

Representative Maxwell moved to lift **SB 115** from the Speaker's Table. "An Act to amend Chapter 5, of Title 4, Delaware Code, relating to the Grounds for Refusal of License." Motion was adopted by voice vote.

Representative Matushefske requested the privilege of the floor for House Attorney John Rich.

Representative Maxwell moved to place **SB 115** on the Speaker's Table. Motion was adopted by voice vote.

Representative Lynch moved to lift **HB 1089** from the Speaker's Table. "An Act to amend Chapter 27, Title 24, Delaware Code, relating to Professional Land Surveyors." Motion was adopted by voice vote.

Representative Sincock brought **HA 2** to **HB 1089** before the House for consideration. **HA 2** was adopted by voice vote.

Representative Lynch moved to table the Roll Call. Motion was adopted by voice vote.

Representative Rispoli moved to lift **SB 707** from the Speaker's Table. "An Act to amend Chapter 44, Title 9, Delaware Code, relating to Kent County by amending the Penalty Provisions for enforcement of Building Codes." Motion was adopted by voice vote.

HA 1 to the Bill was brought before the House by Representative Rispoli. **HA 1** was adopted by voice vote.

Representative Rispoli moved to table the roll call on **SB 707**. Motion was adopted by voice vote.

Representative McGinnis brought **HB 1210** before the House for consideration. "An Act making a supplementary appropriation to the Department of Community Affairs and Economic Development for the purpose of paying Compensation due certain Department Personnel for Fiscal Year 1974."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Sincok, Spence, Temple, Worthen, Mr. Speaker — 36.

NOT VOTING: Representatives Hebner and Smith — 2.

ABSENT: Representatives Arnold, Billingsley, Ridings — 3.

Therefore the Bill was declared passed by the House.

HJR 32 was placed on the end of the Agenda by Mr. Speaker.

Representative McGinnis brought **HB 1213** before the House. "An Act to amend Chapter 27, Volume 60, Laws of Delaware entitled "An Act authorizing the State of Delaware to borrow money to be used for Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes therefor and appropriating the Monies to various Agencies of the State and to borrow money to be used for the Local Share of School Construction Programs and to Issue Bonds and Notes therefor and appropriating the Monies to the State Board of Education on behalf of the Local School Districts." He then moved to place the Bill on the Speakers Table, and the motion was adopted by voice vote.

Representative McGinnis brought **HB 1154** before the House for consideration by request. "An Act directing the transfer of Oak Grove School site of East Dover Hundred Kent County, Delaware, to J. Ward Hurley and Mildred J. Hurley.

Representative McGinnis moved to table the Roll Call. Motion was adopted by voice vote.

Representative Gordy brought **SB 741** before the House for consideration. "An Act to amend Chapter 3, Title 21, Delaware Code relating to Uncollectable Checks."

Representative Gordy moved to place **SB 741** on the Speaker's Table. Motion was adopted by voice vote.

Representative Gordy brought **SB 750** before the House for consideration. "An Act to amend Chapter 27, Title 21 of the Delaware Code relating to Suspension of Drivers Licenses."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Spence, Temple, Worthen — 29.

NO: Representatives Seibel and Mr. Speaker — 2.

NOT VOTING: Representatives Derrickson, Leshner, Maxwell, Sincok, Smith — 5.

ABSENT: Representatives Arnold, Billingsley, Matushefske, McKay, Ridings — 5.

Therefore the Bill was declared passed by the House.

Representative McGinnis deferred **SJR 57** to the end of the Agenda, and yielded to Representative Cain.

Representative Cain brought **HB 1147** before the House for consideration. "An Act to amend Chapter 23, Title 30, Delaware Code relating to Vending Machine License and Identifying Labels."

Representative Cain moved to table the Roll Call. Motion was adopted by voice vote.

Representative Plant moved to lift the Roll Call on **HB 759** — "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." Motion was adopted by voice vote.

Representative Plant moved to table Roll Call. Motion was adopted by voice vote.

Representative Riddagh moved to suspend all rules for the purpose of introducing and acting on **HB 1275** — "An Act to amend Chapter 5, Title 1 of the Delaware Code relating to Legal Holidays, and designating May 30 as Memorial Day." Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Boulden, Brady, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Sincok, Spence, Temple, Mr. Speaker — 31.

NO: Representatives George, Seibel, Temple — 3.

NOT VOTING: Representatives Byrd, Johnson, Miller — 3.

ABSENT: Representatives Arnold, Billingsley, Ridings, Smith — 4.

Therefore the Bill was declared passed by the House.

Reported out of Agriculture Committee as follows: **SB 709** — 3 Favorable, 1 Merits; **SB 415** — 4 Merits.

Reported out of Appropriations Committee as follows: **SB 561** — 6 Merits; **SB 808** — 6 Merits; **HB 1253** — 6 Merits; **HB 1261** — 6 Merits; **HB 1262** — 6 Merits; **HB 1263** — 6 Merits; **HB 1264** — 5 Merits; **HB 1265** — 6 Merits; **HB 1266** — 6 Merits; **HB 1267** — 6 Merits; **HB 1268** — 6 Merits; **HB 1269** — 6 Merits; **HB 1270** — 6 Merits; **HB 1271** — 6 Merits; **HB 1272** — 6 Merits; **HB 1273** — 5 Merits; **HB 1274** — 5 Merits, 1 Unfavorable.

Reported out of Public Safety Committee as follows: **HB 1188** — 1 Merits, 3 Unfavorable; **HB 1184** — 4 Merits; **HB 1183** — 2 Merits, 2 Unfavorable.

HB 768 was reported out of Appropriations Committee with 4 Merits.

HB 1254 was reported out of Health and Social Services Committee with 2 Favorable, 3 Merits; **HB 1245** with 5 Merits.

SB 670 was reported out of Judiciary Committee with 4 Merits.

Reported out of Appropriations Committee as follows: **SB 751** — 4 Merits; **SB 804** — 4 Merits; **HB 1247** — 4 Merits; **HB 1079** — 4 Merits.

HB 519 was reported out of Constitution Revision Committee with 6 Merits.

Representative Cain moved to strike **HB 1246**.

Representative McGinnis moved to recess the House at 11:39 p.m. to the Call of the Chair.

53RD LEGISLATIVE DAY

The Speaker called the House to order at 1:55 p.m. June 29, 1976.

The Majority Leader moved to adjourn at 1:55 p.m.,

53RD LEGISLATIVE DAY

thereby ending the previous Legislative Day.

The House reconvened at 1:56 p.m.

A Prayer was offered by Reverend John T. Randolph.

The Speaker led those present in a Pledge of Allegiance to the Flag.

PRESENT: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 40.

ABSENT: Representative Leshner — 1.

The Clerk informed the House that the Senate had passed the following legislation: **SB 807; HB 792; HB 953 w HA 1; HB 1081; HB 1200; HB 1101 — 6/28/76. SB 768; SB 769; SB 804; HB 1111 w HA 1; HJR 47 — 6/24/76. SB 145; SJR 65; HCR 95 — 6/24/76. SB 717; HB 142; HCR 97; HCR 96 — 6/25/76. SB 753 w SA 1; HB 1139; HB 1035 w HA 2; HB 1128 — 6/22/76. SB 709; SB 566 w SA 1, 2; HB 1067 w HA 1; SCR 81; HB 554; SB 760; SB 808; SB 809; HB 1099 w HA 1; HB 1171; SB 415 w SA 1, 3, 4; SB 708; HS 1 for HB 1105; HB 1027; HB 1228; HB 629 w HA 1 — 6/25/76. SB 749; SB 776; HB 262 w HA 1, 2, 3, 5; SB 803 w SA 1; HB 1226; HB 1134; HB 261 w SA 1, HA 1; HB 1196 w SA 1; SB 805 w SA 1; HB 1065; SB 819; SB 368; HS 1 for HB 927; HB 928 w HA 1 — 6/28/76.**

From the Office of Counsel to the Governor: Legislative Advisory #90. The Governor approved the following legislation: **HB 1155 w HA 3 — 6/24/76.**

Legislative Advisory #91: The Governor approved the following Legislation: **HB 803 w SA 1; HB 1207; HB 1198; HB 1199 w HA 1; HB 1128 — 6/28/76.**

Representative Kelly moved to strike **HB 1138** and **HB 1112**.

Reported out of Community Affairs Committee as follows: **SB 768 — 4 Merits; SB 769 — 4 Merits; HB 1259 — 1 Favorable, 3 Merits.**

Representative Harrington brought **HCR 98** before the House for consideration. "Expressing the sorrow of the Members of the 128th General Assembly at the death of Sheriff Eugene J. Mills of Sussex County." **HCR 98** was adopted by voice vote.

Representative McGinnis moved to suspend all rules for the purpose of introducing and acting on **HJR 55** — “Memorializing each Member of the Delaware Congressional Delegation to use the influence of their Office to defeat any Federal Legislation concerning Federal Incorporation Laws.” Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 37.

ABSENT: Representatives Ambrosino, Brady, Leshner, Ridings — 4.

Therefore the Bill was declared passed by the House.

Representative Byrd moved to suspend all rules for the purpose of acting **SJR 66** — “Directing the Secretary of the Department of Natural Resources and Environmental Control to take positive action in the matter of protecting jobs while abating Air Pollution in the State.” **HA 1** to **SJR 66** was brought before the House for consideration, by Representative Byrd.

Roll call was taken and revealed:

YES: Representatives Billingsley, Boulden, Byrd, Cain, Clendaniel, Darling, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, McGinnis, McKay, Miller, Minner, Morris, Plant, Riddagh, Rispoli, Sincock, Spence, Temple, Worthen, Mr. Speaker — 29.

NO: Representatives Ambrosino, Arnold, Connor, George, Maxwell, Powell, Seibel, Smith — 8.

ABSENT: Representatives Brady, Leshner, Matushefske, Ridings — 4.

Therefore **HA 1** was declared passed by the House.

Roll call was taken on **SJR 66** and revealed:

YES: Representatives Arnold, Billingsley, Boulden, Byrd, Clendaniel, Connor, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Riddagh, Rispoli, Seibel, Sincock, Spence, Temple, Worthen, Mr. Speaker — 30.

NO: Representatives Ambrosino, George, Smith — 3.

ABSENT: Representatives Brady, Cain, Darling, Hebner, Leshner, Matushefske, Powell, Ridings — 8.

Therefore **SJR 66 w HA 1** was passed by the House.
 Representative McGinnis recessed the House for Caucus
 at 2:30 p.m.

Mr. Speaker called the House to order at 4:34 p.m.

Representative George moved to suspend the Agenda Rules for the purpose of considering **HB 1274** — "An Act making appropriations for the Expense of the State Government for the Fiscal Year ending June 30, 1977, and to amend certain Pertinent Statutory Provisions." Motion was adopted by voice vote.

Representative George brought **HA 1** to **HB 1274** before the House for consideration.

Roll call was taken on **HA 1** to **HB 1274** and revealed:

YES: Representatives Boulden, Byrd, Cain, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Spence, Temple, Worthen, Mr. Speaker — 28.

NO: Representatives Ambrosino, Arnold, Billingsley, Connor, Hebner, Ridings, Seibel, Sincok, Smith — 9.

NOT VOTING: Representative Clendaniel — 1.

ABSENT: Representatives Brady, Leshner, Miller — 3.

Therefore **HA 1** was declared part of the Bill by Mr. Speaker.

Representative George requested the privilege of the floor for Mr. Duane Olson, The Controller General.

Representative Ambrosino introduced **HA 2** to **HB 1274** before the House for consideration.

Representative George moved to table **HA 2** to **HB 1274**. The motion was adopted by voice vote.

Representative Ambrosino introduced **HA 3** to **HB 1274**, before the House for consideration.

Roll call was taken on **HA 3** and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Cain, Connor, Derrickson, Ferguson, Gordy, Hebner, Maxwell, McKay, Powell, Riddagh, Ridings, Seibel, Sincok, Smith, Spence, Worthen — 19.

NO: Representatives Boulden, Byrd, Darling, George, Harrington, Johnson, Lynch, Plant, Rispoli, Mr. Speaker — 10.

NOT VOTING: Representatives Clendaniel, Gilligan, Kelly, LeGates, McGinnis, Miller, Minner, Morris, Temple — 9.

ABSENT: Representatives Brady, Leshner, Matushefske — 3.

Therefore the Amendment was declared defeated by the House.

The House recessed at 5:19 for two (2) minutes.

The House was called to order at 5:21.

Representative Connor brought HA 4 before the House for consideration.

Representative George moved to table HA 4.

Roll call was taken and revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Mr. Speaker — 24.

NO: Representatives Ambrosino, Arnold, Billingsley, Connor, Derrickson, Hebner, McKay, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence — 14.

NOT VOTING: Representative Maxwell — 1.

ABSENT: Representatives Brady and Leshner — 2.

Therefore the Amendment was declared tabled by the House.

Representative Connor brought HA 5 before the House for consideration.

Representative McGinnis moved to Table HA 5 to HB 1274.

Roll call was taken on the motion to Table HA 5 and revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Morris, Plant, Rispoli, Temple, Mr. Speaker — 22.

NO: Representatives Ambrosino, Arnold, Billingsley, Connor, Derrickson, Hebner, McKay, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence — 14.

NOT VOTING: Representatives Minner and Worthen — 2.

ABSENT: Representatives Brady, George, Leshner — 3.

Therefore the amendment was placed on the Speaker's Table.

Representative Billingsley requested the privilege of the floor for House Attorney John Rich.

Representative Ambrosino requested the privilege of the floor for House Attorney John Rich.

Representative Ridings requested the privilege of the floor

for Mr. Duane Olsen, Controller General.

Representative George moved to Table the Roll Call on **HB 1274**.

Motion was adopted by a voice vote.

Representative McGinnis moved to recess at 6:15 p.m.

Mr. Speaker called the House to order at 7:56 p.m.

Representative Plant moved to lift Roll Call on **HB 759** — "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." Motion was adopted by voice vote.

Roll call on **HB 759** revealed:

YES: Representatives Ambrosino, Brady, Byrd, Cain, George, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Riddagh, Rispoli, Temple, Worthen, Mr. Speaker — 21.

NO: Representatives Arnold, Billingsley, Boulden, Clendaniel, Connor, Darling, Derrickson, Gilligan, Gordy, Leshner, McKay, Morris, Powell, Ridings, Seibel, Sincock, Smith, Spence — 18.

NOT VOTING: Representative Ferguson — 1.

ABSENT: Representative Hebner — 1.

Therefore the Bill was declared passed by the House.

Representative McGinnis moved to suspend the Agenda rules to act on **HB 1223** — "An Act to amend Chapter 80, of Title 15 of the Delaware Code relating to the Contributions and Expenditures." Motion was adopted by voice vote.

Representative Derrickson brought **HA 1** to **HB 1223** before the House for consideration, and moved to Strike **HA 1**.

Representative Derrickson brought **HA 2** before the House for consideration. Representative Derrickson moved to Strike **HA 2**.

Representative McGinnis brought **HA 3** before the House for consideration. **HA 3** was adopted by voice vote.

Representative Derrickson brought **HA 4** before the House, and requested that it be stricken.

Representative Derrickson brought **HA 5** to **HB 1223** before the House for consideration. Motion was adopted by voice vote.

Representative McGinnis requested the privilege of the floor for Mr. Clifford Hearne.

Representative Matushefske moved to place **HB 1223** on the Speakers Table.

Roll call on the motion was taken and revealed:

YES: Representatives Connor, Ferguson, Johnson, Maxwell, Morris, Rispoli, Temple — 7.

NO: Representatives Arnold, Billingsley, Byrd, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Lynch, McGinnis, McKay, Minner, Powell, Riddagh, Ridings, Seibel, Sincok, Smith, Spence, Worthen, Mr. Speaker — 25.

ABSENT: Representatives Ambrosino, Brady, Boulden, Cain, Clendaniel, Leshner, Matushefske, Miller, Plant — 9.

Therefore the Bill remained before the House.

Representative Ferguson requested the privilege of the floor for House Attorney Mr. John Rich.

Representative Gilligan brought **HA 6** before the House for consideration. **HA 6** was adopted by voice vote.

Representative Derrickson introduced and brought **HA 7** before the House for consideration. **HA 7** was adopted by voice vote.

Representative McGinnis moved to place **HB 1223** on the Speaker's Table. Motion was adopted by voice vote.

Representative Cain moved to lift **HB 1257** from the Speaker's Table. "An Act to amend Chapter 29, Title 24, Delaware Code relating to Real Estate Brokers and Salesmen."

HA 1 to **HB 1257** was brought before the House by Representative Connor. **HA 1** was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McKay, Miller, Minner, Morris, Plant, Riddagh, Ridings, Rispoli, Seibel, Smith, Spence, Temple, Worthen, Mr. Speaker — 34.

NOT VOTING: Representatives Derrickson, Harrington, Powell, Sincok — 4.

ABSENT: Representatives Byrd, Leshner, McGinnis — 3.

Therefore the Bill was declared passed by the House.

Representative Cain moved to suspend all rules for the purpose of introducing and acting on **HB 1278** — "An Act to amend Chapter 14, Title 2 of the Delaware Code relating to the Collection of Tolls on the Delaware Turnpike."

Motion was adopted by voice vote.

Representative Cain brought **HB 1278** before the House for consideration.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Seibel, Sincok, Smith, Spence, Worthen, Mr. Speaker — 37.

NO: Representative Rispoli — 1.

NOT VOTING: Representative Temple — 1.

ABSENT: Representatives Leshner and McGinnis — 2.

Therefore the Bill was declared passed by the House.

Representative Matushefske brought **HB 1243** before the House for consideration.

Representative Matushefske moved to place **HB 1243** on the Speaker's Table. Motion was adopted by voice vote.

Representative McGinnis deferred **HB 1150** to the end of the Agenda, and brought **HB 1234** before the House for consideration. "An Act to amend Chapter 55, Title 29, Delaware Code relating to State Employees Pensions."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Temple, Worthen, Mr. Speaker — 36.

NO: Representatives Boulden and Minner — 2.

NOT VOTING: Representatives Hebner and Spence — 2.

ABSENT: Representative LeGates — 1.

Therefore the Bill was declared passed the House.

Representative LeGates brought **HB 1259** before the House for consideration. "An Act to amend Chapter 28, Part II, of the Delaware Code and repealing Provisions relating to a Water Supply and Flood Control System in the White Clay Creek Watershed."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant,

Powell, Riddagh, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 38.

ABSENT: Representatives Cain, Leshner, Ridings — 3.

Therefore the Bill was declared passed by the House.

Representative Jonkiert brought **HB 1184** before the House for consideration. "An Act to amend Chapter 21, Title 21, Delaware Code relating to Penalties for the improper display of Tags on Motor Vehicles."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Cain, Connor, Derrickson, George, Gilligan, Hebner, Johnson, Kelly, Lynch, McKay, Miller, Plant, Riddagh, Rispoli, Smith, Temple, Worthen, Mr. Speaker — 22.

NO: Representatives Boulden, Clendaniel, Darling, Gordy, Harrington, McGinnis, Morris, Powell, Seibel, Sincok, Spence — 11.

NOT VOTING: Representatives Ferguson and Minner — 2.

ABSENT: Representatives Byrd, LeGates, Leshner, Matushefske, Maxwell, Ridings — 6.

Therefore the Bill was passed by the House.

Representative Derrickson moved to rescind the Roll Call on **HB 1234**. The Motion was adopted by voice vote.

Representative Ambrosino, Connor, Maxwell, Gordy, Kelly, Miller, George, Gilligan, stated a conflict of interest on **HB 1234**.

Roll call was again taken on **HB 1234** and revealed:

YES: Representatives Arnold, Billingsley, Boulden, Byrd, Cain, Darling, Derrickson, Ferguson, Harrington, Johnson, LeGates, Lynch, McGinnis, McKay, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Worthen, Mr. Speaker — 24.

NO: Representatives Brady and Minner — 2.

NOT VOTING: Representatives Ambrosino, Clendaniel, Connor, George, Gilligan, Gordy, Hebner, Kelly, Maxwell, Miller, Morris, Spence, Temple — 13.

ABSENT: Representatives Leshner and Matushefske — 2.

Therefore the Bill was declared passed by the House.

Representative Miller moved to lift the roll call on **HB 879**. The Motion was adopted by voice vote.

Representative Miller moved to rescind the roll call on **HB 879**. The Motion was adopted by voice vote.

Representative Miller moved to suspend the rules to introduce and act on **HS 1** for **HB 879** — "An Act to amend

Chapter 15, Title 13 of the Delaware Code relating to Divorce and Annulment; and providing for Alimony under certain circumstances." The Motion was adopted by voice vote.

Roll call on the Bill was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Byrd, Cain, Clendaniel, Connor, Derrickson, Ferguson, George, Gordy, Harrington, Hebner, Kelly, LeGates, Lynch, Matushefske, McGinnis, McKay, Miller, Plant, Powell, Riddagh, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen — 31.

NO: Representatives Boulden, Darling, Morris, Ridings, Mr. Speaker — 5.

NOT VOTING: Representatives Gilligan, Johnson, Maxwell — 3.

ABSENT: Representatives Leshner and Minner — 2.

Therefore the Bill was declared passed by the House.

Representative Connor requested to strike **HB 1121**.

Representative Connor moved to suspend rules to act on **HS 1 to HB 1121**.

The motion was withdrawn.

Representative Jonkiert brought **HB 1183** before the House for consideration. "An Act to amend Chapter 21, Title 21, Delaware Code relating to Penalties for the improper display of Tags on Motor Vehicles."

Representative Jonkiert moved to table the Roll Call on **HB 1183**. The motion was adopted by voice vote.

Representative Connor moved to suspend all rules to act on **HS 1 for HB 1121** — "An Act to amend Chapter 9, Part II, Title 29 of the Delaware Code relating to Committee Consideration of Bills and Resolutions." The motion was adopted by voice vote.

Representative Matushefske moved to place **HS 1 to HB 1121** on the Speaker's Table.

Roll call on the Motion was taken and revealed:

YES: Representatives Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gordy, Harrington, Johnson, LeGates, McGinnis, Minner, Rispoli, Worthen, Mr. Speaker — 15.

NO: Representatives Ambrosino, Arnold, Boulden, Brady, Connor, Derrickson, Gilligan, Hebner, Kelly, Lynch, Matushefske, Maxwell, McKay, Miller, Morris, Plant, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence, Temple — 24.

ABSENT: Representatives Billingsley and Leshner — 2.

Therefore the Bill remained before the House.

Roll call was then taken on the Bill and revealed:

YES: Representatives Ambrosino, Arnold, Brady, Connor, Derrickson, Hebner, Maxwell, McGinnis, McKay, Minner, Riddagh, Ridings, Sincock, Smith, Spence — 15.

NO: Representatives Billingsley, Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Morris, Plant, Seibel, Temple, Worthen, Mr. Speaker — 22.

NOT VOTING: Representative Powell — 1.

ABSENT: Representatives Leshner, Miller, Rispoli — 3.

Therefore the Bill was declared defeated by the House.

Representative Ferguson moved to suspend all rules for the purpose of introducing and acting on **HB 1279** — "An Act to amend Title 9, of the Delaware Code relating to the Application of the New Castle County Zoning and Subdivision Regulations to Land, Building and Other Structures used or to be used for Hospital Purposes." The motion was adopted by voice vote.

Representative Ferguson brought **HB 1279** before the House for consideration. "An Act to amend Title 9, of the Delaware Code relating to the Application of the New Castle County Zoning and Subdivision Regulations to Lands, Buildings, and Other Structures used or to be used for Hospital Purposes."

Representative Byrd requested privilege of the floor for House Attorney, John Rich.

Roll call on the Bill was taken and revealed:

YES: Representatives Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Powell, Riddagh, Ridings, Seibel, Sincock, Spence, Temple, Worthen — 31.

NO: Representatives Ambrosino, Brady, George, Hebner, Johnson, Plant, Rispoli, Smith, Mr. Speaker — 9.

ABSENT: Representative Leshner — 1.

Therefore the Bill was declared passed by the House.

Representative Rispoli brought **HB 1249** before the House for consideration. "An Act to amend Title 25, of the Delaware Code by creating a New Chapter 46 to provide that the Costs of Demolition Subdivision shall be a Lien upon all Lands within the State owned by the Owners of such Buildings."

Roll call on the Bill was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Ferguson, George, Gilligan, Gordy, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Plant, Powell, Riddagh, Rispoli, Seibel, Smith, Spence, Temple, Worthen, Mr. Speaker — 33.

NO: Representatives Darling, Minner and Morris — 3.

NOT VOTING: Representative Derrickson — 1.

ABSENT: Representatives Harrington, Lesh, Ridings, Sincok — 4.

Therefore the Bill was declared passed by the House.

Representative George moved to suspend all rules to act on **SB 817** — “An Act to provide a supplemental appropriation to the Office of the Budget, for Salary Increases provided by Volume 60, Chapter 187, Laws of Delaware.” The motion was adopted by voice vote.

Roll call on the Bill was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Plant, Riddagh, Rispoli, Sincok, Temple, Worthen, Mr. Speaker — 29.

NO: Representatives Clendaniel, Morris, Seibel, Spence — 4.

NOT VOTING: Representatives Brady and Hebner — 2.

ABSENT: Representatives Lesh, McKay, Minner, Powell, Ridings, Smith — 6.

Therefore the Bill was declared passed by the House.

Representative McGinnis moved to lift **HB 1223** from the Speaker’s Table.

Representative Billingsley brought **HA 8** before the House for consideration.

HA 8 was adopted by voice vote.

Representative McGinnis moved to place **HB 1223** on the Speaker’s Table. The motion was adopted by voice vote.

Representative Gordy brought **HB 1205** before the House for consideration. “An Act to amend Chapter 45, of Title 21, Delaware Code relating to Law Enforcement Weighing Procedures and Equipment.” Representative Sincok stated a conflict of interest.

Roll call on the Bill was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley,

Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Morris, Plant, Powell, Rispoli, Seibel, Smith, Spence, Temple, Worthen, Mr. Speaker — 35.

NO: Representative Ridings — 1.

NOT VOTING: Representative Sincock — 1.

ABSENT: Representatives Ferguson, Leshner, Minner, Riddagh — 4.

Therefore the Bill was declared passed by the House.

Representative Darling requested that **HS 1 to HB 1053** be stricken.

Representative Darling moved to suspend rules for acting on **HS 2 for HB 1053** — “An Act to amend Chapter 68, Part VI, Title 29 of the Delaware Code relating to the Powers and Duties of the Division of Purchasing of the Department of Administrative Services.” The motion was adopted by voice vote.

Representative Darling brought **HS 2 to HB 1053** before the House for consideration. “An Act to amend Chapter 68, Part VI, Title 29 of the Delaware Code relating to the Powers and Duties of the Division of Purchasing of the Department of Administrative Services.”

HA 1 to HS 2 for HB 1053 was brought before the House by Representative Darling. **HA 1 to HS 2 for HB 1053** was adopted by voice vote.

Roll call on the Bill was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 38.

ABSENT: Representatives Cain, Leshner, Plant — 3.

Therefore the Bill was declared passed by the House.

Representative Darling brought **HS 1 for HB 1047** before the House for consideration. “An Act to amend Chapter 69, Part VI, Title 29 of the Delaware Code relating to the Procurement of Material and Award of Contracts for Public Works by State Agencies.”

Representative Darling brought **HA 1 to HS 1 for HB 1047** before the House for consideration. **HA 1** was adopted by

voice vote.

Roll call on the Bill was taken and revealed:

YES: Representatives Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 37.

NO: Representative Ambrosino — 1.

NOT VOTING: Representative Derrickson — 1.

ABSENT: Representatives LeGates and Leshner — 2.

Therefore the Bill was passed the House.

Representative Lynch brought **HJR 54** before the House for consideration. "Requesting the Department of Public Instruction and the State Board of Education to develop a New System of Pupil Transportation that will reduce the present cost."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 36.

ABSENT: Representatives Derrickson, Leshner, Matushefske, Maxwell, McGinnis — 5.

Therefore **HJR 54** was declared passed by the House.

Representative Lynch brought **HJR 53** before the House for consideration. "Authorizing the Joint Education Committee to study the Administration and Operation of the Public School System in this State to continue until June 30, 1977, and to employ a Consultant."

Representative Lynch requested the privilege of the floor for House Attorney Mr. John Rich.

Mr. Speaker ruled that this resolution would not serve the purpose for which it was drafted and recommended that it be placed on the Speaker's Table.

Representative Lynch moved to place **HJR 53** on the Speaker's Table. Motion was adopted by voice vote.

Representative Riddagh moved for suspension of rules to introduce and Act on **HB 1280** — "An Act directing the Board of Funeral Service Practitioners to grant a License to George E.

Bryson of Smyrna, Delaware to engage in the Funeral Service Profession." Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Matushefske, McGinnis, McKay, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple — 32.

NOT VOTING: Representatives Brady, Johnson, Maxwell, Worthen, Mr. Speaker — 5.

ABSENT: Representatives Clendaniel, Leshar, Lynch, Miller — 4.

Therefore the Bill was declared passed by the House.

Representative McGinnis moved to lift **HB 1223** from the Speaker's Table. Motion was adopted by voice vote.

HA 9 to **HB 1223** was brought before the House by Representative Matushefske. Representative Matushefske withdrew **HA 9**.

Representative Rispoli brought **HA 10** to **HB 1223** before the House.

Roll call was taken on **HA 10** to **HB 1223** and revealed:

YES: Representatives Darling, Ferguson, Gordy, Rispoli, Temple — 5.

NO: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Cain, Connor, Derrickson, George, Gilligan, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Minner, Plant, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence, Worthen, Mr. Speaker — 31.

NOT VOTING: Representatives Byrd and Clendaniel — 2.

ABSENT: Representatives Leshar, Miller, Morris — 3.

Therefore **HA 10** to **HB 1223** was declared defeated by the House.

Representative McGinnis moved to place **HB 1223** on the Speaker's Table. Motion was adopted by voice vote.

Representative Ridings moved to adjourn, and the motion lost by voice vote.

Representative Gilligan brought **HB 1254** before the House for consideration. "An Act to amend Chapter 17, Title 24, Delaware Code relating to the Meetings of the Board of Medical Practice."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 36.

NOT VOTING: Representative Derrickson — 1.

ABSENT: Representatives Ferguson, Leshner, Miller, Morris — 4.

Therefore the Bill was declared passed by the House.

Representative Lynch moved that the Roll Call on **HB 1037** be lifted. Motion was adopted by voice vote.

The roll call revealed:

YES: Representatives Arnold, Byrd, Cain, Darling, Derrickson, Ferguson, George, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McKay, Miller, Plant, Ridings, Rispoli, Worthen, Mr. Speaker — 21.

NO: Representatives Ambrosino, Billingsley, Boulden, Clendaniel, Connor, Gilligan, Harrington, Hebner, McGinnis, Minner, Morris, Powell, Riddagh, Seibel, Sincock, Smith, Spence, Temple — 18.

NOT VOTING: Representatives Brady and Gordy — 2.

Therefore the Bill was declared passed by the House.

Representative Lynch moved to lift the Roll Call on **HB 1089**. Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Arnold, Byrd, Cain, Darling, Ferguson, George, Harrington, Johnson, LeGates, Lynch, McGinnis, McKay, Miller, Morris, Plant, Powell, Ridings, Rispoli, Seibel, Sincock, Temple, Worthen, Mr. Speaker — 23.

NO: Representatives Ambrosino, Clendaniel, Connor, Gilligan, Hebner, Riddagh, Spence — 7.

NOT VOTING: Representatives Boulden, Brady, Derrickson, Kelly, Leshner, Maxwell, Minner, Smith — 8.

ABSENT: Representatives Billingsley, Harrington, Matushefske — 3.

Therefore the Bill was declared passed by the House.

Representative Worthen deferred **HB 892** to the end of the Agenda, and moved to suspend all rules to introduce and act on **HB 1281** — “An Act to amend Chapter 19, Title 14, Delaware Code relating to the Fixing of Tax Rates by School Boards.”

Representative Worthen brought **HB 1281** before the House for consideration.

Representative Worthen moved to table the Roll Call.

Motion was adopted by voice vote.

Representative Gordy moved to suspend the rules for the purpose of introducing and acting on **HB 1282** — "An Act to amend Chapter 67, Title 9, of the Delaware Code, relating to the Authorization of Bonds and providing for borrowing in Anticipation thereof." Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Maxwell, McGinnis, McKay, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 37.

ABSENT: Representatives Leshner, Matushefske, Miller, Morris — 4.

Therefore the Bill was declared passed by the House.

Representative Gordy moved to suspend all rules to introduce and act on **HB 1283** — "An Act to amend Chapter 65, Title 9, Delaware Code, relating to the Power to Issue Bonds by providing for the borrowing of Money in anticipation thereof."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 37.

ABSENT: Representatives Leshner, McKay, Miller, Morris — 4.

Therefore the Bill was declared passed by the House.

Representative Gordy moved to suspend rules for the purpose of introducing two Bills. Motion was adopted by voice vote.

Mr. Speaker deferred introduction of the Bills while the clerks numbered them.

Representative McGinnis moved to lift **HB 1223** from the Speaker's Table. Motion was adopted by voice vote.

Representative Matushefske brought **HA 11** before the House for consideration. **HA 11** was adopted by voice vote.

Roll call on the Bill was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley,

Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 37.

NO: Representative Rispoli — 1.

NOT VOTING: Representative Ferguson — 1.

ABSENT: Representatives Leshner and Morris — 2.

Therefore **HB 1223** was declared passed by the House.

Representative McGinnis brought **HB 261 w HA 1, SA 1** before the House for consideration. "An Act to amend Chapter 51, Part VI, Title 30 of the Delaware Code relating to the Motor Fuel Tax; and providing for the refunding of such Tax paid on Fuel for Taxicabs."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Worthen, Mr. Speaker — 36.

NO: Representatives Clendaniel and Riddagh — 2.

NOT VOTING: Representative Temple — 1.

ABSENT: Representatives Leshner and Morris — 2.

Therefore the Bill was declared passed by the House.

Representative Temple moved to suspend all rules to introduce and act on **HB 1284** — "An Act making a supplementary appropriation to the Budget Director for the purpose of paying an Employee who did not receive his proper Salary Increments." Motion was adopted by voice vote.

Representative Temple brought **HB 1284** before the House.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 37.

ABSENT: Representatives Billingsley, Lynch, Matushefske, Morris — 4.

Therefore the Bill was declared passed by the House.

Representative McKay moved to lift **HB 826** from the Speaker's Table. Motion was adopted by voice vote.

Representative McKay brought **HA 1** to **HB 826** before the House for consideration. **HA 1** was adopted by voice vote.

Roll call was taken on **HB 826** and revealed:

YES: Representatives Ambrosino, Brady, Connor, Derrickson, Hebner, Matushefske, McGinnis, McKay, Miller, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Worthen — 16.

NO: Representatives Boulden, Byrd, Cain, Harrington, Johnson, Maxwell, Plant, Rispoli, Spence, Mr. Speaker — 10.

NOT VOTING: Representatives Arnold, Clendaniel, George, Gilligan, LeGates, Lynch, Minner, Temple — 8.

ABSENT: Representatives Billingsley, Darling, Ferguson, Gordy, Kelly, Leshner, Morris — 7.

Therefore the Bill was declared defeated by the House.

Representative LeGates brought **HB 1224** before the House for consideration. "An Act to amend Chapter 7, Title 7 of the Delaware Code and relating to Shot Size allowed to take Game."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Byrd, Cain, Connor, Derrickson, George, Gilligan, Harrington, Hebner, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 33.

ABSENT: Representatives Billingsley, Clendaniel, Darling, Ferguson, Gilligan, Johnson, Leshner, Morris — 8.

Therefore the Bill was declared passed by the House.

Representative Spence moved to suspend all rules to introduce and act on **HB 1287** — "An Act to amend Chapter 41, Title 15 of the Delaware Code by relating to qualifications to become a Candidate for Elective Office." Motion was adopted by voice vote.

Representative Worthen requested the privilege of the floor for House Attorney Mr. John Rich.

Representative Spence moved to place **HB 1287** on the Speaker's Table. Motion was adopted by voice vote.

Representative LeGates moved to lift the Roll Call on **HB 979**. Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Brady, Byrd,

Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 38.

NOT VOTING: Representatives Billingsley and Leshner — 2.

ABSENT: Representative Boulden — 1.

Therefore the Bill was declared passed by the House.

Representative Darling brought **HB 1212** before the House for consideration. "An Act designating certain Employees of the Kent Soil and Water Conservation District as Employees of the Department of Natural Resources and Environmental Control, placing the positions occupied by such Employees in the Classified Service of this State and reallocating certain Budgeted Appropriations."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Rispoli, Seibel, Sincok, Smith, Temple, Worthen, Mr. Speaker — 34.

ABSENT: Representatives Billingsley, Derrickson, Leshner, Matushefske, Morris, Ridings, Spence — 7.

Therefore the Bill was declared passed by the House.

Representative George moved to lift Roll Call on **HB 1274**. Motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Rispoli, Temple, Worthen, Mr. Speaker — 26.

NO: Representatives Brady, McKay, Ridings — 3.

NOT VOTING: Representatives Arnold, Billingsley, Derrickson, Hebner, Morris, Powell, Riddagh, Seibel, Sincok, Smith, Spence — 11.

ABSENT: Representative Leshner — 1.

Therefore the Bill was declared passed by the House.

Representative George moved to suspend all rules to introduce two Bills and place them on the Consent Calendar.

Mr. Speaker recessed the House at 1:20 a.m., and reconvened at 1:28 a.m.

Representative George's previous motion was adopted by a voice vote.

Representative George introduced **HB 1276**, and Mr. Speaker placed the Bill on the Consent Calendar.

Representative George introduced **HB 1277**, and Mr. Speaker placed the Bill on the Consent Calendar.

The following pre-filed legislation was introduced:

HA 1 to HB 1053 was placed with the Bill. Sponsored by Representative Darling.

HA 1 to HB 1132 was placed with the Bill. Sponsored by Representative Maxwell.

HA 3 to HB 1223 was placed with the Bill. Sponsored by Representative McGinnis.

HA 4 to HB 1223 was placed with the Bill. Sponsored by Representatives McGinnis and Derrickson.

SB 368 — "An Act proposing an Amendment to Article II, Section 20, of the Constitution of the State of Delaware, relating to the Interest of a Member of the General Assembly in a Pending Measure." Sponsored by Senator Martin. Assigned to the Constitution Revisional Committee.

SB 470 (2/3) — "An Act to amend Chapter 9, Title 7, Delaware Code, relating to the Fine for Illegally taking Sea Trout of Weakfish in Delaware River and Bay." Sponsored by Senators Elliott and Isaacs. Assigned to the National Resource and Environmental Control Committee.

SB 749 — "An Act to amend Chapter 33, Title 19, Delaware Code relating to Unemployment Compensation." Sponsored by Senator Adams. Assigned to the Public Safety Committee.

SB 803 (2/3) — "An Act to amend Title 10 and Title 11, of the Delaware Code relating to Legal Representation for Public Officers and Employees under certain circumstances." Sponsored by Senator Kearns. Assigned to the Judiciary Committee.

SB 805 — "An Act to amend Subchapter II, Chapter 83, Title 11, Delaware Code, relating to Pensions Benefits for Delaware State Police." Sponsored by Senators Cook, Adams; Representative Minner.

SB 807 — "An Act to amend Subchapter I, Chapter 43, Title 21, Delaware Code, relating to Equipment Fire Police Vehicles with Warning Devices." Sponsored by Senator

Cordrey. Assigned to the Public Safety Committee.

SB 819 — "An Act to amend Title 29, Delaware Code relating to the State Lottery and the Department of Finance." Sponsored by Senators Isaacs, Cordrey, Kearns. Assigned to the Appropriation Committee.

SJR 66 — "Directing the Secretary of the Department of Natural Resources and Environmental Control to take Positive Action in the matter of protecting Jobs while abating Air Pollution in the State." Sponsored by Senators Sharp, Hughes, Elliott, Cicone, McCullough and Martin. Passed by the House.

HA 2 to SB 115 was placed with the Bill. Sponsored by Representative Maxwell.

Representative Gordy's Bills which had been deferred were introduced as follows:

HB 1285 — "An Act to make a supplemental appropriation to the Department of Public Safety for the purchase of Axle-Load Weighers." Assigned to Public Safety Committee.

HB 1286 — "An Act authorizing the State of Delaware to borrow money and Issue Bonds and Notes therefor; and appropriating the Funds thus obtained to the University of Delaware to Finance certain Capital Improvements and Expenditures." Assigned to the Appropriation Committee.

Representative George moved for the adoption of the Consent Calendar.

The Chief Clerk read in the Bills on the Consent Calendar by title as follows: *see omissions:

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 36.

ABSENT: Representatives Billingsley, Leshner, Morris, Ridings, Rispoli — 5.

Therefore the Bills on the Consent Calendar were declared passed by the House.

Representative Kelly moved to suspend all rules for introducing and acting on **HB 1288**. The motion was adopted by voice vote. "An Act to amend Chapter 39, of Title 12 of the

Delaware Code relating to the appointment of Guardians and to establish the Office of Public Guardian and further providing a supplementary appropriation therefor." Representative Kelly introduced and acted on **HB 1288**.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Cain, Clendaniel, Connor, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Rispoli, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 34.

NO: Representative Seibel — 1.

ABSENT: Representative Billingsley, Byrd, Darling, Leshner, Morris, Ridings — 6.

Therefore the Bill was declared passed by the House.

Representative Temple brought **HB 1247** before the House for consideration. "An Act authorizing a supplemental appropriation to the Division of Public Health for the purpose of Implementing the State Sanitary Plumbing Code in Sussex County and to provide an additional Sanitarian in Kent County."

Roll call was taken on **HB 1247** and revealed:

YES: Representatives Cain, Hebner, Johnson, Kelly, Lynch, Matushefske, McGinnis, Miller, Minner, Plant, Riddagh, Spence, Temple, Mr. Speaker — 14.

NO: Representatives Ambrosino, Boulden, Brady, Byrd, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, LeGates, Maxwell, McKay, Powell, Rispoli, Seibel, Smith, Worthen — 20.

NOT VOTING: Representatives Arnold, Derrickson, Sincock — 3.

ABSENT: Representatives Billingsley, Leshner, Morris, Ridings — 4.

Therefore the Bill was declared defeated by the House.

Representative Matushefske moved to suspend all rules to introduce and act on **HB 1289** — "An Act to amend Chapter 56, Title 29, Delaware Code relating to Pensions for Judges of the Municipal Court for the City of Wilmington." Motion was adopted by voice vote.

Representative Matushefske brought **HB 1289** before the House for consideration.

Roll call was taken and revealed:

YES: Representatives George, Johnson, Matushefske, Plant, Rispoli, Mr. Speaker — 6.

NO: Representatives Ambrosino, Arnold, Boulden, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Powell, Riddagh, Seibel, Sincok, Smith, Spence, Worthen — 28.

NOT VOTING: Representative Byrd — 1.

ABSENT: Representatives Billingsley, Brady, Leshner, Morris, Ridings, Temple — 6.

Therefore **HB 1289** was declared defeated by the House.

The House recessed to the Call of the Chair at 1:53 a.m.

54TH LEGISLATIVE DAY

The Speaker called the House to order at 2:20 p.m. June 30, 1976.

The Majority Leader moved to adjourn at 2:21 p.m., thereby ending the previous Legislative Day.

The House reconvened at 2:21 p.m.

A Prayer was offered by Representative Hebner.

The Speaker led those present in a Salute to the Flag.

PRESENT: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 40.

ABSENT: Representative Leshner — 1.

The Minutes of the previous day were approved as posted.

The Reading Clerk informed the House that the Senate had passed the following legislation: **HB 1230 w HA 2, 3**.

From the Office of Counsel to the Governor: Legislative Advisory #92. The Governor approved the following legislation: **HB 1069**, 6/28/76.

Representative Brady introduced and brought **HCR 99** before the House for consideration. "Expressing sincere Birthday Wishes of the 128th General Assembly to Bertha Heisler on the occasion of her 100th Birthday." **HCR 99** was adopted by voice vote.

Representative Gilligan introduced and brought **HR 179** before the House for consideration. "Requesting the Department of Public Instruction to make prompt implementation of the Program to Teach Survival Skills." **HR 179** was adopted by voice vote.

Representative Arnold introduced and brought **HCR 100**

before the House for consideration. "Urging the Delaware Congressional Delegation in Washington to support actively the Principle and Concept of the Congressional Bill offered as the Legislative Embodiment of the Program and Plans of the Executive Department of the United States of America relating to the Utilization of Mandatory Busing as a Remedy for School Desegregation, such Congressional Bill if it becomes Law to be known as the "School Desegregation Standards and Assistance Act of 1976," and further urging the Delaware Congressional Delegation to work actively to bring about the Enactment and Passage of Legislation which will carry out such Principle and Concept." **HCR 100** was adopted by voice vote.

Representative Maxwell introduced and brought **HR 180** before the House for consideration. "Commending House Attorney John A. Rich and his Legal Staff for the excellent work during the 128th General Assembly." **HR 180** was adopted by voice vote.

Representative McGinnis introduced and brought **HR 181** before the House for consideration. "Expressing the Appreciation of the Members of the House of the Representatives of the 128th General Assembly to Ruly Carpenter for inviting the House to a Phillies Baseball Game." **HR 181** was adopted by voice vote.

Representative Derrickson moved to suspend all rules for the purpose of introducing and acting on **HB 1290** — "An Act authorizing the State of Delaware to borrow money to be used for Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes therefor and appropriating the Monies to various Agencies of the State and to borrow money to be used for the Local Share of School Construction Programs and to Issue Bonds and Notes therefor and appropriating the Monies to the State Board of Education on behalf of Local School Districts; amending Volume 60, Chapter 271, pertaining to the Construction of a Women's Prison amending Chapter 369, Volume 56, Chapters 320 and 736, Volume 57, and Chapter 223, Volume 59, Laws of Delaware pertaining to Bond Authorization for Local School Districts; and Chapter 299, Volume 57, Laws of Delaware pertaining to Deauthorization of Capital Complex Electrical Distribution System." The motion was adopted by voice vote.

Mr. Speaker assigned **HB 1290** to Appropriations Committee.

Representative Riddagh introduced and brought **HR 182**

before the House for consideration. "Commending Louise L. Prickett, Executive Director of the Delaware American Revolution Bicentennial Commission for her outstanding Contributions to the Commission and to Delaware's participation in National Bicentennial Observances." **HR 182** was adopted by voice vote.

Representative Gordy moved to lift the Roll Call on **SB 597** — "An Act to amend Chapter 27, Title 21, of the Delaware Code relating to Suspension of Driver's Licenses." Motion was adopted by voice vote.

Roll call on **SB 597** revealed:

YES: Representatives Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 37.

NOT VOTING: Representatives Ambrosino and Brady — 2.

ABSENT: Representatives Leshner and Miller — 2.

Therefore the Bill was declared passed by the House.

Representative Gordy moved to lift the Roll Call on **SB 598** — "An Act to amend Chapter 21, Title 11 of the Delaware Code relating to Issuance of License Plates." Motion was adopted by voice vote.

Roll call on **SB 598** revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 39.

NOT VOTING: Representatives Brady and Leshner — 2.

Therefore the Bill was declared passed by the House.

Representative Gordy moved to lift the Roll Call on **HB 1005** — "An Act to amend Part IV, Title 16 and Title 21 of the Delaware Code relating to the Regulation of Bicycles, Mopeds and Similar Vehicles." Motion was adopted by voice vote.

Representative Gordy moved to rescind the Roll Call, and the motion was adopted by voice vote.

Representative Ridings brought **HA 3** to **HB 1005** before the House for consideration. **HA 3** was adopted by voice vote.

Roll call on the Bill was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Connor, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Maxwell, McGinnis, McKay, Plant, Powell, Riddagh, Ridings, Rispoli, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 31.

NO: Representatives Clendaniel, Morris, Rispoli — 3.

NOT VOTING: Representative Minner — 1.

ABSENT: Representatives Cain, Darling, Derrickson, Leshner, Matushefske, McKay — 6.

Therefore the Bill was declared passed by the House.

Representative Rispoli moved to lift Roll Call on **SB 707** from the Speaker's Table. Motion was adopted by voice vote.

Roll call on **SB 707** revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Clendaniel, Connor, Darling, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 36.

NOT VOTING: Representatives Hebner, Lynch, Leshner — 3.

ABSENT: Representatives Cain and George — 2.

Therefore the Bill was declared passed by the House.

Representative LeGates brought **HB 1245** before the House for consideration. "An Act to amend Chapter 74, Title 16, Delaware Code, relating to Radiation Control."

Representative LeGates requested the privilege of the floor for Dr. Edward Gliwa, from the Board of Health.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Matushefske, McGinnis, McKay, Miller, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 34.

NOT VOTING: Representatives Derrickson and Maxwell — 2.

ABSENT: Representatives Ferguson, George, Leshner, Lynch, Minner — 5.

Therefore the Bill was declared passed by the House.

Representative McGinnis moved to suspend the rules for the purpose of introducing and acting on **SB 819** — "An Act to

amend Title 29, Delaware Code, relating to the State Lottery and the Department of Finance."

Representative McGinnis moved to place **SB 819** on the Speaker's Table. Motion was adopted by voice vote.

Representative Matushefske moved to suspend all rules for the purpose of introducing and acting on **HB 1292** — "An Act to amend Chapter 9, Title 10, Delaware Code relating to the Family Court of the State of Delaware by adding an Associate Judge to the Family Court." The motion was adopted by voice vote.

Representative Matushefske brought **HB 1292** before the House for consideration, and moved to place **HB 1292** on the Speaker's Table. Motion was adopted by voice vote.

Representative Maxwell moved to suspend all rules for the purpose of introducing and acting on **HB 1293** — "An Act to amend Chapter 3, Title 24, Delaware Code by substituting a New Chapter 3, relating to Architects, the Board of Examiners Registration of Architects, and Penalties for Violations of Said Chapter." Motion was adopted by voice vote.

Representative Maxwell brought **HB 1293** before the House for consideration, and moved to place **HB 1293** on the Speaker's Table. Motion was adopted by voice vote.

Representative McGinnis moved to recess for caucus at 3:50 p.m.

The House was called to order at 5:03 p.m.

HB 1260 was reported out of the Education Committee with 1 Favorable and 4 Merits.

Representative McGinnis moved to suspend all agenda rules for the purpose of acting on the preferred agenda. The motion was adopted by voice vote.

Representative Lynch brought **HB 1260** before the House for consideration. "An Act to amend Chapters 13, 17, and 31, Title 14 of the Delaware Code to include Severely Mentally Handicapped Children under the Jurisdiction of the Public School System and to provide an appropriation therefor."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, Gilligan, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 34.

NO: Representatives Ridings and Seibel — 2.

NOT VOTING: Representative McKay — 1.

ABSENT: Representatives George, Gordy, Leshner, Matushefske — 4.

Therefore the Bill was declared passed by the House.

Representative Worthen moved to lift the Roll Call on **HB 1281**. The motion was adopted by voice vote.

The Roll Call on **HB 1281** revealed:

YES: Representatives Ambrosino, Boulden, Clendaniel, Darling, Gordy, Harrington, Hebner, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Ridings, Rispoli, Seibel, Sincok, Temple, Worthen — 23.

NO: Representatives Byrd, Kelly, Plant, Riddagh, Spence — 5.

NOT VOTING: Representatives Arnold, Billingsley, Brady, Cain, Derrickson, Ferguson, George, Gilligan, Johnson, Smith, Mr. Speaker — 11.

ABSENT: Representatives Leshner and Powell — 2.

Therefore the Bill was declared passed by the House.

Representative Gordy brought **HB 1285** before the House for consideration. "An Act to amend a supplemental appropriation to the Department of Public Safety for the purchase of Axle-Load Weighers."

HB 1285 was reported out of the Public Safety Committee on 4 Merits.

Representative Sincok stated a conflict of interest.

Roll Call on the Bill was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Smith, Spence, Temple, Worthen, Mr. Speaker — 37.

NOT VOTING: Representative Sincok — 1.

ABSENT: Representatives Byrd, George, Leshner — 3.

Therefore the Bill was declared passed by the House.

Representative Worthen moved to lift **SB 236** from the Speaker's Table. The motion was adopted by voice vote.

Representative Worthen brought **HA 5** to **SB 236** before the House for consideration. **HA 5** was adopted by voice vote.

Roll Call on the Bill was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner,

Johnson, LeGates, Matushefske, McGinnis, Miller, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 33.

NO: Representatives Clendaniel, McKay, Minner, Morris — 4.

ABSENT: Representatives Kelly, Leshner, Lynch, Maxwell — 4.

Therefore the Bill was declared passed by the House.

SB 708 was reported out of the Community Affairs Committee on 5 Merits.

Representative Rispoli brought **SB 708** before the House for consideration.

Roll Call on the Bill was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Ridings, Rispoli, Seibel, Sincok, Smith, Temple, Worthen, Mr. Speaker — 36.

NOT VOTING: Representatives Brady, Morris, Riddagh, Spence — 4.

Therefore the Bill was declared passed by the House.

Representative Matushefske moved to lift the Roll Call on **SB 346**. The motion was adopted by voice vote.

Representative Matushefske moved to rescind the Roll Call on **SB 346**. The motion was adopted by voice vote.

Representative Matushefske moved to strike **HA 1** to **SB 346**.

Roll call on **SB 346** was taken and revealed:

YES: Representatives Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Kelly, Lynch, Matushefske, McGinnis, McKay, Miller, Minner, Powell, Rispoli, Sincok, Smith, Temple, Worthen, Mr. Speaker — 26.

NO: Representatives Ambrosino, Arnold, Brady, Darling, Ferguson, Johnson, LeGates, Morris, Plant, Riddagh, Ridings, Seibel, Spence — 13.

ABSENT: Representatives Leshner, Maxwell — 2.

Therefore not having received a constitutional majority of at least two-thirds of the members of the House, **SB 346** was declared defeated.

Representative McGinnis brought **HB 1253** before the House.

Representative McGinnis requested the privilege of the floor for Mr. Jim McNair, Division of Historical and Cultural Affairs.

Roll Call on the Bill was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 35.

ABSENT: Representatives Byrd, Leshner, Lynch, Matushefske, Maxwell, Riddagh — 6.

Therefore the Bill was passed by the House.

HB 1173 was reported out of the Labor Committee on 1 Favorable, 3 Merits.

Representatives Smith brought **HB 1173** before the House for consideration.

Representative Smith brought **HA 1** before the House for consideration. **HA 1** was adopted by voice vote.

Roll Call on **HB 1173** was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Connor, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Matushefske, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 35.

NOT VOTING: Representative Clendaniel — 1.

ABSENT: Representatives Cain, Darling, Leshner, Lynch, Maxwell — 5.

Therefore the Bill was declared passed the House.

Representative Plant moved to have **SB 346** restored to the Calendar.

Mr. Speaker ruled that Representative Plant needed a resolution to recall the Bill.

Representative Gordy moved to lift **SB 741** from the Speaker's Table. The motion was adopted by voice vote.

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Sincock, Spence, Temple, Worthen,

Mr. Speaker — 36.

ABSENT: Representatives Byrd, Leshner, Maxwell, Ridings, Smith — 5.

Therefore the Bill was declared passed by the House.

Representative Plant moved to restore SB 346.

Roll Call on the motion was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Johnson, Kelly, LeGates, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Rispoli, Seibel, Sincok, Temple, Worthen, Mr. Speaker — 33.

NO: Representatives Riddagh, Spence — 2.

ABSENT: Representatives Harrington Hebner, Leshner, Lynch, Ridings, Smith — 6.

NOT VOTING: Representative Lynch — 1.

ABSENT: Representatives Connor, Darling, Leshner — 3.

Therefore the Bill was restored to the Calendar.

Representative Matushefske moved to rescind the Roll Call on SB 346.

Roll Call on SB 346 was again taken and revealed:

YES: Representatives Billingsley, Boulden, Byrd, Cain, Clendaniel, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Rispoli, Seibel, Sincok, Smith, Temple, Worthen, Mr. Speaker — 30.

NO: Representatives Ambrosino, Arnold, Brady, McKay, Riddagh, Ridings, Spence — 7.

NOT VOTING: Representative Lynch — 1.

ABSENT: Representatives Connor, Darling, Leshner — 3.

Therefore the Bill was declared passed by the House.

Representative Minner moved to lift SB 770 from the Speaker's Table.

Roll Call on the motion to lift SB 770 was taken and revealed:

YES: Representatives Ambrosino, Arnold, Cain, Clendaniel, Darling, Ferguson, Gordy, Hebner, Lynch, Matushefske, McGinnis, Minner, Morris, Riddagh, Ridings, Spence, Temple — 17.

NO: Representatives Billingsley, Boulden, Brady, Byrd, George, Gilligan, Johnson, Kelly, LeGates, Maxwell, McKay, Plant, Powell, Rispoli, Seibel, Smith, Worthen, Mr. Speaker — 18.

NOT VOTING: Representatives Derrickson, Miller, Sincok— 3.

ABSENT: Representatives Connor, Harrington, Leshner — 3.

Therefore **SB 770** remained on the Speaker's Table.

Representative Ferguson brought **SB 804** before the House for consideration.

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker 37.

NOT VOTING: Representative Hebner — 1.

ABSENT: Representatives Derrickson, Leshner, Riddagh 3.

Therefore the Bill was declared passed by the House.

Representative Darling brought **SB 768** before the House for consideration.

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 39.

ABSENT: Representatives Derrickson and Leshner — 2.

Therefore the Bill was declared passed by the House.

Representative McGinnis recessed at 6:16 p.m. for Dinner, and reconvened at 8:42 p.m.

Representative Plant moved to suspend all rules to introduce and act on **SB 833**. Motion was adopted by voice vote.

Representative Plant brought **SB 833** before the House for consideration.

Roll Call was taken and revealed:

YES: Representatives Billingsley, Boulden, Brady, Cain, Byrd, Clendaniel, Darling, Derrickson, Ferguson, George, Gordy, Harrington, LeGates, Lynch, Matushefske, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Sincok, Smith, Temple, Worthen, Mr. Speaker — 29.

NO: Representatives Ambrosino, Arnold, Connor,

Gilligan, Hebner, Kelly, Maxwell, McKay, Ridings, Spence — 10.

ABSENT: Representatives Johnson and Leshner — 2.

Therefore the Bill was declared passed by the House.

Representative Clendaniel brought **SB 709** before the House for consideration.

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 39.

ABSENT: Representatives Darling and Leshner — 2.

Therefore the Bill was declared passed by the House.

Representative Ridings brought **HJR 37** before the House for consideration.

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 39.

ABSENT: Representatives Darling and Leshner — 2.

Therefore the **HJR 37** was declared passed by the House.

Representative Gilligan brought **SB 430** before the House for consideration.

Roll Call was taken and revealed:

YES: Representatives Billingsley, Brady, Byrd, Cain, Clendaniel, Connor, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Seibel, Temple, Worthen, Mr. Speaker — 28.

NO: Representatives Arnold, Riddagh, Sincok, Spence — 4.

NOT VOTING: Representatives Ambrosino, Derrickson, McKay, Powell, Ridings, Smith — 6.

ABSENT: Representatives Boulden, Darling, Leshner — 3.

Therefore the Bill was declared passed by the House.

Representative McGinnis brought **SJR 57** before the House for consideration.

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, McGinnis, Miller, Minner, Morris, Plant, Riddagh, Ridings, Rispoli, Seibel, Spence, Temple, Worthen, Mr. Speaker — 33.

NO: Representatives McKay and Smith — 2.

NOT VOTING: Representatives Arnold, Derrickson, Maxwell, Powell, Sincok — 5.

ABSENT: Representative Leshner — 1.

Therefore **HJR 57** was declared passed by the House.

Representative Morris moved to suspend all rules for the purpose of acting on **SB 787** and **HA 1**. Motion was adopted by voice vote.

Representative Morris brought **SB 787** and **HA 1** before the House for consideration. **HA 1** was adopted by voice vote.

Representative Ambrosino requested the privilege of the floor for Mr. Chester Gove, President of Local 1786 of Corrections Officers Union.

Representative Brady requested the privilege of the floor for Mr. Fred VanSant, Controller General's Office.

Representative Morris moved to table the Roll Call. Motion was adopted by voice vote.

Representative Miller brought **SB 808** before the House for consideration.

Roll Call was taken and revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Sincok, Smith, Temple, Worthen, Mr. Speaker — 32.

NO: Representatives Connor and Spence — 2.

NOT VOTING: Representatives Ambrosino, Arnold, Billingsley, Brady, McKay, Ridings — 6.

ABSENT: Representative Leshner — 1.

Therefore the Bill was declared passed by the House.

Representative Temple moved to suspend all rules to act on **HB 1294**. Motion was adopted by voice vote.

Representative Temple brought **HB 1294** before the House for consideration. "An Act making a supplementary appropriation to the State Board of Education for the purpose of Adjusting the Formula for Reimbursement to the School Bus

Contractors and the School Districts for the Transportation of Public School Pupils during the Fiscal Year ending June 30, 1977."

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker — 40.

ABSENT: Representative Leshner — 1.

Therefore the Bill was declared passed by the House.

Representative Gilligan moved to suspend all rules to act on SB 756. Motion was adopted by voice vote.

Representative Gilligan brought SB 756 before the House for consideration. "An Act making a supplementary appropriation to the Department of Health and Social Services for the establishment of a First Phase Virus Diagnostic Laboratory."

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Billingsley, Byrd, Cain, Connor, Ferguson, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Plant, Ridings, Rispoli, Seibel, Sincok, Temple, Worthen, Mr. Speaker — 26.

NO: Representatives Arnold, Boulden, Brady, Darling, George, McKay, Minner, Morris, Riddagh, Spence — 10.

NOT VOTING: Representatives Clendaniel, Powell and Smith — 3.

ABSENT: Representatives Derrickson and Leshner — 2.

Therefore the Bill was declared passed by the House.

Representative Gordy brought HB 748 w SA 1 before the House for consideration. "An Act to amend Chapter 31, of Title 20, Delaware Code relating to County Organizations for Civil Defense."

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell,

Riddagh, Ridings, Rispoli, Seibel, Smith, Spence, Temple, Worthen, Mr. Speaker — 37.

NOT VOTING: Representative Sincok — 1.

ABSENT: Representatives Cain, Johnson, Leshner — 3.

Representative George moved to suspend rules to consider **SB 823**. Motion was adopted by voice vote.

Representative George brought **SB 823** before the House for consideration. "An Act to provide a supplemental appropriation to the State Treasurer for Payment of Revenue Refunds."

HA 1 to SB 823 was brought before the House for consideration by Representative George, and adopted by voice vote.

Roll Call was taken and revealed:

YES: Representatives Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Powell, Riddagh, Rispoli, Seibel, Spence, Temple, Worthen, Mr. Speaker — 32.

NO: Representatives Hebner, Ridings, Smith — 3.

NOT VOTING: Representatives Ambrosino, Brady, McKay, Morris — 4.

ABSENT: Representatives Leshner and Sincok — 2.

Therefore the Bill was declared passed by the House.

Representative George moved to bring **SB 751** before the House for consideration. "An Act making a supplementary appropriation to the Department of Finance for Payment of Claims relating to "Veterans Military Pay Act No. 1114."

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Smith, Spence, Worthen, Mr. Speaker — 36.

ABSENT: Representatives Darling, Ferguson, Leshner, Sincok, Temple — 5.

Therefore the Bill was declared passed by the House.

Representative McGinnis moved to recess at 9:56 P.M.

Mr. Speaker called the House to order at 10:10 P.M.

SB 832 was reported out of Revenue and Finance

Committee with 1 Favorable, 3 Merits.

Representative Cain brought **SB 832** before the House for consideration. "An Act to amend Chapter 29, Title 30 of the Delaware Code relating to Exemptions from Certain Licensing Requirements for Handicapped Peddlers."

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 35.

ABSENT: Representatives Boulden, Derrickson, Leshar, Lynch, Plant, Rispoli — 6.

Therefore the Bill was declared passed by the House.

Representative Morris moved to lift Roll Call on **SB 787**. Motion was adopted by voice vote.

Roll Call revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 37.

NO: Representatives Billingsley and George — 2.

NOT VOTING: Representative Lynch — 1.

ABSENT: Representative Leshar — 1.

Therefore the Bill was declared passed by the House.

Representative Boulden brought **SB 781** before the House for consideration. "An Act directing the Secretary of State to Execute and Deliver a Deed to Port Mahon Wharf Co. Inc. of Lands previously Deeded to the State of Delaware by Port Mahon Wharf Co., Inc."

Representative Boulden requested the privilege of the floor for Secretary John Bryson, Department of Natural Resources.

Representative Boulden then moved to table the Roll Call. Motion was adopted by voice vote.

Representative Boulden moved to suspend all rules for the purpose of acting on **SB 744**. Motion was adopted by voice vote, and then brought before the House for consideration. "An Act to amend Chapter 17, Title 14, Delaware Code relating to

Pupil Unit for Orthopedically Handicapped Children in the Public Schools and further providing a supplementary appropriation therefor."

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 38.

NO: Representative Ridings — 1.

NOT VOTING: Representative McKay — 1.

ABSENT: Representative Leshner — 1.

Therefore the Bill was declared passed by the House.

Representative Gilligan moved to lift Roll Call on HB 1237. Motion was adopted by voice vote.

Roll Call revealed:

YES: Representatives Arnold, Billingsley, Brady, Byrd, Cain, Clendaniel, Darling, Derrickson, George, Gilligan, Gordy, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Seibel, Sincock, Smith, Temple, Worthen, Mr. Speaker — 32.

NO: Representatives Ambrosino, Boulden, Connor, Ridings, Spence — 5.

NOT VOTING: Representative Leshner — 1.

ABSENT: Representatives Ferguson, Harrington, Rispoli — 3.

Therefore the Bill was declared passed by the House.

Representative Worthen moved to suspend all rules to introduce and act on HB 827. Motion was defeated by voice vote.

Representative Matushefske moved to suspend all rules for the purpose of introducing and acting on SB 658. Motion was adopted by voice vote.

"An Act to amend Chapter 13, Title 10 of the Delaware Code to increase the Number of Court of Common Pleas Judges."

Representative Matushefske moved to table the Roll Call. Motion lost by voice vote.

Roll Call revealed:

YES: Representatives Boulden, Byrd, Cain, Darling,

Ferguson, George, Gilligan, Gordy, Harrington, Johnson, LeGates, Matushefske, Maxwell, McGinnis, Miller, Minner, Rispoli, Temple, Worthen, Mr. Speaker — 20.

NO: Representatives Ambrosino, Arnold, Billingsley, Brady, Clendaniel, Connor, Derrickson, Hebner, Kelly, Lynch, McKay, Morris, Powell, Riddagh, Seibel, Sincok, Smith, Spence — 18.

NOT VOTING: Representative Ridings — 1.

ABSENT: Representatives Leshner and Plant — 2.

Therefore **SB 658** was declared defeated by the House.

SB 566 was reported out of Education Committee with 4 Merits.

Representative Lynch brought **SB 566** before the House for consideration. "An Act to amend Chapter 55 of Title 14, Delaware Code, providing for Optometric Institutional Aid and further providing a supplementary appropriation therefor."

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Morris, Plant, Rispoli, Temple, Worthen, Mr. Speaker — 26.

NO: Representatives Billingsley, Brady, Hebner, McKay, Riddagh, Ridings, Seibel, Smith, Spence — 9.

NOT VOTING: Representatives Derrickson, Minner, Powell, Sincok — 4.

ABSENT: Representatives Ferguson and Leshner — 2.

Therefore the Bill was declared passed by the House.

Representative Boulden moved to lift the Roll Call on **SB 781**. Motion was adopted by voice vote.

Roll Call revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, Gilligan, Gordy, Harrington, Johnson, Kelly, Lynch, Matushefske, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Mr. Speaker — 22.

NO: Representatives Ambrosino, Arnold, Billingsley, Brady, Connor, Derrickson, George, Hebner, LeGates, McKay, Powell, Riddagh, Ridings, Seibel, Smith, Spence, Maxwell — 17.

ABSENT: Representatives Leshner and Sincok — 2.

Therefore the Bill was declared passed by the House.

Representative LeGates moved to suspend all rules to Act

on **SS 1** for **SB 730**. Motion was adopted by voice vote.

Representative LeGates brought **SS 1** for **SB 730** before the House for consideration, and then requested the privilege of the floor for Mr. Francis Babiaz. *see title index*

Representative LeGates requested the privilege of the Floor for Secretary Bryson, Dept. of Natural Resources.

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Boulden, Brady, Cain, Clendaniel, Connor, Ferguson, Gordy, Harrington, Kelly, LeGates, Lynch, Matushefske, McGinnis, McKay, Miller, Minner, Morris, Powell, Riddagh, Seibel, Sincock, Smith, Spence, Temple, Worthen — 26.

NO: Representatives Billingsley, Hebner, Mr. Speaker — 3.

NOT VOTING: Representatives Derrickson, George, Johnson — 3.

ABSENT: Representatives Arnold, Byrd, Darling, Gilligan, Leshner, Maxwell, Plant, Ridings, Rispoli — 9.

Therefore **SS 1** for **SB 730** was declared passed by the House.

Representative Rispoli brought **SB 680** before the House for consideration.

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker — 38.

ABSENT: Representatives Clendaniel, Leshner, Rispoli — 3.

Therefore the Bill was declared passed by the House.

Representative McGinnis moved to suspend all rules for the purpose of introducing and acting on **HB 1295**. Motion was adopted by voice vote, and then brought before the House for consideration. "An Act making a supplemental appropriation to the State Board of Education for Fiscal Year 1977."

Roll Call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Brady, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington,