

**GOVERNOR'S MESSAGE  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT**

August 7, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

Pierre L. LeRoy, M.D., 408 Way Road, Wilmington, Delaware—to be a member of the Board of Trustees of the Delaware Institute of Medical Education and Research to serve a term of one year from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

**GOVERNOR'S MESSAGE  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT**

August 7, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

Judith G. Tobin, M.D., 607 Nylon Boulevard, Seaford, Delaware—to be a member of the Board of Trustees of the Delaware Institute of Medical Education and Research to serve a term of three years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

**GOVERNOR'S MESSAGE  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT**

August 7, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

John F. Abbott, Jr., Harrington-Frederica Road, Harrington,

Delaware—to be a member of the Public Service Commission to serve a term of five years from September 1, 1969, to September 1, 1974.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
**RUSSELL W. PETERSON**  
 Governor

**GOVERNOR'S MESSAGE  
 STATE OF DELAWARE  
 EXECUTIVE DEPARTMENT**

August 7, 1969

To the Senate of the 125th General Assembly  
 of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

John L. Burns, 2332 West 18th Street, Wilmington, Delaware, 19806—to be a Justice of the Peace in and for New Castle County to serve a term of four years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
**RUSSELL W. PETERSON**  
 Governor

**GOVERNOR'S MESSAGE  
 STATE OF DELAWARE  
 EXECUTIVE DEPARTMENT**

August 7, 1969

To the Senate of the 125th General Assembly  
 of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

Alfred Fraczowski, 1402 Woodlawn Avenue, Wilmington, Delaware—to be an Associate Judge of the Municipal Court for the City of Wilmington to serve a term of twelve years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
**RUSSELL W. PETERSON**  
 Governor

**GOVERNOR'S MESSAGE  
 STATE OF DELAWARE  
 EXECUTIVE DEPARTMENT**

August 7, 1969

To the Senate of the 125th General Assembly  
 of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

Martin A. Devine, 409 Concord Avenue, Wilmington, Delaware—to be a member, Department of Elections for New Castle County to serve a term of two years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

**GOVERNOR'S MESSAGE  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT**

August 7, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

Lavinia Starks, 512 New Castle Avenue, Wilmington, Delaware—to be a member, Department of Elections for New Castle County to serve a term of two years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

**GOVERNOR'S MESSAGE  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT**

August 7, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

Joseph F. Grabowski, 1102 Sycamore Street, Wilmington, Delaware—to be a member, Department of Elections for New Castle County to serve a term of two years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

**GOVERNOR'S MESSAGE  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT**

August 7, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

Donald O. Niederhauser, 5 East Clearview Avenue, Wilmington, Delaware—to be a member, Department of Elections for New Castle County to serve a term of four years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

**GOVERNOR'S MESSAGE  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT**

August 7, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

Daniel O. Hastings, Jr., Box 3696, Greenville, Delaware—to be a member, Department of Elections for New Castle County to serve a term of two years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

**GOVERNOR'S MESSAGE  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT**

August 7, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

Dolores Hamilton, 5 Locust Road, Cooper Farms, Wilmington, Delaware—to be a member, Department of Elections for New Castle County to serve a term of four years from date of confirmation.



Your consideration of this nomination will be appreciated.

Respectfully submitted,  
**RUSSELL W. PETERSON**  
 Governor

**GOVERNOR'S MESSAGE  
 STATE OF DELAWARE  
 EXECUTIVE DEPARTMENT**

August 7, 1969

To the Senate of the 125th General Assembly  
 of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

Barbara Madden, 201 Harmony Street, New Castle, Delaware—to be a member, Department of Elections for New Castle County to serve a term of four years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
**RUSSELL W. PETERSON**  
 Governor

**GOVERNOR'S MESSAGE  
 STATE OF DELAWARE  
 EXECUTIVE DEPARTMENT**

August 7, 1969

To the Senate of the 125th General Assembly  
 of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

Phyllis Seidel, 244 Orchard Road, Newark, Delaware—to be a member, Department of Elections for New Castle County to serve a term of four years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
**RUSSELL W. PETERSON**  
 Governor

**GOVERNOR'S MESSAGE  
 STATE OF DELAWARE  
 EXECUTIVE DEPARTMENT**

August 7, 1969

To the Senate of the 125th General Assembly  
 of the State of Delaware:

In conformity with the Constitution and Laws of the State of

Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

Horace V. Whitlock, 106 E. Cochran Street, Middletown, Delaware—to be a member, Department of Elections for New Castle County to serve a term of four years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

**GOVERNOR'S MESSAGE  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT**

August 7, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

Alta C. Harrington, Commerce Street, Harrington, Delaware—to be a member, Department of Elections for Kent County to serve a term of two years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

**GOVERNOR'S MESSAGE  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT**

August 7, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

H. Dawson Shulties, R.D. 1, Box 119, Wyoming, Delaware—to be a member, Department of Elections for Kent County to serve a term of four years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

**GOVERNOR'S MESSAGE  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT**

August 7, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

Joseph R. Slights, 30 Hazel Road, Dover, Delaware—to be a member, Department of Elections for Kent County to serve a term of four years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

**GOVERNOR'S MESSAGE  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT**

August 7, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

Robert Zook, Sr., Canterbury Road, Milford, Delaware—to be a member, Department of Elections for Kent County to serve a term of two years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

**GOVERNOR'S MESSAGE  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT**

August 7, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

Marie Salmons, 135 Columbia Avenue, Rehoboth Beach, Delaware—to be a member, Department of Elections for Sussex County to serve a term of two years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
**RUSSELL W. PETERSON**  
 Governor

**GOVERNOR'S MESSAGE  
 STATE OF DELAWARE  
 EXECUTIVE DEPARTMENT**

August 7, 1969

To the Senate of the 125th General Assembly  
 of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

Robert B. Hopkins, 310 Laws Street, Bridgeville, Delaware—to be a member, Department of Elections for Sussex County to serve a term of two years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
**RUSSELL W. PETERSON**  
 Governor

**GOVERNOR'S MESSAGE  
 STATE OF DELAWARE  
 EXECUTIVE DEPARTMENT**

August 7, 1969

To the Senate of the 125th General Assembly  
 of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

Rodney Wilson, Route 1, Box 50, Ellendale, Delaware—to be a member, Department of Elections for Sussex County to serve a term of four years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
**RUSSELL W. PETERSON**  
 Governor

**GOVERNOR'S MESSAGE  
 STATE OF DELAWARE  
 EXECUTIVE DEPARTMENT**

August 7, 1969

To the Senate of the 125th General Assembly  
 of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

Leslie B. Roberts, Gumboro Road, Selbyville, Delaware—to be a member, Department of Elections for Sussex County to serve a term of four years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

**GOVERNOR'S MESSAGE  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT**

August 7, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

A. Glenn Brinsfield, State Highway North, Seaford, Delaware—to be a member, Department of Elections for Sussex County to serve a term of two years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

**GOVERNOR'S MESSAGE  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT**

August 7, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

Ralph L. Spitzer, Route 3, Box 83, Laurel, Delaware—to be a member, Department of Elections for Sussex County to serve a term of four years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

Senator Grier moved that the Senate go into Executive Session at 4:10 P.M. Motion prevailed, voice vote.

The Senate reconvened in Regular Session at 4:55 P.M.  
 Senator Grier moved that the Senate recess to the call of the Chair.  
 Motion prevailed, voice vote.

### SPECIAL SESSION CONVENED BY GOVERNOR PETERSON

In accordance with Article 3, Section 16 of the Constitution, Governor Peterson has, by Proclamation, convened the General Assembly into extraordinary session on Tuesday, October 14, 1969, at 1:00 P.M.

In accordance with and pursuant to his Proclamation directed to me as President Pro Tem of the Senate of the 125 th General Assembly, you are hereby notified that the Senate will convene at the aforementioned date and time.

### 53rd LEGISLATIVE DAY

The Senate met at 1:30 P.M. on Friday, October 14, 1969, Lt. Gov. Bookhammer presiding.

Prayer by the Chaplain Rev. Donald O. Clendaniel.

Flag Salute.

By roll call the following Senators were present:

Members Present—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—18.

Members Absent—Mr. Foltz—1.

The secretary proceeded to read the Journal of the previous day's Session when Senator Grier moved that so much be considered the reading of the Journal and the Journal be approved as read.

Senator duPont introduced **SCR 17** entitled "Providing for a Joint Session of the Senate and the House of Representatives."

Senator duPont moved that **SCR 17** be adopted.

On the question "Shall the Resolution be Adopted?" the yeas and nays were ordered which being taken were as follows.

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Steele—16.

ABSENT—Messrs. Foltz, McCullough, Slawik—3.

So the question was decided in the affirmative and the Resolution having received the required constitutional majority was adopted.

The following veto message from the Governor was delivered by Mr. Jerome O. Herliky and read before the Senate.

July 14, 1969

To the Senate of the 125th General Assembly  
 of the State of Delaware:

On July 7, 1969, I received **SB 366** entitled "An Act Making a Supplementary Appropriation to the Department of Correction for the Purpose of Granting Salary Increases to Certain Employees."

I am returning this bill without my signature for the following reasons:

1. It violates a basic provision of the merit system, that the relative

level of salaries be established by job classification. In this bill one group covered by the merit system is singled out for special consideration by legislative action. Such action for one special group of employees would encourage every other group to try to obtain a salary raise by a similar route. Now that we have a merit system we should abide by its principles and work within the system as organized.

2. The personnel Commission has now met and voted to honor meritorious requests for higher pay for those jobs involving hazardous duty. Those persons who would have been benefitted by this bill will be eligible. They should now bring their requests to the Personnel Commission. I will support a supplementary appropriation as needed to cover any increase in pay schedule adopted by the Personnel Commission for persons eligible for "hazard pay".

3. The bill that I am returning contains no appropriation and is, therefore, meaningless. Without an appropriation the bill only directs the Personnel Commission to change the pay schedule which, in itself, would not be of any immediate benefit to the guards working for the Department of Correction.

Respectfully submitted,  
 RUSSELL W. PETERSON  
 Governor

The Chair announced that the House wishes to inform the Senate that it has passed SCR 17 and is returning the same to the Senate.

Senator Hale introduced **SB 392**, co-sponsored by Senators Hickman, Conner, Hart, Steele, entitled "An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to Salary Scheduled for School Employees," which was given its first reading by title only and assigned to committee on Finance.

Senator Cicione introduced **SB 393** entitled "An Act to Amend Chapter 41, Title 14, Delaware Code, by Adding a New Section Relating to Sex Education," which was given its first reading by title only and assigned to committee on Education.

Senator Cicione introduced **SB 394** entitled "An Act to Amend Chapter 41, Title 14, Delaware Code, by Adding a New Section Relating to the Regulatory Provisions Concerning Public Schools with Respect to Sex Education, the Sexual Aspects of Human Behavior, "Sensitivity" Programs, or Family Life Education," which was given its first reading by title only and assigned to committee on Education.

Senator Cicione introduced **395** entitled "An Act to Amend Chapter 41, Title 14, Delaware Code, by Adding a New Section Relating to Courses of Instruction," which was given its first reading by title only and assigned to committee on Education.

Senator Slawik introduced **SB 396** co-sponsored by Senator McCullough, entitled "An Act Authorizing the State of Delaware to Borrow Money to be Used for School Construction or Improvements and to Issue Bonds and Notes Therefor and Appropriating the Moneys to Various Agencies of the State," which was given its first reading by title only and assigned to committee on Finance.

Senator Elliott introduced **SB 397** co-sponsored by Senators Cook, Cicione, Robbins Isaacs, entitled "An Act Proposing an Amendment to

Section 1, Article XVI, of the Constitution of the State of Delaware, Relating to Amendments and Conventions,"which was given its first reading by title only and assigned to committee Revised Statutes.

Senator Manning introduced **SB 398**,co-sponsored by Senator Castle, entitled "An Act to Amend Title 15, Delaware Code, Relating to Primary Elections and Nominations of Candidates by Parties," which was given its first reading by title only and assigned to committee on Elections.

Senator Manning introduced **SB 399** entitled "An Act to Establish a Family Court for the State of Delaware by Merging Into One Court the Family Court of the State of Delaware, in and for New Castle County and the Family Court of Kent and Sussex Counties, and to Provide for its Organization, Duties, Powers and Procedures and to Increase its State-Wide Jurisdiction,"which was given its first reading by title only and assigned to committee Judiciary.

Senator Steele introduced **SAI to SB 396**.

Senator Steele moved that **SAI to SB 396** be placed with bill. Motion prevailed by voice vote.

Senator Hickman introduced **SR 70**.

**RELATIVE TO THE DEATH OF JOHN M' LE CATO.**

**WHEREAS**, the Senate of the 125th General Assembly of the State of Delaware has learned with regret of the passing of John M. LeCato; and

**WHEREAS**, John M. LeCato has served well the people of the State of Delaware and the community in which he lived as a Representative of the 123rd General Assembly and on the Board of Commissioners of the City of Rehoboth Beach; and

**WHEREAS**, John M. LeCato was universally respected and admired by the people of Sussex County and the State of Delaware; and

**WHEREAS**, the members of the Senate desire to express to the family of the deceased, in this public manner, their sympathy at the occasion of this loss;

**NOW THEREFORE:**

**BE IT RESOLVED** by the Senate of the 125th General Assembly of the State of Delaware that the members thereof wish to express their regret at the passing of John M. LeCato, a prominent figure in his community, a former member of the House of Representatives of the State of Delaware; and

**BE IT FURTHER RESOLVED** that the family of John M. LeCato has the full sympathy of the members of the Senate of the 125th General Assembly of the State Delaware which is extended by sending a copy of this resolution to his immediate family; and

**BE IT FURTHER RESOLVED** that the text of this resolution be made a part of the Journal of the proceedings of the Senate of the 125th General Assembly of the State of Delaware.

Senator Hickman moved that **SR 70** be adopted.

On the question "Shall the Resolution be Adopted?" the yeas and nays were ordered which being taken were as follows:

**YEAS**—Messrs. Castle, Cook, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, Robbins—11.

**ABSENT**—Messrs. Cicione, (Mrs.) Conner, Foltz, (Mrs.) Manning, McCullough—5.

So the question was decided in the affirmative and the Resolution having received the required constitutional majority was adopted.



Senator Hale introduced **SCR18** entitled: "Making an Appropriation to Certain Members of the Staff of the Senate and the House of Representatives of the 125th General Assembly of the State of Delaware to Attend the Council of State Government Course on Legislative Administration.

Senator Hale moved that **SCR 18** be adopted.

On the question "Shall the Resolution be adopted?", the yeas and nays were ordered which being taken were as follows:

**YEAS**— Messrs. Castle, Cicione, Cook, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, Robbins, Schlör, Slawik, Steele—15.

**ABSENT**—Messrs. (Mrs.) Conner, Foltz, (Mrs.) Manning, McCullough—4.

So the question was decided in the affirmative and the Resolution having received the required constitutional majority was adopted.

The Chair presented the following House Bills which were given first reading and referred to Committee as follows:

**HB 292**—"An Act Making a Supplementary Appropriation to the Chief Justice of the State of Delaware for Additional Salaries for Deputy Clerks of the Justice of the Peace Courts," to the committee on Finance.

**HB 332**—"An act to Provide a Supplementary Appropriation to the Vocational-Technical School Districts for Adult Vocational-Technical Education Programs", to the committee on Finance.

**HB 363**—"An Act Authorizing the Incumbent State Treasurer to Transfer Certain Balances in the Accounts of Former State Treasurer Belle Everett", to the committee on Government operations.

**HB 374**—"An Act Appropriating Moneys for Education and Training of Children of Military Veterans who Died While in the Armed Services of the United States or who Died from Disease, Wounds or Disabilities Resulting from Such Service", to the committee on Finance.

**HB 434**—"An Act to Amend "An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1970", Being House Bill No. 187 of the 125th General Assembly and also known as the 1970 Budget Appropriation Bill With Respect to the Department of Corrections", to the committee on Finance.

Senator Steele introduced the new Comptroller General, Mr. James R. Zeller, of Newark, Delaware.

Senator Grier moved the Senate recess until 2 P.M. Motion prevailed voice vote.

The Senate reconvened at 2:10 P.M. in Joint Session in accordance with **SCR 17** to hear a message by the Governor, Russell W. Peterson.

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

#### JOINT SESSION

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

Senator Grier moved that the President of the Senate preside over the Joint Session. Motion prevailed. Senator Grier moved that the Secretary of the Senate and Chief Clerk of the House act as Secretaries of the Joint Session. Motion prevailed.

The President appointed the following committee to escort the Governor to the Senate Chamber: Senator Robbins, Senator Manning, Senator Hickman, Senator Schlor, Representative Quillen, Representative Leshner, Representative Burton, Representative Hearn.

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

# AN ADDRESS

by

THE HONORABLE RUSSELL W. PETERSON Governor of Delaware

to an

## EXTRAORDINARY SESSION

of the

ONE HUNDRED TWENTY-FIFTH GENERAL ASSEMBLY

of the

STATE OF DELAWARE

Tuesday, October 14, 1969

### GOVERNOR'S MESSAGE

Mr. President

Mr. President Pro Tem

Mr. Speaker

Ladies and Gentlemen of the 125th General Assembly

Fellow Delawareans:

I have convened this eis Extraordinary Session of the 125th General Assembly to the State of Delaware.

Uppermost among these are the first two proposals for reorganization of the executive branch of our state government.

One is the proposed department of Health and Social Services, which would combine the Human Services Functions now performed by twelve major boards and commissions.

The other is the Department of Natural Resources and Environmental Control, whcih would be responsible for functions currently performed by six major boards and commissions. In addition many smaller agencies would be affected.

I see no need for me to discuss here today the details of these proposals. Both plans have been submitted to you and to the public and will, I am sure, be thoroughly studied before action is taken by the General Assembly.

But I do want to talk generally about why the State of Delaware needs reorganization and the benefits that will derive from it.

The need for a change from the commission form of government in Delaware is critical and has been recognized for years by many study groups,including the Commission on Reorganization of the State Government in 1950, the New Day for Delaware Committee in 1960, and the Governor's Goals Committee in 1965. As far back as 1918, a study recommended consolidation into nine administrative departments.

All of these studies have emphasized the pressing need for increased efficiency by streamlining the administrative process, the need for pinpointing responsibility and authority, and the need for centralizing

operations how scattered through scores of agencies and commissions.

Several weeks ago the Governor's Economy Committee, although not engaged in a study of reorganization, came to the inescapable conclusion that this state's government would be able to operate much more efficiently by changing to a cabinet- type system.

In my first message to the Legislature in March, I requested that a Governor's Task Force on Reorganization be established to assist me in developing proposals for creating a cabinet form of government.

The General Assembly, in the law creating the Task Force, said: "It is declared to be the public policy of this state that the commission form of government shall be abolished and a cabinet form of government shall be adopted..."

The need for pulling together the lines of responsibility and authority was described by the Griffenhagen Report of 1950. "The Governor," it said, "sits in the driver's seat but the wheels do not always turn in response to his driving."

The report also said that an executive branch that is not responsive to the will of the Governor cannot be expected to remain responsive to the will of the people.

And therein lies the most convincing argument of all. Government exists to serve the people. Any system that falls short of that goal fails the people.

Despite the unanimity of these previous studies, Delaware has not made significant progress towards reorganization. New agencies and commissions have sprung up more quickly than they could be abolished. In the period from 1950 to 1966, for example, a steady proliferation increased the number of state agencies from 97 to 129. The prime reason was that the governmental structure was inadequate to meet the growing demand for services, and as new areas of need developed, new agencies were created to meet those needs.

The trend in this nation today is toward returning more responsibility-in the form of authority and dollars- to the states. The states must be ready to shoulder that responsibility. One study group has estimated that half the Governors lack the authority to do so.

As the Task Force has pointed out, the major rewards of consolidation will be:

1. Increased responsiveness and accountability of government.
2. Better delivery of services to the citizens of the state.
3. Improved effectiveness and efficiency in administration.
4. Continued utilization of citizen participation in government.
5. More effective evaluation of present programs and great ability to anticipate and provide for the long-range needs of the state.

What this government and what this government and what every government needs is more results for tax dollars spent. The cabinet form of government is an infinitely better tool to do that job.

The commission form has served its purpose, but it is a horse-and-buggy vehicle that cannot cope with the Space Age.

Let me stress here that criticism of the commission form does not extend to the many dedicated commission members who for years have devoted their time and talent to serving the people of this state.

Meaningful citizen involvement in government is vital and will be strengthened rather than weakened under the cabinet system. Relieved of

their housekeeping chores, these people will be able to pay more attention to performance and results. They can be watchdogs for the taxpayers. They can provide forums for public discussion. They can stop back and look at the problem in broad perspective and thereby become more effective in long-range planning.

To assure this continued citizen involvement, this proposal gives the advisory council access to all books and records of the secretary. It calls upon the council to submit annual reports to the secretary, to the general assembly and to the Governor.

The mixture of citizen concern and professional talent can be powerful fuel for the cabinet system.

So far we have two proposals. Others will follow, and at a fairly rapid pace. The fact that the legislation creating the Task Force gives it a December 31, 1970 termination date is tacit recognition that the General Assembly feels Delaware has waited long enough to do this job.

I cannot at this time give you specifics of the other departments to be proposed. That cannot come until after the Task Force consults with members of the many agencies involved to get their ideas on possible groupings.

However, I am asking the Task Force to consider general areas, such as Transportation, Law Enforcement, General Services, Finance, Labor, Community Affairs, Agriculture and Economic Development. There are others. Let me stress that these are areas to be considered and are not necessarily the names of the new departments to be proposed.

In any event, these proposals will be fully and publicly discussed before they are presented for final action. The nine-member Task Force will be consulting with scores of commission members. The 10-member Joint Legislative Committee which you established earlier this year is now working closely with the Task Force. Many private agencies and good government groups are being asked for their ideas. The news media will, I am sure, continue to keep the public informed of developments.

All of these elements add up to a potent partnership to assure that the final decisions will reflect the best thinking of many people.

I am convinced that the cabinet form of Government will hasten the day that Delaware can say it is a model state.

I urge your favorable action on these first two proposals.

#### NEW CASTLE COUNTY REAPPORTIONMENT

In July of this year, I signed legislation to correct gross and obvious malapportionment of New Castle County Council Districts. This law is an equitable one that adheres to the one-man, one-vote principle.

Objections to this plan have focused primarily on the manner in which the legislation was enacted-specifically, that there was inadequate opportunity for public discussion and that it violated the Home Rule Principle.

Therefore, when I signed the bill into law I said that I would also sign any alternate Proposal submitted by County Council so long as it was also a fair one that implemented the one-man, one-vote rule.

The Legislative Leadership assured me that if such a plan were presented, they would seek to get it acted upon by the General Assembly at this Extraordinary Session.

County Council accepted the challenge and has come up with a plan. It is a plan that is eminently fair and adheres strictly to the one-man,

one-vote principle. District lines were drawn by a non-partisan computer. This plan has bipartisan support. It is strongly endorsed by good government groups such as the League of Women Voters and the Committee of 39.

And it represents the full exercise of the vitally important principle of Home Rule.

If this plan is approved by County Council tonight, I strongly urge the General Assembly to enact this plan into law. I will be proud to sign this legislation because I view it as a tribute to a victory for the democratic process.

This is an accomplishment in which we can all take pride.

#### PROFESSIONAL NEGOTIATIONS

Another matter I ask you to consider at this Extraordinary Session is the so-called Professional Negotiations Bill that passed the Senate last year and is now before the House of Representatives.

I realize that some House Members question whether this is a serious enough matter for consideration now. I respectfully submit that it is, that this legislation is urgently needed.

Robert H. McBride, President of the State Board of Education, and George V. Kirk, Chairman of the Chief School Officers, have both written me of their organization's serious concern that failure to enact this legislation will increase.

Enactment of this law can resolve serious legal problems that have developed over whether school districts can sign contracts with teachers' groups. The legality of 14 existing agreements between teachers and Boards of Education is at stake. In addition, there is uncertainty in many other districts, and uncertainty that threatens the reasonably harmonious relations Delaware now enjoys between Boards of Education and teachers.

Mr. McBride, in urging me to press for passage of this legislation, said that prompt action "should prevent pending court suits and prevent further development of damaging adversary relations between teachers and boards, which have been the prelude to strikes in other states."

We face many problems in our schools today which we cannot avoid. We do not need this potential problem which we can avoid.

If the relationship between teachers and Boards of Education deteriorates, Delaware's education in general and our children in particular will suffer for it.

#### BOND BILL

The Capital Improvements Act is the fourth major item upon which I urge you to take action at this Extraordinary Session.

Because Bond Bills encompass so many projects affecting different groups and areas in the state, they have in the past and again this year been delayed by political debate.

I have heard many comments about the Bond Bill, but not once has anyone seriously suggested to me that it is not needed, or that it will not eventually pass the General Assembly.

Obviously, it is needed. The kindergartens are needed. So are the highway projects that have been planned for many years and for which civic associations all over the state are clamoring. The expansion for the Delaware Technical and Community College, and the Food Service

Building for the Home and Hospital for the Chronically Ill at Smyrna, and the Children's Cottages at the Governor Bacon Helath Center are all vitally needed.

It is not necessary for me to list the many other important projects contained in this legislation. They are well known to us all. Further delay of this urgently needed bill would be a disservice to the people of this state.

I also want to emphasize that this is a tight Bond Bill that is millions of dollars less than the various state agencies feel they need.

A companion measure to the Bond Bill has passed the Senate and will, I hope, be enacted by the House at this session. That is Senate Substitute 1 for **SB 363**, which covers \$1.1 million in small capital projects that we have decided to pay out of current revenue instead of with borrowed money, as was done for years. They are important capital items and should be approved at this session.

I will also ask the Senate to confirm a number of appointments.

In summary, these are the matters that compelled me to convene this Extraordinary Session. They are extremely important to the people of this state.

The 125th General Assembly already has distinguished itself as one of the most creative and productive in the state's history. I sincerely hope that you will see fit to add these pieces of legislation to your list of achievements.

I also want to take this opportunity to thank you, members of the General Assembly, and the people of Delaware for the help and cooperation given me during my first nine months as Governor. I am tremendously encouraged and enthused by the concern and involvement of so many dedicated people.

We in the Executive Branch are very excited about the work done by the Governor's Economy Committee and about the great potential it has uncovered for saving the taxpayers millions of dollars a year.

I will shortly appoint a person to serve full time on implementation of the committee's recommendations so that the people of Delaware can derive benefits as soon as possible.

Right now we are also working hard on preparation of a budget for next year. As you know, I have asked and am receiving from the various state agencies what they feel to be their top-priority goals in the coming years.

In January, I will be presenting to you and the people of Delaware a definition of key goals for this state, and I will be charting the courses and objectives for the remainder of my administration.

Finally, let's rededicate ourselves to this concept of making Delaware a model state. I sincerely urge you to join in a constructive effort that can achieve that objective.

Let us as political parties continue to debate and compete with each other, but let our objective be to find the best way to do the job, rather than to seek political advantage. We can do it. I am confident we will do it and that we will show the nation how to build a better life for all of its citizens.

I do not suggest a moratorium on criticism. I do urge strong emphasis on constructive criticism.

We can all benefit from the example set by Pope John, who overcame

centuries of suspicion and conflict with the simple dictum—Let's talk about what we have in common rather than what divides us.

By our example, we teach others. By our example, we can help create the climate of brotherhood and good will in which the human spirit flourishes.

Thank you for the opportunity to address this joint session.

The previously named committee escorted the Governor from the Chamber.

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

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

Senator Grier moved the two Houses now separate to re-convene in their respective Chambers. Motion prevailed.

Senator Grier moved the Senate recess until 2:30 P.M. Motion prevailed. The Senate reconvened at 2:45 P.M.

Senator Isaacs on behalf of the Committee on Fish, Oyster and Game to whom had been referred **HB 303** reported the same back to the Senate. 2 Favorable, 1 on Merits.

Senator Hale introduced **SB 400** co-sponsored by Senators Castle, Hart, Conner, Manning, Grier, duPont, Cook, Slawik, Holloway, Schlör, entitled "An Act to Amend Title 29, Delaware Code, by Creating a New Chapter to be Designated as Chapter 79 Relating to the Establishment of a Department of Health and Social Services, Defining its Organization, Powers, Duties and Functions and Providing for the Transfer of Materials and Equipment to said Department from Varous State Agencies and Providing a Supplementary Appropriation to the Governor to Implement the Provisions of this Act," which was given its first reading by title only and assigned to Committee on Joint Legislative and Committee on Reorganization.

Senator Steele on behalf of the Committee on Finance to whom had been referred **HB 332**, reported the same back to the Senate; 3 Favorable, 1 on Merits.

Senator Grier moved that the Senate adjourn until Wednesday, October 15, 1969 at 2 P.M. Motion prevailed, voice vote.

#### 54th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 5:15 P.M. on Wednesday, October 15, 1969, Lt. Gov. Bookhammer presiding.

Prayer by the Chaplain Rev. Donald O. Clendaniel.

Flag Salute

By roll call the following Senators were present:

Members Present—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—19.

The Secretary proceeded to read the Journal of the previous day's session when Senator Grier moved that so much be considered the reading of the Journal and the Journal be approved as read.

The Chair wishes to announce that the House wishes to inform the Senate that it has passed **SCR 18** and is returning same to the Senate.

A message from the Governor was delivered by Mr. Daniel Enterline. Senator Slawik introduced **SB 401** co-sponsored by Senators Schlör, Cook, Hart, Isaacs, Elliott, Cicone, Robbins, McCullough Holloway, entitled "An Act to Amend Title 29, Delaware Code, by Adding a New Chapter 67 Relating to Delaware Made Materials," which was given its first reading by title only and assigned to Committee on Finance.

Senator Holloway introduced **SB 402** entitled "An Act to Amend Section 717(d), Chapter 7, Title 4, Delaware Code, Relating to the Prohibition of Sales of Alcoholic Beverages at Certain Times by Empowering the Alcoholic Beverage Control Commission to Grant Extension Permits to License Holders Who Sell Alcoholic Beverages in a Hotel, Restaurant, or Tavern up to One O'clock in the Morning on Certain Conditions," which was given its first reading by title only and assigned to Committee on Miscellaneous.

Senator Manning introduced **SB 403** co-sponsored by all 18 other Senators entitled "An Act Making a Supplementary Appropriation to the Department of Correction, State of Delaware," which was given its first reading by title only and assigned to Committee on Finance.

Senator Steele introduced **SA 3 to SB 351**.

Senator Steele moved that **SA 3 to SB 351** be placed with bill. Motion prevailed by voice vote.

Senator McCullough introduced **SB 404**, co-sponsored by Senator Slawik entitled "An Act Directing the Veterans' Military Pay Commission to Issue a Viet Nam Conflict Bonus Payment to David L. Huffman, a Deserving Veteran," which was given its first reading by title only and assigned to Committee on Government Operations.

Senator Schlör introduced **SB 405**, cosponsored by Senators Isaacs, Hickman, Cook, entitled "An Act to Provide a Pension for Members of the General Assembly, the Governor and the Lieutenant Governor," which was given its first reading by title only and assigned to committee on Revised Statutes.

The following letters from the Governor were read and referred to Executive Committee.

October 15, 1969

To the Senate of the 125th General Assembly,  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation the following:

Paul C. Hurschman, 7 Rockford Road, Rockford Tower Apartment, Wilmington, Delaware, to be a member of the Delaware Veterans' Military Pay Commission to serve during the pleasure of the Governor.

Your consideration of the nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

October 15, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation the following:



Anthony E. Pugliese, 15 Holly Hill Road, Holly Hill, Willmington, Delaware, to be a member of the Delaware Veterans' Military Pay Commission to serve during the pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

October 15, 1969

To the Senate of the 125th General Assembly  
of the State of Delaw In conformity withthe Constitution and Laws  
of the State of Delaware, I hereby nominate and appoint, subject to your  
confirmation the following:

Richard W. Lambert, 97 Arcada Parkway, Sharondale, Middletown,  
Delaware; to be a member of the Delaware Veterans' Military Pay  
Commission to serve during the pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

October 15, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of  
Delaware, I hereby nominate and appoint, subject to your confirmation  
the following:

M.Milford Caldwell, 106 Bertrand Drive, Lincoln Park, Dover,  
Delaware; to be a member of the Delaware Veterans' Military Pay  
Commisison to serve during the pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

October 15, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware

In conformity with the CONstitution and Laws of the State of  
Delawre, I hereby nominate and appoint, subject to your confirmation the  
following:

Fred D. Wood, III, 640 Riverside Drive, Seaford, Delaware; to be a  
member of the Delaware Veterans' Military Pay Commission to serve  
during the pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
GOVERNOR

October 15, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation the following:

Franklin C. Daiber, 37 Kells Avenue, Newark, Delaware; to be a member of the Atlantic States Marine Fisheries Commission to serve a term of three years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully Submitted,  
RUSSELL W. PETERSON  
Governor

October 15, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation the following:

Henry R. Horsey, 9 The Green, Dover, Delaware; to be a member of the Board of Trustees of the Delaware Institute of Medical Education and Research to serve a term of two years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

October 15, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation the following:

John H. Long, Centerville Road, Greenville, Wilmington, Delaware; to be a member of the Board of Trustees of the Delaware Institute of Technology to serve a term of three years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

October 15, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation the following:

James H. Gilliam, Sr., 501 Pine Street, Wilmington, Delaware; to be a member of the State Personnel Commission to serve a term of three years from September 7, 1969 to September 7, 1972.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

October 15, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appint, subject to your confirmation the following:

Daniel J. Monigle, Jr., 602 W. 27th Street, Wilmington, Delaware; to be a member of the Department of Elections for New Castle COunty filling the unexpired term of Martin A. Devine (resigned) to end August 7, 1971.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

October 15, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware

In conformity with the Constitution and Lasw of the State of Delaware, I hereby nominate and appoint, subject to your confirmation the following:

Marie Winder, 105 E. Cochran Street, Middletown, Delaware,; to be a member of the Bingo Control Commission to serve a term of five years from September 1, 1967 to September 1, 1972.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

October 15, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation the following:

Roger A. Thomas, Garfield Avenue and Boardwalk, Bethany Beach, Delaware; to be a member of the Bingo Control Commission to serve a term of five years from September 1, 1969 to September 1, 1974.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

October 15, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware

In Conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject tto your confirmation the following:

Edward J. Murphy, 42 W. 5th Street, New Castle, Delaware; to be a member of the Bingo Control Commission to serve a term of five years from September 1, 1966 to September 1, 1971.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

October 15, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation the following:

Eugene DeSabatino, 1406 N. Bancroft Parkway, Wilmington, Delaware; to be Chairman of the Delaware Industrial Building Commission to serve during the pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

October 15, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoints, subject to your confirmation the following:

Arnold B. Gilstad, 62 Clark Street, Harrington, Delaware; to be a member of the Delaware Industrial Building Commission to serve a term of four years from February 20, 1969 to February 20, 1973.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

October 15, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation the following:

Albert L. Tanyer, 106 W. 6th Street, Laurel, Delaware; to be a member of the Delaware Industrial Building Commission to serve a term of four years from February 20, 1967 to February 20, 1971.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
RUSSELL W. PETERSON  
Governor

October 15, 1969

To the Senate of the 125th General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation the following:

William A. Carter, Morris Street, Millsboro, Delaware; to be a member of the Delaware Industrial Building Commission to serve a term of

four years from February 20, 1966 to February 20, 1970.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
**RUSSELL W. PETERSON**  
 Governor

Senator Schlor introduced **SB 406**, co-sponsored by Senator Cook entitled "An Act to Amend Section 1902, Title 14, Delaware Code, by Exempting Residential Property Owned by Certain Persons Over the Age of 65 from the Payment of School Taxes," which was given its first reading by title only and assigned to Committee on Education.

Senator duPont moved the Senate recess to the call of the chair. Motion prevailed voice vote.

Senator Grier moved that the Senate adjourn until October 27, 1969.

### 55th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2 P.M. on Monday October 27, 1969, Lt. Gov. Bookhammer presiding.

Prayer by Senator Foltz

Flag Salute

By roll call the following Senators were present:

Members Present—Messrs. Castle, Cicione, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlor, Steele—16.

Members Absent—Messrs. (Mrs.) Conner, McCullough, Slawik—3.

The Secretary proceeded to read the Journal of the previous day's session when Senator Grier moved that so much be considered the reading of the Journal and the Journal be approved as read.

Senator duPont introduced **SB 407** co-sponsored by Senators Manning, Castle, Hale, entitled "An Act to Amend Part II, Title 9, Delaware Code, Relating to the Government of New Castle County," which was given its first reading by title only and assigned to Committee on Elections.

Senator duPont moved the Senate go into Executive Session at 2:05 P.M. Motion Prevailed.

The Senate reconvened in Regular Session at 2:30 P.M.

Senator Hickman presented a letter from Mrs. John M. LeCato, wife of former Rep. LeCato, which was read and made part of the Journal.

Honorable Thomas E. Hickman, Jr.,

Ocean View Delaware;

Dear Mr. Hickman,

My sons and I want to thank you for your introduction of the Resolution expressing sorrow and sympathy of the Senate at my husband's death.

We so appreciate your kind thought. Please extend our heartfelt thanks to the Senate of the 125th General Assembly and also to Mr. Wilgus for his letter to me.

Sincerely  
 Ester V. LeCato  
 (Mrs. John M. LeCato)  
 Dewey Beach  
 Delaware  
 October 21, 1969

Senator Castle, on behalf of the Committee on Elections to whom had been referred **SB 407**, reported the same back to the Senate; 3 Favorable, 2 Merits.

Senator Grier moved that the Senate adjourn until October 28, 1969 at 3 P.M. Motion prevailed, voice vote.

### 56th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 5:25 P.M. on Tuesday, October 28, 1969. Lt. Gov. Bookhammer presiding.

Prayer by the O.H. Spence.

Flag Salute

By roll call the following Senators were present:

Members Present— Messrs. Castle, Cicone, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—19.

The Secretary proceeded to read the Journal of the previous day's session when Senator Grier moved that so much be considered the reading of the journal and and the Journal be approved as read.

Senator Schlör introduced **SB 408** co-sponsored by Senator Cook entitled "An Act to Amend Chapter 51, Title 29, Delaware Code, by Providing Hospitalization, Medical and Surgical Benefits for State Employees and Making a Supplementary Appropriation for that Purpose," which was given its first reading by title only and assigned to Committee on Revised Statutes.

Senator Hale introduced **SAI to SB 400**

Senator Hale moved that **SAI to SB 400** be placed with bill. Motion prevailed by voice vote.

Senator Isaacs introduced **SB 409** entitled "An Act to Amend Chapter 17, Title 7, Delaware Code, Relating to the Licensing and Inspection of Dog Kennels and Providing Penalties for Violations," which was given its first reading by title only and assigned to Committee on Fish, Oyster and Game.

Senator Isaacs introduced **SB 410** entitled "An Act to Amend Chapter 17, Title 7, Delaware Code, Relating to the Care and Treatment of Dogs in Kennels," which was given its first reading by title only and assigned to committee on Fish, Oyster and Game.

Senator Conner on behalf of the Committee on Education to whom had been referred **SB 406** reported the same back to the Senate; 2 Favorable 2 Unfavorable, 2 Merits.

Senator duPont on behalf of the Committee on Joint Legislative Committee on Reorganization to whom had been referred **SB 400**,

reported the same back to the Senate; 3 Favorable, 2 on Merits.

On motion of Senator duPont **SB 407** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate. "An Act to Amend Part II, Title 9, Delaware Code, Relating to the Government of New Castle County."

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS- Messrs. Castle, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Holloway, (Mrs.) Manning, McCullough, Schlör, Slawik—12.

NAYS—Messrs. Cicione, Hart, Isaacs, Steele—4.

NOT VOTING—Messrs. Elliott, Hickman, Robbins—3.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the senate and was ordered to the House for concurrence.

Senator duPont moved that the Senate go into Executive Session at 5:55. Motion prevailed. The Senate reconvened at 6 P.M.

Senator duPont moved that the Senate adjourn until October 29, 1969 at 3 P.M. Motion prevailed, voice vote.

### 57th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:48 P.M. on Thursday, October 29, 1969 Lt. Gov. Bookhammer presiding.

Prayer by Senator Hale

Flag Salute

By roll call the following Senators were present:

Members Present: Messrs.— Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—19.

The secretary proceeded to read the Journal of the previous day's session when Senator Grier moved that so much be considered the reading of the Journal and the Journal be approved as read.

Senator Steele on behalf of the Committee on Finance to whom had been referred **SB 100** reported the same back to the Senate; 1 Favorable, 1 Unfavorable, 4 Merits.

Senator Castle on behalf of the Committee on Revised Statutes to whom had been referred **SB 408** reported the same back to the Senate; 1 Favorable, 1 Unfavorable, 3 Merits.

Senator Holloway asked for the privilege of the floor for Mr. Lewis A. Masci and Ladies, Wilmington, Delaware, representing "The Working Incentive Program"

Hearing no objection the privilege was granted.

The Chair announced that the House wishes to inform the Senate that it has passed **SS 1 for SB 363 with HA 2**, and is returning same to the Senate.

Senator Foltz on behalf of the Committee on Banking and Insurance to whom had been referred **SB 24** reported the same back to the Senate; 1 Favorable, 1 Unfavorable, 3 Merits.

Senator Foltz on behalf of the Committee on Judiciary to whom had been referred **HB 67 with HA 1** reported the same back to the Senate; 1 Favorable, 5 Merits.

Senator Foltz on behalf of the Committee on Judiciary to whom had

been referred **HB 25 with HA 1 and 2** reported the same back to the Senate; 1 Favorable, 1 Unfavorable, 3 Merits.

Senator Foltz on behalf of the Committee on Judiciary to whom had been referred **HB 61** reported the same back to the Senate; 3 Favorable, 3 Merits.

Senator Foltz on behalf of the Committee on Judiciary to whom had been referred **HB 28** reported the same back to the Senate; 1 Favorable, 2 Unfavorable, 3 on Merits.

Senator Foltz on behalf of the Committee on Judiciary to whom had been referred **HB 29 with HA 1**, reported the same back to the Senate; 1 Favorable, 2 Unfavorable, 3 on Merits.

Senator Foltz on behalf of the Committee on Judiciary to whom had been referred **HB 221 with HA 1 and 2**, reported the same back to the Senate; 1 Favorable, 3 on Merits.

Senator Foltz on behalf of the Committee on Judiciary to whom had been referred **HB 222 with HA 1** reported the same back to the Senate; 1 Favorable, 2 Unfavorable, 3 on Merits.

Senator Foltz on behalf of the committee on Judiciary to whom had been referred **HB 227**, reported the same back to the Senate; 2 Favorable, 4 on Merits.

Senator Foltz on behalf of the Committee on Judiciary to whom had been referred **HB 279** reported the same back to the Senate; 1 Favorable, 1 Unfavorable, 4 Merits.

Senator Foltz on behalf of the Committee on Judiciary to whom had been referred **HB 280** reported the same back to the Senate; 1 Favorable, 2 Unfavorable, 3 Merits.

Senator duPont moved that the Senate go into Executive Session at 3:05 P.M. The Senate reconvened in Regular Session at 3:15 P.M.

Senator Cicione on behalf of the Committee on Government Operations to whom had been referred **SB 150** reported the same back to the Senate; 2 Favorable, 3 Merits.

Senator Cicione on behalf of the Committee on Labor and Industrial Relations to whom had been referred **SB 208** reported the same back to the Senate; 2 Favorable, 3 on Merits.

Senator Cicione introduced **SA 1 to SB 208** co-sponsored by Senator Schlör.

Senator Cicione moved that **SB 208** be placed with bill. Motion prevailed by voice vote.

Senator duPont moved the Senate recess to the call of the Chair. Motion prevailed voice vote. The Senate reconvened at 4:25 P.M.

Senator Steele introduced **HA2 to SS1 for SB 353**

Senator Steele moved that **HA2 to SS1 for SB 353** be adopted.

On the question "Shall the Amendment be adopted?"

The yeas and nays were ordered which being taken were as follows

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—19.

So the question was decided in the affirmative and the amendment having received the required constitutional majority was adopted.

Senator Foltz introduced **SA 2 to SB 400** co-sponsored by Senator Elliott.



Senator Foltz moved that **SA 2 to SB 400** be placed with bill. Motion prevailed by voice vote.

Lt. Gov. Bookhammer recognized the Junior Class of Oldfields School chaperoned by Mrs. Reynolds duPont.

Senator Steele introduced **SA 4 to SB 351** co-sponsored by Senator Cook.

Senator Steele moved that **SA 4 to SB 351** be placed with bill. Motion prevailed by voice vote.

Senator Schlör introduced **SB 411** co-sponsored by Senators Hickman, McCullough, Isaacs entitled, "An Act to Amend Chapter 7, Title 4, Delaware Code, Relating to Sales of Alcoholic Liquor," which was given its first reading by title only and assigned to Committee on Miscellaneous.

Senator Cook introduced **SB 412** entitled, "An Act to Amend Chapter 149, Volume 29, Laws of Delaware, Entitled 'An Act to Reincorporate the Town of Cheswold,' as Amended," which was given its first reading by title only and assigned to Committee on Government Operations.

Senator Manning introduced **SCR 19** co-sponsored by Senator Robbins.

Senator Manning moved that **SCR 19** be adopted.

On the question "Shall the Resolution be adopted?"

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele-19.

So the question was decided in the affirmative and the resolution having received the required constitutional majority was adopted.

Senator Grier introduced **SR 71** co-sponsored by Senator Cook.

Senate Resolution No. 71

# EXPRESSING THE BEST WISHES OF THE

## SENATE OF THE 125th GENERAL ASSEMBLY TO

### NATHAN ROSBROW ON HIS BIRTHDAY

WHEREAS, the members of the Senate of the 125th General assembly have learned that today, October 29, 1969 is the birthday of Nathan Rosbrow, and

WHEREAS, the members of the Senate wish to express their best wishes to Nathan Rosbrow-Lawyer, Veteran and Gentleman- and,

WHEREAS, Mr. Rosbrow has acted energetically in his role as Senate Reading Clerk.

NOW THEREFORE,

BE IT RESOLVED by the Senate of the 125th General Assembly of the State of Delaware, that Mr. Rosbrow be accorded fond wishes of good health and happiness on this, his sixty-third birthday.

BE IT FURTHER RESOLVED that a copy of this resolution be entered upon the Journal of the Senate and a copy delivered to Mr. Rosbrow.

Senator Grier moved that **SR 71** be adopted.

On the question "Shall the Resolution be adopted?"

The yeas and nays were ordered which being taken were as follows:

**YEAS**—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele-19.

So the question was decided in the affirmative and the resolution having received the required constitutional majority was adopted.

Senator Elliott introduced **SB 413** entitled, "An Act to Amend Title 14, Chapter 10, Section 1004, Delaware Code, by Changing the Requirements of School Districts Under the Plan of Reorganization," which was given its first reading by title only and assigned to Committee on Education.

Senator Steele moved that **SA 3 to SB 351** be stricken from the calendar. Motion prevailed voice vote.

Senator duPont moved the Senate recess for 10 minutes. Motion prevailed, voice vote.

The Senate reconvened at 5:35 P.M.

Senator Steele moved that roll call on **SB 351 with SA 1 and 2** be reconsidered and rescinded.

On the question "Shall the motion pass the Senate?" the yeas and nays were ordered which being taken were as follows:

**YEAS**—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele-18.

**ABSENT**—Mr. Elliott-1.

So the question was decided in the affirmative and the motion having received the required constitutional majority passed the Senate.

Senator Steele introduced **SA 4 to SB 351 with SA 1 and 2**

Senator Steele moved that **SA 4 to SB 351 with SA 1 and SA 2** be adopted.

On the question, "Shall the Amendment be Adopted?" the yeas and nays were ordered which being taken were as follows:

**YEAS**—Messrs. (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele-18.

**NAYS**—Mr. Castle-1.

So the question was decided in the affirmative and the amendment having received the required constitutional majority was adopted.

On motion of Senator Steele **SB 351 with SA 1-2-4** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"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 moneys to various agencies of the State."

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

**YEAS**—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele-19.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Senator Foltz requested that **SA 2 to SB 400** be stricken from the

calendar. Motion prevailed voice vote.

Senator Foltz introduced **SA 3 to SB 400**.

Senator Foltz moved that **SA 3 to SB 400** be placed with the bill. Motion prevailed, without objection.

Senator Grier moved that the Senate adjourn until October 30, 1969, at 2:00 P.M. Motion prevailed, without objection.

### 58th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:30 P.M. on Saturday, October 30, 1969, Lt. Gov. Bookhammer presiding.

Prayer by Senator Steele.

Flag Salute.

By roll call the following Senators were present:

Members Present: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele-18.

Members Absent: Mr. Elliott-1.

The Secretary proceeded to read the Journal of the previous day's session when Senator Grier moved that so much be considered the reading of the Journal and the Journal be approved as read.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 453 with HA 2** and requests the concurrence of the Senate.

The Chair announced that the House wishes to inform the Senate it has passed **SS 1 for SB 228 with SA 2, 6, 8, 9, HA 3, 5, 11** and is returning same to the Senate.

The Chair announced that the House wishes to inform the Senate it has passed **SB 407** Senate Concurrent Resolution No. 19 and is returning same to the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **SB 351 with SA 1, 2, 4** and Debt Statement and is returning same to the Senate.

Senator Slawik introduced **SA 4 to SB 400**

Senator Slawik moved that **SA 4 to SB 400** be placed with bill. Motion prevailed by voice vote.

Senator Isaacs on behalf of the Committee on Fish Oyster and Game to whom had been referred **SB 409** reported the same back to the Senate; 4 Favorable.

Senator Isaacs on behalf of the Committee on Fish Oyster and Game to whom had been referred **SB 410** reported the same back to the Senate; 4 Favorable.

Senator duPont introduced **SR 72** co-sponsored by all 18 other Senators.

### EXPRESSING THE BEST BELATED WISHES OF THE SENATE OF THE 125th GENERAL ASSEMBLY TO

SENATOR FRANK R. GRIER  
ON THE OCCASION OF HIS BIRTHDAY

WHEREAS, the Members of the Senate of the 125th General

Assembly have just realized that on October 27, sixty-four years ago there was born in the City of Milford a male child later named Frank R. Grier, and

WHEREAS, the Members of the Senate wish to express their best birthday wishes to Senator Grier.

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 125th General Assembly of the State of Delaware, that the best wishes of its members for the continued good health and happiness of Senator Grier for many more years are hereby extended to Senator Grier.

BE IT FURTHER RESOLVED that a copy of this resolution be entered on the Journal of the Senate and a copy delivered to the family of Senator Grier.

Senator duPont moved that **SR 72** be adopted.

On the question "Shall the Resolution be adopted?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicone, (Mrs.) Conner, Cook, duPont, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—16.

NOT VOTING—Mr. Grier—1.

ABSENT—Messrs. Elliott, Foltz—2.

So the question was decided in the affirmative and the resolution having received the required constitutional majority was adopted.

Senator Grier moved the Senate recess to the call of the Chair. Motion prevailed voice vote. The Senate reconvened at 4:23 P.M.

Senator Slawik introduced **SA 2 to SB 7** co-sponsored by Senator Cicone.

Senator Slawik moved that **SA 2 to SB 7** be placed with bill. Motion prevailed by voice vote.

Senator Hale introduced **SA 5 to SB 400**.

Senator Hale moved that **SA 5 to SB 400** be place with bill. Motion prevailed by voice vote.

Senator duPont moved the Senate recess to the call of the Chair. Hearing no objections motion prevailed. The Senate reconvened at 4:50 P.M. with President Pro Tem duPont presiding.

On motion of Senator Hale **SS 1 for SB 228 with SA 2, 6, 8, 9 and HA 3, 5, 11** was taken up for consideration in order to pass the Senate.

Senator Conner asked for the privilege of the floor for Mr. Charles Harris to explain **SB 228 with SA 2-6-8-9-and HA 3-5-11**. Hearing no objection the privilege was granted.

On motion of Senator Hale the Roll Call on the bill was tabled.

On motion of Senator Hale **SB 400** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to Amend Title 29, Delaware Code, by Creating a New Chapter to be Designated as Chapter 79 Relating to the Establishment of a Department of Health and Social Services, Defining its Organization, Powers, Duties and Functions and Providing for the Transfer of Materials and Equipment to Said Department from Various STate Agencies and Providing a Supplementary Appropriation to the Governor to Implement the Provisions of this Act."

Senator Hale moved that **SA 5 to SB 400** be taken up for consideration. Motion prevailed.

Senator Cook moved that the Senate adjourn until November 10, 1969.

On the question "Shall the Senate adjourn?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, McCullough, Robbins, Schlor, Slawik-6.

NAYS—Messrs. Castle, Cicione, (Mrs. Conner, duPont, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Steele-12.

ABSENT—Mr. Elliott-1.

So the question was decided in the negative and the motion was lost.

Senator Hale moved that **SA 5 to SB 400** be adopted.

On the question "Shall the amendment be adopted?"

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs. Conner, duPont, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Steele-12.

NAYS—Messrs. Cook, Holloway, McCullough, Robbins, Schlor-5.

NOT VOTING—Mr. Slawik-1.

ABSENT—Mr. Elliott-1.

So the question was decided in the affirmative and the amendment having received the required constitutional majority was adopted.

Senator Foltz moved for consideration of **SA 3 to SB 400 with SA 5** Motion prevailed.

Senator Hale moved that **SA 3 to SB 400 with SA 5** be tabled.

On the question "Shall the motion be adopted?"

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. (Mrs.) Conner, duPont, Grier, Hale, Hart, (Mrs.) Manning, Steele-7.

NAYS—Messrs. Cook, Foltz, Hickman, Isaacs, Robbins, Schlor, Slawik-7.

NOT VOTING—Messrs. Castle, Cicione, Holloway, McCullough-4.

ABSENT—Mr. Elliott-1.

So the question was decided in the negative and the motion was lost.

Senator Foltz moved that **SA 3 to SB 400 with SA 5** be adopted.

On the question "Shall the amendment be adopted?"

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cook, Foltz, Hickman, Isaacs, McCullough, Robbins, Schlor, Slawik-9.

NAYS—Messrs. Cicione, (Mrs.) Conner, duPont, Grier, Hale, Hart, (Mrs.) Manning, Steele-8.

NOT VOTING—Mr. Holloway-1.

ABSENT—Mr. Elliott-1.

So the question was decided in the negative and the amendment was lost.

Senator Slawik moved that **SA 4 to SB 400** be adopted.

On the question "Shall the Amendment be Adopted?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, McCullough, Robbins, Schlor, Slawik-6.

NAYS—Messrs. duPont, Foltz, Grier, Hale, Hart, (Mrs.) Manning, Steele-7.

NOT VOTING—Messrs. Castle, (Mrs.) Conner, Hickman, Holloway-4.

ABSENT—Messrs. Cicione, Elliott-2.

So the question was decided in the negative and the amendment was lost.

Senator Hale requested that **SA 1 to SB 400 with SA 5** be stricken from the calendar. Motion prevailed voice vote.

On motion of Senator Hale **SB 400 with SA 5** was taken up for consideration in order to pass the Senate.

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Slawik, Steele-14.

NAYS—Messrs. McCullough, Robbins-2.

NOT VOTING—Messrs. Cook, Schlor-2.

ABSENT—Mr. Elliott-1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Senator Hale roll call on **SS1 for SB 228 with SA2-6-8-9- and HA 3-5-11** was lifted from Table.

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Grier, Hale, Holloway, (Mrs.) Manning, Robbins, Steele-10.

NAYS—Messrs. Cook, Foltz, Hickman, Isaacs, Slawik-5.

NOT VOTING—Messrs. Hart, McCullough, Schlor-3.

ABSENT—Mr. Elliott-1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate.

The Chair presented the following House Bill which was given its first reading: **HB 453 with HA 2** "An Act to Amend Title 29, Delaware Code, by Creating a New Chapter to be Designated as Chapter 80 Relating to the Establishment of a Department of Natural Resources and Environmental Control, Defining its Organization, Powers, Duties and Functions and Providing for the Transfer of Materials and Equipment to said Department from Various State Agencies and Providing a Supplementary Appropriation to the Governor to Implement the Provisions of this Act."

Senator Hale moved that Rule 9 be suspended for the purpose of considering **HB 453 with HA 2**.

On the question "Shall the motion pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Steele-12.

NAYS—Messrs. McCullough, Robbins, Slawik-3.

ABSENT—Messrs. Cook, Elliott, Holloway-3.

So the question was decided in the affirmative and the motion having received the required constitutional majority passed the Senate.

Senator Hickman moved that **SA 2 to HB 453 with HA 2** be adopted.

On the question "Shall the Amendment be Adopted?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Foltz, Hickman, Isaacs, McCullough, Robbins, Slawik-7.

NAYS—Messrs. Castle, (Mrs.) Conner, duPont, Hale, (Mrs.) Manning, Steele-6.

NOT VOTING—Messrs. Grier, Hart, Schlör-3.

ABSENT—Messrs. Cicione, Elliott, Holloway-3.

So the question was decided in the negative and the amendment was lost.

Senator Isaacs moved that **SA 1 to HB 453 with HA 2** be adopted.

On the question “Shall the Amendment be Adopted?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Foltz, Hickman, Isaacs, McCullough, Robbins, Slawik-7.

NAYS—Messrs. Castle, duPont, Hale, (Mrs.) Manning, Steele-5.

NOT VOTING—Messrs. (Mrs.) Conner, Grier, Hart, Schlör-4.

ABSENT—Messrs. Cicione, Elliott, Holloway-3.

So the question was decided in the negative and the amendment was lost.

On motion of Senator Hale **HB 453 with HA 2** was taken up for consideration in order to pass the Senate.

On the question “Shall the bill pass the Senate?” The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Steele-12.

NAYS—Messrs. Cook, McCullough, Robbins-3.

NOT VOTING—Messrs. Schlör, Slawik-2.

ABSENT—Messrs. Elliott, Holloway-2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Senator Hale introduced **SR 73** entitled: “In Reference to the Election of Officers:”

Senator Hale moved that **SR 73** be adopted.

On the question “Shall the Resolution be Adopted?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Schlör, Steele-14.

ABSENT—Messrs. Elliott, Holloway, McCullough, Robbins, Slawik-5.

So the question was decided in the affirmative and the resolution having received the required constitutional majority was adopted.

Senator Hale introduced **SR 74** entitled: “Authorizing Payments for Services Rendered by the Staff of the Senate for the 125th General Assembly.

Senator Hale moved that **SR 74** be adopted.

On the question “Shall the Resolution be Adopted?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Schlör, Steele-13.

ABSENT—Messrs. Elliott, Foltz, Holloway, McCullough, Robbins, Slawik-6.

So the question was decided in the affirmative and the resolution having received the required constitutional majority was adopted.

Senator Hale introduced **SR 75** entitled: “Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 125th General Assembly.”

Senator Hale moved that **SR 75** be adopted.

On the question "Shall the Resolution be Adopted?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Schlor, Steele-14.

ABSENT—Messrs. Elliott, Holloway, McCullough, Robbins, Slawik-5.

So the question was decided in the affirmative and the resolution having received the required constitutional majority was adopted.

The Chair announced that the House wishes to inform the Senate that it has passed **SB 400 with SA 5**.

Senator Grier moved the Senate recess to the call of the Chair. Motion prevailed voice vote.



## SECOND REGULAR SESSION OF THE 125TH GENERAL ASSEMBLY

### 1st LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:00 P.M. on January 13, 1970, Lt. Gov. Bookhammer presiding.

Prayer by the Chaplain, Rev. O. H. Spence.

Flag Salute.

By roll call the following Senators were present:

Members Present—Messrs. Castle, (Mrs.) Conner, Cook, du Pont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—17.

Members Absent—Messrs. Cicione, Hart—2.

The Secretary proceeded to read the Journal of the previous day's session when Senator duPont moved that so much be considered the reading of the Journal and the Journal be approved as read.

Mr. Daniel Enterline was received with a message from the Governor.

Senator Castle introduced **SB 414** co-sponsored by Senator Manning which was given its first reading by title only, entitled "An Act to Amend Title 15, Delaware Code, Relating to the Definition of Party or Political Party," which was assigned to committee on Elections

January 13, 1970

Mr. President:

The House wishes to inform the Senate that it has passed **HCR 17** and requests the concurrence of the Senate.

January 13, 1970

Mr. President:

The House wishes to inform the Senate that it has passed **SCR 20** and is returning same to the Senate.

Senator Castle introduced **SB 416** co-sponsored by Senator Manning, which was given its first reading by title only, entitled "An Act to Amend Machines and Absentee Ballots," which was assigned to committee on Elections.

Senator Hale introduced **SB 417** which was given its first reading by title only, entitled "An Act to Amend Chapter 15, Title 13, Delaware Code, so as to Allow Persons Over Eighteen Years of Age to Bring or Defend Actions for Divorce or Annulment," which was assigned to committee on Revised Statutes.

Senator Hale introduced **SB 418**, co-sponsored by Senators Manning, duPont, Grier, Conner, Steele, and Castle, which was given its first reading by title only, entitled "An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to Salary Schedules for School Employees," which was assigned to committee on Education.

Senator Manning introduced **SB 419** which was given its first reading by title only, entitled "An Act Making a Supplementary Appropriation to

the Constitutional Revision Commission,” which was assigned to committee on Finance.

Senator duPont introduced **SB 420**, co-sponsored by several other senators, which was given its first reading by title only, entitled “An Act Making a Supplementary Appropriation to the Governor’s Task Force on Government Reorganization,” which was assigned to committee on Finance.

Senator Foltz introduced **SB 421** which was given its first reading by title only, entitled “An Act to Amend Title 18, Section 1907, Delaware Code Relating to the Eligibility of Surplus Lines Insurers,” which was assigned to committee on Banking and Insurance.

Senator duPont introduced **SCR 20** entitled “That the Two Houses Meet in Joint Session to Hear the Message of the Governor.”

Senator duPont moved that **SCR 20** be adopted.

On the question “Shall the resolution be adopted?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—16.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Cicione, Foltz, Hart—3.

So the question was decided in the affirmative and the resolution having received the required constitutional majority was adopted.

Senator Hale introduced **SR 76** entitled “Authorizing the Legislative Council to Purchase Electric Typewriters and Appropriating Monies to Provide Payment Thereof.”

Senator Hale moved that **SR 76** be adopted.

On the question “Shall the resolution be adopted?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—16.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Cicione, Foltz, Hart—3.

So the question was decided in the affirmative and the resolution having received the required constitutional majority was adopted.

Senator Steele introduced **SS1 for SB 280** which was given its first reading by title only, entitled “An Act to Amend Title 14, Chapter 27, Section 2702, Delaware Code, to Prescribe More Precisely the School Entering Ages,” which was assigned to committee on Education.

The Chair presented the following Concurrent Resolution which was given first reading.

**HCR 17**—“That the Two Houses Meet in Joint Session to Hear the Message of the Governor.”

Senator Grier moved that **HCR 17** be adopted.

On the question “Shall the resolution be adopted?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—16.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Cicione, Foltz, Hart—3.

So the question was decided in the affirmative and the resolution having received the required constitutional majority was adopted.

The following letters from the Governor were read and referred to the Executive Committee.

STATE OF DELAWARE  
Executive Department  
Dover

January 13, 1970

To the Senate of the 125th General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

Albert L. Ingram, Jr., M.D.; 3814 Valleybrook Drive; Oakwood Hills; Wilmington, Delaware, to be Secretary of the Department of Health and Social Services to serve during the pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
Russell W. Peterson  
Governor

\* \* \*

January 13, 1970

To the Senate of the 125th General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

Austin N. Heller; 103 Nottingham Road; Ramsey, New Jersey, to be Secretary of the Department of Natural Resources and Environmental Control to serve during the pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
Russell W. Peterson  
Governor

Senator Steele on behalf of the Committee on Finance to whom had been referred **SB 419** reported the same back to the Senate: 4 Favorable; 2 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **SB 420** reported the same back to the Senate; 4 Favorable, 2 on Merits.

Senator Cook introduced **SB 422**, co-sponsored by Senator Manning, which was given its first reading by title only, entitled "An Act to Amend an Act Entitled 'An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1970,' being House Bill No. 187 of the 125th General Assembly and also Known as the 1970 Budget Appropriation Bill," which was assigned to committee on Finance.

Senator Foltz introduced **SA1 to HB 29**.

Senator Foltz moved that **SA1 to HB 29** be placed with bill. Motion prevailed without objection.

Senator Foltz introduced **SA1 to HB 25** as amended.

Senator Foltz moved that **SA1 to HB 25**, as amended, be placed with the bill. Motion prevailed without objection.

Senator Foltz introduced **SA1 to HB 279**.

Senator Foltz moved that **SA1 to HB 279** be placed with bill. Motion prevailed without objection.

Senator Foltz introduced **SA1 to HB 280**.

Senator Foltz moved that **SA1 to HB 280** be placed with the bill. Motion prevailed without objection.

Senator Foltz introduced **SA1 to HB 28**.

Senator Foltz moved that **SA1 to HB 28** be placed with bill. Motion prevailed without objection.

Senator Foltz introduced **SA1 to HS1 for HB 61**.

Senator Foltz moved that **SA1 to HS1 for HB 61** be placed with bill. Motion prevailed without objection.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 403**, reported the same back to the Senate: 4 Favorable; 2 on Merits.

Senator Castle, on behalf of the committee on Revised Statutes to whom had been referred **SB 417**, reported the same back to the Senate; 1 Favorable, 5 on Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 422**, reported the same back to the Senate: 4 Favorable; 2 on Merits.

Senator Castle, on behalf of the committee on Revised Statutes to whom had been referred **HB 139**, reported the same back to the Senate; 5 Favorable, 1 Unfavorable.

Senator Grier moved the Senate recess for 15 minutes at 2:45 P.M. Motion prevailed, without objection.

The Senate reconvened at 3:35 P.M.

Senator Hickman introduced **SCR 21**, co-sponsored by Senator Isaacs, entitled "Providing for the Fish, Oyster and Game Committee of the Senate and the Natural Resources Committee of the House of Representatives to Hold Joint Hearings and conduct a Full Inquiry into the Game and Fish Commission."

Senator Hickman moved that **SCR 21** be adopted.

On the question "Shall the resolution be adopted?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, Steele—11.

NAYS—Messrs. Cook, McCullough, Schlör, Slawik—4.

NOT VOTING—Mr. Robbins—1.

ABSENT—Messrs. Cicone, Hart, Isaacs—3.

So the question was decided in the affirmative and the resolution having received the required constitutional majority was adopted.

On motion of Senator Schlör **SB 408** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate, "An Act to amend Chapter 51, Title 29, Delaware Code, by providing hospitalization medical and surgical benefits for state employees

and making a supplementary appropriation for that purpose.”

Senator Steele moved that **SB 408** be tabled.

On the question “Shall the motion pass the Senate?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hickman, (Mrs.) Manning, Steele—10.

NAYS—Messrs. Cook, Holloway, McCullough, Robbins, Schlör, Slawik—6.

NOT VOTING—0.

ABSENT—Messrs. Cicione, Hart, Isaacs—3.

So the question was decided in the affirmative and the motion having received the required constitutional majority prevailed.

Senator Hale introduced **SR 77**, co-sponsored by Senators Conner, Grier, Hickman, duPont, Elliott, Castle, Hart, Foltz, Isaacs, Steele, Manning, Cook, Schlör, McCullough, Slawik, Holloway and Robbins, entitled:

January 13, 1970

#### SENATE RESOLUTION NO. 77

EXPRESSING THE BEST WISHES OF THE SENATE OF THE 125TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE TO SENATOR ANTHONY J. CICIONE FOR A SPEEDY RECOVERY ON THE OCCASION OF HIS ILLNESS:

WHEREAS, the Members of the Senate of the 125th General Assembly have learned that Senator Anthony J. Cicione is currently hospitalized, and

WHEREAS, the Members of the Senate of the 125th General Assembly feel the absence of Senator Cicione, and

WHEREAS, the Members of the Senate of the 125th General Assembly want to wish Senator Cicione a speedy recovery and a quick return to the Senate.

NOW THEREFORE:

BE IT RESOLVED, by the Senate of the 125th General Assembly of the State of Delaware that the best wishes for a speedy recovery is extended to Senator Anthony J. Cicione.

BE IT FURTHER RESOLVED that a copy of this Resolution be entered on the Journal of the Senate and a copy be delivered to Senator Anthony J. Cicione.

Senator Hale moved that **SR 77** be adopted.

On the question “Shall the resolution be adopted?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, Robbins, Schlör, Slawik, Steele—14.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Cicione, Hart, Isaacs, (Mrs.) Manning, McCullough—5.

So the question was decided in the affirmative and the resolution having received the required constitutional majority was adopted.

Senator Conner, on behalf of the Committee on Education to whom had been referred **SB 418**, reported the same back to the Senate; 4 Favorable, 2 on Merits.

Senator Conner, on behalf of the committee on Education to whom had been referred **SS 1 for SB 280**, reported the same back to the Senate; 3 Favorable, 2 on Merits.

Senator Cook introduced **SR 78** entitled "In Reference to Election of Officers."

Senator Cook moved that **SR 78** be adopted.

On the question "Shall the resolution be adopted?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cook, duPont, Foltz, Grier, Hale, Hickman, Holloway, McCullough, Robbins, Schlör, Slawik, Steele—13.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Cicione, (Mrs.) Conner, Elliott, Hart, Isaacs, (Mrs.) Manning—6.

So the question was decided in the affirmative and the resolution having received the required constitutional majority was adopted.

Senator Cook introduced **SR 79**, co-sponsored by Senator Slawik, entitled:

**SENATE RESOLUTION NO. 79  
RELATIVE TO THE DEATH OF MRS. AMANDA DAVIS MORTIMER.**

WHEREAS, the Senate of the 125th General Assembly of the State of Delaware has learned with great regret of the passing of Mrs. Amanda Davis Mortimer; and

WHEREAS, Mrs. Amanda Davis Mortimer was the mother of State Senator Calvin A. McCullough of Holloway Terrace; and

WHEREAS, Mrs. Mortimer was the oldest member of the Holloway Terrace Fire Company Auxiliary; and

WHEREAS, Mrs. Mortimer was active in many other groups in and around Holloway Terrace.

NOW THEREFORE:

BE IT RESOLVED that the family of the deceased has the full sympathy of the members of the Senate of the 125th General Assembly of the State of Delaware which is extended by sending a copy of this Resolution to the family of the deceased.

BE IT FURTHER RESOLVED that the text of this Resolution be made a part of the Journal of the proceedings of the Senate of the 125th General Assembly of the State of Delaware.

Senator Cook moved that **SR 79** be adopted.

On the question "Shall the resolution be adopted?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cook, duPont, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele—12.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Cicione, (Mrs.) Conner, Elliott, Foltz, Hart, Isaacs, McCullough—7.

So the question was decided in the affirmative and the resolution of having received the required constitutional majority was adopted.

Senator Schlör moved for consideration of **SA1 to SB 208**.

Senator duPont moved that **SA1 to SB 208** be tabled.

On the question "Shall the motion be adopted?" the yeas and nays were ordered which being taken were as follows:

YEAS--Messrs. Castle, duPont, Foltz, Grier, Hale, Hickman, (Mrs.) Manning, Steele--8.

NAYS--Messrs. Cook, Holloway, McCullough, Robbins, Schlör, Slawik--6.

NOT VOTING--0.

ABSENT--Messrs. Cicione, (Mrs.) Conner, Elliott, Hart, Isaacs--5.

So the question was decided in the negative and the motion was lost.

Senator Grier moved that the Senate adjourn until January 14, 1970 at 12:30 P.M. Motion prevailed, voice vote.

## 2nd LEGISLATIVE DAY

The Senate met pursuant to adjournment at 12:45 P.M. on January 14, 1970, Lt. Gov. Bookhammer, presiding.

Prayer by the Chaplain, Rev. O.H. Spence.

Flag salute.

By roll call the following Senators were present:

Members Present--Messrs. Castle, (Mrs.) Conner, Cook, du Pont, Elliott, Foltz, Grier, Hall, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele--18.

Members Absent--Mr. Cicione--1.

Senator du Pont moved the Senate recess to the Call of the Chair for the purpose of hearing the Governor deliver his message to a Joint Session to be conducted in the House Chamber.

Motion carried, voice vote.

## Joint Session

January 14, 1970

Rep. Stabler moved that the House and Senate convene in Joint Session. Motion prevailed.

Rep. Stabler moved that the Speaker of the House preside over the Joint Session. Motion prevailed.

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

Rep. Stabler moved a committee be appointed by the Chair to escort the Governor to the House Chamber.

The Chair appointed the following committee to escort the Governor to the House Chamber--Reps. Dillman, Rep. Mears, Senator Elliott and Senator Robbins.

The Sergeant-at-Arms admitted the Governor and the duly appointed Committee to the House Chamber.

The Speaker invited the Governor to the rostrum and introduced him to the Joint Session.

The Governor addressed the members of the General Assembly as follows:

**GOVERNOR'S MESSAGE**

January 14, 1970

Mr. Speaker  
Mr. President  
Mr. President Pro Tem  
Ladies and Gentlemen of the 125th General Assembly  
Fellow Delawareans:

Today, I will discuss the "Future of the State" and set goals that will in some cases go beyond my administration. These goals have evolved from discussions with all state agencies and with thousand of Delawareans over a period of years.

State goals that are deeply rooted in the solid commitment of a state's leaders and its people will not be blown away by the winds of political change.

I am convinced that Delaware has the potential to become a model state. The State That Started a Nation can also lead a nation.

The response of the people of Delaware indicates that many agree we can become a Model State.

And the achievements of the General Assembly last year have convinced me that you not only believe in that goal--you have by your actions launched Delaware on that course.

I commend you for the great job you have done and look forward to continuing to work with you. There is no doubt in my mind that the 125th General Assembly will emerge as among the most outstanding in Delaware's History.

Today, I offer for your consideration State Goals--some specific and some general. I will discuss what progress was made towards them last year, and what programs are proposed for the coming Fiscal Year. Next week, I will discuss the Fiscal Impact of those programs.

The Goals are: To Reduce Crime; To Provide More Meaningful Education; To Win The War Against Pollution; To Build A Model State Government; To Provide More and Better Job Opportunities; To Protect, Develop and Enjoy Our Natural Resources; To Promote The Health and Welfare of All Citizens; To Provide Safe, Efficient Movement of People and Goods.

**Reducing Crime**

I propose that we in Delaware establish a Goal of cutting in half the rate of Violent Crime by 1980.

As an intermediate goal, I suggest that by 1976, we stop the growth in the rate of violent crime and cut it 25 per cent. I will announce soon the yardstick we will use to measure our progress.

I am well aware that this is a gigantic task. Knowledgeable people whose judgment I respect have warned me that it cannot be done, that the causes of crime are too many and too complex, and that more effective law enforcement will uncover crime that exists undetected today and therefore increase, rather than decrease, the recorded crime rate.



But I am also aware that if we do not attack this problem with all of our will and resources, we cannot hope to solve it. As Governor, I am responsible for the safety of the people of this state. I cannot and will not sit back and say, "It Can't Be Done," that the people of Delaware must accept as a way of life the rising tide of violent crime, and the fear, suffering and misery of its ever mounting list of victims.

The people of this State deserve better than that. The political danger of failing to reach this goal is far outweighed by our obligation to the people.

If we fear to fail, we most certainly will fail to succeed.

To succeed in reaching this goal, we must marshal our resources into a comprehensive attack on all facets of the problem -- law enforcement, courts, correctional agencies and the root causes of crime, such as unemployment, poverty, poor housing, inadequate education, drug abuse and racial unrest.

Crime is symptomatic of the other ills; in reducing crime, we reduce them all.

Last year, we forged some of the tools needed for this massive task.

The law enforcement planning agency was reorganized, revitalized and renamed -- The Agency to Reduce Crime -- to reflect its new mission. The Agency has prepared, in partnership with the Federal and Local Governments, a state-wide plan to reduce crime.

During this year it will receive \$528,000 in Federal funds under the Safe Streets Act, and this amount will be nearly doubled during Fiscal 1971.

I am giving this Agency prime responsibility for keeping all of us pressing toward the goal of reducing crime.

The one million dollars you appropriated last year has been distributed by the Agency to 33 communities who are spending the money to strengthen their police forces by hiring more men, training them better, paying better salaries and buying modern equipment. I recommend that we continue funding this program, which is attracting national attention and praise.

Last year, the State Police Training Commission was formed to make sure that every new policeman is properly trained. I urge that we fully fund this program in Fiscal 1971.

We have an excellent State Police Force. I propose that State Police salaries be raised 7½ per cent effective January 1, 1970. I further suggest that State Police -- the only major police force in the state that is not paid overtime -- receive a 5 per cent adjustment to be known as the overtime supplement. This would not apply to men on pension.

Forty-two new Troopers are proposed to bring State Police up to authorized strength of 400 by December, 1970.

One year ago, Delaware had a total of 746 policemen, state and local. By July 1, 1971, we will have an estimated 1,020 policemen. That averages nine new policemen a month for 30 months.

The single most effective way to reduce crime is to keep offenders from repeating crimes. Facts show that effective programs of treatment and rehabilitation can reduce the number of repeat offenses.

Events have dramatically shown us that despite years of talk, and despite enactment of model laws, we are a long way from having a model correctional system.

Delaware this year has added the leadership, personnel and funds to start strengthening the rehabilitation process. The Work—Release Program was inaugurated and is proving highly successful. An Alcoholic Detoxification Center was opened, and ultimately there will be one in each county. This will drastically cut prison population.

The new budget will provide the funds needed to properly staff the Probation and Parole Force and to operate the new institution at Smyrna, which already is being hailed as the world's most modern prison. Abandonment of that ugly Bastille at Greenbank is symbolic of our entry into a new era of corrections.

The 1971 Capital Budget includes funds for design of a Diagnostic and Detention Center, with construction to begin in Fiscal 1972. This is the heart of a rehabilitation program. This is where the offenders are studied and screened, where the dangerous criminals are identified and separated from the less dangerous, where the most effective treatment program for the individual is determined.

Without such a facility, our new institution would be flying blind!

What about the Juvenile offender? Here our system gets a critical test, because one mistake with a Juvenile can trigger a career of crime.

This year we've infused new blood into the leadership of our Youth Services Commission.

On Sunday, we dedicated a Diagnostic and Treatment Center at Woods Haven-Kruse School for Girls. Next year, we will fund a badly needed special treatment program at Ferris School and open two halfway houses, one for boys and one for girls.

With only one member, the Preventive Services Division played a key role in Brookside's success in reducing juvenile crime. We plan to expand this Division's staff so that it can help communities through the State develop programs to help keep youngsters out of trouble.

Our courts have a vital role in this drive to reduce crime. I strongly urge the General Assembly to enact Legislation to reorganize our family courts into a state-wide and more effective system.

Family Court is most potent in crime Prevention. Much of the Court's success is unnoticed by the community because parents and children are encouraged to iron out their own problems. Most do.

Family Court has come in for much criticism, and some of it is justified. But for years the Court has been hamstrung by insufficient staff and money to do the job. The new budget will provide money for more staff and services.

This Court also is about to assume a major role in the new program to make absent fathers of Welfare recipients shoulder more responsibility for the support of their children.

Our Magistrate Court System -- the one with which most people come into contact -- is being upgraded, and I recently named a Bi-Partisan Screening Committee to help me in this effort.

Last year we enacted a "Debtor's Prison" Law, and soon minor offenders no longer vegetate in jail -- at State expense -- when their only "crime" is inability to pay a fine. It's working! And Legislation to make it work even better has been prepared at my request by the author of the original bill.

But let me make this point crystal clear. All of these programs alone cannot do the job. We must at the same time attack the deep and festering

social problems that spawn crime -- unemployment, poverty, poor housing, inadequate education, drug abuse and racial unrest. I will discuss programs for these areas later in this talk.

Success will require a state-wide effort. But it can be done. We can cut the rate of violent crime in half.

### **Education**

I propose that another goal be to provide a more meaningful education for every citizen of Delaware.

I offer these specific goals:

- Complete the Kindergarten Program by 1972.
- Establish community schools in all school districts by 1972.
- Complete Establishment of Occupational-Vocational Programs in all high schools by 1973.
- Open Technical and Community College Campus in downtown Wilmington in 1972.
- Open Suburban Technical and Community College in 1974.
- Complete Pre-Kindergarten Program for 4-year-olds by 1976.
- Expand the Marine Science Program at the University of Delaware and have the University designated as a Sea-Grant School, and establish a major Marine Science Campus at Lewes.
- Continue to improve the Educational Program at Delaware State College.

If we are to become a model state, we should seek to make education a way of life from pre-school through adulthood.

Upon the quality of our educational program expends our success as individuals and as a society. Every human being has great potential. The job of education is to find and develop that potential by inspiring and by teaching.

A child's character and ability to learn are determined to a large degree before he is six years old. We have to reach him in those early years. That's when education can make its greatest impact. That's way Day-Care Centers are of such vital importance. And that's why we must complete our Kindergarten Program and then get on with public education for even younger children.

We need much more emphasis on Occupational-Vocational courses so that each student can be guided into his most meaningful and rewarding career. Virtually all of our State educational leaders zero in on this as a top-priority goal.

We will this year propose legislation that will place Occupational-Vocational Programs in every high school in the State by 1973. Since the program will require a year for planning and preparation, it will not be funded until Fiscal 1972.

And we need to expand the Community School Philosophy. In other words, let's get more lights on in those schools at night. Delaware has \$450 million invested in educational facilities, and we're using most of them only eight hours a day. That's foolish. And Wasteful. Let's put those facilities to work, for example, for our thousands of under-educated adults.

We must have an educational system that is oriented to specific needs, that provides more individualized instruction, that gets more results for the dollar.

Last year, Delaware moved towards those goals. For the first time, \$400 per unit was provided for education. The 1971 budget will increase it \$200, a 50 per cent rise. We should continue increasing this until we reach a total of \$1,500 per unit, as soon as this is financially feasible.

Teachers last year received the Duty-Free Lunch, sick-leave credits and the right to negotiate with school boards. The New Castle County Vocational Technical High School was funded.

Next year's Budget proposes a 7.5 per cent pay raise for all public school employees and funds to hire 360 new teachers -- 56 of them for kindergartens.

This year, 56 per cent of our Budget is being spent for education, and education would receive the same share of the Budget increase we will propose for next year.

Our 1970 Capital Budget authorized \$23 million for construction of new educational buildings, and the Capital Improvement Program calls for approximately \$200 million more in the next six years.

More dollars are needed to meet the pressure of rising school enrollment, especially at the college level. Last year, Delaware State College received catch-up funds and next year will receive, along with the University of Delaware and Delaware Technical and Community College, sufficient funds to markedly improve their service to the community.

I wholeheartedly support the University of Delaware's objective to become a major center for Marine Science, including establishment of a Marine Science Campus near Lewes.

Next year's Budget proposes funds for the New Medical Institute of Technology that was formed last year to help meet the need for more doctors and medical services, a need particularly acute in Kent and Sussex Counties.

Yes, we are well on the way to providing a more meaningful education for all Delawareans.

### **Reducing Pollution**

The quality of our life is threatened by the growing pollution of our environment. To combat this threat, I propose:

- To launch in 1970 a Major War on Pollution.
- To have Air Polluters submit within one year a plan for corrective action.
- To serve all State-owned facilities to determine by the end of 1970 what equipment and expenditure is necessary to comply with Air Pollution standards.
- To enact this year legislation for controlling exhaust from all motor vehicles.
- To clean up virtually every major stream in Delaware by 1978 by enforcing water quality standards and by providing funds for modern and improved sewage disposal facilities.

In our war on Pollution, we will attack not only the pollution of water and air. We will also attack pollution of the mind and body by drugs and by alcohol.

Never was it more important that a war be won.

Do you remember when a simple country stream was a constant reminder of nature's beauty? The water was clear -- so clear that you could see the pebbles on the bottom and the Minnows nosing around them. And

when you dropped your line in the stream, a fish would dart to it. There'd be kids yelling, swimming and having fun. Wild flowers. Birds singing. Beautiful!

Times have changed. And so has that stream. It's a dirty yellow. And it stinks. Maybe chemicals. Or sewage. Or Dead fish. There are beer cans instead of flowers. And a sign says, "No Swimming. Polluted water."

Do you remember when there was nothing like getting outdoors and enjoying a long deep breath of fresh air? In the Spring you'd smell the new flowers and sweet fresh-cut grass, and in the fall it was the clean, brisk air. It was good. It was healthy.

Times have changed. And so has the air in many places. A deep breath? You're liable to gag from the stench of burning garbage and old tires, the exhaust from cars and the fumes from tractor-trailers and the rotten-egg smell in that black smoke boiling out of tall stacks.

Yes, pollution threatens our streams and our air. But it also threatens our bodies and minds. We must declare war on this pollution also.

And the enemy in this war, like the enemy in all wars, kills and cripples, especially our youth.

The weapons are different. There are bottles instead of bombs. Needles instead of bayonets. And glue instead of gas.

But, the results are the same.

Is there anyone more dead than some big, handsome high school kid who gets polluted with alcohol and slams head-on into a truck?

Or an intelligent, vivacious girl who takes an LSD "Trip" from a tenth floor window?

Is there anyone more crippled than a man whose crutch is a bottle of liquor?

Or a young and beautiful girls who's "Hooked" so badly on Heroin that she sells her body for one more "fix"?

This is a total and ugly war, but we in Delaware are going to win it.

Last year we enacted two laws aimed at curbing drunken drivers. They undoubtedly were a factor in our reduced toll of highway deaths last year. Evidence shows the alcoholic is the biggest killer on the highways. We must get him out from behind the wheel.

We have just created the first Alcoholic Detoxification Center in the State's history, and the 1971 Budget includes the funds for expanding this program state-wide.

We also enacted laws setting different penalties for using different kinds of dangerous drugs and providing stiffer penalties for "Pushers."

Last spring we formed a Governor's Committee on Drug Abuse which initiated a number of drug education programs in our schools. We now plan to tie this effort in with our total War On Pollution.

Our state is plagued by an avalanche of litter and other solid waste. At the request of the Legislature, I have appointed a committee to study this problem.

We have already established standards of air and water pollution control. They will be enforced, by legal action if necessary. Prime responsibility for enforcing our standards will be vested in the new Department of Natural Resources and Environmental Control. Austin N. Heller, one of the top anti-pollution experts in the country, has been nominated to head that department.

This fight against pollution of our air, water, bodies and minds will require the commitment of all of us. I will launch a Delaware Crusade Against Pollution, enlisting thousands of Delawareans, and especially young people in our schools and colleges. We must succeed.

### **Improving Government**

Building a Model State Government is a goal within our immediate reach.

We worked together in the last session to make some important advances. The job can be completed within the next two years.

I suggest that we continue working together to improve the effectiveness of our Government by:

- Completing reorganization of the Executive Branch by the end of 1970.

- Revising the State Constitution by 1971. I urge you to consider this proposal, modify it if necessary, and give initial approval in this session.

- Implementing 25 per cent of the Governor's Economy Committee Recommendations by the end of 1970. We already have implemented 46 recommendations for \$3.2 million in savings for the taxpayers.

- Increasing the effectiveness of each state employee by continuing to insist that he give a full day's work, but rewarding him with a full day's pay.

- Markedly strengthening our working relationships with Federal, Regional and Local Governments.

The key is getting results is cooperation.

There is no reason why the three branches of Government -- Legislative, Judicial and Executive -- cannot enjoy the benefits of cooperation while still maintaining the traditional and necessary separation of powers.

Reorganization of the executive branch has been a goal talked about for decades in Delaware. Last year, the General Assembly enacted legislation creating two new departments -- Health and Social Services, and Natural Resources and Environmental Control. Highly-qualified men have been nominated to head those departments.

Bills to create two more new departments -- Public Safety and Agriculture -- have been prepared, and more will follow. By the end of this Session, all Legislation for the other departments hopefully will be enacted.

I urge your continued support of this effort. With reorganization, Delaware will have the Governmental Vehicle needed to become a Model State.

Every organization, including State Government, has a moral obligation to adequately compensate its employees. I fully support a Bill providing pay increases effective January 1, for approximately 6,300 employees in the classified service.

These and other salary increases I mentioned earlier will give virtually all of the State's 22,000 employees raises.

I also urge your favorable consideration of pending legislation under which the State will pay Hospital Insurance for eligible employees. Our employees deserve this security and peace of mind.

Also, I fully support an improved pension plan that will eliminate inequities, increase maximum payments, and provide to all State

employees the Military Service Credits now available only to teachers.

These steps are crucial if Delaware is to maintain and attract competent, dedicated employees.

A Code of Ethics now being prepared is another element in building a healthy State Government.

Cooperation with other levels of Government is important to achieving our goals.

Our contacts with the Nixon Administration are frequent and satisfying. We have a National Leadership that is determined to return to the States Appropriate Authority and Leadership.

We are initiating the Mid-Atlantic Governors' Conference and are strengthening our Association with the Committee on Regional Development and the Delaware River Basin Commission.

We have daily contact with local Governments. Last year the State lifted from the backs of the three counties \$5 million in Welfare, Court and Hospital Costs, providing substantial savings over the years in county property taxes.

I am convinced that we can succeed in building a Model State Government in Delaware, making efficiency and economy a way of life. We do not need big Government, but we do need better Government to restore and strengthen faith in Government.

### **More and Better Jobs**

Providing more and better job opportunities is basic to improving the quality of life. I propose that:

--We complete the comprehensive manpower plan for the State by July 1, 1970. Based on that plan, we will select specific goals later in the year.

In my first message to the General Assembly I said -- and I say again -- that jobs are the cornerstone of self-respect, human dignity and hope for a meaningful future.

The Nixon Administration also has a high priority on jobs, especially for the disadvantaged. The Manpower and Training Act of 1969, now before the Congress, gives the individual states and their Governors greater control over Federal Programs for the Disadvantaged. We are preparing to take advantage of it.

Wilmington is one of the few cities selected as the location of a Job Bank that will enable us to match the person who needs a job with the employer who has a job available. The Bank will be ready by July 1, and ultimately will be expanded state-wide.

We created the job development division to help coordinate the many Job-Training and Development Programs. The director of the division now heads the Comprehensive Area Manpower Plan (Camp), thus helping to promote the increasingly effective partnership with the private sector.

The Summer Job Program -- Youth Opportunities Unlimited -- was an unqualified success and realized 93 per cent attendance. Hundreds of youths were given the opportunity to work. Schools report that significant changes in attitudes have resulted. The Y.O.U. Program is included in the 1971 Budget Proposal.

We propose to renew funding of the Opportunities Industrialization Center, which placed 469 persons into jobs during 1969. Many of them might otherwise be on Welfare.

Other efforts to increase job opportunities include development of a major regional shopping center in downtown Wilmington and the Development Department's programs to attract new business and tourists to Delaware. It is important for our State Government to recognize the need to promote a healthy free enterprise system.

In order to provide more and better jobs, all elements of our economy must prosper.

Agribusiness is one of the major elements. It provides many jobs, a healthful environment for thousands of Delawareans, and is the mainstay of many small communities. Our Department of Agriculture will continue to support this important sector of our economy.

Every working man's objective is to increase his true earning power to enjoy more fully the benefits of our society. Therefore, we must maintain a climate that will enable every individual to prosper. We must do all we can to combat inflation, promote consumer protection and get the most of our dollars.

A number of major labor-management contracts affecting thousands of Delawareans are up for consideration this year. I hope both sides of the bargaining table will keep the public interest uppermost in their minds.

### **To Protect, Develop and Enjoy Our Natural Resources**

Delaware is blessed with natural resources -- with its relatively unspoiled ocean front, with its bays and wet-lands and with its many Federal, State and Private Game Preserves, Parklands, Forests, Ponds and Streams. Tens of thousands of fishermen, hunters, bathers, boatmen, campers and tourists use these resources annually. They bring great and healthful enjoyment to Delawareans and provide many tourist dollars to bolster our economy.

These valuable assets are being threatened by rapid residential and commercial construction in some areas and by pollution in others.

To safeguard these assets, I propose:

- To increase the State's holding of open lands by providing \$3 million in Fiscal 1971 and \$2 million for each of the next five years.

- To expand park services to include a wide variety of new activities in most parks by 1972.

- To develop Lums Pond Park and add over 1,000 acres by 1973.

- To prepare a master plan for developing six other existing parks by 1973.

- To clean up most of our streams, as I mentioned earlier.

- To establish a strong Fishery Management Division staffed by competent scientists to administer and extend our Marine resources.

- To develop a master plan for the Coastal and Delaware Bay Area, and set up controls to see that the plan is followed.

- Strongly support the University of Delaware's move to become a center of Marine Sciences with a campus near Lewes.

All of the State's natural resources and the means of controlling this environment will be under the new Department of Natural Resources and Environmental Control. It will have the prime responsibility for providing for the conservation, development, and enjoyment of these assets.

There is great potential in our estuaries and coastal zone for the raising of fin and shell fish and for furthering the activities of sportsmen and



tourists.

At the same time, the area is becoming an even stronger magnet for commercialization that could make the mouth of Delaware Bay a major shipping port and the shores of the Bay a home for heavy industry.

The interests of conservation and commercialization may well conflict. Accordingly, we will develop a master plan for this whole area and then set up controls to see that the plan is followed.

With the proper master plan centered on the marine science campus and protected by appropriate environment controls, Delaware can become the gem of America's coasts.

### **Improving Human Services**

We must provide adequate human services efficiently for all Delawareans.

I propose these goals:

- To expand the number of community service centers to four by 1971 and to 14 by 1975.

- To get 1,000 Welfare recipients off the rolls and into jobs within the next two years.

- To shift emphasis of the Human Relations Commission in 1970 to preventing racial unrest.

In the past, Delaware's Health Services have been dispersed over clinics scattered throughout the state.

Concentration of all Health Services into Community Service Centers in neighborhood locations will cut costs and at the same time be more convenient for the public. A child, for example, can receive several different treatments at one location instead of having to visit several.

Two of the new Community Centers have been opened in Middletown and Northeast Wilmington with the help of private funds. Two more will be funded in the 1971 Budget, and 10 more will be added by 1975.

The State last year enacted a number of laws designed to build incentives into the Welfare System and help employable recipients find jobs. An important innovation seeks to get fathers who are not on Welfare to support their children who are. This is just become operative.

Since the bulk of Welfare costs are in the category of aid to families with dependent children, success in getting fathers involved in their children's support will lower Welfare costs.

Another positive program enables Welfare mothers to take their children to Day-Care Centers during the day so the mothers can work. This provides a healthy educational environment for the child during the day, and at the same time enables the mother to build a better home environment.

With these and related efforts, Delaware should be able to move 1,000 recipients off the rolls and into jobs within two years.

The new Department of Health and Social Services should be able to markedly improve delivery of human services. I have nominated an outstanding man, Dr. Albert L. Ingram Jr., to head the department.

Unfortunately, much remains to be done which we cannot afford to do. This is especially true in the Welfare area. We must get the Federal Government to shoulder their responsibility. I will continue to work with the other governors and our Congressional Delegation to get this done.

Since the Federal Government's income raises 1½ per cent for every 1 per cent increase in personal income, it can much better afford the expense than can the state.

The Budget I will present next week includes funds for opening a new wing at the Charles L. Terry, Jr. Children's Psychiatric Center, for more homemaker services, and for nearly doubling the hospital contributions for care of indigent patients. The 1971 Capital Budget will permit design of new cottages at the hospital for the mentally retarded.

We also propose funding the Delaware Adolescent Program to help young unwed mothers by allowing them to stay in school and helping them keep from having other illegitimate children.

Our urban problems are concentrated in the Wilmington area, and a number of these programs will have their greatest impact there.

In housing, the State last year helped start 650 Dwelling Units in Wilmington, Seaford and Middletown. We plan to do more this year and set specific goals for coming years.

However, the Housing shortage remains a serious problem in Delaware and the nation. This state will need an estimated 100,000 Dwelling Units for all of our citizens in the next 10 years. Only 20,000 -- one-fifth -- are needed to replace substandard dwellings.

Despite this need, housing starts in Delaware lagged last year, primarily because of the tight money market. The cost of Housing is going up faster than the buyer's ability to pay. We must make every effort to stimulate construction of new houses and to get the cost down within the reach of our citizens.

### **Safer Movement of People and Goods**

Delaware's location in the midst of the densely populated region between New York and Washington poses constant and serious problems in the safe and efficient movement of people and goods.

I suggest these goals:

- To have Delaware within five years lead the nation in highway safety by having the lowest number of deaths and injuries per passenger mile.

- To improve the motor vehicle inspection system in 1970.

- To reach a decision on the "Park and Ride" approach being used in Wilmington buses and expand it if trials prove successful.

- To complete several key highway projects, including the Newark Beltway, Wilmington Connector, Delaware 141 and Dover By-Pass by 1976.

Highway deaths continue to be a major problem. Although we can take pride in last year's 17 per cent reduction in fatalities, it would be a serious mistake to think that Delaware has found some magic formula for highway safety.

What's required is hard and continuing work on the key factors involved in a traffic accident -- the driver, the auto and the highway.

We have to work on the driver through law enforcement and education; on the vehicle, through our inspection system; and on the roads, through engineering and safety devices.

What are we doing with the driver on law enforcement? We stiffened our laws against drinking drivers last year. This year we will add 42 more State Policemen, and local forces also will be growing. We also are planning

to have State Police beef up their patrol.

The State spends over \$500,000 a year on Driver Education alone. In addition, an estimated \$200,000 in Federal funds is spent on such items as Driver Education, purchase of Radar and safety devices, and training of police.

Next year, our motor vehicle inspection system will be improved to do a better job of spotting defects. A new inspection lane will be opened. The department also will make a determined effort to offer more convenient service to the public.

All of these factors will help, but the biggest impact on highway safety will come when more drivers accept the responsibility that goes with a driver's license. A car is a deadly weapon.

Drivers who do not accept that responsibility and break the law will be arrested. That means everyone.

Adult drivers also have a responsibility to set an example for our young people. Can you imagine a young driver being a better driver after hearing his dad brag about driving 90 miles per hour?

Delaware can be the safest state in the nation if our drivers make up their minds to do it.

We have also been active in mass transit. State funds made possible improved bus service in Northern New Castle County. New buses have been purchased. Service has been improved. The "Park-and-Ride" experiment is underway and will be expanded if usage warrants. Since one Express Bus load can carry the equivalent of 15 lanes of auto traffic, success could have astounding results.

In highway construction, I am recommending the completion of major projects within the next six years -- the Newark Beltway, Dover By-Pass, Wilmington Connector, Delaware 141, Pike Creek Connector, Rehoboth By-Pass, and improvements to U.S. Route 13.

Reducing crime, providing a more meaningful educational system, winning the war against pollution, building a Model State Government, providing more and better job opportunities, protecting and developing our natural resources, promoting Health and Welfare, providing safer and more efficient movement of people and goods.

Each of the goals I have suggested today contains a challenge for me, for you, and for all the people of Delaware. Other goals, equally challenging, undoubtedly will emerge.

We should accept these challenges, because with each comes an opportunity. The biggest challenge -- to become a Model State -- carries the opportunity to build a quality life for all Delawareans.

You and I have been elected to provide leadership. By working together, seeking in good faith to resolve difference that may arise, we can set an example that will inspire and unite all Delawareans.

I am confident we can reach our objective.

I look forward to continuing to work with you.

Majority Leader W. L. Stabler moved that the previously named committee escort the Governor from the Chamber.

Majority Leader Stabler moved that the Chief Clerk of the House and the Secretary of the Senate compare their respective Journals.

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

Majority Leader Stabler moved the two Houses now separate to reconvene in their respective chambers. Motion prevailed. Adjourned at 1:55 P.M.

The Senate reconvened at 3:30 P.M.

On motion of Senator Manning **SB 403** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate, "An Act making a supplementary appropriation to the Department of Correction, State of Delaware."

On the question, "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, du Pont, Elliott, Foltz, Crier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele.—17.

NAYS—0.

ABSENT—Messrs. Cicione, Hickman,—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Senator Hale introduced **SB 423** which was given its first reading by title only, entitled, "An Act to repeal Chapters 55 and 57, Title 25, Delaware Code, and adding a new Chapter 54, Title 25, Delaware Code, relating to distress for rent," which was assigned to committee on Revised Statutes.

Senator Steele introduced **SB 424** which was given its first reading by title only, entitled, "An Act to amend Volume 56, Laws of Delaware, Chapter 435 by authorizing the University of Delaware to use funds appropriated by said act to defray in part of the construction costs of the Business and Economics Building at the University of Delaware," which was assigned to committee on Finance.

Senator Schlör introduced **SS 1** for **SB 150** which was given its first reading by title only. Entitled, "An Act to amend Section 5, Chapter 159, Volume 51, Laws of Delaware, as amended, entitled "City of Wilmington Employees' Retirement Act" by increasing the Pension Benefits."

Senator Schlör moved that **SS 1** for **SB 150** be adopted in lieu of the original and placed with the bill. Motion prevailed, without objection.

On motion of Senator Manning **SB 419** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate. "An Act making a supplementary appropriation to the Constitutional Revision Commission."

On the question "Shall the bill pass the Senate?" The Yeas and Nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, du Pont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele.—18

NAYS—0.

NOT VOTING—0.

ABSENT—Mr. Cicione—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Senator du Pont **SB 420** with title as follows was taken up for consideration and read a second time by title in order to pass the

Senate. "An Act making a supplementary appropriation to the Governor's Task Force on Government Reorganization."

On the question "Shall the bill pass the Senate?" The Yeas and Nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, du Pont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele.—18

NAYS—0.

ABSENT—Mr. Cicione.—1

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Senator Cook **SB 422** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate. "An Act to amend an act entitled "An Act making appropriations for the expense of the State Government for the Fiscal year ending June 30, 1970," Being house bill No. 187 of the 125th General Assembly and also known as the 1970 Budget appropriation Bill."

On the question "Shall the Bill Pass the Senate?" The yeas and nays were ordered which were being taken were as follows:

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, du Pont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Slawik, Steele.—17.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Cicione, Schlör.—2.

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

The Chair announced that a meeting on Magistrates Complaints with Mr. George Gray Thouron would be held January 22, 1970, at Legislative Hall.

Senator Elliott, introduced **SR 80** co sponsored by Isaacs, Hart, Robbins, entitled:

"Providing that the Highway and Public Safety Committee of the Senate shall conduct an investigation of the operations of the Penn Central Railroad in Delaware insofar as it affects the public safety, and shall report to the Senate within sixty days.

Senator Elliott moved that **SR 80** be adopted.

On the question "Shall the Resolution be Adopted?"

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, du Pont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele.—18.

NAYS—0.

NOT VOTING—0.

ABSENT—Mr. Cicione.—1.

So the question was decided in the affirmative and the Resolution having received the required constitutional majority was adopted.

Senator Foltz introduced **SA 1** to **HB 216**.

Senator Foltz moved that **SA 1** to **HB 216** be placed with bill.

Motion prevailed without objection.

Senator Slaink introduced **SB 425** which was given its first reading by title only, entitled: "An act to amend Chapter 9, Title 29, Delaware Code, in respect to committee hearings on all bills introduced in the General Assembly," which was assigned to committee on Senate Administration.

Senator Holloway introduced **SCR 22** entitled "Expressing the Congratulations of the 125th General Assembly to the 1969 University of Delaware Football Team and its Coach Harold 'Tubby' Raymond for an Outstanding Season."

Senator Holloway moved that **SCR 22** be adopted.

On the question "Shall the Resolution be Adopted?"

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, du Pont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele.—17.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Cicione, Isaacs.—2.

So the question was decided in the affirmative and the Resolution having received the requested constitutional majority was adopted.

**SCR 22**—"Expressing the Congratulations of the 125th General Assembly to the 1969 University of Delaware Football Team and its Coach Harold 'Tubby' Raymond for an Outstanding Season."

WHEREAS, the Members of the Senate and House of the 125th General Assembly are cognizant of the truly outstanding performance of the 1969 University of Delaware Blue Hens football team and of its Coach Harold "Tubby" Raymond; and

WHEREAS, Coach Raymond and his University of Delaware Blue Hens captured the championship of the Middle Atlantic Conference for the third time in four (4) years; and

WHEREAS, Coach Raymond and his University of Delaware Blue Hens were selected co-recipients of the Lambert Cup emblematic of supremacy among eastern middle-sized colleges; and

WHEREAS, Coach Raymond and his University of Delaware Blue Hens for the second consecutive year accepted a bid to play in the Boardwalk Bowl, the championship event of NCAA football in the eastern segment of the United States of America; and

WHEREAS, Coach Raymond and his University of Delaware Hens emerged victorious, 31-13, over powerful North Carolina Central University in said Boardwalk Bowl; and

WHEREAS, Coach Raymond and his University of Delaware Blue Hens, by displaying exceptional skill and sportsmanship, have brought honor to the State of Delaware; and

WHEREAS, the Members of the Senate of the 125th General Assembly of the State of Delaware, the House of Representatives joining herein, wish to express their best wishes and appreciation to Coach Raymond and his 1969 University of Delaware Blue Hen football squad;

NOW, THEREFORE:

BE IT RESOLVED, that the Senate of the 125th General Assembly of the State of Delaware, the House of Representatives concurring herein, extend sincere congratulations for a job "well-done" to Coach Harold "Tubby" Raymond, all of his assistants and to all the Members of the

1969 University of Delaware Blue Hen football squad.

BE IT FURTHER RESOLVED, that a copy of this Senate Concurrent Resolution be entered on the Journals of the Senate and House of Representatives; and

BE IT FURTHER RESOLVED, that copies be delivered to Coach Raymond, to all of his assistants, to all Members of the Team, to Dr. E. A. Trabant, President of the University of Delaware, to Dr. George M. Worrilow, Vice-President of the University of Delaware, to Dave Nelson, Athletic Director of the University of Delaware, and to all Members of the Board of Trustees of the University of Delaware.

Senator Grier moved the Senate recess until January 20, 1970 at 2 (P.M.) Motion prevailed voice vote.

### 3rd LEGISLATIVE DAY

The Senate met pursuant to adjournment at 12:55 P.M. on Wednesday, January 21, 1970 Lt. Gov. Bookhammer presiding.

Prayer by the Chaplain O.H.Spence.

Flag salute

By roll call the following Senators were present:

MEMBERS PRESENT—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele-18.

MEMBERS ABSENT: Mr. Holloway-1.

The Secretary proceeded to read the Journal of the previous day's session when Senator Grier moved that so much be considered the reading of the Journal and the Journal be approved as read.

Senator Grier moved the Senate recess to the call of the Chair for Joint Session to hear the Governor's Address.

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

### JOINT SESSION

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

Senator Grier moved that the President of the Senate preside over the Joint Session. Motion prevailed.

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

The President appointed the following committee to escort the Governor to the Senate Chamber:

Representative Murphy, Representative Stansky, Senator Hickman, Senator Cook.

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

FISCAL MESSAGE  
OF  
THE HONORABLE RUSSELL W. PETERSON  
GOVERNOR OF DELAWARE  
TO A  
JOINT SESSION  
OF THE  
ONE HUNDRED TWENTY-FIFTH GENERAL ASSEMBLY  
OF THE STATE OF DELAWARE

DOVER  
WEDNESDAY, JANUARY 21, 1970

Mr. President  
Mr. President Pro Tem  
Mr. Speaker  
Ladies and Gentlemen of the 125th General Assembly  
Fellow Delawareans:

One week ago today, I presented to you and the people of Delaware a report on the "Future of the State" and suggested both short-range and long-range goals.

Today, I offer the fiscal programs needed to reach many of those goals. These programs include my proposed operating budget for fiscal 1971, the capital budget for fiscal 1971, and the capital improvements program through 1976.

During fiscal 1971, I propose operating expenditures of \$242.8 million, which is a 15% increase over the \$211.3 million estimated for the current fiscal year.

The Governor's Economic Advisory Council has estimated general fund revenue of \$211 million in fiscal 1970, nearly identical to our estimated expenditures, and \$234 million in fiscal 1971. (Chart 1)

We began the current fiscal year with a general fund balance of \$10.1 million. We predicted that when the year ended this coming June 30 we would have a balance of \$1.8 million in the general fund.

Because of the economy drive, new revenues and continued growth in the state's economy, we have done much better than anticipated. It is now estimated that we will end this year with \$9.8 million in the general fund.

We were faced with the decision of maintaining a higher general fund balance or funding such vital needs as education, adequate employee benefits and reducing crime.

We asked ourselves:

Would the children of Delaware better be served by increasing the pay of teachers and other school employees, or by putting that money in the bank?

Would the communities concerned with the rising crime rate better be served by beefing up our state police, family court and juvenile treatment facilities, or by beefing up the cash balance?

Would the people of Delaware be better served by building the effectiveness of state employees through giving them better pay and fringe benefits, or by building the cash balance?

Would Delawareans be better served by increasing our support for the crusade against pollution, or by increasing our cash balance?



We decided that the people would best be served by funding these vital needs. We will be able to meet these needs and still end fiscal 1971 with a \$1 million balance in the general fund.

In preparing a budget, one can be unrealistic and ignore almost certain expenditures that would have to be added later through supplemental appropriations. We have chosen not to do this and have fulfilled our responsibility to present a comprehensive budget. It is now your responsibility to review this proposal and make changes which you feel may be required.

One major new cost, totalling \$11 million over this two-year period, was the state's assumption of the three counties' former responsibilities in the areas of welfare, courts and hospital costs for the indigent. These costs were not in our original projections a year ago.

While obviously adding to our burden at the state level, this step has provided sorely-needed relief to property taxpayers all over the state.

A year ago, we inherited a serious financial problem in which the state was obligated to pay \$30 million more per year than it was taking in. Yet, over a two-year interval, during which we increased revenues and launched a major economy drive, we have taken on a massive new obligation from the counties, financed substantial new state programs, and will still end fiscal 1971 with a million dollar balance in the general fund.

### OPERATING BUDGET

What are the major elements of the budget I propose?

A total of \$133 million will go towards improving education, \$29 million for better highways, \$25 million for improving health services, \$20 million for reducing crime, \$16 million for helping people in need, and \$19.8 million for all other services. These are substantial increases over the current fiscal year. (Chart II)

The proposed budget is \$31.5 million higher than the current year's. Of this increase, a total of \$17.5 million—56%—will be spent to meet additional educational costs, including \$3.5 million for higher education.

As I pointed out last week, we propose to increase equalization funds by 50%, to raise the pay of all public school employees by 7.5%, to hire 360 new teachers (including 56 for kindergartens) and to fund the new Medical Institute of Technology.

Another \$3 million will go towards reducing crime by adding more state police, raising state police salaries, beefing up the probation and parole system, providing the increased staff and equipment needed to open the new prison at Smyrna, funding treatment and diagnostic services at Ferris School, opening two half-way houses for juveniles, extending state-wide our programs to prevent delinquency, and strengthening the family court.

Four million dollars of the budget increase will go towards improving health services, including two additional community service centers; a new wing at the Charles L. Terry, Jr. Children's Psychiatric Center; and programs to combat pollution of the water, air, body and mind.

A total of \$3 million of the increased operating budget will be for the improvement of our highways.

Another \$2 million is earmarked to help people in need, through such programs as expanding our homemaker services, nearly doubling the state's contribution towards hospital care for indigent patients, and

increasing our support of the Delaware Adolescent Program for Unwed Teenage Mothers.

The \$2 million balance of the increase will be to meet growing costs in such areas as utilities, supplies and materials, debt service and equipment purchases.

My "Future of the State" message discussed the need for providing adequate compensation for our state employees. I said that we would demand a full day's work, but that our employees would be rewarded with a full day's pay.

This budget proposes to give virtually all of the state's 22,000 employees pay increases and improved fringe benefits that are vitally needed to improve their morale and performance.

Of the \$31.5 million increase, two-thirds will go for salaries and fringe benefits, including hospitalization and improved pension benefits, and for more teachers, more state policemen and more court personnel.

A vital element of our fiscal performance in the coming year will be the economy drive. Our goal is to implement 25% of the approximately 500 recommendations of the Governor's Economy Committee by the end of 1970.

This administration will seize every opportunity to initiate other economies. We cannot hope to achieve a model state government until every state employee is doing his best to save money and get maximum results for the taxpayers' dollars.

We are determined to provide the leadership and guidance required to reach that goal.

We look forward to working closely with the Governor's Economic Advisory Council to assure that the fiscal policies of the state are sound ones.

The council in the coming year will, I am sure, play a major role in the reorganization and revitalization of the state tax department. Any loopholes that may exist in our tax collection procedures will be closed, promptly and permanently. State government exists to serve all the people of Delaware; all the people are going to pay their fair share of that operation.

I will do my utmost to see that the federal government assumes the entire welfare costs. There are at least three good reasons why it should.

First, federal regulations play a key role in determining state welfare costs; second, only uniform welfare regulations that apply nation-wide will stop migration of indigents seeking higher welfare payments; and third, since the federal income grows much faster than the economy, the federal government is in a much better position than the states to assume welfare costs.

The National Governors' Conference strongly favors federal assumption of welfare costs. President Nixon has proposed moving in that direction. And until it happens, no state can meet adequately its obligations in the welfare area.

#### CAPITAL BUDGET AND IMPROVEMENTS PROGRAM

Now I will discuss my capital budget proposals.

The fiscal 1971 capital budget amounts to \$66.8 million, and the six-year capital improvements program totals \$450.8 million.

Last year when SB 332 was signed into law, the state's maximum

debt limit was set at 2.8 times the previous year's revenue.

With the adoption of this capital budget, we would be \$92.2 million under the debt ceiling.

This administration also took action this year to provide a more meaningful tool to make sure the state will keep its debt obligations within its ability to pay.

During my administration, the state's debt service will not exceed 20% of the previous year's general fund revenue. That means no more than 20 cents out of every dollar the state takes in will be spent on its debt.

The \$450.8 million capital improvements program I propose for the next six years is within that limit.

The capital budget for fiscal 1971 recommends that \$38.6 million—58% of the total—be appropriated for our public schools and institutions of higher learning.

If our state is to provide a more meaningful education, we must have the facilities to do the job. School population continues to grow, especially in the more costly areas—senior high schools and colleges.

As noted in my "Future of the State" message, one of our biggest needs is for more occupational and vocational training. The capital budget provides for \$400.00 to complete the New Castle County Vocational Technical High School and to rehabilitate the H. Fletcher Brown Technical School.

Last October, we authorized \$1.8 million to acquire the land and design the urban campus for the Delaware Technical and Community College in downtown Wilmington. In the 1971 capital budget, an additional \$5.5 million is proposed to construct the first phase of the Wilmington campus.

Last year, the budget commission authorized expenditure of \$862,000 from the advance land acquisition fund to acquire a suburban site for the Technical and Community College. The fiscal 1971 capital budget recommends we reimburse that fund. The capital improvements program calls for spending \$1 million in fiscal 1972 to design the suburban campus, and \$6.6 million in fiscal 1973 to construct it.

With these and related projects, we would be spending approximately \$21.4 million from fiscal 1970 through fiscal 1976 on facilities for the Delaware Technical and Community College.

For the University of Delaware, the fiscal 1971 capital budget provides \$4.1 million for a Science building and \$1.6 million for remodeling Alison Hall. From fiscal 1970 through fiscal 1976, we propose to spend \$40.1 million on facilities for the University of Delaware.

Delaware State College has modest capital improvement needs since much has been done in recent years to improve its facilities. With completion of the Humanities-Teacher Education Building authorized last October, and the construction of a Library which is part of the capital improvements program, Delaware State will have the major physical facilities it will need for the near future.

To help us win the war on pollution, preserve our natural resources and develop our recreational facilities, an expenditure of \$50 million is proposed during the next six years.

The 1971 capital budget provides \$9.4 million of that total, including \$2.1 million for park development, \$3 million for land acquisition, \$300,000 for fish and wild life, and \$4 million for improved sewage

treatment facilities.

The capital improvements program provides for annual appropriations of \$4 million for sewage treatment facilities to help clean up our streams, \$2 million for Park development, and \$2 million to buy and preserve valuable wetlands, uplands and beachlands. Funds mentioned earlier for the University of Delaware include \$5.2 million for a Marine Science Laboratory aLaboratory at Lewes. All of this will be coordinated with the master plan for conserving and developing our ocean and bay areas.

For highways, we are providing \$13.6 million in the 1971 capital budget and a total of \$157 million for the six- year program. Since the Highway Department has a sizeable backlog of unused funds for corridor construction projects, no additional corridor funds are necessary for fiscal 1971.

It is important to stress that our corridor construction program will not be delayed by this one-year postponement of funding. It is fiscally irresponsible to tie up funds long before they can possibly be used.

An average of \$20 million a year for the next five years would be authorized to permit the completion of the Newark Beltway, Dover By-Pass, Delaware 141, Downtown Wilmington Connector, the Augustine cut-off, Pike Creek Connector, Rehoboth By-Pass, and improvements to U.S.Route 13.

All other highway programs would be funded as requested. A total of \$7 million for non-corridor projects—a substantial increase over this year—is provided in the fiscal 1971 capital budget. This will expedite the completion of numerous smaller projects that will solve problems plaguing many communities throughout the state.

To promote the health and welfare of our citizens, I recommend that we expend \$26.5 million of capital funds over the next six years. This would include \$4 million in fiscal 1971 for the following—design of a diagnostic and detention center design of new cottages at the hospital for the mentally retarded, improving facilities for Delaware State Hospital and Youth Services, and building a consolidated laundry to serve all state institutions in northern Delaware, thus eliminating four smaller, less efficient laundries now in use.

The new diagnostic and detention center will permit the new department of health and social services to receive offenders, drug users and alcoholics, determine what treatment they require, and channel them to the appropriate facilities. This center also will free the Comegys Building for other use.

Another \$22.5 million during the next five years is earmarked for expansion and improvement of hospital facilities.

So that the state can help meet the critical need for low and moderate income housing, we propose to provide \$500,000 in fiscal 1971 and a million dollars annually for the next five years.

The capital improvements program also provides for meeting state requirements for additional office space in all three counties. The largest single project is a state office building in downtown Wilmington, and this is scheduled for construction in fiscal 1972 at a cost of \$10 million.

I have presented for your consideration my proposed budget and financial report for fiscal 1971, the capital budget for 1971 and the six-year capital improvements program.

Let me stress again that I have touched only the highlights. Details are available in copies of those documents to be distributed upon conclusion of my remarks.

Each of these programs is related to the other. Each is a step towards an attainable goal—to become a model state that will provide a better life and a better future for all the people of Delaware.

In discussing the “Future of the State” last week, I listed a number of goals. In looking to the future, we must obviously concern ourselves with the availability of funds to finance the programs projected.

And in making such an appraisal, we must consider all aspects of the financial picture—the growth of the economy, the availability of federal funds, the increasing trend in Washington toward revenue-sharing with the states, and the continuing involvement and guidance of the Governor’s Economic Advisory Council.

In looking at the broad picture, it appears that short of a major recession we will have available the resources needed to meet those goals.

I told you in my fiscal message last year that I would not be asking for increased revenue during the remainder of my term. That still holds.

In my inaugural address exactly one year ago, I suggested that we in Delaware seek a meld of idealism and reality.

The programs presented last week, and the fiscal tools of implementation offered today, in my opinion represent a true meld of idealism and reality.

I urge you to give these proposals serious and favorable consideration.

The previously named committee escorted the Governor from the Chamber.

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

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

Senator Grier moved the two Houses now separate to re-convene in their respective Chambers. Motion prevailed.

Senator Grier moved the Senate recess for 30 minutes at 1:40 P.M. The Senate reconvened at 3:10 P.M.

Senator Hale introduced **SA 1 to SB 418**.

Senator Hale introduced **SA 1 to SB 418** be placed with bill. Motion prevailed without objection.

Senator Hale introduced **SA 1 to SB 417**

Senator Hale moved that **SA 1 to SB 417** be placed with bill.

Motion prevailed without objection.

Senator Elliott introduced **SB 426** entitled, “An Act to Amend Chapter 42, Volume 53, Laws of Delaware, As Amended, Entitled ‘An Act Amending, Revising and Consolidating the Charter of the City of Seaford’ to Provide a Registration System for Voters in the Annual Municipal Election,” which was given its first reading by title only and assigned to Committee on Government Operations.

Senator Elliott introduced **SB 427** entitled, “An Act to Amend Chapter 5, Title 17, Delaware Code, Relating to Highways Deemed Public Roads,” which was given its first reading by title only and assigned to Committee on Highways and Public Safety.

Senator Elliott introduced **SB 428** entitled, "An Act to Amend Section 1139, Title 28, Delaware Code so as to Prevent Participation of Bingo Control Commission Members or Employees in Bingo Games," which was given its first reading by title only and assigned to Committee on Miscellaneous.

Senator Elliott introduced **SB 429** entitled, "An Act to Amend Chapter 19, Title 3, Delaware Code, Relating to Liming Materials," which was given its first reading by title only and assigned to committee on Labor.

Senator Elliott introduced **SB 430** entitled, "An Act to Amend Chapter 12 and 13, Title 14, Delaware Code, by Providing Substitutes for Nurses, Secretaries, Custodians, and Cafeteria Managers and Designating Their Daily Rate of Pay," which was given its first reading by title only and assigned to Committee on Education.

Senator Elliott introduced **SJR 11** entitled, "Providing for an Orientation to be Given to Newly Elected Legislators by the Legislative Council Staff".

WHEREAS, it is deemed necessary that newly elected legislators to the General Assembly be informed and knowledgeable as to the process and complexities of the General Assembly and its functions and procedures; and

WHEREAS, it is believed that an orientation for newly elected legislators on the General Assembly and its function and procedure is necessary and helpful and would aid the effectiveness of the said legislators; and

WHEREAS, it would appear that the Legislative Council staff is suited and qualified to prepare and/or conduct such an orientation;

NOW THEREFORE:

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

That an orientation of all newly elected legislators be conducted at Legislative Hall, Dover, Delaware to be held the first Thursday, Friday and Saturday of December after each election of the members of the General Assembly commencing with 1970.

BE IT FURTHER RESOLVED that the Legislative Council staff prepare and/or conduct and orientation of newly elected legislators on the General Assembly and its function and procedure and prepare any material or publications it deems necessary.

Senator Elliott moved that **SJR11** be tabled.

Motion prevailed without objection.

Senator Steele introduced **SB 431** entitled, "An Act Authorizing the State of Delaware to Borrow Money to be Used for Capital Improvements and Expenditures and to Issue Bonds and Notes Therefor and Appropriating the Moneys to the State Board of Education," which was given its first reading by title only and assigned to Committee on Finance.

Senator Cook introduced **SB 432** entitled, "An Act to Amend Chapter 76, Title 29, Delaware Code, by Adding a New Section, Section 7602, Relating to Markings required on State-Owned Passenger Motor Vehicles which was given its first reading by title only and assigned to Committee on Revised Statutes.

Senator Grier introduced **SR 81** co-sponsored by all the other Senators.

RELATIVE TO THE DEATH  
OF  
SENATE SECRETARY  
WILLIAM F. WILGUS, JR.

WHEREAS, the Senate of the 125th General Assembly of the State of Delaware notes with regret the passing of William F. Wilgus, Jr. of Ocean View, Delaware on January 16, 1970; and

WHEREAS, William F. Wilgus, Jr. served the State he loved most recently as Secretary of the Senate in the General Assembly of the State of Delaware; and

WHEREAS, William F. Wilgus, Jr. from 1960-64 served the State with loyal devotion as an elected Member of the Senate; and

WHEREAS, William F. Wilgus, Jr. was also active in civic and community work in his beloved County of Sussex; and

WHEREAS, William F. Wilgus, Jr. not only devoted his efforts to promoting the cause of Sussex, but to the State as a whole; and

WHEREAS, the Members of the Senate of the 125th General Assembly realize that the warmth of the personality of William F. Wilgus, Jr. will be missed in the days ahead; and

NOW THEREFORE,

BE IT RESOLVED, by the Senate of the 125th General Assembly of the State of Delaware, that the Members on this date of January 21, 1970, wish to give expression of the sorrow they experienced at the passing of this outstanding former Senator, Senate Secretary and citizen, William F. Wilgus, Jr.; and

BE IT FURTHER RESOLVED, that the family of the deceased be accorded the full sympathy of the Members of the Senate of the 125th General Assembly of the State of Delaware which is hereby extended by sending a copy of this resolution to the Members of his immediate family; and

BE IT FURTHER RESOLVED, that the text of this Resolution be made part of the Journal of the proceedings of the Senate of the 125th General Assembly of the State of Delaware.

Senator Manning moved to strike roll call on **SR 81**. Motion carried voice vote.

Senator Isaacs moved for voice vote on **SR 81**. Motion carried.

Voice vote on **SR 81** revealed the Resolution passed unanimously.

A message from the Governor was received from Mr. Daniel Enterline.

Senator Steele on behalf of the Committee on Finance to whom had been referred **SB 424** reported the same back to the Senate; 4 Favorable, 1 Merits.

Senator Castle on behalf of the Committee on Revised Statutes to whom had been referred **SB 423** reported the same back to the Senate; 2 Favorable, 4 Merits.

Senator Cicione on behalf of the Committee on Government Operations to whom had been referred **SB 426** reported the same back to the Senate; 1 Favorable, 3 Merits.

Senator Elliott moved that **SJR 11** be lifted from the table and assigned to committee. Motion prevailed without objection.

The presiding officer assigned **SJR 11** to the Senate Administration Committee.

Senator Slawik introduced **SA1 to SB 92**.

Senator Slawik moved that **SA1 to SB 92** be adopted.

On the question "Shall the amendment be adopted?"

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele-18.

ABSENT—Mr. Holloway—1.

So the question was decided in the affirmative and the amendment having received the required constitutional majority was adopted.

On motion of Senator Salwik **SB 92 with SA1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act Providing for every other Friday as the method of payment of state officials and employees."

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele-18.

ABSENT—Mr. Holloway—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

The following messages, received from the Governor, were read and referred to the Executive Committee.

To the Senate of the 125th General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation, the following:

Charles W. Cole, 37 Olive Avenue, Rehoboth Beach, Delaware; to be a member of the Department of Elections for Sussex County filling the unexpired term of Marie Salmons (resigned) to end August 7, 1971.

Your consideration of this nomination will be appreciated.

Respectfully submitted  
Russell W. Peterson  
Governor

To the Senate of the 125th General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation the following:

Donald G. Culver, 748 E. Loockerman Street, Dover, Delaware; to be a member of the Department of Elections for Kent County, to fill a vacancy from date of confirmation, for a term to expire August 7, 1973.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
Russell W. Peterson  
Governor



Senator Grier moved that the Senate adjourn until February 22, 1970 at 1:30 P.M. Motion prevailed without objection.

#### 4th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 4:00 P.M. on Thursday, January 22, 1970. Lt Gov. Bookhammer presiding.

Prayer by the Chaplain Rev. O.H. Spence.

Flag salute.

By roll call the following Senators were present:

Members Present—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—19.

The Secretary proceeded to read the Journal of the previous day's Session when Senator Grier moved that so much be considered the reading of the Journal and the Journal be approved as read.

Senator Hickman introduced **SR 83** entitled "In Reference to Election of Officers."

Senator Cicione moved that **SR 83** be tabled.

On the question "Shall the Motion be Adopted?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, duPont, Foltz, Grier, Hale, Hart, Steele—8.

NAYS—Messrs. (Mrs.) Conner, Cook, Elliott, Hickman, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik—9.

ABSENT—Mr. Holloway—1.

So the question was decided in the negative and the Motion was lost.

Senator Hickman moved that **SR 83** be adopted.

Senator Cicione moved that Roll Call on **SR 83** be tabled.

On the question "Shall the Roll Call be Tabled?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cicione, Elliott, Foltz, Grier, Hart, Hickman—6.

NAYS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Hale, (Mrs.) Manning, McCullough, Schlör, Steele—9.

NOT VOTING—Messrs. Isaacs, Slawik—2.

ABSENT—Messrs. Holloway, Robbins—2.

So the question was decided in the negative and the Motion was lost.

On the question "Shall **SR 83** be Adopted?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Elliott, Foltz, Grier, Hart, Hickman, Isaacs—6.

NAYS—Messrs. Castle, (Mrs.) Conner, duPont, Hale, (Mrs.) Manning, Steele—6.

NOT VOTING—Messrs. Cicione, Cook, McCullough, Schlör, Slawik—5.

ABSENT—Messrs. Holloway, Robbins—2.

So the question was decided in the negative and the Resolution was lost.

Senator Hale introduced **SR 82** entitled "Relating to the Appointment of the Secretary of the Senate."

Senator Cicione moved that **SR 82** be tabled.

On the question "Shall the Motion be Adopted?" the yeas and nays

were ordered which being taken were as follows:

YEAS—Messrs. Cicione, Elliott, Foltz, Grier, Hart, Hickman, Isaacs—7.

NAYS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Hale, (Mrs.) Manning, McCullough, Schlor, Slawik, Steele—10.

ABSENT—Messrs. Holloway, Robbins—2.

So the question was decided in the negative and the Motion was lost.

Senator Hale moved that **SR 82** be adopted.

On the question "Shall the Resolution be adopted?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, (Mrs.) Conner, duPont, Hale, (Mrs.) Manning, Steele—6.

NOT VOTING—Messrs. Cicione, Cook, Elliott, Foltz, Grier, Hart, Hickman, Isaacs, McCullough, Schlor, Slawik—11.

ABSENT—Messrs. Holloway, Robbins—2.

So the question was decided in the negative and the Resolution was lost.

On motion of Senator Elliott **SB 426** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**SB 426**—"An Act to Amend Chapter 42, Volume 53, Laws of Delaware, as Amended, Entitled 'An Act Amending, Revising and Consolidating the Charter of the City of Seaford' to provide a Registration System for Voters in the Annual Municipal Election."

Senator Elliott asked for the privilege of the floor for Mr. John Messick, City Solicitor of Seaford. Hearing no objection the privilege was granted.

The Roll Call on **SB 426** was not announced.

On motion to table Roll Call on **SB 426** by Senator Elliott, the Roll Call was not announced.

Senator Isaacs moved that Senate recess until January 27, 1970 at 1:30 P.M. Motion prevailed voice vote.

The Senate reconvened on January 27, 1970, at 1:00 P.M.

Senator Steele introduced **SB 443**, entitled "An Act to Amend Chapter 469, Volume 56, 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 Moneys to Various Agencies of the State,'" which was given its first reading by title only, and assigned to committee on Finance.

Senator Steele introduced **SB 444**, entitled "An Act to Amend Chapter 167, Volume 55, 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 Money Borrowed to Various Agencies of the State,'" which was given its first reading by title only and assigned to committee on Finance.

Senator Steele introduced **SB 445**, 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 Moneys to Various Agencies of the State," which was given its first reading by title only and assigned to

committee on Finance.

Senator Steele introduced **SB 446**, entitled "An Act to Amend Chapter 121, Volume 56, 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 Moneys to Various Agencies of the State,'" which was given its first reading by title only and assigned to committee on Finance.

Senator Steele introduced **SB 447**, entitled "An Act to Amend Chapter 299, Volume 57, 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 Moneys to Various Agencies of the State,'" which was given its first reading by title only and assigned to committee on Finance.

Senator Steele introduced **SB 448**, entitled "An Act to Amend Chapter 60, Title 29, Delaware Code, Relating to the Classification and Compensation of Key Executives of the State of Delaware," which was given its first reading by title only and assigned to committee on Finance.

Senator Steele introduced **SB 449**, entitled "An Act to Amend Chapter 429, Volume 55, 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 \$41,446,270.00 to Various Agencies of the State," which was given its first reading by title only and assigned to committee on Finance.

Senator Steele introduced **SB 450**, entitled "An Act to Amend Chapter 60, Title 29, Delaware Code, Relating to the Classification and Compensation of the State Tax Commissioner," which was given its first reading by title only and assigned to committee on Finance.

Senator Holloway introduced **SB 451**, entitled "An Act Relating to the Prohibition of Sales of Alcoholic Liquors at Certain Times," which was given its first reading by title only and assigned to committee on Miscellaneous.

Senator duPont introduced **SB 452**, co-sponsored by Senator Schlor, entitled "An Act to Amend Chapter 288, Volume 56, Laws of Delaware, Relating to a Rate of Interest in the State," which was given its first reading by title only and assigned to committee on Banking and Insurance.

Senator duPont introduced **SS 1 for SB 364**, co-sponsored by Senator Hale, entitled "An Act Appropriating \$150,000 to the Wilmington Institute, a Corporation of the State of Delaware," which was given its first reading by title only.

Senator Steele, on behalf of the committee on Finance to whom had been referred **SB 431**, reported the same back to the Senate; 2 Favorable, 1 Unfavorable, 1 on Merits.

Senator Isaacs, on behalf of the committee on Fish, Oyster and Game to whom had been referred **HB 285**, reported the same back to the Senate; 3 Favorable, 2 on Merits.

Senator Conner, on behalf of the committee on Education to whom had been referred **SB 441**, reported the same back to the Senate; 2 Favorable, 3 on Merits.

Senator Manning moved that all action on **SB 426** be rescinded.

On the question "Shall the Motion be Adopted?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—19.

So the question was decided in the affirmative and the Motion was adopted.

On the Motion of Senator Elliott **SB 426** was taken up for consideration in order to pass the Senate.

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—19.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Senator Foltz moved that Rule 9 be suspended for the purpose of considering **HB 479**.

On the question "Shall the Motion Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele—18.

NOT VOTING—Mr. McCullough—1.

So the question was decided in the affirmative and the motion having received the required constitutional Majority passed the Senate.

Senator Foltz asked for the privilege of the floor for General Robert D. Forman to explain **HB 479**. Hearing no objection the privilege was granted.

On motion of Senator Foltz **HB 479** with title as follows was taken up for consideration and read by title in order to pass the Senate.

**HB 479**—"An Act to Amend Section 403 (d), Subchapter 1, Chapter 4, Title 28, Delaware Code, Relating to Horse Racing in Kent County by Adding Certain Language to permit Racing in February."

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele—18.

NOT VOTING—Mr. McCullough—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Senator Isaacs moved that Rule 9 be suspended for the purpose of considering **HCR 18**.

On the question "Shall the Motion Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—18.

ABSENT—Mr. Grier—1.

So the question was decided in the affirmative and the motion having received the required constitutional majority passed the Senate.

Senator Isaacs requested **HCR 18** be read in full.

**HCR 18**—"WHEREAS, members of the General Assembly have learned of the pending appointment of a permanent director of the New Castle County Police; and

WHEREAS, members of the General Assembly recognize the outstanding job accomplished by the acting director of the New Castle County Police; and

WHEREAS, the atmosphere of cooperation between the Delaware State Police and the New Castle County Police is increasing and has never been better.

NOW THEREFORE,

BE IT RESOLVED, by the members of the House of Representatives of the 125th General Assembly, the Senate concurring therein, that the members deeply appreciate and commend Captain Henry Snedeker of the New Castle County Police and Staff Captain Thomas Buckmaster of the Delaware State Police for their efforts in increased police protection for the people of New Castle County.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Captains Henry Snedeker and Thomas Buckmaster."

Senator Isaacs moved that **HCR 18** be adopted.

On the question "Shall the Resolution be adopted?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—18.

ABSENT—Mr. Grier—1.

So the question was decided in the affirmative and the resolution having received the required constitutional majority was adopted.

Senator Cicione introduced **SB 453**, co-sponsored by Senators Slawik, Hart, and Isaacs, entitled "An Act to Amend Subchapter XII, Title 11, Delaware Code, Relating to Cemeteries by Adding a New Section Prohibiting the Refusal of a Head Stone at the Grave of a Veteran of the United States Armed Forces," which was given its first reading by title only and assigned to committee on Judiciary.

Senator Cicione introduced **SB 454**, co-sponsored by Senators Slawik, Hart, and Isaacs, entitled "An Act to Amend Section 194, Subchapter VII, Title 20, Delaware Code Relating to the Use of State Owned Armories, by Authorizing the Adjutant General of the Delaware National Guard to Lease Space to Any Veterans Organization Without Charge," which was given its first reading by title only and assigned to committee on Government Operations.

Senator Steele introduced **SB 455**, entitled "An Act to Amend 57 Delaware Laws, Chapter 135, Also Known as **HB 187** of the 125th General Assembly, "An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1970," By Providing for Salary Increases for Employees in the Classified Service, Defining the Standard Work Week for Such Employees and the Relationship of the Increase to the Work Week, and Making a Supplemental Appropriation in the Amount of \$1,134,000.00 for the Proposed Amendment," which was

given its first reading by title only and assigned to committee on Finance.

Senator Elliott introduced **SB 456**, co-sponsored by Senators Hickman and Cicione, entitled "An Act to Amend Section 435, Title 11, Delaware Code, Relating to the Exposing of Minors to Obscene and Harmful Materials," which was given its first reading by title only and assigned to committee on Judiciary.

Senator Elliott introduced **SB 457**, co-sponsored by Senators Isaacs and Hickman, entitled "An Act to Amend Title 3, Delaware Code, by Adding Chapter 24 Thereto Relating to Johnsongrass Control, to Declare the Existence of Johnsongrass to be a Public and Common Nuisance, to Prohibit the Contamination of Uninfested Land With Johnsongrass, to Require Landowners to Prevent Seed Set on Land Infested with Johnsongrass; to Institute Programs for its Control and Eradication; to Permit the State Board of Agriculture to Enter into Agreements with any County, Subdivision, Adjoining State, and Agency of the Federal Government to Effect a Program of Control and Eradication, to Declare Other Weed Species which Threaten or Adversely Affect Agricultural Production; to Accept and Expend Gifts and Grants from any Source for the Purpose of Control and Eradication; and to Provide for the Prosecution of Violations, and that Violators Shall be Guilty of a Misdemeanor, and Providing Penalties Therefor," which was given its first reading by title only and assigned to committee on Agriculture and Natural Resources.

Senator Castle introduced **SB 458** entitled "An Act to Amend Chapter 47, Title 11, Delaware Code Relating to Mentally Ill Defendants," which was given its first reading by title only and assigned to committee on Judiciary.

Senator Castle introduced **SB 459** entitled "An Act to Amend Titles 10, 11, 16 and 21, of the Delaware Code, by Abolishing Aldermen's Courts, Providing for the Transfer of Pending Cases and Appealed Cases, and Providing for the Paying over of Fines and Forfeitures," which was given its first reading by title only and assigned to committee on Government Operations.

Senator Castle introduced **SB 460** entitled "An Act to Amend Title 11 of the Delaware Code Relating to the Arrest and Disposition of Persons Intoxicated in Public Places," which was given its first reading by title only and assigned to committee on Judiciary.

Senator Castle introduced **SB 461** entitled "An Act to Amend Chapter 19, Title 11, Delaware Code Relating to the Authorization of Local Governments to Enter into and Renew Police Mutual Aid Agreements," which was given its first reading by title only and assigned to committee on Judiciary.

Senator duPont moved that **SS 1 for SB 364** be adopted in lieu of original and placed with the bill. Motion prevailed by voice vote.

Senator Elliott moved that **SS 1 for SB 428** be adopted in lieu of original and placed with the bill. Motion prevailed by voice vote.

Senator Isaacs introduced **SB 462**, co-sponsored by Senator Steele, entitled "An Act to Amend Title 29, Chapter 76, Delaware Code, Relating to the Display of the State Flag by State Agencies and Appropriating Five Thousand Dollars (\$5,000) to the State Distribution Agency for this Purpose," which was given its first reading by title only and assigned to committee on Finance.

Senator Isaacs introduced **SCR 23** entitled Appropriating Funds to the Joint Committee Investigating the Game and Fish Commission."

Senator Isaacs moved that **SCR 23** be adopted.

On the question "Shall the Resolution be Adopted?" the yeas and nays were ordered which being taken were as follows:

**YEAS**—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Slawik, Steele—16.

**NAYS**—Messrs. McCullough, Schlor—2.

**ABSENT**—Mr. Grier—1.

So the question was decided in the affirmative and the resolution having received the required constitutional majority was adopted.

The Chair presented the following House Bills which were given first reading and referred to committee as follows:

**HB 180 with HA 1**—"An Act to Amend Section 2804, Title 10, Delaware Code, Relating to Salaries of the Justice of the Peace Constables," to committee on Judiciary.

**HB 492 with HA 1 and 2**—"An Act to Amend Section 5004, Title 15, Delaware Code, Relating to the Use of Voting Machines," to committee on Elections.

**HB 501**—"An Act to Amend Title 31, Section 503, Delaware Code, Relating to Eligibility for Welfare Assistance," to committee on Miscellaneous.

**HB 504**—"An Act to Amend Title 10, Section 8901 of the Delaware Code in Regard to Compensation of Jurors," to committee on Revised Statutes.

**HB 509**—"An Act to Amend Section 1703 and 1706, Title 14, Delaware Code, Relating to Units of Pupils and Division II Appropriation," to committee on Education.

**HB 513**—"An Act to Abolish the Public Building Commission for the City of Wilmington and for New Castle County and to Provide for the Administration and Use of the Public Building Heretofore Under its Jurisdiction and to Provide for Payment Therefor," to committee on Revised Statutes.

**HB 518**—"An Act to Amend Volume 55, Laws of Delaware, Chapter 122, Authorizing the State of Delaware to Borrow Money to be Used for Construction of Sanitary Sewage Disposal Systems and Empowering the State Board of Health to Administer, Regulate and Distribute Such Funds and to Issue Bonds and Notes Therefor and Appropriating the Money Borrowed to the Board of Health," to the committee on Government Operations.

**HB 473 with HA 1**—"An Act to Amend Title 9, Delaware Code, Sections 309, 8205, 8405, 9306, 9402, 9602, and Title 10, Delaware Code, Section 2101, 2302, and 2502, and Title 12, Delaware Code, Section 2505, so as to Provide that the Salaries of Certain County Officials in Kent and Sussex Counties be Determined by the Levy Court Commissioners of said Counties," to Government Operations.

**HB 228**—"An Act Making a Supplemental Appropriation to the Delaware Commission for the Blind for Bus Transportation of Blind Children of Delaware to and From the Maryland School for the Blind," to committee on Finance.

**HB 421**—"An Act to Amend Subchapter IV, Chapter 17, Title 24,

Delaware Code, Relating to Certificates and State Licenses Issued to Osteopathic Physicians," to committee on Revised Statutes.

Senator Grier moved that the Senate adjourn until January 27, 1970 at 5:24 P.M. Motion Prevailed, voice vote.

### 5th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 5:25 P.M. on Tuesday, January 27, 1970, Lt. Gov. Bookhammer presiding.

Prayer by the Chaplain Spence.

Flag Salute

By roll call the following Senators were present:

MEMBERS PRESENT—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele-18.

MEMBERS ABSENT—Mr. Grier-1.

The Secretary proceeded to read the Journal of the previous day's session when Senator duPont moved that so much be considered the reading of the Journal and the Journal be approved as read.

Senator Slawik introduced **SR 85** entitled: "Directing that a Secretary and Assistant Secretary of the Senate be Selected by Legislative Council."

Senator Slawik moved that **SR 85** be adopted.

On the question "Shall the Resolution be adopted?"

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Holloway, McCullough, Robbins, Schlör, Slawik-6.

NAYS—Messrs. (Mrs.) Conner, duPont, Elliott, Foltz, Hart, Hickman, Isaacs, (Mrs.) Manning, Steele-9.

NOT VOTING—Messrs. Castle, Cicione, Hale-3.

ABSENT—Mr. Grier-1.

So the question was decided in the negative and the resolution was lost.

Senator duPont introduced **SR 86** entitled: "In Reference to the Election of Officers."

Senator duPont moved that **SR 86** be tabled.

Motion prevailed by voice vote.

Senator duPont moved that **SR 86** be lifted from the table. Motion prevailed by voice vote.

Senator duPont moved that **SR 86** be adopted.

On the question "Shall the resolution be adopted?"

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Steele-16.

NAYS—Messrs. McCullough, Slawik-2.

ABSENT—Mr. Grier-1.

So the question was decided in the affirmative and the resolution having received the required constitutional majority was adopted.

On motion of Senator Isaacs **SB 409** with title as follows was taken



up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Chapter 17, Title 7, Delaware Code, relating to the licensing and inspection of dog kennels and providing penalties for violations.”

On the question “Shall the bill pass the Senate?” The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—18.

ABSENT—Mr. Grier-1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Senator Isaacs **SB 410** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Chapter 17, Title 7, Delaware Code, relating to the care and treatment of dogs in kennels.”

On the question “Shall the bill pass the Senate?” The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele-18.

ABSENT—Mr. Grier-1.

So the question was decided in the affirmative and the bill having the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Senator Isaacs **HB 285 with HA 1,2,3** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to Amend Chapter 79, Title 3, Delaware Code, Affecting the Authority of the Delaware Society for the Prevention of Cruelty to Animals to Enforce Laws Related to Animals.”

Senator Cicione introduced **SA1 to HB 285 with HA 1, 2, 3.**

Senator Cicione moved that **SA1 to HB 285 with HA1,2,3** be adopted.

On the question “Shall the amendment be adopted?”

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele-17.

NOT VOTING—Mr. McCullough-1.

ABSENT—Mr. Grier-1.

So the question was decided in the affirmative and the amendment having received the required constitutional majority was adopted.

On the question “Shall **HB 285 with HA1,2,3 and SA1** pass the Senate?” The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele-17.

NOT VOTING—Mr. McCullough-1.

ABSENT—Mr. Grier-1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Senator Schlor introduced **SA1 to SB 406**.

Senator Schlor moved that **SA1 to SB 406** be placed with the bill. Motion prevailed by voice vote.

Senator Steele on behalf of the Committee on Finance to whom had been referred **HB465** reported the same back to the Senate; 5 Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **SB 448** reported the same back to the Senate; 3 Favorable, 2 Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **SB 450** reported the same back to the Senate; 3 Favorable, 2 Merits.

A message from the Governor was delivered by Mr. Daniel G. Enterline.

On motion of Senator Schlor **SB 208** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Section 902, (a), Title 19, Delaware Code, relating to minimum wages, by increasing the minimum wage.”

Senator Cicione introduced **SA1 to SB 208**.

Senator Cicione moved that **SA1 to SB 208** be adopted.

On the question “Shall the amendment be adopted?”

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cicione, (Mrs.) Conner, Cook, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlor, Slawik-1.

NAYS—Messrs. duPont, Elliott, Hickman, Robbins, Steele-5.

NOT VOTING—Messrs. Castle, Foltz, Hale-3.

ABSENT—Mr. Grier-1.

So the question was decided in the affirmative and the amendment having received the required constitutional majority was adopted.

On the question “Shall **SB 208** with **SA1** pass the Senate?” The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik-13.

NAYS—Messrs. duPont, Elliott, Hickman, Steele-4.

NOT VOTING—Mr. Foltz-1.

ABSENT—Mr. Grier-1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Senator Cook moved that rule 9 be suspended for the purpose of considering **SB 463 and SB 464**.

On the question “Shall the motion pass the Senate?” The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Steele-16.

ABSENT—Messrs. (Mrs.) Conner, Grier, Slawik-3.

So the question was decided in the affirmative and the motion having received the required constitutional majority passed the Senate.

On motion of Senator Cook **SB 463** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act appropriating certain moneys to Grace Pritchett, widow of David Pritchett in the death of her husband, while in the performance of official duties in line of service of the State of Delaware.”

On the question “Shall the bill pass the Senate?” The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele—17.

ABSENT—Messrs. Grier, Slawik-2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Senator Cook **SB 464** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act appropriating certain moneys to Ruth Patterson widow of Robert Patterson in the death of her husband, while in the performance of official duties in line of service of the State of Delaware.”

On the question “Shall the bill pass the Senate?” The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele-17.

ABSENT—Messrs. Grier, Slawik-2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Senator Steele on behalf of the Committee on Finance to whom had been referred **HB 450** reported the same back to the Senate; 4 Favorable, 2 Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **SB 455** reported the same back to the Senate; 1 Favorable, 5 Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **HB 478** reported the same back to the Senate; 2 Favorable, 3 Merits.

Senator Conner on behalf of the Committee on Education to whom had been referred **HB 509** reported the same back to the Senate; 2 Favorable, 2 Merits.

Senator duPont announced an Executive Committee Hearing on appointees at 11 A.M. on January 28, 1970.

Senator duPont moved the Senate recess until 1:30 P.M. January 28, 1970. Motion prevailed voice vote.

The Senate reconvened at 2:45 P.M. on January 28th 1970.

Senator Hart introduced **SB 465** entitled, “An Act to Amend Chapters 6 and 31, Title 14, Delaware Code, Relating to the Education of

Exceptional Children and Handicapped Children," which was given its first reading by title only and assigned to Committee on Education.

Senator Hart introduced **SA 1 to HB 150**.

Senator Hart moved that **SA 1 to HB 150** be placed with bill. Motion prevailed by voice vote.

Senator Slawik introduced **SB 466** co-sponsored by Senator Hart, entitled, "An Act to Amend Chapter 5, Title 21, Delaware Code, Relating to the Marking of Highways and Erection of Traffic Signals and Other Signs, by Adding a New Subchapter to Provide for Contracts Between Municipalities and Other Political Subdivisions and Owners of Shopping Centers to Regulate Parking and Traffic at Shopping Centers," which was given its first reading by title only and assigned to Committee on Highways and Public Safety.

Senator Castle introduced **SB 467** entitled, "An Act Making a Supplementary Appropriation to the State Election Commissioner and to Each County Department of Elections," which was given its first reading by title only and assigned to Committee on Finance.

Senator Hale on behalf of the committee on Senate Administration to whom had been referred **HCR 19** reported the same back to the Senate; 3 Favorable, 1 on Merits.

Senator Foltz on behalf of the Committee on Banking and Insurance to whom had been referred **SB 452** reported the same back to the Senate; 3 Favorable, 1 Merits.

Senator Castle on behalf of the Committee on Revised Statutes to whom had been referred **HB 513** reported the same back to the Senate; 1 Favorable, 4 Merits.

On motion of Senator Castle **SB 441** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act appropriating \$50,000 to the State Board of Education for the fiscal year ending June 30, 1970, for the extension of the Monitor Program in the Wilmington Public Schools and appropriating \$50,000 to the Contingency Fund (Administered by State Budget Commission) to reimburse said fund for sums previously expended."

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

**YEAS**—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik-15.

**NAYS**—Messrs. Hickman, Steele-2.

**NOT VOTING**—Mr. Foltz-1.

**ABSENT**—Mr. Cicione-1

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Senator Hale introduced **SA 1 to SB 418**.

Senator Hale moved that **SA 1 to SB 418** be adopted.

On the question "Shall the amendment be adopted?"

The yeas and nays were ordered which being taken were as follows:

**YEAS**—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele-19.

So the question was decided in the affirmative and the amendment having received the required constitutional majority was adopted.

Senator Hickman introduced **SA2 to SB 418** co-sponsored by Senators Isaacs, Schlör, Castle, Slawik.

Senator Hickman moved that **SA2 to SB 418** be adopted.

On the question "Shall the amendment be adopted?"

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, Cook, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik-15.

NAYS—Messrs. (Mrs.) Conner, Foltz, (Mrs.) Manning, Steele-4.

So the question was decided in the affirmative and the amendment having received the required constitutional majority was adopted.

On motion of Senator Hale **SB 418 with SA1,2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Chapter 13, Title 14, Delaware Code, relating to salary schedules for school employees."

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele-19.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Senator Cicione on behalf of the Committee on Government Operations to whom had been referred **HB 363** reported the same back to the Senate; 3 Favorable, 1 Merits.

Senator Foltz on behalf of the Committee on Judiciary to whom had been referred **HB 231** reported the same back to the Senate; 1 Favorable, 5 Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **SB 436** reported the same back to the Senate; 2 Favorable, 3 Merits.

Senator Foltz on behalf of the Committee on Banking and Insurance to whom had been referred **SB 421** reported the same back to the Senate; 1 Favorable, 4 Merits.

Senator Castle, moved that rule 9 be suspended for the purpose of considering **SB 468**.

On the question "Shall the motion pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör-18.

ABSENT—Mr. Slawik-1.

So the question was decided in the affirmative and the motion having received the required constitutional majority passed the Senate.

On motion of Senator Castle **SB 468** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Chapter 8, Volume 56, Laws of Delaware, being

entitled an act to amend Chapter 163, Volume 32, Laws of Delaware, as amended, being as act entitled 'An act to further amend Chapter 92, Volume 23, Laws of Delaware' being an act entitled 'An act to provide for the organization and control of the public schools of the City of Wilmington' by providing for an increase in the bonded indebtedness of the City of Wilmington from 3 per centum to 10 per centum.

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele-16.

NAYS—Messrs. Isaacs, Robbins-2.

NOT VOTING—Mr. Cicione-1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Senator Steele **SB 450** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Chapter 60, Title 29, Delaware Code, relating to the classification and compensation of the State Tax Commissioner."

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele-19.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Senator Steele **SB 448** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Chapter 60, Title 29, Delaware Code, relating to the classification and compensation of key Executives of the State of Delaware."

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hart, Hickman, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele-16.

NAYS—Messrs. Foltz, Isaacs-2.

NOT VOTING—Mr. Holloway-1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Senator Steele **SB 455** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend 57 Delaware Laws Chapter 135, also known as **HB 187** of the 125th General Assembly, "An Act making appropriations for the expense of the State Government for the fiscal year ending June 30, 1970," by providing for salary increases for employees in the classified

service, defining the standard work week for such employees and the relationship of the increase to the work week, and making a supplemental appropriation in the amount of \$1,134,000.00 for the proposed amendment."

Senator Hickman introduced **SA1 to SB 455** co-sponsored by Senator Elliott.

Senator Hickman moved that **SA1 to SB 455** be adopted.

On the question "Shall the amendment be adopted?"

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Elliott, Grier, Hickman, Isaacs, McCullough, Robbins, Schlör-8.

NAYS—Messrs. Cicione, duPont, Foltz, Hale, Hart, (Mrs.) Manning, Steele-7.

NOT VOTING—Messrs. Castle, (Mrs.) Conner, Holloway, Slawik-4.

So the question was decided in the negative and the amendment was lost.

Senator Slawik moved that **SA1 to SB 455** be tabled.

On the question "Shall the motion be adopted?"

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cicione, duPont, Foltz, Hale, Hart, (Mrs.) Manning, Slawik, Steele-8.

NAYS—Messrs. Cook, Elliott, Grier, Hickman, Isaacs, McCullough, Robbins, Schlör-8.

NOT VOTING—Messrs. Castle, (Mrs.) Conner, Holloway-3.

So the question was decided in the negative and the motion was lost.

Senator Steele asked for the privilege of the floor for Mr. Samuel Lewis, Senate Attorney, to explain **SB 455**. Hearing no objection the privilege was granted.

Senator Cook introduced **SA 2 to SB 455**.

Senator Cook moved that **SA2 to SB 455** be adopted.

On the question "Shall the amendment be adopted?"

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cicione, Cook, Hart, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik-9.

NAYS—Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hickman, (Mrs.) Manning, Steele-10.

So the question was decided in the negative and the amendment was lost.

Senator Cicione moved that **SB 455** be tabled.

On the question "Shall the motion pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cicione, Elliott, Isaacs, Robbins-4.

NAYS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele-15.

So the question was decided in the negative and the motion was lost.

Senator Steele moved for roll call on **SB 455**. No objection.

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele-18.

**NAYS—Mr. Robbins-1.**

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for Concurrence.

Senator Grier moved for recess of 15 minutes at 4:45 P.M. No objection. The Senate reconvened at 5:10 P.M.

Senator Hickman introduced **SB 469** entitled, "An Act to Amend 904, Title 7, Delaware Code, pertaining to the Definition of Commercial Fish," which was given its first reading by title only and assigned to Committee on Fish, Oyster and Game.

Senator Holloway introduced **SB 470** co-sponsored by Senator Slawik entitled, "An Act to Amend Section 116 (B), Subchapter II, Title 30, Delaware Code, Relating to Exclusions from Income, by Increasing the Exclusion for Pensioners from \$2,000.00 to \$3,500.00," which was given its first reading by title only and assigned to Committee on Finance.

Senator Hart introduced **SB 471** entitled, "An Act to Amend Title 14, Delaware Code, Entitled 'Education' in Respect to Borrowing Money," which was given its first reading by title only and assigned to Committee on Finance.

Senator Hart introduced **SB 492** entitled "An Act Making a Supplementary Appropriation to the State Board of Education of Occupational Teachers," which was given its first reading by title only and assigned to Committee on Finance.

Senator Hart introduced **SA1 to SB 127.**

Senator Hart moved that **SA1 to SB 127** be placed with the bill. Motion prevailed by voice vote.

Senator Steele introduced **SA1 to HB 322.**

Senator Steele moved that **SA1 to HB 322** be placed with the bill. Motion prevailed by voice vote.

Senator Cook introduced **SJR 12** co-sponsored by Senator Isaacs entitled, "Relating to the Closing of the St. Georges Bridge over the Chesapeake and Delaware Canal."

Senator Cook moved that rule 9 be suspended for the purpose of considering **SJR 12.**

On the question "Shall the motion pass the Senate?" The yeas and nays were ordered which being taken were as follows:

**YEAS—**Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele-17.

**ABSENT—**Messrs. Elliott, McCullough-2.

So the question was decided in the affirmative and the motion having received the required constitutional majority passed the Senate.

Senator Cook moved that **SJR 12** be adopted.

On the question "Shall the Resolution be adopted?" The yeas and nays were ordered which being taken were as follows:

**YEAS—**Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele-17.

**ABSENT—**Messrs. Elliott, McCullough-2.

So the question was decided in the affirmative and the resolution having received the required constitutional majority was adopted.

Senator Foltz on behalf of the Committee on Judiciary to whom had



been referred **SB 460** reported the same back to the Senate; 4 Favorable, 2 Merits.

Senator Elliott on behalf of the Committee on Agriculture and Natural Resources to whom had been referred **SB 457** reported the same back to the Senate; 3 Favorable, 2 Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **SB 462** reported the same back to the Senate; 6 Favorable.

Senator Isaacs on behalf of the Committee on Miscellaneous to whom had been referred **SB 402** reported the same back to the Senate, 3 Favorable.

Senator Isaacs on behalf of the Committee on Miscellaneous to whom had been referred **SB 451** reported the same back to the Senate; 3 Favorable.

Senator Isaacs on behalf of the Committee on Miscellaneous to whom had been referred **SB 411** reported the same back to the Senate; 4 Merits.

Senator Elliott on behalf of the Committee on Agriculture and Natural Resources to whom had been referred **SB 434** reported the same back to the Senate; 2 Favorable, 3 Merits.

Senator Isaacs on behalf of the Committee on Miscellaneous to whom had been referred **HB 328** reported the same back to the Senate; 1 Favorable, 3 on Merits.

Senator Isaacs on behalf of the Committee on Miscellaneous to whom had been referred **HB 501** reported the same back to the Senate; 1 Favorable, 3 Merits.

Senator Cicone on behalf of the Committee on Government Operations to whom had been referred **HB 518** reported the same back to the Senate; 2 Favorable, 2 on Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **HB 374** reported the same back to the Senate; 4 Merits.

Senator duPont introduced **HCR 22** entitled, "Authorizing Payments for Supplies Purchased by the Staff of the Legislative Council or its predecessor, the Legislative Reference Bureau."

Senator duPont moved that **HCR 22** be adopted.

On the question "Shall the Resolution be adopted?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicone, Cook, duPont, Foltz, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele—15.

ABSENT—Messrs. (Mrs.) Conner, Elliott, Hickman, McCullough-4.

So the question was decided in the affirmative and the resolution having received the required constitutional majority was adopted.

The Chair presented the following House Bills which were given first reading and referred to Committee as follows:

**HB 524** "An Act to Amend an Act being Chapter 94, Volume 56, Laws of Delaware, Entitled 'An Act Authorizing the Levy Court of Sussex County to Issue Bonds on the Full Faith and Credit of the County not Exceeding \$2,500,000.00 to provide Funds for the Construction of a New Court House and/or an Addition to the Existing Court House and Equipment to be Used Therein, Providing for the Power of Condemnation and Method of Repayment of said Bonds' to remove the Maximum Rate of Interest which may be paid on bonds, to Remove the Maximum Rate of

Interest on bond Anticipatory Notes, and to Permit Additional Bond Anticipatory Notes to be Issued.”

Referred to Committee on Finance.

**HS 1 for HB 454** as amended by **HA1** “An Act to Amend Title 17, 705, Delaware Code, Relating to Railroad Crossings of Public Highways. Placed with the bill.

On motion of Senator Hart **SB 365** with **HA3** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act relating to salaries of certain public officials by raising certain salaries.”

On the question “Shall the bill pass the Senate?” The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele-16.

ABSENT—Messrs. Elliott, Hickman, McCullough-3.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate.

Senator Steele on behalf of the Committee on Finance to whom had been referred **HB 524** reported the same back to the Senate; 1 Favorable, 4 Merits.

Senator Grier moved that the Senate adjourn until January 28, 1970 at 6:15 P.M. Motion prevailed voice vote.

### 6th Legislative Day

The Senate met pursuant to adjournment at 6:15 P.M. on January 28, 1970. Lt. Gov. Bookhammer presiding.

Prayer by the Chaplain O.H. Spence.

Flag Salute.

By Roll Call the following Senators were present:

Members Present—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele-16.

Members Absent—Messrs. Elliott, Hart, Robbins-3.

The Secretary proceeded to read the Journal of the previous day's session when Senator Grier moved that so much be considered the reading of the Journal and the Journal be approved as read.

On motion of Senator Schlör **SB 24** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 24**—“An Act to Amend Sub-section 3904 of Chapter 1 of Title 18, Delaware Code, By Striking Sub-section 3904 and Inserting a New Sub-section 3904 Providing Reasons For Cancellation of a Casualty Insurance Policy.”

Senator Schlör moved that Roll Call on **SB 24** be tabled.

On the question “Shall the Motion Pass the Senate?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cicione, (Mrs.) Conner, Cook, Holloway, (Mrs.) Manning, Robbins, Schlör, Slawik-8.

NAYS—Messrs. duPont, Hale, Steele—3.

NOT VOTING—Messrs. Castle, Foltz, Grier, Hart, Isaacs—5.

ABSENT—Messrs. Elliott, Hickman, McCullough—3.

So the question was decided in the negative and the motion was lost.

On the question “Shall **SB 24** Pass the Senate?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Holloway, (Mrs.) Manning, Schlör, Slawik—4.

NAYS—Mr. duPont—1.

NOT VOTING—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, Foltz, Grier, Hale, Hart, Isaacs, Robbins, Steele—11.

ABSENT—Messrs. Elliott, Hickman, McCullough—3.

So the question was decided in the negative and the Bill was lost.

Senator Steele introduced **SA 1 to HB 332**.

Senator Steele moved that **SA 1 to HB 322** be adopted.

On the question “Shall the Amendment Be Adopted?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele—16.

NAYS—None

NOT VOTING—None

ABSENT—Messrs. Elliott, Hickman, McCullough—3.

So the question was decided in the affirmative and the Amendment having received the required constitutional majority was adopted.

On motion of Senator Steele **HB 332 with SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 332 with SA 1**—“An Act to Provide a Supplementary Appropriation to the Vocational-Technical School Districts For Adult Vocational—Technical Education Programs.”

On the question “Shall the Bill Pass the Senate?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele—16.

NAYS—None

NOT VOTING—None

ABSENT—Messrs. Elliott, Hickman, McCullough—3.

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Senator Steele **HB 478** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 478**—“An Act to Amend Chapter 51, Title 29, Delaware Code, By Providing For the Cost of the Premium or Subscription Charges For a Health Care Insurance Plan For Regular State Employees and Eligible Pensioners.”

On the question “Shall the Bill Pass the Senate?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör,

Slawik, Steele—16.

NAYS—None

NOT VOTING—None

ABSENT—Messrs. Elliott, Hickman, McCullough—3.

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Senator Cicione **HB 518** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 518**—“An Act to Amend Volume 55, Laws of Delaware, Chapter 122, Authorizing the State of Delaware to Borrow Money to Be Used For Construction of Sanitary Sewage Disposal Systems and Empowering the State Board of Health to Administer, Regulate and Distribute Such Funds and to Issue Bonds and Notes Therefor and Appropriating the Money Borrowed to the Board of Health.”

On the question “Shall the Bill Pass the Senate?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, Robbins, Slawik, Steele—15.

NAYS—None

NOT VOTING—None

ABSENT—Messrs. Elliott, Hickman, McCullough, Schlör—4.

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Senator Steele **HB 450 with HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 450 with HA 1**—“An Act to Amend Title 30, Chapter 30, Sub-section 3002, Relating to Motor Vehicle Document Fee With Respect to Motor Vehicles Owned, Operated and Used by the State of Delaware and Its Political Subdivisions, The American Legion, Veterans of Foreign Wars, and Volunteer Fire Companies.”

On the question “Shall the Bill Pass the Senate?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, Cook, duPont, Foltz, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele—15.

NAYS—None

NOT VOTING—None

ABSENT—Messrs. (Mrs.) Conner, Elliott, Hickman, McCullough—4.

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Senator Steele **HB 465** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 465**—“An Act to Permit the Board of Education of Stanton School District to Transfer Certain Funds From Its Local Debt Service Account to Its Construction Account.”

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, Cook, duPont, Foltz, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele—15.

NAYS—None

NOT VOTING—None

ABSENT—Messrs. (Mrs.) Conner, Elliott, Hickman, McCullough—4.

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Senator duPont **SB 452** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 452**—"An Act to Amend Chapter 288, Volume 56, Laws of Delaware Relating to a Rate of Interest in the State."

Senator duPont moved Roll Call on **SB 452** be tabled. Motion carried. Voice vote.

On motion of Senator Castle **SB 460** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 460**—"An Act to Amend Title 11 of the Delaware Code Relating to the Arrest and Disposition of Persons Intoxicated in Public Places."

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cook, duPont, Foltz, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele—14.

NAYS—None

NOT VOTING—None

ABSENT—Messrs. Cicione, (Mrs.) Conner, Elliott, Hickman, McCullough—5.

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Senator duPont moved Roll Call on **SB 452** be lifted. Motion prevailed. Voice Vote.

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, duPont, Foltz, Grier, Hale, Hart, Holloway, (Mrs.) Manning, Schlör, Slawik, Steele—11.

NAYS—Mr. Isaacs—1.

NOT VOTING—Messrs. Cicione, Cook, Robbins, Steele—4.

ABSENT—Messrs. (Mrs.) Conner, Elliott, Hickman, McCullough—4.

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

The Chair presented the following House Bill which was given first reading and referred to Committee as follows:

**HB 528 with HA 1 and 3**—"An act Authorizing the State of Delaware to Borrow Money to Be Used for Capital Improvements and Expenditures and to Issue Bonds and Notes Therefor and Appropriating the Moneys to the State Board of Education," assigned to committee on Finance.

Senator Grier moved the Senate recess until January 29, 1970 at 12:30 P.M. Motion prevailed voice vote.

The Senate reconvened at 1:55 P.M. on January 29, 1970.

Senator Hale introduced **SR 87** entitled, "In Reference to the Election of Officers:"

Senator Hale moved that **SR 87** be adopted.

On the question "Shall the resolution be adopted?"

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Grier, Hale, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele-15.

ABSENT—Messrs. Elliott, Foltz, Hart, Hickman-4.

So the question was decided in the affirmative and the resolution having received the required constitutional majority was adopted.

Senator Slawik introduced **SCR 24**.

WHEREAS, the Members of the 125th General Assembly of the State of Delaware have learned that on this date, January 29, 1970, the distinguished Junior Senator, Daniel K. Inouye, of the great State of Hawaii will be a visitor to Delaware; and

WHEREAS, Senator Inouye served his country on the battlefields of France and Italy during World War II with courage and valor above the call of duty, and

WHEREAS, Senator Inouye was awarded the Distinguished Service Cross, the Bronze Star, the Purple Heart with Cluster, and five battle stars; and

WHEREAS, Senator Inouye is currently serving in his second distinguished term as Senator of the 50th State; and

WHEREAS, Senator Inouye has received much national acclaim, including his being named as one of the one hundred most important men and women in the United States of America; and

WHEREAS, Senator Inouye served as keynote of the 1968 Democratic National Convention; and

WHEREAS, Senator Inouye speaks with the force of a Hawaiian volcano, with the firmness of a Diamondhead Mountain, and yet with the lilt of a performance of the hula.

NOW THEREFORE:

BE IT RESOLVED, that the Senate of the 125th General Assembly of the State of Delaware, the House of Representatives concurring herein, does with this resolution express the respect, admiration and high regard that the people of Delaware, the First State, hold for Daniel K. Inouye, Junior Senator of the 50th State;

BE IT FURTHER RESOLVED, that the Senate of the 125th General Assembly of the State of Delaware, the House of Representatives concurring herein, wishes to welcome Senator Inouye as a guest of Delaware on this date, and Resolution be sent to Senator Daniel K. Inouye in care of the Hotel DuPont, Wilmington.

Senator Slawik moved that **SCR 24** be adopted.

Senator Slawik moved that the Roll Call on **SCR 24** be unanimous. Motion prevailed by voice vote.

Senator Slawik introduced **SB 473** entitled, "An Act to Amend Chapter 71, Title 16, Delaware Code to Include a New Subchapter Entitled Transporting Poisonous Chemical Gases over Highways," which

was given its first reading by title only and assigned to Committee on Health and Welfare.

Senator Steele on behalf of the Committee on Finance to whom had been referred **SB 467**; reported the same back to the Senate; 1 Favorable, 3 Merits.

Senator Steele asked for the privilege of the floor for Mr. Edward W. Hagemeyer, Vice President, Farmers Bank of the State of Delaware, to explain **HB 524**. Hearing no objection the privilege was granted.

On motion of Senator Steele **HB 524** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An act to amend an act being chapter 94, volume 56, laws of Delaware, entitled 'An act authorizing the Levy Court of Sussex County to issue bonds on the full faith and credit of the county not exceeding \$2,500,000.00 to provide funds for the construction of a new court house and/or an addition to the existing court house and equipment to be used therein, providing for the power of condemnation and method of repayment of said bonds' to remove the maximum rate of interest which may be apid on bonds, to remove the maximum rate of interest on bond anticipatory notes, and to permit additional bond anticipatory notes to be issued."

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele-17.

ABSENT—Messrs. Elliott, Hart-2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Senator Castle moved that rule 9 be suspended for the purpose of considering **SB 467**.

On the question "Shall the motion pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele-16.

ABSENT—Messrs. Elliott, Hart, Hickman-3.

So the question was decided in the affirmative and the motion having received the required constitutional majority passed the Senate.

Senator Castle asked for the privilege of the floor for Mr. Burton Willis, State Election Commissioner to explain **SB 467**. Hearing no objection the privilege was granted.

On motion of Senator Castle **SB 467** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act making a supplementary appropriation to the State Election Commissioner and to each County Department of Elections."

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins,

Schlor, Slawik, Steele—16.

ABSENT—Messrs. Elliott, Hart, Hickman-3.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Senator Cicione **HB 363** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act authorizing the incumbent State Treasurer to transfer certain balances in the accounts of former State Treasurer Belle Everett.”

On the question “Shall the bill pass the Senate?” The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele-15.

ABSENT—Messrs. Cook, Elliott, Hart, Isaacs-4.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Senator Castle **HB 513** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to abolish the Public Building Commission for the City of Wilmington and for New Castle County and to provide for the administration and use of the public building heretofore under its jurisdiction and to provide for payment therefor.”

On the question “Shall the bill pass the Senate?” The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hickman, (Mrs.) Manning, Steele-10.

NAYS—Messrs. Cook, Holloway, Isaacs, McCullough, Robbins, Schlor, Slawik-7.

ABSENT—Messrs. Elliott, Hart-2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Senator duPont moved the Senate go into Executive Session at 2:45 P.M. The Senate reconvened in regular Session at 3:20 P.M.

The Chair presented the following House Bills which were given first reading and referred to Committee as follows:

**HS1 for HB 514**—“An Act Relating to the Sale of Public Lands”—“Referred to Committee on Government Operations.”

**HB 521**—“An Act to Amend Title 4, Delaware Code Relating to the Importation of Alcoholic Liquors”—“Referred to Committee on Commerce and Corporations.”

**HB 522**—“An Act Relating to the Jurisdiction of the Superior Court and the Court of Common Pleas in Kent and Sussex Counties”—“Referred to the Committee on Government Operations.”

**HB 517** “An Act to Amend Chapter 155, Volume 28, Laws of Delaware, as Amended, Entitled ‘An act to Incorporate the Town of Blades’ by Changing the Qualifications for Voters at the Annual Municipal Election and Providing a Registration System for Voters”—“Referred to



the Committee on Government Operations."

**HB 516**—"An Act to Amend Chapter 155, Volume 28, Laws of Delaware, as Amended, entitled 'An Act to Incorporate the Town of Blades' to Permit the Borrowing of Money in Anticipation of Revenues"—"Referred to the Committee on Government Operations."

**HB 469**—"An Act to Amend an Act Authorizing the City of Dover to Issue Revenue Bonds for the Purpose of Financing the Extension, Reconstruction, or Improvement of the City's Water System, Electrical System and Sewer System, and to Provide for the Payment of Such Bonds by Deleting therefrom the Maximum Interest Rate of Said Bonds"—"Referred to the Committee on Government Operations."

**HB 460**—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations upon Taxing Power by Exempting Lands and Improvements of the Central Grange No. 61 from Assessment and Taxation"—"Referred to the Committee on Finance."

**HB 22 with HA2**—"An Act to Amend Section 122, Title 16, Delaware Code, Relating to the Powers and Duties of the State Board of Health by Permitting Municipalities to Reject Flouridation by Special Election"—"Referred to the Committee on Health and Welfare."

Senator Steele introduced **SB 474** entitled, "An Act to Amend 57 Delaware Laws, Chapter 135, Also known as **HB187** of the 125th General Assembly, 'An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1970,' by providing for Salary Increases for Employees not in the classified Service, Department of Public Instruction or State Police and defining the Standard Work Week for such Employees and the Relationship of the Increase to the Work Week and Making a Supplemental Appropriation in the Amount of \$350,000.00 for the Proposed amendment, which was given its first reading by title only and assigned to Committee on Finance.

Senator Foltz introduced **SB 475** entitled "An Act to Amend Title 18, Delaware Code, Relating to Creation of a Delaware Insurance Guaranty Association," which was given its first reading by title only and assigned to Committee on Banking and Insurance.

Senator Hickman introduced **SB 476** entitled, "An Act to Incorporate the Town of Henlopen Acres," which was given its first reading by title only and assigned to Committee on Government Operations.

Senator Cicione introduced **SB 477** entitled, "An Act to Amend Section 5515, Title 25, Delaware Code Relating to Public Sale of Property Distained," which was given its first reading by title only and assigned to Committee on Revised Statutes.

Senator Cicione introduced **SB 478** co-sponsored by Senator Slawik entitled, "An Act to Amend Chapter 67, Title 25, Delaware Code, Relating to Escrow Funds of Tenant Held by Landlord," which was given its first reading by title only and assigned to Committee on Revised Statutes.

Senator Holloway introduced **SB 479** entitled, "An Act to Amend Title 3, Chapter 3, Delaware Code, Relating to Packaging Precut Meats, Sold in Self-Service Counters of Retail Stores," which was given its first reading by title only and assigned to Committee on Health and Welfare.

Senator Isaacs introduced **SB 480** entitled, "An Act to Amend Chapter 7, Title 24, Delaware Code, Relating to the Eligibility of

Chiropractic Physicians for Compensation from Insurance Group Hospital Services and Related Plans," which was given its first reading by title only and assigned to Committee on Health and Welfare.

The Chair presented the following Concurrent Resolutions which were given first reading.

**HCR 23 with HA 1**—"Commending the United States House of Representatives for Sustaining the President's Veto of the \$19.7 Billion Appropriation for the Department of Health, Education and Welfare."

Senator Hickman moved that **HCR 23 with HA1** be adopted.

On the question "Shall the Resolution be adopted?" the yeas and nays were ordered which being taken were as follows:

**YEAS**—Messrs. Foltz, Grier, Hickman, Isaacs, (Mrs.) Manning, Steele-6.

**NAYS**—Mr. Holloway-1.

**NOT VOTING**—Messrs. Castle, Cicione, (Mrs.) Cook, duPont, Hale, Robbins-7.

**ABSENT**—Messrs. Elliott, Hart, McCullough, Schlör, Slawik-5.

So the question was decided in the negative and the resolution was lost.

Senator Cicione on behalf of the Committee on Government Operations to whom had been referred **HS1 for HB 514 with HA1** reported the same back to the Senate; 3 Favorable, 1 Merits.

Senator Cicione moved that rule 9 be suspended for the purpose of considering **HS1 for HB 514 with HA1**.

Senator Cicione moved to table the roll call. Motion prevailed.

Senator Cicione introduced **SA1 to HB 297**.

Senator Cicione moved that **SA1 to HB 297** be adopted.

On the question "Shall the amendment be adopted?"

The yeas and nays were ordered which being taken were as follows:

**YEAS**—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hickman, Isaacs, (Mrs.) Manning, Schlör, Steele-12.

**ABSENT**—Messrs. Elliott, Hale, Hart, Holloway, McCullough, Robbins, Salwik-7.

So the question was decided in the affirmative the the amendment having received the required constitutional majority was adopted.

On motion of Senator Cicione **HB 297 with SA1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to Amend Chapter 71, Title 29, Delaware Code, Relating to Claims of State Officers and Employees, Excluding Members of Boards or Commissions, For mileage for Use of Privately Owned Vehicles."

On the motion of Senator Cicione the roll call was tabled. Motion prevailed.

Senator Steele moved that rule 9 be suspended for the purpose of considering **HB 528**.

On the question "Shall the motion pass the Senate?" The yeas and nays were ordered which being taken were as follows:

**YEAS**—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Steele-15.

**ABSENT**—Messrs. Elliott, Hart, McCullough, Slawik-4.

So the question was decided in the affirmative and the motion having

received the required constitutional majority passed the Senate.

On motion of Senator Steele **HB 528** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act authorizing the State of Delaware to borrow money to be used for capital improvements and expenditures and to issue bonds and notes therefor and appropriating the moneys to the State Board of Education.”

On the motion of Senator Steele the roll call was tabled. Motion prevailed, voice vote.

Senator Cicione on behalf of the Committee on Labor and Industrial Relations to whom had been referred **SB 201**; reported the same back to the Senate; 2 Favorable, 3 Merits.

Senator Hale introduced **SR 88** entitled; “Appropriating Money out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 125th General Assembly.”

Senator Hale moved that **SR 88** be adopted.

On the question “Shall the Resolution be adopted?”

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, duPont, Foltz, Grier, Hale, Hickman, Isaacs, (Mrs.) Manning, Robbins, Steele-11.

ABSENT—Messrs. (Mrs.) Conner, Cook, Elliott, Hart, Holloway, McCullough, Schlör, Slawik-8.

So the question was decided in the affirmative and the resolution having received the required constitutional majority was adopted.

Senator Hale introduced **SR 89** entitled; “Authorizing Payments for Serviced Rendered by the Staff of the Senate for the 125th General Assembly.”

Senator Hale moved that **SR 89** be adopted.

On the question “Shall the Resolution be adopted?”

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, Cook, duPont, Foltz, Grier, Hale, Hickman, Isaacs, (Mrs.) Manning, Robbins, Steele-12.

ABSENT—Messrs. (Mrs.) Conner, Elliott, Hart, Holloway, McCullough, Schlör, Slawik-7.

So the question was decided in the affirmative and the resolution having received the required constitutional majority was adopted.

Senator Grier moved the Senate recess to the call of the chair at 4:35 P.M. Motion prevailed, voice vote.

The Senate reconvened at 1:30 P.M. on February 2, 1970

Senator Cicione introduced **SB 481** which was given its first reading by title only.

**SB 481**—“An Act to Amend Title 29, Chapter 57 of the Delaware Code, Relating to Social Security.” Assigned to committee on Government Operations.

The Chair presented the following House Bills which were given first reading and referred to Committee as follows:

**HB 554**—“An Act Making a Supplementary Appropriation to the Delaware State Junior Chamber of Commerce For Promotion of the State of Delaware At the 51st Annual National Convention of United States Jaycees in St. Louis, Missouri.” Assigned to committee on Finance.

**HB 545**—“An Act to Amend Chapter 65, Title 29, Delaware Code,

Relating to Expenditures and Obligations." Assigned to committee on Education.

**HB 315**—"An Act to Increase the Interest Paid by the State Tax Department For Personal Income Tax Refunds and Corporate Income Tax Refunds." Assigned to committee on Finance.

**HB 508**—"An Act to Amend 57 Delaware Laws, Chapter 135, An Act Entitled 'An Act Making Appropriations For the Expense of the State Government For the Fiscal Year Ending June 30, 1970,' Being House Bill No. 187 of the 125th General Assembly and Also Known As the 1970 Budget Appropriation Bill." Assigned to committee on Finance.

**HB 535**—"An Act Relating to a Pension For Edith E. Francis, a Former Employee of the Youth Services Commission of Delaware."

Senator Cicone moved that Rule 9 be suspended for the purpose of considering **HB 535**.

On the question "Shall the Motion Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicone, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—19.

NAYS—None

NOT VOTING—None

ABSENT—None

So the question was decided in the affirmative and the Motion having received the required constitutional majority passed the Senate.

On motion of Senator Cicone **HB 535** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 535**—"An Act Relating to a Pension For Edith E. Francis, a Former Employee of the Youth Services Commission of Delaware."

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicone, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—19.

NAYS—None

NOT VOTING—None

ABSENT—None

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House.

The Chair presented the following House Bills which were given first reading and referred to Committee as follows:

**HB 481**—"An Act to Amend Title 17, Section 518, Delaware Code So As to Increase Litter Penalties." Assigned to committee on Government Operations.

**HS 1 for HB 540**—"An Act to Amend Title 11, Delaware Code, Chapter 83, Relating to Salaries of State Policemen By Providing For an Increase in Salaries For the State Police and Providing For an Overtime Supplement."

Senator Isaacs moved that Rule 9 be suspended for the purpose of considering **HS 1 for HB 540**.

On the question "Shall the Motion Pass the Senate?" the yeas and

nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—18.

NAYS—None

NOT VOTING—None

ABSENT—Mr. Cicione—1.

So the question was decided in the affirmative and the Motion having received the required constitutional majority passed the Senate.

On motion of Senator Isaacs **HS 1 for HB 540** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HS 1 for HB 540**—“An Act to Amend Title 11, Delaware Code, Chapter 83, Relating to Salaries of State Policemen By Providing For an Increase in Salaries For the State Police and Providing For an Overtime Supplement.”

On the question “Shall the Bill Pass the Senate?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—19.

NAYS—None

NOT VOTING—None

ABSENT—None

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House.

The Chair presented the following House Bill which was given first reading.

**HB 538**—“An Act Making a Supplemental Appropriation to the Industrial Accident Board of the State of Delaware.”

Senator Steele moved that Rule 9 be suspended for the purpose of considering **HB 538**.

On the question “Shall the Motion Pass the Senate?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—19,

NAYS—None

NOT VOTING—None

ABSENT—None

So the question was decided in the affirmative and the Motion having received the required constitutional majority passed the Senate.

On motion of Senator Steele **HB 538** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 538**—“An Act Making a Supplemental Appropriation to the Industrial Accident Board of the State of Delaware.”

On the question “Shall the Bill Pass the Senate?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning,

McCullough, Robbins, Schlör, Slawik, Steele—19.

NAYS—None

NOT VOTING—None

ABSENT—None

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House.

The Chair presented the following Concurrent Resolutions, which were given first reading and referred to committee as follows:

**HCR 24**—“Concerning Senate Bill No. 441 and the Appropriation of Funds to the State Board of Education For Extension of the Monitor Program in the Wilmington Public Schools and Future Provision Therefor Through Local Sources and Not by the General Assembly.” Assigned to committee on Finance.

**HCR 19**—“Relating to the Introduction of Legislation in the Second Session of the 125th General Assembly.”

Senator Hale moved that **HCR 19** be adopted.

Senator Hale moved that Roll Call on **HCR 19** be tabled.

On the question “Shall the Motion Pass the Senate?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, (Mrs.) Conner, duPont, Grier, Hale, Hart, (Mrs.) Manning, Steele—8.

NAYS—Messrs. Cicione, Cook, Foltz, Hickman, Isaacs, McCullough, Robbins, Schlör, Slawik—9.

NOT VOTING—Messrs. Elliott, Holloway—2.

ABSENT—None

So the question was decided in the negative and the Motion was lost.

On the question “Shall **HCR 19** Be Adopted?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, (Mrs.) Conner, duPont, Grier, Hale, (Mrs.) Manning, Steele—7.

NAYS—Messrs. Cicione, Foltz, Hart, Hickman, Isaacs, Robbins, Schlör—7.

NOT VOTING—Messrs. Cook, Elliott, Holloway, McCullough, Slawik—5.

ABSENT—None

So the question was decided in the negative and the Resolution was lost.

Senator Hart introduced **SB 482** co-sponsored by Senator Isaacs which was given its first reading by title only.

**SB 482**—“An Act to Amend Sub-section 2707 (a) (1), Sub-Chapter 1, Chapter 27, Title 21, Delaware Code, Relating to School Bus Driver’s Licenses, By Permitting Applicants to Employ Operator’s License From a State Other Than Delaware.”

Senator Hart moved that Rule 9 be suspended for the purpose of considering **SB 482**.

On the question “Shall the Motion Pass the Senate?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—19.

NAYS—None

NOT VOTING—None

ABSENT—None

So the question was decided in the affirmative and the Motion having received the required constitutional majority passed the Senate.

On motion of Senator Hart **SB 482** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 482**—“An Act to Amend Sub-Section 2707 (a) (1), Sub-Chapter 1, Chapter 27, Title 21, Delaware Code, Relating to School Bus Driver’s Licenses, By Permitting Applicants to Employ Operator’s License From A State Other Than Delaware.”

On the question “Shall the Bill Pass the Senate?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele—18.

NAYS—None

NOT VOTING—Mr. McCullough—1.

ABSENT—None

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Senator Steele **HB 374** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 374**—“An Act Appropriating Moneys For Education and Training of Children of Military Veterans Who Died While in the Armed Services of the United States or Who Died From Disease, Wounds or Disabilities Resulting From Such Service.”

On the question “Shall the Bill Pass the Senate?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—19.

NAYS—None

NOT VOTING—None

ABSENT—None

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House.

Senator Cicione moved to lift the Roll Call on **HS 1** for **HB 514**. Motion prevailed. Voice vote.

On the question “Shall the **HS 1** for **HB 514** Pass the Senate?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Steele—14.

NAYS—Mr. Holloway—1.

NOT VOTING—Messrs. McCullough, Robbins, Schlör, Slawik—4.

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House.

The Chair presented the following House Bill which was given first

reading.

**HB 469**—"An Act to Amend An Act Authorizing the City of Dover to Issue Revenue Bonds For the Purpose of Financing the Extension, Reconstruction, or Improvement of the City's Water System, Electrical System and Sewer System, and to Provide For the Payment of Such Bonds By Deleting Therefrom the Maximum Interest Rate of Said Bonds."

Senator Cicione moved that Rule 9 be suspended for the purpose of considering **HB 469**.

On the question "Shall the Motion Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Steele—17.

NAYS—Mr. Schlör—1.

NOT VOTING—Mr. Slawik—1.

ABSENT—None

So the question was decided in the affirmative and the Motion having received the required constitutional majority passed the Senate.

On motion of Senator Cicione **HB 469** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 469**—"An Act to Amend An Act Authorizing the City of Dover to Issue Revenue Bonds For the Purpose of Financing the Extension, Reconstruction, or Improvement of the City's Water System, Electrical System and Sewer System, and to Provide For the Payment of Such Bonds By Deleting Therefrom the Maximum Interest Rate of Said Bonds."

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—19.

NAYS—None

NOT VOTING—None

ABSENT—None

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House.

Senator Steele, on behalf of the committee on Finance to whom had been referred **HB 508**, reported the same back to the Senate; 2 Favorable, 4 on Merits.

Senator Steele, on behalf of the committee on Finance to whom had been referred **SB 106**, reported the same back to the Senate; 4 on Merits.

Senator Conner, on behalf of the committee on Education to whom had been referred **HB 545**, reported the same back to the Senate; 1 Favorable, 5 on Merits.

Senator Grier moved that the Senate adjourn until February 2, 1970 at 3:52. Motion prevailed, voice vote.

### 7th Legislative Day

The Senate met pursuant to adjournment at 3:52 P.M. on February



2, 1970. Lt. Gov. Bookhammer presiding.

Prayer by the Chaplain O.H. Spence.

Flag Salute.

By Roll Call the following Senators were present:

Members Present—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—18.

Members Absent—Mr. Hale—1.

The Secretary proceeded to read the Journal of the previous day's session when Senator Grier moved that so much be considered the reading of the Journal and the Journal be approved as read.

On motion of Senator Steele **HB 508** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 508**—"An Act to Amend 57 Delaware Laws, Chapter 135, An Act Entitled 'An Act Making Appropriations For the Expense of the State Government For the Fiscal Year Ending June 30, 1970,' Being House Bill No. 187 of the 125th General Assembly and Also Known as the 1970 Budget Appropriation Bill."

Senator Robbins moved that **HB 508** be tabled.

On the question "Shall the Motion Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Elliott, Foltz, Isaacs, McCullough, Robbins, Schlör, Slawik—8.

NAYS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, Steele—11.

NOT VOTING—None

ABSENT—None

So the question was decided in the negative and the motion was lost.

Senator Steele asked for the privilege of the floor for Dr. Kenneth Madden, Superintendent State Department of Education, to explain **HB 508**. Hearing no objection the privilege was granted.

On motion of Senator Steele **HB 508** was taken up for consideration in order to pass the Senate.

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele—18.

NAYS—None

NOT VOTING—Mr. Robbins—1.

ABSENT—None

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House.

Senator Hale introduced **SA 3 to SB 418 with SA 1 and SA 2 and HA 2, HA 3, HA 4**.

Senator Hale moved that **SA 3 to SB 418 with SA 1 and SA 2 and HA 2, HA 3, HA 4** be adopted.

On the question "Shall the Amendment Be Adopted?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott,

Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—19.

NAYS—None

NOT VOTING—None

ABSENT—None

So the question was decided in the affirmative and the Amendment having received the required constitutional majority was adopted.

On motion of Senator Steele **SB 418 with SA 1, SA 2, SA 3, HA 2, HA 3, HA 4** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 418 with SA 1, SA 2, SA 3, HA 2, HA 3, HA 4**—"An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to Salary Schedules For School Employees."

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—19.

NAYS—None

NOT VOTING—None

ABSENT—None

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Senator Steele moved that Roll Call on **HB 528** be rescinded.

On the question "Shall the Motion Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—19.

NAYS—None

NOT VOTING—None

ABSENT—None

So the question was decided in the Affirmative and the Motion having received the required constitutional majority prevailed.

On motion of Senator Steele **HB 528** was taken up for consideration in order to pass the Senate.

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—19.

NAYS—None

NOT VOTING—None

ABSENT—None

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House.

The following letter from the Governor was read into the record.

State of Delaware  
Executive Department  
Dover

February 2, 1970

Dear Legislator:

Many of you have expressed concern over the rapidly increasing cost of building schools.

I want you to know that I share your concern and that the Executive Branch will develop a solid proposal on how the State can bring this problem under control.

While many of these rising costs stem from national inflation over which we have little control, there are some things we can do at the State level.

The Governor's Economy Committee Report pointed out that school costs comprise the largest single category of State expenses, and that school construction is the second largest financial outlay in education.

Among the areas we are studying in an effort to check school construction costs are:

Standardization of design criteria.

Establishment of State-wide minimum guidelines for school construction.

Creation of the office of State building engineer with authority to approve all school construction projects for engineering adequacy and to control design specifications.

Introduction of innovative design in an effort to reduce costs.

Telescoping steps between authorization of funds and start of construction to narrow the inflationary time gap.

Establishing realistic construction cost estimates by separating construction figures from total project figures.

I am convinced that we can minimize the inflationary trend of school construction.

In the coming weeks, I will be submitting my proposal for your consideration.

Sincerely,  
RUSSELL W. PETERSON  
Governor

Senator Hale introduced **SR 90**.

**SR 90**—"Authorizing Payments to Be Made to the Estate of William Wilgus, Barbara A. Konopik and Carroll B. Farlow Commensurate With Services As Staff of the Senate For the 125th General Assembly For the Period of January 1, 1970 to June 30, 1970."

Senator Hale moved that **SR 90** be adopted.

On the question "Shall the Resolution Be Adopted?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—19.

NAYS—None

NOT VOTING—None

ABSENT—None

So the question was decided in the affirmative and the Resolution having received the required constitutional majority was adopted.

On motion of Senator Conner **HB 545** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 545**—"An Act to Amend Chapter 65, Title 29, Delaware Code, Relating to Expenditures and Obligations."

Senator Conner asked for the privilege of the floor for Mr. William Phillips to explain **HB 545**. **Hearing no objection the privilege was granted.**

**On motion of Senator Conner HB 545** was taken up for consideration in order to pass the Senate.

On the motion of Senator Conner the Roll Call was tabled. Motion prevailed, voice vote.

On motion of Senator Foltz **SB 421** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 421**—"An Act to Amend Title 18, Section 1907, Delaware Code, Relating to the Eligibility of Surplus Lines Insurers."

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—17.

NAYS—None

NOT VOTING—Mr. Foltz—1.

ABSENT—Mr. Hale—1.

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Senator Elliott, on behalf of the committee on Agriculture and Natural Resources to whom had been referred **HB 295**, reported the same back to the Senate; 1 Favorable, 3 on Merits.

Senator Elliott introduced **SB 485** which was given its first reading by title only.

**SB 485**—"An Act to Amend Chapter 23, Title 30, Delaware Code, Relating to Occupational Licenses and Fees." Assigned to committee on Agriculture and Natural Resources.

Senator Hickman introduced **SB 484** which was given its first reading by title only.

**SB 484**—"An Act to Amend Chapter 171, Volume 54, Laws of Delaware, Entitled An Act to Provide For the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money For Said Purpose; Authorizing the Financing of Such Enlargement and Improvement By the Issuance of Bonds and Bond Anticipation Notes of the State and By Contributions From Certain School Districts, and the City of Wilmington, Defining School Districts; Authorizing the Issuance of Bonds of Certain School Districts and the City of Wilmington For the Purpose of Raising Money to Make Such Contributions; and Authorizing the Acceptance of Federal Funds For

Building Purposes and Creating Local School Building Commissions.  
Assigned to committee on Finance.

Senator duPont introduced **SCR 25**.

**SCR 25**—"Relating to the Payment For Two Bronze Plaques Delivered and Installed in Legislative Hall and Appropriating Money For That Purpose."

Senator duPont moved that **SCR 25** be adopted.

On the question "Shall the Resolution Be Adopted?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—19.

NAYS—None

NOT VOTING—None

ABSENT—None

So the question was decided in the affirmative and the Resolution having received the required constitutional majority was adopted.

Senator Grier moved the Senate recess to the call of the chair. Motion prevailed voice vote.

Senator Grier moved that the Senate adjourn until March 17, 1970, at 1:50 P.M. Motion prevailed, without objection.

#### 8th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:50 P.M. on Tuesday, March 17, 1970, Lt. Gov. Bookhammer presiding.

Prayer by the chaplain Rev Gordon Stapleton.

Flag Salute.

By roll call the following Senators were present:

**MEMBERS PRESENT**—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—19.

The Secretary proceeded to read the Journal of the previous day's session when Senator Grier moved that so much be considered the reading of the Journal be approved as read.

The following communications were read:

January 30, 1970

Senate  
Legislative Hall  
Dover, Delaware 19901

Dear Sirs:

This brief note is being written on behalf of the employees of the New Castle County Division, State Highway Department, to express their appreciation for your prompt action on **SB 455**.

You may be assured that all concerned followed your deliberation with interest and were most pleased at the outcome.

Thank you once again.

New Castle County Division Employees  
State Highway Department

## REPORT

To the Governor and to the 125th General Assembly by the Joint Legislative Committee Established to Investigate Procedures and Operations of Matters Pertaining to the Delaware River and Bay Authority

This committee was formed pursuant to **HCR 16** passed by the 125th General Assembly of the State of Delaware. The members are as follows: Representative John F. Kirk, Jr., 22nd District, Republican, Chairman; Senator George F. Schlör, 3rd District, Democrat, Vice-Chairman; Representative Kenneth W. Boulden, 20th District, Democrat; Senator William F. Hart, 9th District, Republican; Senator Thomas E. Hickman, Jr., 18th District, Republican; and Representative Joseph R. Murphy, Jr., 24th District, Republican.

The committee held hearings for the employees of the Authority on the following dates: August 19, August 26 and September 15, 1969, met with members of management on September 24, 1969, and with the Commission members on October 21, 1969.

An Interim Report was prepared and discussed with members of the Commission. It outlined the findings of the committee and made recommendations.

The committee held its final meeting on January 28, 1970 to consider the reply of the Delaware River and Bay Authority to the committee's recommendations.

The committee has recognized throughout its investigation that control over the actions of the Authority is severely limited by the nature of the Authority as a bi-state body not directly accountable to the General Assembly or to the citizens of Delaware. It recognizes also that the Governor has certain power delegated to him which can influence the operation of the Authority, and he has affirmed his intention to see that the facilities are operated as efficiently and economically as possible.

The committee in its investigation found that because of the bi-state nature of the Authority the New Jersey members were not required to participate or to heed our investigation. However, the investigating group gave assurances to the New Jersey members that it was not intent on making accusation against them or the Delaware members, but were only attempting to bring problems to their attention so that they could better serve the interests of the taxpayers of Delaware and the people of New Jersey as well.

The members of the Commission, the Director and the employees were in all respects very cooperative and the committee takes this opportunity to express its appreciation.

The legislative committee offered twelve recommendations in its Interim Report. They are listed below, along with the reply made by the Delaware River and Bay Authority.

(1) Job Classification system

This should be instituted at once and all employees including supervisory employees should be made aware of it.

**DR&BA:**

"We recommend that the present job classification be published for all personnel. We further recommend that complete job descriptions be made and distributed to all first-line supervisors and that each employee be given a copy of his job description."

## (2) Competitive bidding for job openings

An employee should be able to bid his seniority and ability on job vacancies.

DR&BA:

"We suggest that employees should be made aware of job openings by way of bulletin board advertising and that applications should be accepted from employees for those openings."

## (3) Overtime

Lists should be made available and equalization should be encouraged as much as possible. Meals should be provided on certain overtime work with a proper limit on the amount to be spent.

DR&BA:

"We recommend that overtime equalization lists be maintained at each Authority facility. It is our opinion that overtime should be divided among those employees qualified and available who regularly perform such work. It is recommended that the present policy concerning call-in pay and meal allowance be reviewed."

## (4) Labor relations

Supervisors should be instructed on how to handle personnel.

DR&BA:

"We have been advised that a personnel relations instruction course for supervisors has been investigated and will be instituted in the very near future. We recommend supervisors be authorized to attend."

## (5) Hiring practices

Position openings should be made public...

DR&BA:

"We feel that the recommendations made by the joint legislative committee will be accomplished if the suggestions made in item number 2 are carried out. In addition, where practicable, qualified employees may be given additional consideration."

## (6) Pay scales

Lists should be published with differences in pay which reflect ability, seniority and classification, rather than have raises granted by preference.

DR&BA:

"We recommend that the present five-step salary schedule be published. We have found that currently seniority is rewarded with an increase of 1% in pay increment added to base pay for each two years of service. We suggest that consideration should be given for a yearly employee evaluation program.

## (7) Disciplinary practices

All employees should be informed of their right to appeal disciplinary action. Time off without pay has been given for minor infractions and this practice should be stopped.

DR&BA:

"The present disciplinary action form has not been effectively used. We recommend that all personnel be instructed in its proper use so that it may become a part of the employee's file for further use and reference."

## (8) Organization

A table of organization should be made outlining position and duties.

Duplication of responsibilities should be eliminated.

DR&BA:

"We are of the opinion that the present table of organization and outline is sufficient. We recommend that copies should be made available to supervisors with perhaps the thought that posting on the bulletin boards would accomplish the committee's recommendations."

(9) Ferry concession

Public bidding should be the only way this contract is awarded.

DR&BA:

"This is a function of the Commissioners under the legislation creating this Authority, therefore we have no comment."

(10) Federal law

Proper notices should be posted to comply with federal law.

DR&BA:

"We have found that present workmen's compensation and insurance carriers are now posted. It has been determined that other applicable federal forms will be posted as received."

(11) Recrimination against employees

It has been brought to our attention that there has been recrimination against employees for testifying before this committee. The Commission should be made aware of this and make every effort to stop the practice.

DR&BA:

"Our investigation at both facilities found no basis for this charge. However, we suggest that an in depth review of the grievance procedure be made to insure that mutual interests of the Authority and its employees be protected."

(12) Merit System

It is the feeling of this committee that the Authority should move promptly toward establishment of a broad based Merit System.

DR&BA:

"It is recognized that there is some validity in this observation by the legislative committee; however, it is noteworthy to acknowledge the employee tenure policy approved by the Authority in 1967. We feel that this with the classification system constitutes the basic components of a realistic merit system."

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Further comments by the committee:

It would appear that the recommendations made by the review committee and Bay Authority, and their replies, when implemented, should do much to alleviate the complaints which initiated the investigation.

However, some of the findings by the legislative review committee were not commented upon by the Authority. These are listed below:

Hourly supervision. All supervisors should be salaried employees, in our opinion, and they should be made aware of their responsibilities. We have found that there are many hourly paid supervisors. If they perform a given amount of manual labor we do not feel they can be classed as supervisors under federal law.



Concession contract. The committee feels that this question deserves further attention, and that all bids should be made public. There was evidence in writing of an attempt to bid for this concession, but the Authority, as far as we can determine, did not include this bid in awarding the contract to a New Jersey firm.

Free passage on the ferries. Due to the financial condition of the ferry operation this should be eliminated except in cases of Authority business or for emergency vehicles.

Traffic solicitor. This position should be carefully reviewed. There is serious question as to how much traffic is generated as a direct result of having this function. The committee found one point that has never been clearly defined. It was stated that after a given point the more traffic generated the higher the cost to the Authority to run the ferry operation. Hence the more detrimental the ferry operation will appear to the Authority financial picture.

In addition, the committee feels that the amount of money spent on advertising is excessive and places an unnecessarily heavy burden on the financial structure of the Authority. This is an area which offers the promise of considerable saving to the Authority.

A reasonable alternative would be to contract with the respective state agencies of Delaware (Development Department) and New Jersey to assume this responsibility.

Wage Attachments. The committee firmly recommends that any action of this type should be done only in conformance with Delaware law.

Assistant to General Manager, Ferry operation, and Assistant to General Manager, Bridge Operation.

There is some question as to duplication of responsibilities in these two positions. The committee feels the question of excessive overhead expense has not been answered.

The committee found that these two positions were created and filled by taking functions previously covered by other management employees. There is serious question as to their necessity.

The legislative committee feels it is particularly timely to consider the matter of cutting expenses in view of the continuing loss by the ferry operation and the Authority's recent action in doubling commuter tolls. The committee was unanimous in its feeling that other measures should have been taken before raising commuter fares. There are many residents who have no alternative to use of the bridge in getting to work. An increase, if needed as a last resort, need not have been so large if all possible economy measures had been implemented.

However, the committee also recognizes the obligation of the Authority to its bond holders and it is our understanding that the present Authority members are concerned about this obligation as well.

\*\*\*\*\*

The committee respectfully requests that the Governor review the results and recommendations of this Report and, in cooperation with the Governor of New Jersey, lend his influence toward continuing to improve the operation, efficiency and financial structure of the twin bridges and ferry operations, for the benefit of the taxpayers and citizens of both

states. After our meeting with the members of the Authority we believe that they do realize the necessity of implementing economy measures.

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The minutes of the hearings of this legislative review committee and the Interim Report have been turned over to the Office of the Governor.

Due to the nature of our investigation and because the Authority is a bi-state group, this committee feels that the testimony received should remain in confidence. However, we also recognize the responsibilities of public officials to inform the public. If in the opinion of the Governor of Delaware it is necessary to release information in our minutes he should have that authority. However, we strongly recommend for obvious reasons that names of individuals testifying before us not be released.

Respectfully submitted,  
John F. Kirk, Jr., Chairman  
George F. Schlör, Vice-Chairman  
Kenneth W. Boulden  
William F. Hart  
Thomas E. Hickman, Jr.  
Joseph R. Murphy, Jr.  
February 9, 1970

Additional report to the 125th General Assembly by the Joint Legislative Committee formed pursuant to **HCR 16**.

**HCR 16** authorized the expenditure of up to \$2,000.00. A total of \$1, 064.42 was spent for secretarial assistance, postage, photocopying, supplies, mileage and miscellaneous expenses.

John F. Kirk, Jr.  
Chairman

February 9, 1970

Senator Steele on behalf of the Committee on Finance to whom had been referred **HB 228**, reported the same back to the Senate; 4 Favorable, 1 on Merits.

Senator Isaacs on behalf of the Committee on Fish, Oyster and Game to whom had been referred **SB 435** reported the same back to the Senate; 4 Favorable.

Senator Isaacs on behalf of the Committee on Fish, Oyster and Game to whom had been referred **SB 439** reported the same back to the Senate; 4 Favorable.

Senator Elliott requested that **SR 91** be stricken from the calendar. Motion prevailed voice vote.

Senator Manning introduced **SB 486** co-sponsored by Senators Slawik and Cicione entitled, "An Act relating to the Thirteenth Election District of the Eighteenth Representative District, locally known as "Bread and Cheese Island", by requiring the Department of Elections on New Castle County to Transfer the boundary lines of the Thirteenth Election District of the Eighteenth Representative District and include them within the Tenth Election District of the Eighteenth Representative District," which was given its first reading by title only and assigned to Committee on Elections.

Senator Steele introduced **SB 487** entitled, "An Act to Amend

Sub-section 543, Title 4, Delaware Code, Relating to Grounds for Refusal of a License to Sell Alcoholic Liquors," which was given its first reading by title only and assigned to Committee on Miscellaneous.

Senator Steele introduced **SB 488** entitled, "An Act to Amend **HB 478** entitled, 'An Act to Amend Chapter 51, Title 29, Delaware Code by Providing for the Cost of the Premium or Subscription Charges for a Health Care Insurance Plan for Regular State Employees and Eligible Pensioners,'" which was given its first reading by title only and assigned to Committee on Revised Statutes.

Senator Elliott introduced **SB 489** entitled, "An Act to Authorize a Highway Crossing at Grade in Little Creek Hundred, Sussex County, over the Seaford Secondary Tracks of the Penn Central Railroad," which was given its first reading by title only and assigned to Committee on Highways and Public Safety.

Senator Elliott introduced **SB 490** entitled, "An Act to Amend Title 3, Delaware Code, Chapter 71, Sections 7103, 7104 and 7108 Relating to Animal Health, Hog-Cholera Vaccine, Contagious or Infectious Diseases and Uncooked Garbage," which was given its first reading by title only and assigned to Committee on Agriculture and Natural Resources.

Senator Elliott introduced **SA1 to SB 429**.

Senator Elliott moved that **SA1 to SB 429** be placed with the bill. Motion prevailed by voice vote.

Senator Elliott introduced **SA1 to SB 430**.

Senator Elliott moved that **SA1 to SB 430** be placed with bill. Motion prevailed by voice vote.

Senator Steele on behalf of the Committee on Finance to whom had been referred **HB 460** reported the same back to the Senate; 5 Merits.

Senator Hale introduced **SA1 to SB 417**.

Senator Hale moved that **SA1 to SB 417** be adopted.

On the question "Shall the amendment be adopted?"

The yeas and nays were ordered which being taken were as follows: YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Slawik, Steele-15.

NOT VOTING—Messrs. McCullough, Schlor-2.

ABSENT—Messrs. Cicione, Hart-2.

So the question was decided in the affirmative and the amendment having received the required constitutional majority was adopted.

On motion of Senator Hale **SB 417 with SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Chapter 15, Title 13, Delaware Code, so as to allow persons over eighteen years of age to bring or defend actions for divorce or annulment."

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Slawik, Steele-16.

NOT VOTING—Messrs. McCullough, Schlor-2.

ABSENT—Mr. Hart-1.

So the question was decided in the affirmative and the bill having

received the required constitutional majority passed the Senate and was ordered to the House for Concurrence.

On Motion of Senator Elliott **SB 434** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend subsection 7107, Title 3, Delaware Code, relating to the compensation paid for animals condemned and killed by the State Board of Agriculture.”

On the question “Shall the bill pass the Senate?” The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele-16.

NOT VOTING—Messrs. Elliott, Robbins-2.

ABSENT—Mr. Hart-1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for Concurrence.

On motion of Senator Isaacs **SB 462** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Title 29, Chapter 76, Delaware Code, relating to the display of the State Flag by State Agencies and appropriating five thousand dollars (\$5,000) to the State Distribution Agency for this purpose.”

On the question “Shall the bill pass the Senate?” The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele-18.

ABSENT—Mr. Hart-1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Senator Isaacs **HB 501** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to Amend Title 31, Section 503, Delaware Code, relating to eligibility for welfare assistance.”

Senator Isaacs asked for the privilege of the floor for Rep. Jerome N Unruh to explain **HB 501**. Hearing no objection the privilege was granted.

On motion of Senator Isaacs **HB 501** was taken up for consideration in order to pass the Senate.

On the question “Shall the bill pass the Senate?” The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cicione, Cook, duPont, Elliott, Foltz, Hart, Hickman, Isaacs, Robbins, Schlör, Steele-11.

NAYS—Messrs. Castle, (Mrs.) Conner, Grier, Hale, Holloway, (Mrs.) Manning, Slawik-7.

NOT VOTING—Mr. McCullough-1.

So the question was decided in the affirmative and the bill having

received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Senator Isaacs **SB 358** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Chapter 3, Title 9, Delaware Code, relating to mobile homes."

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele-18.

ABSENT—Mr. Hale-1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Senator McCullough introduced **SA1 to SB 106**.

Senator McCullough moved that **SA1 to SB 106** be adopted.

On the question "Shall the amendment be adopted?"

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele-18.

ABSENT—Mr. Slawik-1.

So the question was decided in the affirmative and the amendment having received the required constitutional majority was adopted.

On motion of Senator McCullough **SB 106 with SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act providing for the appropriation of money to Milton R. Olazagasti, a veteran eligible for the bonus paid by the State pursuant to the Venteran's Military Pay Act No. 11, but who did not receive his bonus."

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele-19.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for Concurrence.

Senator Castle introduced **SB 491** co-sponsored by Senator Holloway entitled, "An Act to amend title 30, Chapter 11, Delaware Code, Section 1186, by authorizing the Tax Commissioner to permit the Finance Officer of any municipality of this State Levying Wage or Income Tax to Inspect the Income Tax Return of any individual company or corporation," which was given its first reading by title only and assigned to Committee on Revised Statutes.

Senator Cicione introduced **SCR 26** entitled: "Relating to the treatment of United States Servicemen who are Prisoners of North VietNam and the National Liberation Front of South VietNam."

Senator Cicione moved that **SCR 26** be adopted.

On the question "Shall the resolution be adopted?"

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicone, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele-19.

So the question was decided in the affirmative and the resolution having received the required constitutional majority was adopted.

Senator Cook introduced **SCR 27** entitled: "Relating to a Standard and Uniform Work Day for all State Employees."

Senator Cook moved that **SCR 27** be adopted.

On the question "Shall the resolution be adopted?"

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Foltz, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik-9.

NAYS—Mrs. Conner, Mr. Steele-2.

NOT VOTING—Messrs. Castle, duPont, Grier, Hale, Hart-5.

ABSENT—Messrs. Cicone, Elliott, Hickman-3.

So the question was decided in the negative and the resolution was lost.

Senator Foltz introduced **SS1 for HB 188** entitled, "An Act to abolish the Orphans' Court; to transfer its jurisdiction over adoptions and terminations of parental rights and approval of settlements of minors' claims and appointment of guardian therefor to the Superior Court; to transfer its jurisdiction over all other cases to the Court of Chancery; and to abolish the Office of Clerk of the Orphans' Court," which was given its first reading by title only and assigned to Committee on Judiciary.

Senator Elliott moved that **SS1 for SB 457** be adopted in lieu of original. Motion prevailed.

On motion of Senator Elliott **SS1 for SB 457** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend title 3, Delaware Code, by adding Chapter 24, thereto relating to Johnsongrass to be a public and common nuisance, to prohibit the contamination of uninfested land with Johnsongrass, to require landowners to prevent seed set on land infested with Johnsongrass; to institute programs for its control and eradication; to permit the State Board of Agriculture to enter into agreements with any county, subdivision, adjoining State, and agency of the Federal Government to effect a program of control and eradication, to declare other weed species which threaten or adversely affect agricultural production; to accept and expend gifts and grants from any source for the purpose of control and eradication; and to provide for the prosecution of violations, and that violators shall be guilty of a misdemeanor, and providing penalties therefor."

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicone, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, McCullough, Schlör, Steele-16.

NOT VOTING—Messrs. Isaacs, Robbins-2.

ABSENT—Mr. Slawik-1.

So the question was decided in the affirmative and the bill having

received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Senator Holloway requested that **SB 382** be stricken from the calendar. Motion prevailed voice vote.

Senator Holloway requested that **SB 402** be stricken from the calendar. Motion prevailed voice vote.

Senator Cook moved that **SB 187** be recommitted. Motion prevailed voice vote.

Senator Castle on behalf of the Committee on Elections to whom had been referred **SB 486** reported the same back to the Senate; 5 Favorable, 1 on Merits.

Senator Castle on behalf of the Committee on Revised Statutes to whom had been referred **SB 491** reported the same back to the Senate; 2 Favorable, 4 Merits.

Senator Grier moved that the Senate adjourn until March 18, 1970 at 1:30 P.M. Motion prevailed, voice vote.

### 9th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:55 P.M. on Wednesday, March 18, 1970, Lt. Gov. Bookhammer presiding.

Prayer by the Rev. J. Gordon Stapleton.

Flag Salute.

By roll call the following Senators were present:

**MEMBERS PRESENT**—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Siawik, Steele—19.

The Secretary proceeded to read the Journal of the previous day's session when Senator Grier moved that so much be considered the reading of the Journal and the Journal be approved as read.

The Chair announced that the House wishes to inform the Senate that it has passed **HCR 25** and requests the concurrence of the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 498, 527, 542**, and requests the concurrence of the Senate; and **SJR 12** and is returning same to the Senate.

Senator Conner on behalf of the Committee on Health and Welfare to whom had been referred **HB 357**, reported the same back to the Senate; 2 Favorable, 4 Merits.

Senator Cicione introduced **SB 492** entitled, "An Act to amend Chapter 87, Title 3, Delaware Code relating to meat and poultry products inspection," which was given its first reading by title only and assigned to Committee on Government Operations.

Senator Elliott introduced **SB 493** entitled, "An Act to amend Chapter 31, Title 3, Delaware Code, relating to milk, cream and other milk products," which was given its first reading by title only and assigned to Committee on Agriculture and Natural Resources.

Senator Elliott introduced **SB 494** entitled, "An Act to amend Title 3, Chapter 21, Delaware Code regulating the sale and distribution of commercial fertilizers," which was given its first reading by title only and assigned to Committee on Agriculture and Natural Resources.

Senator duPont introduced **SB 495** entitled, "An Act to amend

Chapter 79, Title 29, Delaware Code, relating to appointment of Chief Medical Examiner," which was given its first reading by title only and assigned to Committee on Revised Statutes.

Senator Slawik introduced **SB 496** entitled, "An Act to amend Title 30, Section 1118, Delaware Code, relating to deductions in computing net income for purposes of taxation," which was given its first reading by title only and assigned to Committee on Finance.

Senator Castle introduced **SB 497** co-sponsored by Senators Schlor and Holloway, entitled, "An Act to amend Chapter 163, Volume 32, Laws of Delaware, as amended, being an act entitled 'An Act to further amend Chapter 92, Volume 23, Laws of Delaware,' being an act entitled 'An Act to provide for the organization and control of the public schools of the city of Wilmington,'" which was given its first reading by title only and assigned to Committee on Education.

Senator Elliott introduced **SB 498** entitled, "An Act to amend Title 3, Delaware Code, by creating a new Chapter to be designated as Chapter 56 relating to the issuing, administration, enforcement and determination of marketing programs on agricultural commodities: imposing powers and duties on the State Board of Agriculture: providing for the creation and operation of committees: prescribing the contents of programs: providing for the imposition and collection of fees," which was given its first reading by title only and assigned to Committee on Agriculture and Natural Resources.

Senator Slawik introduced **SB 499** co-sponsored by Senator Cicione, entitled, "An Act to amend Title 15, Delaware Code, relating to registration at the various Justice of the Peace Courts," which was given its first reading by title only and assigned to Committee on Elections.

On motion of Senator Castle **SB 491** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Title 30, Chapter 11, Delaware Code, Section 1186, by authorizing the Tax Commissioner to permit the finance officer of any Municipality of this State levying wage or income tax to inspect the income tax returns of any individual company or corporation."

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, Schlor, Slawik, Steele-14.

NOT VOTING—Mr. Robbins-1.

ABSENT—Messrs. Cook, Foltz, (Mrs.) Manning, McCullough-4.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Senator Conner **HB 509** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Section 1703 and 1706, Title 14, Delaware Code, relating to units of pupils and Division II appropriation."

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Robbins, Schlor, Slawik,



Steele-16.

ABSENT—Messrs. Isaacs, (Mrs.) Manning, McCullough-3.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Senator Hart **HS 1 for HB 271** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Chapter 51, Title 30, Delaware Code, relating to municipal street aid programs.”

On the question “Shall the Bill Pass the Senate?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele-18.

ABSENT—Mr. McCullough-1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Lt. Governor Bookhammer introduced the following gentlemen who were guests of Senator Cook:

Senator Thomas Kalman, Chairman Northeastern Region, Council of State Government form Union Town, Pennsylvania.

Mr. William Frederick, Representative, Council of State Government of the New York Office.

On motion of Senator Hart **HB 205 with HA 1**, with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Title 21, Delaware Code, entitled “Motor Vehicles” to provide for special number and registration plates for certain motor vehicles of the Fire Departments and Fire companies of this State.”

On the question “Shall the bill pass the Senate?” The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, Robbins, Schlör, Slawik, Steele-16.

ABSENT—(Mrs.) Conner, (Mrs.) Manning, Mr. McCullough-3.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Senator Hart moved that **SA 1 to HB 369** be adopted.

On the question “Shall the amendment be adopted?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, Robbins, Schlör, Slawik, Steele-17.

ABSENT—(Mrs.) Manning, Mr. McCullough-2.

So the question was decided in the affirmative and the amendment having received the required constitutional majority was adopted.

On motion of Senator Hart **HB 369 with SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to Amend Chapter 27, Title 21, Delaware Code by adding a

new Section 2721 and Section 2722 relating to a Medical Advisory Board for the Motor Vehicle Department.”

On the question “Shall the bill pass the Senate?” The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, Robbins, Schlör, Slawik, Steele-17.

ABSENT—(Mrs.) Manning, Mr. McCullough-2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Senator Elliott **HB 269** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act making a supplementary appropriation to establish a revolving publication fund for the Delaware Archaeological Board.”

Senator Elliott asked for the privilege of the floor for Mr. Ronald A. Thomas, State Archaeologist, to explain **HB 269**. Hearing no objection the privilege was granted.

Senator Elliott moved that roll call on **HB 269** be tabled. Motion carried without objection.

On motion of Senator Holloway **SB 451** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act relating to the prohibition of sales of alcoholic liquors at certain times.”

On the question “Shall the bill pass the Senate?” The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, Cook, Foltz, Hale, Hart, Holloway, Schlör, Slawik, Steele-10.

NAYS—Messrs. (Mrs.) Conner, duPont, Elliott, Grier, Hickman, Isaacs, (Mrs.) Manning, Robbins-8.

NOT VOTING—Mr. McCullough-1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Senator Cicione **SB 439** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Section 1701, Chapter 17, Title 7, Delaware Code relating to dog licenses, by exempting owners of seeing-eye dogs and dogs which previously served in the Armed Forces from payment of the license tax.”

On the question “Shall the bill pass the Senate?” The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Slawik, Steele-18.

NOT VOTING—Mr. Schlör-1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Senator Cicione **SB 435** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Section 502, Chapter 5, Title 7, Delaware Code, relating to exceptions to requirements for a license to hunt, trap, or fish, by adding new subsections exempting hospital patients from the requirement of purchasing a license to fish and exempting disabled veterans honorable discharged from the armed forces from the requirement of purchasing a license to hunt or fish, and exempting senior citizens, from the requirement of purchasing a fishing license and exempting blind persons from the requirement of purchasing a fishing licenses."

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows'

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele-19.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Senator Manning introduced **SB 500** co-sponsored by Senator McCullough, entitled, "An Act to establish a Family Court for the State of Delaware by merging into one Court the Family Court of the State of Delaware in and for New Castle Country and the Family Court of Kent and Sussex Counties and to provide for its organization, duties, powers, jurisdiction, and prodecures," which was given its first reading by title only and assigned to Committee on Judiciary.

Senator Holloway introduced **SB 501** entitled, "An Act to amend Title 11, Section 894, Delaware Code relating to fortune telling," which was given its first reading by title only and assigned to Committee on Judiciary.

Senator Hickman introduced **SB 502** entitled, "An Act to amend Chapter 81, Title9 Delaware Code, relating to the limitations upon taxing power, by exempting lands and improvements of Lewes Senior Citizens Center, incorporated from assessment and taxation," which was given its first reading by title only and assigned to Committee on Government Operations.

Senator duPont introduced **SCR 28** co-sponsored by Senator Holloway, entitled:

EXPRESSING THE BEST WISHES OF THE 125th GENERAL ASSEMBLY  
OF THE STATE OF DELAWARE  
TO  
JEROME H. HOLLAND  
ON HIS APPOINTMENT AND CONFIRMATION  
AS  
UNITED STATES AMBASSADOR TO SWEDEN.

WHEREAS, it has been brought to the attention of the members of the 125th General Assembly of the State of Delaware that the United States Senate has confirmed President Richard M. Nixon's appointment of Dr. Jerome H. Holland as United States Ambassador to Sweden; and

WHEREAS, Doctor Holland first gained national acclaim as "Brud" Holland, All-American football player at Cornell University in 1939; and

WHEREAS, Doctor Holland received his doctorate in sociology from the University of Pennsylvania in 1950; and

WHEREAS, Doctor Holland served in a distinguished manner as President of Delaware State College, Dover, Delaware, from 1953 to 1960, during which time the school regained full accreditation; and

WHEREAS, Doctor Holland attained further academic honors as President of Hampton, Virginia, Institute, from 1960 to 1969; and

WHEREAS, Doctor Holland, in 1965, was inducted into the National Football Hall of Fame; and

WHEREAS, Doctor Holland has proven time and time again his genuine ability to lead and to make friends with men of all races and creeds; and

WHEREAS, Doctor Holland has thousands of friends and supporters in the State of Delaware, particularly U.S. Senator J. Caleb Boggs; and

WHEREAS, the members of the Senate of the 125th General Assembly are indeed anxious to convey their congratulations to Doctor Holland; and

NOW THEREFORE,

BE IT RESOLVED, by the Senate of the 125th General Assembly of the State of Delaware, the House of Representatives concurring, that the warmest of congratulations and good wishes of the General Assembly be extended to the "All-American" Ambassador to Sweden, Jerome H. "Brud" Holland; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be entered upon the Journals of the Senate and House and copies forwarded to Doctor Holland and his family and to President Richard M. Nixon and to U.S. Senator J. Caleb Boggs, and to U.S. Senator John J. Williams.

Senator duPont moved that SCR 28 be adopted.

On the question "Shall the resolution be adopted?"

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicone, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele-19.

So the question was decided in the affirmative and the resolution having received the required constitutional majority was adopted and ordered to the House.

Senator Manning introduced SB 503 co-sponsored by Senator Holloway, entitled, "An Act to amend Title 19, Delaware Code, relating to employment in liquor selling establishments," which was given its first reading by title only and assigned to Committee on Labor and Industrial Relations.

Senator Manning introduced SB 504 co-sponsored by Senator Holloway, entitled, "An Act to amend Title 4, Section 522, Delaware Code, relating to the purchasing, sale and dispensing of alcoholic liquors," which was given its first reading by title only and assigned to Committee on Labor and Industrial Relations.

Senator Steele introduced HCR 24 entitled "Concerning SB 441 and the appropriation of funds to the State Board of Education for Extension of the Monitor Program in the Wilmington Public Schools and Future Provision therefor Through Local Sources and not by the General

Assembly."

Senator Castle moved that action on **HCR 24** be deferred. Motion prevailed without objection.

Senator Foltz on behalf of the Committee on Judiciary to whom had been referred **HB 464** reported the same back to the Senate; 2 Favorable, 3 Merits.

Senator Hart on behalf of the Committee on Commerce and Corporations to whom had been referred **HB 150** reported the same back to the Senate; 2 Favorable, 2 Merits.

Senator Castle, on behalf of the Committee on Revised Statutes to whom had been referred **SB 488** reported the same back to the Senate; 2 Favorable, 4 Merits.

Senator Conner on behalf of the Committee on Education to whom had been referred **SB 497** reported the same back to the Senate; 1 Unfavorable, 4 on Merits.

Senator Hart on behalf of the Committee on Highways and Public Safety to whom had been referred **SB 489** reported the same back to the Senate; 2 Favorable, 2 Merits.

Senator Hart on behalf of the Committee on Highways and Public Safety to whom had been referred **SB 260** reported the same back to the Senate; 2 Favorable, 2 Merits.

Senator Hart on behalf of the Committee on Highways and Public Safety to whom had been referred **SB 362** reported the same back to the Senate; 1 Favorable, 2 on Merits.

Senator Hart on behalf of the Committee on Highways and Public Safety to whom had been referred **SB 438** reported the same back to the Senate; 2 Favorable, 2 Merits.

Senator Hart on behalf of the Committee on Highways and Public Safety to whom had been referred **SB 440** reported the same back to the Senate; 2 Favorable, 2 Merits.

Senator Hale on behalf of the Committee on Senate Administration to whom had been referred **SJR 11** reported the same back to the Senate; 2 Favorable, 1 Merits.

The following communications from the Governor were read and referred to the Executive Committee.

March 18, 1970

To the Senate of the 125th General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation the following:

Robert S. Moyer, 1149 Sherwood Avenue, Baltimore, Maryland; to be Secretary of the Housing, to serve during the pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
Russell W. Peterson  
Governor

March 18, 1970

To the Senate of the 125th General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation the following;

Leonard E. Motley, 342 David Hall Road, Dover, Delaware; to be a Justice of the Peace in and for Kent County, State of Delaware, for a four-year term from date of confirmation.

George W. Kershner, III, 104 Charles Polk Road, Dover, Delaware; to be a Justice of the Peace in and for Kent County, State of Delaware, for a four-year term from date of confirmation.

Noble S. Warren, Woodside, Delaware; to be a Justice of the Peace in and for Kent County, State of Delaware, for a four-year term from date of confirmation.

Courtney P. Houston, Jr., 59 North McKee Road, Dover, Delaware; to be a Justice of the Peace in and for Kent County, State of Delaware, for a four-year term from date of confirmation.

A. Tyson Cohee, R.D. 2, Box 188, Felton, Delaware; to be a Justice of the Peace in and for Kent County, State of Delaware, for a four-year term from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
Russell W. Peterson  
Governor

March 18, 1970

To the Senate of the 125th General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation the following:

Charles W. Banks, Box 127, Dagsboro, Delaware; to be a Justice of the Peace in and for Sussex County, State of Delaware, for a four-year term from date of confirmation.

Norman D. Baker, Greely Avenue, Lincoln, Delaware; to be a Justice of the Peace in and for Sussex County, State of Delaware, for a four-year term from date of confirmation.

William A. Truitt, Clayton Avenue, Frankford, Delaware; to be a Justice of the Peace in and for Sussex County, State of Delaware, for a four-year term from date of confirmation.

William A. Booth, 323 North Bedford Street, Georgetown, Delaware; to be a Justice of the Peace in and for Sussex County, State of Delaware, for a four-year term from date of confirmation.

Thomas J. Orr, 2502 Bayview Avenue, Lewes, Delaware; to be a Justice of the Peace in and for Sussex County, State of Delaware, for a four-year term from date of confirmation.

Donald F. Yerkes, 35 North Shore Drive, Seaford, Delaware; to be a Justice of the Peace in and for Sussex County, State of Delaware, for a four-year term from date of confirmation.

William J. Hopkins, Jr., 926 West Street, Laurel, Delaware; to be a Justice of the Peace in and for Sussex County, State of Delaware, for a four-year term from date of confirmation.

Albert W. Horton, 115 Lake Drive, Laurel, Delaware; to be a Justice

of the Peace in and for Sussex County, State of Delaware, for a four-year term from date of confirmation.

James T. Carey, 321 Union Street, Milton, Delaware; to be a Justice of the Peace in and for Sussex County, State of Delaware, for a four-year term from date of confirmation.

Henry F. Hill, 112 Washington Avenue, Lewes, Delaware; to be a Justice of the Peace in and for Sussex County, State of Delaware, for a four-year term from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,  
Russell W. Peterson  
Governor

Senator Foltz introduced **SB 505** co-sponsored by Senators Schlor, Hart, Cook, Holloway, Hickman, Isaacs, McCullough, Slawik, Cicione, entitled, "An Act to amend Chapter 83, Title 11, Delaware Code by adding thereto a new section, Section 8308, relating to personal use of State Police cars by members of the State Police, and providing a supplementary appropriation therefore," which was given its first reading by title only and assigned to Committee on Highways and Public Safety.

The Chair presented the following House Bills, Concurrent Resolution, which were given first reading and referred to Committee as follows:

**HB 542**—"An Act to amend Title 7, Section 502, Delaware Code, relating to Fishing Licenses for minors,"—Committee on Fish, Oyster and Games.

**HB 527**—"An Act to amend Chapter 47, Title 16, Delaware Code, pertaining to the manufacture, cultivation, and growth of narcotic drugs and dangerous drugs and prescribing penalties for violations; lesser included offenses,"—Committee on Judiciary.

**HB 498**—"An Act to amend Chapter 1, Title 10, Delaware Code, providing for additional time for Cross appeals in Civil Actions," to Committee on Judiciary.

**HCR 25**—"Expressing sympathy over the death of the Honorable Charles L. Terry, Jr."

Senator Cook moved for consideration of **HCR 25**. Motion carried without objection.

#### EXPRESSING SYMPATHY OVER THE DEATH OF THE HONORABLE CHARLES L. TERRY, JR.

WHEREAS, the Members of the 125th General Assembly of the State of Delaware wish to express their sadness over the untimely death on February 6, 1970, of the Honorable Charles Laymen Terry, Jr., and;

WHEREAS, the Honorable Charles L. Terry, Jr., born on September 17, 1900 in Camden, Delaware, served the State that he loved for a total of thirty-eight years after receiving a degree in Law from Washington and Lee University, and;

WHEREAS, the Honorable Charles L. Terry, Jr., during his days at Washington and Lee was a member of the baseball and football teams and later was a devoted fan of these sports, and;

WHEREAS, the Honorable Charles L. Terry, Jr., during his

distinguished career in public service attained the positions of Secretary of State of Delaware, President Judge of the Superior Court of Delaware, Justice and Later, Chief Justice of the Supreme Court of Delaware, and Finally, Governor of Delaware, and;

WHEREAS, the Honorable Charles L. Terry, Jr., during his four year reign as Governor of Delaware was instrumental in having a wide range of legislative reforms passed into laws, and;

WHEREAS, the Honorable Charles L. Terry, Jr. was a warm, friendly, dedicated public servant during his sixty-nine years of life on this earth;

NOW THEREFORE:

BE IT RESOLVED by the Members of the House of Representatives of the 125th General Assembly of the State of Delaware, the Senate concurring therein, that they extend their warmest and deepest sympathies to Jessica, the beloved wife of the Honorable Charles L. Terry, Jr. and to other members of the Terry family, and;

BE IT FURTHER RESOLVED that a copy of this Resolution be entered upon the Journals of the House and Senate, and a copy forwarded to Mrs. Charles L. Terry, Jr., and her family.

Senator Cook moved that HCR 25 be adopted. On the question "Shall the resolution be adopted?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, (Mrs.) Manning, JcCullough, Robbins, Schlor, Slawik, Steele-17.

ABSENT—Messrs. Holloway, Isaacs-2.

So the question was decided in the affirmative and the resolution having received the required constitutional majority was adopted.

The resolution was made unanimous without objection.

Senator Conner on behalf of the committee on Education to whom had been referred SB 430, reported the same back to the Senate; 3 Favorable, 1 Unfavorable, 1 on Merits.

Senator Grier moved that the Senate adjourn until March 19, 1970 at 1:30 P.M. Hearing no objection, motion prevailed.

### 10th Legislative Day

The Senate met pursuant to adjournment at 3:45 P.M. on March 18, 1970. Lt. Gov. Bookhammer presiding.

Prayer by the Chaplain Stapleton.

Flag Salute.

By Roll Call the following Senators were present:

Members Present—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele—19.

Members Absent—None

The secretary proceeded to read the Journal of the previous day's session when Senator Grier moved that so much be considered the reading of the Journal and the Journal be approved as read.

Lt. Governor Bookhammer introduced Miss Kristy Mosley, a Senior from the Kent County Vocational Technical Center, who presented each



Senator with a flower pot of Easter Lilies provided by the students of the Horticulture Class of the center.

Senator Steele requested that **SB 431** be stricken from the calendar. Motion prevailed voice vote.

Senator Conner requested that **HCR 15 with HA 1** be stricken from the calendar. Motion prevailed voice vote.

Senator Hart requested that **SB 237** be stricken from the calendar. Motion prevailed voice vote.

Mr. Daniel G. Enterline presented a message from the Governor.

Senator Steele introduced **SS 1 for SB 443**. Assigned to committee on Finance.

Senator Slawik introduced **SB 506** co-sponsored by Senators Foltz, Hart, Isaacs, Cicione and Conner which was given its first reading by title only.

**SB 506**—"An Act Making a Supplementary Appropriation to the Delaware State Development Department," assigned to committee on Finance.

Senator Foltz introduced **SB 507** co-sponsored by Senators Holloway, Slawik and Cicione which was given its first reading by title only.

**SB 507**—"An Act to Amend Title 16, Chapter 51, Delaware Code, Relating to Pardons, Pardons, and Commutation of Sentences and Requiring Psychiatric Examinations." Assigned to committee on Judiciary.

Senator Foltz introduced **SB 508** co-sponsored by Senators Holloway, Slawik and Cicione which was given its first reading by title only.

**SB 508**—"An Act to Amend Title 11, Chapter 43, Delaware Code, Relating to Pardons, and Commutation of Sentences and Providing Psychiatric Examinations." Assigned to committee on Judiciary.

Senator Foltz introduced **SB 509** co-sponsored by Senators Holloway, Slawik and Cicione which was given its first reading by title only.

**SB 509**—"An Act Authorizing the State Board of Health to Establish a Plan For the Development of Health Personnel and Appropriating Funds For Such a Plan, and Empowering the State Board of Health to Administer a Health Manpower Development Program." Assigned to committee on Finance.

Senator Foltz introduced **SB 510** co-sponsored by Senators Holloway, Slawik and Cicione which was given its first reading by title only.

**SB 510**—"An Act to Amend Title 11, Chapter 43, Delaware Code, Relating to Pardons and Commutation of Sentences and Providing Use of Services of Board of Parole." Assigned to committee on Judiciary.

Senator Foltz introduced **SB 511** co-sponsored by Senators Holloway, Slawik and Cicione which was given its first reading by title only.

**SB 511**—"An Act to Amend Title 21, Delaware Code, Chapter 42, Relating to Penalties for Violations of the Motor Vehicle Code by Providing for Indeterminate Sentences." Assigned to committee on Highways and Public Safety.

Senator Foltz introduced **SB 512** co-sponsored by Senator Holloway, Slawik and Cicione which was given its first reading by title only.

**SB 512**—"An Act to Amend Title 11, Chapter 43, Delaware Code Relating to Paroles and Providing Psychiatric Examinations." Assigned to committee on Judiciary.

Senator Foltz introduced **SB 513** co-sponsored by Senators Holloway, Slawik and Cicone which was given its first reading by title only.

**SB 513**—"An Act to Amend Title 11, Delaware Code, Chapter 43, Abolishing Fixed Terms of Imprisonment, and Providing Indeterminate Sentences For Crime and Making a Supplementary Appropriation to the Division of Corrections of the Department of Health and Social Services to Carry Out the Act." Assigned to committee on Finance.

Senator Foltz introduced **SB 514** co-sponsored by Senators Holloway, Slawik and Cicone which was given its first reading by title only.

**SB 514**—"An Act to Amend Title 11, Delaware Code, Chapter 39, Relating to Terms of Imprisonment Greater Terms For Previous Convictions, and Providing For Repeal of Provisions Therefor." Assigned to committee on Judiciary.

Senator Foltz introduced **SB 515** co-sponsored by Senators Holloway, Slawik and Cicone which was given its first reading by title only.

**SB 515**—"An Act to Amend Title 11, Delaware Code Chapter 43, Relating to Eligibility For Parole." Assigned to committee on Judiciary.

Senator Foltz introduced **SB 516** co-sponsored by Senators Holloway, Slawik and Cicone which was given its first reading by title only.

**SB 516**—"An Act to Amend Title 11, Delaware Code, Chapter 43, Relating to the Composition and Powers of the Board of Parole and Making a Supplementary Appropriation to the Board to Implement the Act." Assigned to committee on Finance.

Senator Foltz introduced **SB 517** co-sponsored by Senators Holloway, Slawik and Conner which was given its first reading by title only.

**SB 517**—"An Act Making a Supplementary Appropriation to the Board of Parole For the Purpose of Correcting a Deficit in the Salaries and Wages of Members, and Costs, Accounts and For Employing a Chairman, Paying Members For Attending Meetings and For Defraying Miscellaneous Cost." Assigned to committee on Finance.

Senator Foltz introduced **SB 518** co-sponsored by Senators Holloway, Slawik and Cicone which was given its first reading by title only.

**SB 518**—"An Act to Amend Title 11, Chapter 43, Delaware Code, By Repealing Subchapter VII Relating to Diminution of Confinement." Assigned to committee on Judiciary.

Senator Hart introduced **SB 519** which was given its first reading by title only.

**SB 519**—"An Act to Amend Sub-Section 7903 (b) (3), Title 29, Delaware Code, Relating to the Director of the Division of Social Service." Assigned to committee on Revised Statutes.

Senator Castle, on behalf of the committee on Judiciary to whom had been referred **SB 458**, reported the same back to the Senate; 2 Favorable, 4 on Merits.

Senator Castle, on behalf of the committee on Judiciary to whom had been referred **SB 461**, reported the same back to the Senate; 1 Favorable, 5 on Merits.

Senator Hart introduced **SB 520** which was given its first reading by title only.

**SB 520**—"An Act to Amend Section 2707, Chapter 27, Subchapter 1, Title 21, Delaware Code, Relating to School Bus Driver's License." Assigned to committee on Highways and Public Safety.

Senator Castle introduced **SB 521** which was given its first reading by title only.

**SB 521**—"An Act to Amend Title 30, Delaware Code, Chapter 11, Relating to Access of Tax Records and Returns by Employees of the State Central Data Processing Division." Assigned to committee on Revised Statutes.

Senator Isaacs introduced **SB 522** which was given its first reading by title only.

**SB 522**—"An Act to Amend Title 9, Section 102 and 103 Delaware Code Relating to the Boundaries of New Castle County and Kent County." Assigned to committee on Government Operations.

Senator Elliott introduced **SB 523** which was given its first reading by title only.

**SB 523**—"An Act to Amend Title 29, Delaware Code By Creating a New Subchapter Relating to the Establishment in the State Department of Health and Social Services of a Program of Care of Persons Suffering From Chronic Renal Diseases, Providing For an Advisory Committee in Connection Therewith, Designating Powers and Duties in Relation Thereto, and Making a Supplementary Appropriation Therefor." Assigned to committee on Finance.

Senator Manning introduced **SB 524** co-sponsored by Senator Robbins which was given its first reading by title only.

**SB 524**—"An Act to Amend Delaware Code, Title 14 Chapter 2, Relative to the Public School System By Defining the Lawful Authority of Teachers and Pupils." Assigned to committee on Education.

Senator Schlör introduced **SB 525** co-sponsored by Senator Robbins which was given its first reading by title only.

**SB 525**—"An Act to Amend Chapter 118, Volume 33, Laws of Delaware, as Amended, Entitled An Act Providing For a Fireman's Pension Fund For Members of the Bureau of Fire of the Department of Public Safety of the City of Wilmington, and the Amendments Therewith by Permitting Anthony L. Augustynowicz, a Member of the Wilmington Bureau of Benefits as Provided For Members of the Bureau of Fire of the Department of Public Safety of the City of Wilmington." Assigned to committee on Government Operations.

Senator Hale introduced **SA 1 to SB 442**.

Senator Hale moved that **SA 1 to SB 442** be placed with Bill. Motion prevailed by voice vote.

On motion of Senator Manning **SB 486** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 486**—"An Act Relating to the Thirteenth Election District of the Eighteenth Representative District, Locally Known as Bread and Cheese Island by Requiring the Department of Elections of New Castle County to

Transfer the Boundary Lines of the Eighteenth Representative District and Include Them Within the Tenth Election District of the Eighteenth Representative District."

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Holloway, (Mrs.) Manning, Schlör, Slawik, Steele—14.

NAYS—None

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Grier, Hickman, Isaacs, Robbins—4.

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

The following letter from the Governor was read and referred to the Executive Committee:

STATE OF DELAWARE  
Executive Department  
Dover

March 19, 1970

To the Senate of the 125th General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint, subject to your confirmation the following:

James M. Rosbrow, 9 Wheatfield Drive, Meriden, Wilmington, Delaware to be a member of the Employment Security Commission, for a term to expire May 1, 1973.

Your consideration of this nomination will be appreciated.

Respectfully submitted  
RUSSELL W. PETERSON  
Governor

On motion of Senator Manning **SB 440** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 440**—"An Act to Amend Chapter 113, Volume 32, Laws of Delaware, Relative to Qualifications For Pension For Certain Widows of Members of the Bureau of Police of the Department of Public Safety."

Senator Schlör moved that action on **SB 440** be deferred.

On the question "Shall the Motion Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Elliott, Holloway, McCullough, Robbins, Schlör, Slawik—7.

NAYS—Messrs. Foltz, Hart, Hickman, (Mrs.) Manning, Steele—5.

NOT VOTING—Messrs. Castle, (Mrs.) Conner, duPont, Grier, Hale—5.

ABSENT—Messrs. Cicione, Isaacs—2.

So the question was decided in the negative and the motion was lost. Senator Manning moved that action on **SB 440** be deferred. Motion prevailed by voice vote.

Senator Manning introduced **SA 1 to SB 436**.

Senator Manning moved that **SA 1 to SB 436** be adopted.

On the question "Shall the Amendment Be Adopted?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—17.

NAYS—None

NOT VOTING—None

ABSENT—Messrs. Cook, Isaacs—2.

So the question was decided in the affirmative and the Amendment having received the required constitutional majority was adopted.

On motion of Senator Manning **SB 436 with SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 436 with SA 1**—"An Act Making a Supplementary Appropriation to the Department of Correction, State of Delaware."

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—18.

NAYS—None

NOT VOTING—None

ABSENT—Mr. Isaacs—1.

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Senator Conner moved that **HB 545** be lifted from table. Motion prevailed without objection.

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hart, Holloway, (Mrs.) Manning, Slawik, Steele—13.

NAYS—Messrs. Foltz, McCullough—2.

NOT VOTING—Messrs. Hickman, Isaacs, Robbins, Schlör—4.

ABSENT—None

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House.

Senator Hart introduced **SA 1 to SB 284**.

Senator Hart moved that **SA 1 to SB 284** be adopted.

On the question "Shall the Amendment Be Adopted?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—17.

NAYS—None

NOT VOTING—None

**ABSENT**—Messrs. Holloway, Isaacs—2.

So the question was decided in the affirmative and the Amendment having received the required constitutional majority was adopted.

On motion of Senator Hart **SB 284 with SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 284 with SA 1**—"An Act Making a Supplementary Appropriation to the State Board of Education."

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

**YEAS**—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele—19.

**NAYS**—None

**NOT VOTING**—None

**ABSENT**—None

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Senator **SB 489** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 489**—"An Act to Authorize a Highway Crossing At a Grade in Little Creek Hundred, Sussex County, Over the Seaford Secondary Tracks of the Penn Central Railroad."

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

**YEAS**—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlor, Slawik, Steele—17.

**NAYS**—None

**NOT VOTING**—None

**ABSENT**—Messrs. Grier, Robbins—2.

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Senator Elliott moved that **SJR 11** be taken up for consideration.

**SJR 11**—"Providing For an Orientation to be Given to Newly Elected Legislators by the Legislative Council Staff."

Senator Elliott moved that **SJR 11** be adopted.

On the question "Shall the Resolution Be Adopted?" the yeas and nays were ordered which being taken were as follows:

**YEAS**—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Slawik, Steele—15.

**NAYS**—None

**NOT VOTING**—None

**ABSENT**—Messrs. Grier, Hart, Robbins, Schlor—4.

So the question was decided in the affirmative and the Resolution having received the required constitutional majority was adopted and sent to the House for concurrence.

On motion of Senator Cicione **SB 438** with title as follows was taken

up for consideration and read a second time by title in order to pass the Senate:

**SB 438**—"An Act to Amend Section 2153, Chapter 21, Title 21, Delaware Code, Relating to Motor Vehicles Exempted From Registration Fees, by Adding Motor Vehicles Owned By Disabled Veterans Who Purchased the Vehicles Pursuant to Certain Federal Statutes."

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Slawik, Steele—17.

NAYS—None

NOT VOTING—None

ABSENT—Messrs. Robbins, Schlor—2.

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On Motion of Senator Conner **HB 272 with HA 1, SA 1, SA 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

**HB 272 with HA 1, SA 1, SA 2**—"An Act to amend Chapter 7, Title 13, Delaware Code Relating to Minors' Consent to Diagnostic and Lawful Therapeutic Procedures, Care and Treatment for Pregnancy or Contagious Diseases."

Senator Conner asked for the privilege of the floor for Representative Marion I. Seibel to explain **HB 272** as amended. Hearing no objection the privilege was granted.

Senator duPont, President Pro Tem, presiding.

Senator Cicione requested that **SA 1 and SA 2 to HB 272** be stricken from the calendar. Motion prevailed voice vote.

Senator Cook introduced **SCR 29**, co-sponsored by Senator duPont, entitled "Referring to Lilies Presented by Kent County Vocational-Technical Center Students."

Senator Cook moved that **SCR 29** be adopted.

On the question "Shall the Resolution be Adopted?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele—19.

So the question was decided in the affirmative and the resolution having received the required constitutional majority was adopted and ordered to the House for Concurrence.

Senator Hart moved that action on **HB 272 with HA 1** be tabled.

On the question "Shall the Motion Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, Elliott, Foltz, Hart, Hickman, Isaacs, McCullough, Robbins, Slawik—10.

NAYS—Messrs. (Mrs.) Conner, Cook, duPont, Grier, Hale, Holloway, (Mrs.) Manning, Schlor, Steele—9.

So the question was decided in the affirmative and the motion having received the required constitutional majority prevailed.

Senator Grier moved that the Senate go into Executive Session at

4:10 P.M.

The Senate resumed regular Session at 5:15 P.M.

Senator Conner, on behalf of the committee on Health and Welfare to whom had been referred **SB 33**, reported the same back to the Senate; 4 on Merits.

Senator Elliott, on Behalf of the committee on Agriculture and Natural Resources to whom had been referred **SB 494**, reported the same back to the Senate; 3 Favorable, 1 on Merits.

Senator Elliott, on behalf of the committee on Agriculture and Natural Resources to whom had been referred **SB 493**, reported the same back to the Senate; 2 Favorable, 1 on Merits.

Senator Elliott, on behalf of the committee on Agriculture and Natural Resources to whom had been referred **SB 490**, reported the same back to the Senate; 3 Favorable, 1 on Merits.

Senator Elliott, on behalf of the committee on Agriculture and Natural Resources to whom had been referred **SB 485**, reported the same back to the Senate; 3 Favorable, 1 on Merits.

Senator Castle, on behalf of the committee on Elections to whom had been referred **SB 415**, reported the same back to the Senate; 3 Favorable, 3 on Merits.

Senator Castle, on behalf of the committee on Elections to whom had been referred **SB 416**, reported the same back to the Senate; 2 Favorable, 1 Unfavorable, 3 on Merits.

Senator Castle, on behalf of the committee on Revised Statutes to whom had been referred **SB 521**, reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator duPont, on behalf of the committee on Joint Commission on Reorganization to whom had been referred **SB 442**, reported the same back to the Senate; 5 Favorable.

Senator Castle, on behalf of the committee on Revised Statutes to whom had been referred **HB 504**, reported the same back to the Senate; 4 Favorable, 1 on Merits.

Senator Grier moved that the Senate adjourn until March 23, 1970, at 1:30 P.M. Hearing no objection, motion prevailed.

### 11th Legislative Day

The Senate met pursuant to adjournment at 2:05 P.M. on March 19, 1970. President Pro Tem duPont presiding.

Prayer by Senator Elliott.

Flag Salute.

By Roll Call the following Senators were present:

Members Present—Messrs. Castle, Cicone, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—18.

Members Absent—Mrs. Conner—1.

The Secretary proceeded to read the Journal of the previous day's session when Senator Grier moved that so much be considered the reading of the Journal and the Journal be approved as read.

The following communication was read:



The Chair announced that the House wishes to inform the Senate that it has passed **HB 285 with HA 1, HA 2, HA 3, HA 4, SA 1, HB 505 with HA 1, HB 550, HB 562, HB 566, and SCR 26** and request the concurrence of the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 575, HB 576 with HA 1, HA 2, HB 579, HB 489** and requests the concurrence of the Senate; **SB 278 with HA 2, SCR 28** and is returning same to the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **HCR 28** and request the concurrence of the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **HS 1 for HB 530** and requests the concurrence of the Senate; **SCR 29** and is returning same to the Senate.

Senator Steele introduced **SS 1 for SB 449**. Assigned to committee on Finance.

Senator Steele introduced **SS 1 for SB 444**. Assigned to committee on Finance.

Senator Steele introduced **SS 1 for SB 446**. Assigned to committee on Finance.

Senator Steele introduced **SS 2 for SB 443**. Assigned to committee on Finance.

Senator Hale introduced **SA 2 to HB 150**.

Senator Hale moved that **SA 2 to HB 150** be placed with bill. Motion prevailed by voice vote.

Senator Hale introduced **SA 2 to SB 442**.

Senator Hale moved that **SA 2 to SB 442** be placed with bill. Motion prevailed by voice vote.

Senator Steele introduced **SB 526** which was given its first reading by title only.

**SB 526**—"An Act Making a Supplementary Appropriation in the Amount of \$78,724.00 to the University of Delaware For "Operations"." Assigned to committee on Finance.

Senator Hart introduced **SB 527** co-sponsored by Senators Manning, Cook, Cicione, Castle which was given its first reading by title only.

**SB 527**—"An Act to Amend Chapter 135, Volume 57, Laws of Delaware, Also Known As House Bill No. 187 of the 125th General Assembly Entitled: "An Act Making Appropriations For the Expense of the State Government For the Fiscal Year Ending June 30, 1970.", As Amended, By Providing For Salary Increases in the Classified Service For Certain Employees, and Making a Supplemental Appropriation in the Amount of \$189,000.00." Assigned to committee on Labor and Industrial Relations.

Senator Hart introduced **SB 528** co-sponsored by Senators Isaacs, Elliott, and Schlör which was given its first reading by title only.

**SB 528**—"An Act to Amend Sub-Section 710, Title 17, Delaware Code, Relating to the Cost of Safety Devices At a Railroad Grade Crossing." Assigned to committee on Highways and Public Safety.

Senator Steele introduced **SB 529** which was given its first reading by title only.

**SB 529**—"An Act to Amend Chapter 75, Title 29, Delaware Code, Relating to School Construction Capital Improvements." Assigned to committee on Finance.

Senator Hale introduced **SB 530** which was given its first reading by title only.

**SB 530**—"An Act Relating to a Pension For Cecila Troup, a Former Employee of the Delaware Department of Mental Health." Assigned to committee on Finance.

Senator Slawik introduced **SB 531** which was given its first reading by title only.

**SB 531**—"An Act to Amend Title 15, Delaware Code, Relating to Fair Election Practices Including Disclosure and Limitation of Campaign Funds." Assigned to committee on Elections.

Senator Hale introduced **SB 532** which was given its first reading by title only.

**SB 532**—"An Act Making a Supplementary Appropriation to the Delaware National Guard." Assigned to committee on Finance.

Senator Steele introduced **SA 1 to HB 393**.

Senator Steele moved that **SA 1 to HB 393** be place with Bill Motion prevailed without objection.

Senator Steele introduced **SA 1 to HB 385**.

Senator Steele moved that **SA 1 to HB 385** be placed with Bill. Motion prevailed without objection.

Senator Steele requested that **SB 474** be stricken from the calendar. Motion prevailed without objection.

Senator Steele introduced **SB 533** which was given its first reading by title only.

**SB 533**—"An Act to Amend Chapter 75, Title 29, Delaware Code, Relating to School Construction Capital Improvements." Assigned to committee on Finance.

Senator Cicione, on behalf of the committee on Government Operations to whom had been referred **HB 473**, reported the same back to the Senate; 1 Favorable, 2 on Merits.

Senator Cicione, on behalf of the committee on Government Operations to whom had been referred **HB 171**, reported the same back to the Senate; 3 on Merits.

Senator Cicione, on behalf of the committee on Government Operations to whom had been referred **SB 433**, reported the same back to the Senate; 3 on Merits.

Senator Cicione, on behalf of the committee on Government Operations to whom had been referred **SB 525**, reported the same back to the Senate; 3 on Merits.

Senator Castle, on behalf of the committee on Revised Statutes to whom had been referred **SB 503**, reported the same back to the Senate; 4 on Merits.

Senator Castle, on behalf of the committee on Revised Statutes to whom had been referred **SB 504**, reported the same back to the Senate; 4 on Merits.

On motion of Senator Steele **SB 488** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 488**—"An Act to Amend House Bill No. 478 Entitled "An Act to Amend Chapter 51, Title 29, Delaware Code, By Providing For the Cost of the Premium or Subscription Charges For a Health Care Insurance Plan For Regular State Employees and Eligible Pensioners."

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—18.

NAYS—None

NOT VOTING—None

ABSENT—(Mrs.) Conner—1.

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Senator Castle **SB 497** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 497**—"An Act to Amend Chapter 163, Volume 32, Laws of Delaware As Amended, Being an Act Entitled 'An Act to Further Amend Chapter 92, Volume 23, Laws of Delaware Being An Act Entitled 'An Act to Provide For the Organization and Control of the Public Schools of the City of Wilmington.'"

Senator Schlör moved that action on **SB 497** be deferred.

On the question "Shall the Motion Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele—8.

NAYS—Messrs. Castle, Cicione, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, (Mrs.) Manning—10.

NOT VOTING—None

ABSENT—(Mrs.) Conner—1.

So the question was decided in the negative and the Motion was lost.

Senator Castle moved that Roll Call on **SB 497** be tabled. Hearing no objection, motion prevailed.

On motion of Senator Castle **HB 504** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 504**—"An Act to Amend Title 10, Section 8901 of the Delaware Code in Regard to Compensation of Jurors."

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik—17.

NAYS—Mr. Steele—1.

NOT VOTING—None

ABSENT—(Mrs.) Conner—1.

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Senator Castle **SB 415** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 415**—"An Act to Amend Title 15, Delaware Code, Relating to the State Election Commissioner By Providing For Reporting By His Office of

the Results of a General Election.”

On the question “Shall the Bill Pass the Senate?” the yeas and nays were ordered which being taken were as follows:

**YEAS**—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Schlör, Slawik—15.

**NAYS**—Messrs. McCullough, Steele—2.

**NOT VOTING**—Mr. Robbins—1.

**ABSENT**—Mr. Cicione—1.

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

The Chair presented the following House Bills, which were given first reading and referred to committee as follows:

**HB 505 with HA 1, HA 3, and SA 2**—“An Act to Amend Subchapter IV, Chapter 9, Title 10, Delaware Code, Relating to Family Court Procedure.” Assigned to committee on Judiciary.

**HB 489**—“An Act to Amend Subsection 108 (e) of Title 7, Delaware Code Providing For an Increase in Fines Applicable to Violations of Rules or Regulations of the Board of Game and Fish Commissioners.” Assigned to committee on Fish, Oyster and Game.

**HB 575**—“An Act to Amend Title 7, Section 701, Delaware Code Relating to Game Animals.” Assigned to committee on Fish, Oyster, and Game.

**HB 576 with HA 1 and HA 2**—“An Act to Amend Title 7, Section 952 Delaware Code, Relating to the Forfeiture, Seizure, and Sale of Property Unlawfully Used.” Assigned to committee on Agriculture and Natural Resources.

**HB 579**—“An Act to Permit Indian River School Board to Transfer Certain Funds From Its Debt Service Account to Its Minor Capital Improvement Fund.” Assigned to committee on Education.

**HB 566**—“An Act Making a Supplementary Appropriation to Reimburse the Governor’s Contingency Fund For Funds Transferred to the Family Court of Kent and Sussex Counties.” Assigned to committee on Finance.

**HB 562**—“An Act Making a Supplementary Appropriation to the Youth Services Commission.” Assigned to committee on Finance.

**HB 550**—“An Act to Amend An Act Being Chapter 227, Vol 49, Laws of Delaware, As Amended, Entitled ‘An Act to Reincorporate the Town of Laurel’ to Permit the Establishment of a Pension Plan or a Health and Welfare Plan, or Both, For Municipal Employees.” Assigned to committee on Government Operations.

**HCR 28**—“Appropriation to Cover Expenses of the Joint Senate-House Constitution Revision Committee as Incurred at Public Hearings or by the Members of the 125th General Assembly.” Assigned to committee on Senate Administration.

Senator Cicione, on behalf of the committee on Government Operations to whom had been referred **HB 517**, reported the same back to the Senate; 3 on Merits.

Senator Cicione, on behalf of the committee on Government Operations to whom had been referred **HB 516**, reported the same back to the Senate; 3 on Merits.

Senator Steele, on behalf of the committee on Finance to whom had been referred **SB 554**, reported the same back to the Senate; 3 Favorable, 3 on Merits.

Senator Steele, on behalf of the committee on Finance to whom had been referred **SB 484**, reported the same back to the Senate; 3 Favorable, 4 on Merits.

On motion of Senator Isaacs **SB 278 with HA 2** was taken up for consideration in order to pass the Senate.

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—17.

ABSENT—Mr. Cicione, (Mrs.) Conner—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate.

On motion of Senator Castle **SB 416** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 416**—"An Act to Amend Title 15, Delaware Code, Providing For Write-In Voting On Voting Machines and Absentee Ballots."

Senator Castle moved that Roll Call on **SB 416** be tabled. Hearing no objection, motion prevailed.

On motion of Senator Cook **SB 33** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 33**—"An Act to Amend Title 31, Delaware Code Relating to Amount of Liability and Persons Liable For Inmates of the Delaware Home and Hospital for the Chronically Ill at Smyrna."

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cicione, Cook, duPont, Foltz, Grier, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik—14.

NAYS—Messrs. Castle, Hale—2.

NOT VOTING—Messrs. Elliott, Steele—2.

ABSENT—(Mrs.) Conner—1.

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Senator Steele **HB 228 with HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 228 with HA 1**—"An Act Making a Supplemental Appropriation to the Delaware Commission For the Blind For Bus Transportation of Blind Children of Delaware to and From the Maryland School For the Blind."

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—16.

NAYS—None

NOT VOTING—None

ABSENT—Messrs. Cicione, (Mrs.) Conner, Grier—3.

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House.

Senator Hart requested that **SA 1 to HB 150** be stricken from the calendar. Motion prevailed without objection.

Senator Elliott requested that **SA 2 to HB 150** be stricken from the calendar. Motion prevailed without objection.

Senator Isaacs introduced **SA 3 to HB 150** co-sponsored by Senators Hart, Elliott, and Hickman.

Senator Isaacs moved that **SA 3 to HB 150** be adopted.

On the question "Shall the Amendment Be Adopted?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Steele—16.

NAYS—Mr. McCullough—1.

NOT VOTING—Mr. Slawik—1.

ABSENT—(Mrs.) Conner—1.

So the question was decided in the affirmative and the Amendment having received the required constitutional majority was adopted.

On motion of Senator Hart **HB 150 with SA 3** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 150 with SA 3**—"An Act Prohibiting the Distribution of Unrequested Credit Cards in the State of Delaware."

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, Cook, duPont, Elliott, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, Robbins, Steele—13.

NAYS—Messrs. Foltz, Hickman, McCullough, Slawik—4.

NOT VOTING—None

ABSENT—Mr. Schlör—1.

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On Motion of Senator Steele **HB 460** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 460**—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power by Exempting Lands and Improvements of the Central Grange No. 61 From Assessment and Taxation."

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, Cook, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—17.

NAYS—None

NOT VOTING—None

**ABSENT—(Mrs.) Conner, Mr. Hart—2.**

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House.

Senator Steele displayed a sample of Johnsongrass from Mr. Jonathan Wheatley of Delmar. The sample was given to the committee on Agriculture and Natural Resources.

Senator Grier moved for a 10 minute recess.

The Senate reconvened at 4:15 P.M.

On motion of Senator Isaacs **HB 285 with HA 1, HA 2, HA 3, HA 4, and SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HB 285 with HA 1, HA 2, HA 3, HA 4, and SA 1**—"An Act to Amend Chapter 79, Title 3, Delaware Code, Affecting the Authority of the Delaware Society For the Prevention of Cruelty to Animals to Enforce Laws Related to Animals."

Senator Isaacs moved that Roll Call on **HB 285 with HA 1, HA 2, HA 3, HA 4, and SA 1** be tabled. Hearing no objection, motion prevailed.

Senator Steele moved that Rule 9 be suspended for the purpose of considering **HS 1 for HB 530**.

On the question "Shall the Motion Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

**YEAS**—Messrs. Castle, Cicione, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—17.

**NAYS**—None

**NOT VOTING**—None

**ABSENT—(Mrs.) Conner, Mr. Holloway—2.**

So the question was decided in the affirmative and the motion having received the required constitutional majority passed the Senate.

On motion of Senator Steele **HS 1 for HB 530** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**HS 1 for HB 530**—"An Act to Amend Title 30 of the Delaware Code Relating to State Taxes on the Capital Gains Realized From the Sale of a Taxpayer's Principal Residence."

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

**YEAS**—Messrs. Castle, Cicione, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—17.

**NAYS**—None

**NOT VOTING**—None

**ABSENT—(Mrs.) Conner, Mr. Holloway—2.**

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House.

Senator Foltz, on behalf of the committee on Judiciary to whom had been referred **HB 505**, reported the same back to the Senate; 2 Favorable, 3 on Merits.

Senator Castle, on behalf of the committee on Revised Statutes to whom had been referred **HB 421**, reported the same back to the Senate; 3

Favorable, 3 on Merits.

Senator Elliott introduced **SB 534** which was given its first reading by title only.

**SB 534**—"An Act Relating to a Pension For Samuel Joseph, a Former Employee of the State of Delaware." Assigned to committee on Labor.

Senator Castle moved that Roll Call on **SB 497** be lifted from table. Motion carried, without objection.

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicone, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, Schlor, Slawik—13.

NAYS—Messrs. Isaacs, Robbins, Steele—3.

NOT VOTING—Messrs. Cook, McCullough—2.

ABSENT—(Mrs.) Conner—1.

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Senator Elliott introduced **SB 535** which was given its first reading by title only.

**SB 535**—"An Act to Amend Section 518 of Title 17, Delaware Code, By Conferring Jurisdiction Over Violations Thereof Upon the Justices of the Peace." Assigned to committee on Revised Statutes.

Senator Castle introduced **SB 536** co-sponsored by Senators Manning, and Holloway which was given its first reading by title only.

**SB 536**—"An Act to Amend Title 15, Delaware Code, Providing for Designation of Registration and Polling Places." Assigned to committee on Elections.

Senator Steele introduced **SB 537** which was given its first reading by title only.

**SB 537**—"An Act to Amend Chapter 469, Volume 56, Laws of Delaware, Entitled 'An Act Authorizing the State of Delaware to Borrow Money to be Used For Capital Investments and to Issue Bonds and Notes Therefor and Appropriating the Moneys to Various Agencies of the State' Relating to Restrictions on Highway Programs." Assigned to committee on Finance.

Senator Steele introduced **SB 538** which was given its first reading by title only.

**SB 538**—"An Act to Amend Chapter 299, Volume 57, 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 Moneys to Various Agencies of the State', Relating to a Restriction on a Highway Program." Assigned to committee on Finance.

Senator Steele introduced **SB 539** which was given its first reading by title only.

**SB 539**—"An Act to Amend Chapter 121, Volume 56, 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 Moneys to Various Agencies of the State', Relating to a Restriction on a Highway Program." Assigned to committee on Finance.

Senator Hickman introduced **SA 3 to SB 442** co-sponsored by



Senator Isaacs.

Senator Hickman moved that **SA 3 to SB 442** be placed with Bill. Motion prevailed without objection.

Senator Hickman introduced **SA 4 to SB 442** co-sponsored by Senator Isaacs.

Senator Hickman moved that **SA 4 to SB 442** be placed with Bill. Motion prevailed without objection.

Senator Hickman introduced **SA 5 to SB 442** co-sponsored by Senator Isaacs.

Senator Hickman moved that **SA 5 to SB 442** be placed with Bill. Motion prevailed without objection.

Senator Slawik introduced **SA 1 to SB 449**.

Senator Slawik moved that **SA 1 to SB 499** be placed with Bill. Motion prevailed without objection.

Senator Steele introduced **SS 1 for SB 447** which was given its first reading by title only. Assigned to committee on Finance.

Senator Steele, on behalf of the committee on Finance to whom had been referred **SB 506**, reported the same back to the Senate; 2 Favorable, 3 on Merits.

Senator duPont moved the Senate go into Executive Session at 5 P.M.

The Senate resumed regular session at 5:10 P.M.

Senator Castle, on behalf of the committee on Revised Statutes to whom had been referred **SB 477**, reported the same back to the Senate; 1 Favorable, 5 on Merits.

Senator Castle, on behalf of the committee on Revised Statutes to whom had been referred **SB 478**, reported the same back to the Senate; 1 Favorable, 5 on Merits.

On motion of Senator Steele **SB 424** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

**SB 424**—"An Act to Amend Volume 56, Laws of Delaware, Chapter 435 by Authorizing the University of Delaware to Use Funds Appropriated By Said Act to Defray in Part the Construction Costs of the Business and Economics Building at the University of Delaware."

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

**YEAS**—Messrs. Castle, Cicione, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—18.

**NAYS**—None

**NOT VOTING**—None

**ABSENT**—(Mrs.) Conner—1.

So the question was decided in the affirmative and the Bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Senator Cook introduced **SB 540** which was given its first reading by title only.

**SB 540**—"An Act Making a Supplementary Appropriation to the State Fire Prevention Commission Office of the State Fire Marshal, For Operation of the Office Ending June 30, 1970." Assigned to committee on Finance.

Senator Castle, on behalf of the committee on Elections to whom had been referred **HB 492**, reported the same back to the Senate; 1 Favorable, 5 on Merits.

Senator Grier moved that the Senate adjourn until March 24, 1970 at 1:30 P.M. Hearing no objection, motion carried.

### 12th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Tuesday, March 24, 1970, Lt. Gov. Bookhammer presiding.

Prayer by the Rev. J. Gordon Stapleton.

Flag Salute.

By roll call the following Senators were present:

**MEMBERS PRESENT:** Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele-18.

The Secretary proceeded to read the Journal of the previous day's session when Grier moved that so much be considered the reading of the Journal and the Journal be approved as read.

The following communications from the House were read:

The Chair announced that the House wishes to inform the Senate that it has passed **HB 568, 587, 592, HCR 26 with HA 1** and requests the concurrence of the Senate.

The Chair announced that the Houses wishes to inform the Senate that it has passed **HB 41, 267, 491, 532** and requests the concurrence of the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 537 with HA 1, 551, 582** and requests the concurrence of the Senate.

Senator Hale introduced **SB 541** co-sponsored by Senators Elliott, Cicione entitled, "An Act to amend Title 13, Section 108, Delaware Code, relating to the fee for issuing marriage licenses," which was given its first reading by title only and assigned to Committee on Revised Statutes.

Senator Hart introduced **SB 542** entitled, "An Act to amend Sub-section 612, Title 17, Delaware Code, relating to the issuance of turnpike revenue bonds," which was given its first reading by title only and assigned to Committee on Highways and Public Safety.

Senator Hart introduced **SB 543** entitled, "An Act relating to a pension for Norman E. Battersby, a former employee of the State of Delaware," which was given its first reading and assigned to Committee on Labor.

Senator Elliott introduced **SA 1 to SB 490**.

Senator Elliott moved that **SA 1 to SB 490** be placed with bill. Motion prevailed without objection

Senator Isaacs asked that his name be stricken as co-sponsor on **SB 469**. Request granted.

Senator Hale requested that **SB 392** be stricken from the calendar. Motion prevailed, without objection.

Senator Cicione asked that his name be stricken from **SB 469** as co-sponsor. Request granted.

Senator Elliott moved that **SA 1 to SB 490** be adopted.

On the question "Shall the amendment be adopted?"

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Schlör, Steele-15.

NOT VOTING—Mr. Holloway-1.

ABSENT—Messrs. Cicione, Robbins, Slawik-3.

So the question was decided in the affirmative and the amendment having received the required constitutional majority was adopted.

On motion of Senator Elliott, **SB 490 with SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Title 3, Delaware Code, Chapter 71, Sections 7103, 7104 and 7108 Relating to animal health, hog cholera vaccine, contagious or infectious diseases and uncooked garbage."

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele-16.

NOT VOTING—Mr. Holloway-1.

ABSENT—Messrs. Cicione, Slawik-2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Senator Manning introduced Miss Delaware of 1970, Miss Margo Ewing, her parents, Mr. and Mrs. William Ewing, of Wilmington, Delaware and Mrs. Betty Mitchell of Rehoboth Beach, Delaware, Executive Secretary of Miss Delaware Pageant.

On motion of Senator Elliott, **SB 493** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Chapter 31, Title 3, Delaware Code, relating to milk, cream and other milk products."

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Steele-15.

ABSENT—Messrs. Cicione, (Mrs.) Conner, (Mrs.) Manning, Slawik-4;

So the question was ~~decided~~ in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Senator Elliott, **SB 494** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Title 3, Chapter 21, Delaware Code regulating the sale and distribution of commercial fertilizers."

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, Elliott, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele-15.

ABSENT—Messrs. duPont, Foltz, Hickman, Slawik-4.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Senator Castle, **SB 458** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Chapter 47, Title 11, Delaware Code, relating to mentally ill defendants.”

Senator Conner moved that **SB 458** be deferred.

On the question “Shall the bill be deferred.”

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. (Mrs.) Conner, McCullough-2.

NAYS—Messrs. Castle, Cicione, Cook, duPont, Elliott, Grier, Hale, Hart, Isaacs, Robbins, Schlör, Steele-12.

NOT VOTING—Mr. Holloway-1.

ABSENT—Messrs. Foltz, Hickman, (Mrs.) Manning, Slawik-4.

So the question was decided in the negative and the motion was lost.

On motion of Senator Castle **SB 458** was taken up for consideration.

On the question “Shall the bill pass the Senate?” The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Steele-15.

NAYS—Mr. McCullough-1.

abseVOTING—Messrs. Foltz, Hickman, Slawik-3.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Senator Castle, **SB 461** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Chapter 19, Title 11, Delaware Code relating to the authorization of local governments to enter into and renew police mutual aid agreements.”

On the question “Shall the bill pass the Senate?” The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele-16.

ABSENT—Messrs. Foltz, Hickman, Slawik-3.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Senator Castle **HB 492** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Section 5004, Title 15, Delaware Code, relating to the use of voting machines.”

On the question “Shall the bill pass the Senate?” The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott,

Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, Robbins, Steele-14.

NAYS—Mr. McCullough-1.

NOT VOTING—Mr. Schlör-1.

ABSENT—Messrs. Foltz, Hickman, Slawik-3.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Senator Hale moved that **SA 1 to SB 442** be adopted.

On the question "Shall the amendment be adopted?"

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele-16.

NAYS—Messrs. Foltz, Hart, Slawik-3.

So the question was decided in the affirmative and the amendment having received the required constitutional majority was adopted.

Senator Hale moved that **SA 2 to SB 442** be adopted.

On the question "Shall the amendment be adopted?"

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele-17.

ABSENT—Messrs. Foltz, Slawik-2.

So the question was decided in the affirmative and the amendment having received the required constitutional majority was adopted.

Senator Hickman moved that **SA 3 to SB 442** be adopted.

On the question "Shall the amendment be adopted?"

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlör, Steele-16.

NAYS—Mr. Robbins-1.

ABSENT—Messrs. Cook, Slawik-2.

So the question was decided in the affirmative and the amendment having received the required constitutional majority was adopted.

Senator Isaacs moved that **SA 4 to SB 442** be adopted.

On the question "Shall the amendment be adopted?"

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cicione, Hickman, Isaacs, Robbins-4.

NAYS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Holloway, (Mrs.) Manning, McCullough, Schlör, Steele-14.

ABSENT—Mr. Slawik-1.

So the question was decided in the negative and the amendment was lost.

Senator Isaacs requested that **SA 5 to SB 442** be stricken from the calendar. Motion prevailed without objection.

On motion of Senator Hale, **SB 442 with SA 1,2,3** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Title 29, Delaware Code, by creating a new Chapter to be designated as Chapter 82 relating to the establishment of a

Department of Public Safety, defining its organization, powers, duties and functions and providing for the transfer of materials and equipment of said Department from various State Agencies and providing a supplementary appropriation to the Governor to implement the provisions of this act."

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicone, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Schlör, Steele-16.

NAYS—Messrs. McCullough, Robbins-2.

ABSENT—Mr. Slawik-1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Senator Conner introduced **SA 3 to HB 272**.

Senator Conner moved that **SA 3 to HB 272** be placed with the bill. Motion prevailed without objection.

On motion of Senator Conner, **HB 357** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Title 13 of Delaware Code relating to adoption and termination of parental rights to define "Abandoned" in the adoption statute consistently with the definition in the termination of parental rights statute, to define "Authorized Agency" to include out-of-state agencies, to establish jurisdiction over adoptions when the authorized agency is located within Delaware, to permit adoptions based on consent of out-of-state agencies, and to permit transfer of parental rights from a Delaware agency to an out-of-state agency."

Senator Conner asked for the privilege of the floor for Rep. W. Laird Stabler, Jr., to explain **HB 357**. Hearing no objection the privilege was granted.

On motion of Senator Conner, **HB 357** was taken up for consideration in order to pass the Senate.

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele-17.

ABSENT—Messrs. Cicone, Slawik-2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Senator Conner, **SB 50** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Chapter 81, Title 9, Delaware Code, relating to the limitations upon taxing power, by exempting lands and improvements of the Diamond State Grange from assessment and taxation."

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele-17.

NOT VOTING—Mr. Castle-1.

ABSENT—Mr. Slawik-1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

On motion of Senator Foltz, **HB 325 with HA 1 and 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Section 464, Title 11, Del. Code, relating to spearguns.”

On the question “Shall the bill pass the Senate?” The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele-18.

ABSENT—Mr. Slawik-1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Senator Foltz, **HB 464** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Title 24, Del. Code, Sub-section 1766, relating to the termination of human pregnancy.”

On the question “Shall the bill pass the Senate?” The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Steele-15.

NAYS—Mr. Schlör-1.

NOT VOTING—Mr. Cicione-1.

ABSENT—Messrs. Hart, Slawik-2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Senator Manning, **SB 503** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Title 19, Delaware Code, relating to employment in liquor selling establishments.”

On the motion of Senator Manning, roll call was tabled.

Motion prevailed, without objection.

On motion of Senator Manning, **SB 504** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Title 4, Section 522, Delaware Code, relating to the purchasing sale and dispensing of alcoholic liquors.”

On the question “Shall the bill pass the Senate?” The yeas and nays were ordered which being taken were as follows: