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STATE OF DELAWARE



JOURNAL

OF THE

STATE SENATE

AT A SESSION OF THE

GENERAL ASSEMBLY

CONVENED AND HELD AT DOVER ON TUESDAY, THE TWELFTH
DAY OF JANUARY, IN THE YEAR OF OUR LORD ONE
THOUSAND NINE HUNDRED AND SEVENTY-ONE
AND OF THE INDEPENDENCE OF THE
UNITED STATES THE ONE HUNDRED
AND NINETY-FIFTH

1971

OFFICERS AND MEMBERS

OF THE

STATE SENATE

President

EUGENE D. BOOKHAMMER

President Pro Tem

REYNOLDS du PONT

Secretary of the Senate

BARBARA KONOPIK

Assistant Secretary of the Senate

CARROLL B. FARLOW

Chaplains

REV. DONALD O. CLENDANIEL
REV. GEORGE C. GODFREY
REV. JOSEPH V. HOLLIDAY, JR.

Attorneys

JOSEPH S. YUCHT
L. VINCENT RAMUNNO

Senate Staff

MARGARET M. ANSTINE
MARIE AUSTINE
FRED BROWN
WILLIAM ROSS COLLINS
NANCY W. COOK
MARY KATHLEEN DAVIS
RENEE P. ELDERKIN
PATRICIA P. EMERSON

KATHY FALCO

ANNA E. FERRELL

ROLAND FLEETWOOD

LOIS FLEMING

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ALMA M. GRAY

PATRICIA K. GRIFFITH

RUTH HAGGERTY

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SUSAN F. LORE

CAROL NEIDERHAUSER

SUZANNE B. PORTER

JANET RECORDS

CLIFTON REYNOLDS

LUCY P. SLADER

IRENE SOMY

LEANNE S. STELL

LEVI STREET

EVELYN D. THOROUGHGOOD

SAM TYNDALL

JOSEPH ULLRICH

TRAFINNA R. WILSON

NEW CASTLE COUNTY

District

1. Michael N. Castle..... 1600 N. Broom, Wilmington
2. Herman M. Holloway, Sr..... 636 Townsend, Wilmington
3. George F. Schlör..... 114 N. Franklin, Wilmington
4. Dean C. Steele..... 128 Rockingham Dr., Windsor Hills, Wilmington
5. Louise T. Conner..... 109 Sunset Drive, Delaire, Wilmington
6. Reynolds du Pont..... Greenville
7. Margaret R. Manning..... 605 Greenbank Rd., Marshallton
8. Anthony J. Cicione..... 301 Southern Rd., Elsmere
9. William F. Hart..... 16 Marlyn Rd., Chestnut Hill Estates, Newark
10. Melvin A. Slawik..... 3 Forrest Circle, Stratford, New Castle
11. Calvin R. McCullough..... 605 Central Ave., Holloway Terrace, New Castle
12. Everette Hale..... 109 Meriden Dr., Fairfield, Newark
13. J. Donald Isaacs..... Levels Rd., Townsend

KENT COUNTY

14. Allen J. Cook..... Kenton
15. Andy Foltz..... 804 Monroe Terrace, Dover
16. George A. Robbins..... Milford-Frederica Rd., Milford

SUSSEX COUNTY

17. Frank R. Grier..... 417 Kings Highway, Milford
18. Thomas E. Hickman, Jr..... Frankford
19. David H. Elliott..... Laurel

126TH GENERAL ASSEMBLY
1ST LEGISLATIVE DAY
DOVER, DELAWARE
JANUARY 12, 1971

Pursuant to Section 4, Article 2, of the Constitution of the State of Delaware, the Senate met at Legislative Hall in Dover, Delaware, at 1:45 P.M., with Lieutenant Governor Eugene D. Bookhammer presiding.

Prayer by the Chaplain, the Reverend George C. Godfrey.

Eternal God, in the beginning moments of the Senate for this New Year 1971, we acknowledge from the very beginning that we look to thee:

for wisdom in our decisions,
understanding in our thinking
mercy in our judgements,
and love in our attitudes and relationships.

Bless these men and women who have been elected into high offices to serve their State of Delaware. May each of our lives ever stand firm with courage, being willing to speak against the wrongs, and voting laws that provide for righteousness in the lives of our fellow statesman.

We pray in the name of Jesus Christ. Amen.

Pledge of allegiance to the Flag.

Lieutenant Governor Bookhammer appointed Barbara A. Konopik, Temporary Secretary of the Senate; Carroll B. Farlow, Temporary Assistant Secretary of the Senate; and Patricia Emerson, Temporary Reading Clerk of the Senate.

Lieutenant Governor Bookhammer asked that the roll be called for the ten holdover Senators.

By roll call, the following Senators were present:

PRESENT: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Grier, Isaacs, (Mrs.) Manning, Schlor — 9.

ABSENT: Mr. Foltz — 1.

Having been certified by reading of the following certificates of election by the Superior Courts of the three counties, the following were sworn into office by Lieutenant Governor Bookhammer as State Senators: from New Castle County — Messrs. Herman M. Holloway, Sr., Dean C. Steele, William F. Hart, Melvin A. Slawik, Calvin R. McCullough, Everette Hale; from Kent County — Allen J. Cook, George A. Robbins; from Sussex County — Thomas E. Hickman, Jr.

ILLUSTRATION OF NEW CASTLE COUNTY

CERTIFICATE OF ELECTIONS

THE STATE OF DELAWARE

NEW CASTLE COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen Hundred and Seventy, for New Castle

County, according to the Constitution and Laws of the State of Delaware,

HERMAN M. HOLLOWAY, SR.

was duly elected Senator for Senatorial District Number TWO in said County in the General Assembly:
which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, the undersigned Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this 6th day of November, A.D. 1970.

ALBERT J. STIFTEL

President Judge

ANDREW D. CHRISTIE

Resident Associate Judge

ILLUSTRATION OF KENT COUNTY
CERTIFICATE OF ELECTIONS
THE STATE OF DELAWARE
KENT COUNTY, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and Seventy for Kent County, according to the Constitution and Laws of the State of Delaware,

ALLEN J. COOK

was duly elected Senator for the 14th Senatorial District for said County in the General Assembly;
which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

In Testimony Whereof, We, Wm. Duffy and William J. Storey constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 5th day of November, A.D. 1970.

WILLIAM DUFFY

Chancellor

WILLIAM J. STOREY

Resident Associate Judge

ILLUSTRATION OF SUSSEX COUNTY
 CERTIFICATE OF ELECTIONS
 THE STATE OF DELAWARE
 SUSSEX COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord one thousand nine hundred and seventy, for Sussex County, according to the Constitution and Laws of the State of Delaware,

THOMAS E. HICKMAN, JR.

was duly elected Senator for Senatorial District Number Eighteen (18) in said County in General Assembly;

which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the county, according to the provisions made by the law in this behalf.

IN TESTIMONY WHEREOF, WE, James B. Messick and John J. McNeilly, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said county, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said county on this fifth day of November, A.D., 1970.

JAMES B. MESSICK

Associate Judge

JOHN J. MCNEILLY

Resident Associate Judge

ILLUSTRATION OF OATH OF OFFICE
 OF MEMBER OF THE
 GENERAL ASSEMBLY

The State of Delaware
 County of Kent, ss.

I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of State Senator in the General Assembly of the State of Delaware according to the best of my ability. And I do further solemnly swear (or affirm) that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

HERMAN M. HOLLOWAY, SR.

Sworn to and Subscribed to this 12th day of January A.D. 1971
 before me.

EUGENE BOOKHAMMER

Then by roll call, there were the following Senators present:

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

ABSENT: Mr. Foltz — 1.

Senator Grier introduced **SR 1** entitled:

SR 1 — “In Reference to the Roll of Members of the Senate.”

BE IT RESOLVED by the Senate of the 126th General Assembly of the State of Delaware that the following constitute the permanent roll of the Senate of the 126th General Assembly: Michael N. Castle, Anthony J. Cicione, Louise Conner, Allen J. Cook, Reynolds duPont, David H. Elliott, Andy Foltz, Frank R. Grier, Everette Hale, William F. Hart, Thomas E. Hickman, Jr., Herman M. Holloway, Sr., J. Donald Isaacs, Margaret R. Manning, Calvin R. McCullough, George A. Robbins, George F. Schlor, Melvin A. Slawik, Dean C. Steele.

Senator Grier moved that **SR 1** 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, McCullough, Robbins, Schlor, Slawik, Steele — 18.

ABSENT: Mr. Foltz — 1.

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

Senator Grier introduced **SR 2** entitled:

SR 2 — “In Reference to Election of President Pro Tempore.”

BE IT RESOLVED by the Senate of the 126th General Assembly of the State of Delaware that Reynolds duPont be and he is hereby elected to the Office of President Pro Tempore of the Senate for the duration of the 126th General Assembly of the State of Delaware.

Senator Grier moved that **SR 2** 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, McCullough, Robbins, Schlor, Slawik, Steele — 18.

ABSENT: Mr. Foltz — 1.

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

Lieutenant Governor Bookhammer, therefore, administered

the Oath of Office of President Pro Tempore to Senator duPont.

Senator Grier introduced **SR 3** entitled:

SR3 — “Appointing a Committee to Notify the Governor that the Senate Is Organized.”

Senator Grier moved that **SR 3** 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, McCullough, Robbins, Schlör, Slawik, Steele — 18.

ABSENT: Mr. Foltz — 1.

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

The Chair, therefore, appointed Senators Holloway and Manning as a committee to inform the Governor that the Senate was organized.

Senator Grier introduced **SR 4** entitled:

SR 4 — “Appointing a Committee to Notify the House of Representatives that the Senate Is Organized.”

Senator Grier moved that **SR 4** 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, McCullough, Robbins, Schlör, Slawik, Steele — 18.

ABSENT: Mr. Foltz — 1.

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

The Chair, therefore, appointed Senators Hart and Slawik as a committee to inform the House of Representatives that the Senate was organized.

Senator Grier moved the Senate recess for 5 minutes at 2:18 P.M. Hearing no objection, the motion prevailed.

The Senate reconvened at 2:23 P.M.

Senator duPont introduced **SCR 1** entitled:

SCR 1 “That the Two Houses Meet in Joint Session to hear the Message of the Governor.”

Senator duPont moved that **SCR 1** 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, McCullough, Robbins, Schlör, Slawik, Steele — 18.

ABSENT: Mr. Foltz — 1.

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 Grier introduced SR 5 entitled:

SR 5 — “In Reference to Rules of the Delaware State Senate.”

Senator Hale moved that SR 5 be adopted for the First Legislative Day and be taken up for reconsideration on the Second Legislative Day.

Senator Grier moved that Senator Hale’s motion be amended to adopt SR 5 for the First and Second Legislative Days and to take up SR 5 for reconsideration on the Third Legislative Day.

Senator Hale accepted Senator Grier’s Amendment.

On the question, “Shall the Resolution, as so amended, 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, Schlor, Slawik, Steele — 17.

NOT VOTING: Mr. McCullough — 1.

ABSENT: Mr. Foltz — 1.

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

A messenger from the House informed the Senate that the House was organized.

Senators Holloway and Manning reported to the Senate that the Governor had been informed that the Senate was now organized.

Senators Hart and Slawik reported to the Senate that the House of Representatives had been informed that the Senate was now organized.

Senator Grier introduced SR 6 which read as follows:

SR 6 — “In Reference to Election of Officers.”

BE IT RESOLVED by the Senate of the 126th General Assembly of the State of Delaware that Barbara A. Konopik is elected to serve as Secretary of the Senate.

BE IT FURTHER RESOLVED that the Senate of the 126th General Assembly of the State of Delaware elects the following named individuals to serve on the Legislative Staff and to serve during the pleasure of the Senate.

Barbara A. Konopik, Carroll B. Farlow, Roland Fleetwood, Patricia P. Emerson, Margaret M. Anstine, Evelyn D. Thoroughgood, Harry Jeffcott, William Ross Collins, Joseph S. Yucht, Leanne S. Stell, Sue Lore, Anna Ferrell, Trafinna Wilson, Kathy Falco, Jesse Jones, James Fisher, George Keeler, Ray Jacobsen, George C. Godfrey, Joseph Ullrich, Lucy P. Slader, Fred Brown, Gail Lanouette, Violet Hofnagle, Bonnie Johnson, Patricia

Griffith, Mary Kathleen Davis, Carol Niederhauser, Clifton Reynolds.

Senator Grier moved that **SR 6** 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, McCullough, Robbins, Schlör, Slawik, Steele — 18.

ABSENT: Mr. Foltz — 1.

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

The attaches were, therefore, duly sworn in by Lieutenant Governor Bookhammer.

Senator duPont presented the following communication from the Honorable Harry G. Haskell, Jr., Mayor of the City of Wilmington, and asked that it be read to the Senate.

November 10, 1970

The Honorable Reynolds DuPont
President Pro Tem of the Senate
State House
Dover, Delaware

Dear Mr. DuPont:

Enclosed herewith is the Proclamation that I have issued this date based upon the results indicated by the certificates filed with the Department of Elections for New Castle County with respect to the proposed amendment to the Wilmington City Charter which reads as follows:

"Resolved that employees of The City of Wilmington other than officers of the City shall not be required to reside within the corporate limits of The City of Wilmington."

I am filing a copy of the Proclamation and Amendment with your office pursuant to the provisions of Title 22 Section 813 (c) of the Delaware Code. The Amendment was adopted by a vote of 6,053 to 3,437.

Yours truly

(Signed) Harry G. Haskell, Jr.

Senator duPont moved that the letter be made a part of the Record. Hearing no objection, the motion prevailed.

Senator duPont announced the following appointments: Senator Grier as Majority Leader, Senator Manning as Majority Whip and Senator Foltz as a member of the Legislative Council.

Senator Holloway announced the following appointments: Senator Cook as Minority Leader and Senator Schlör as Minority Whip.

Senator Cook announced that Senator Slawik was appointed as a member of the Legislative Council.

Senator Elliott introduced **SB 1** which was given its first reading by title only, entitled:

SB 1 — "An Act to Amend Chapter 35, Title 11 of the Delaware Code, with Reference to Possession of Narcotics and Other Drugs with Quantities Needed to Create a Reasonable Presumption of Intent to Sell." Assigned to Committee on Judiciary and Elections.

Senator Steele introduced **SB 2**, co-sponsored by Senator Slawik, which was given its first reading by title only, entitled:

SB 2 — "An Act to Amend Chapter 9, Title 28, Delaware Code, Relating to Miscellaneous Provisions." Assigned to Committee on Finance.

Senator Steele introduced **SB 3**, co-sponsored by Senator Slawik, which was given its first reading by title only, entitled:

SB 3 — "An Act to Amend Chapter 3, Title 28, Delaware Code, Relating to Horse Racing." Assigned to Committee on Finance.

Senator Elliott introduced **SB 4** which was given its first reading by title only, entitled:

SB 4 — "An Act to Amend Title 16, Chapter 47 of the Delaware Code, Relating to Narcotic Drugs." Assigned to Committee on Health and Social Services.

Senator Elliott introduced **SB 5** which was given its first reading by title only, entitled:

SB 5 — "An Act to Amend Subchapter XXV of Chapter 3, Title 11, of the Delaware Code, with Reference to Wiretapping and the Procedure to Be Used by Law Enforcement Agencies." Assigned to Committee on Judiciary and Elections.

Senator Elliott introduced **SB 6** which was given its first reading by title only, entitled:

SB 6 — "An Act to Amend Chapter 47, Title 7 of the Delaware Code, Eliminating Fees Charged to Delaware Citizens for Use of Delaware State Parks." Assigned to Committee on Natural Resources and Environmental Control.

Senator Cicione introduced **SB 7**, co-sponsored by Senator Schlor, which was given its first reading by title only, entitled:

SB 7 — "An Act to Amend Title 19 of the Delaware Code, with Reference to the Minimum Wage Rate." Assigned to Committee on Labor and Industrial Relations.

Senator Cicione introduced **SCR 2**, co-sponsored by Senators Hart, Isaacs, and Slawik, entitled:

SCR 2 — "Concerning the Convening of the Labor and Industrial Relations Committees of Both Branches of the Legislature to Investigate Allegations of Merit System Violations." Assigned to Committee on Labor and Industrial Relations.

Lieutenant Governor Bookhammer spoke a few words of welcome to the Senators and visitors to the Assembly.

Senator duPont spoke a few words of gratitude for his election to Office of President Pro Tem.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 2**, reported the same back to the Senate: 1 Favorable; 1 Merits, 3 Unfavorable.

Senator Steele, on behalf of the Committee on Finance to whom had been referred SB 3, reported the same back to the Senate: 2 Favorable; 1 Merits, 2 Unfavorable.

Senator Grier moved that the Senate adjourn until Wednesday, January 13, at 12:30 P.M. Hearing no objection, the motion prevailed and the Senate adjourned at 3:00 P.M.

2ND LEGISLATIVE DAY

The Senate met pursuant to adjournment at 12:45 P.M. on January 13, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Godfrey.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

PRESENT: Messrs. Castle, Cicione, Cook, duPont, Elliott, Grier, Hart, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 14.

ABSENT: Messrs. (Mrs.) Conner, Foltz, Hale, Hickman, Holloway — 5.

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 Senate received the following message from the House:
Mr. President:

The House wishes to inform the Senate that it has passed HCR 1 and requests the concurrence of the Senate.

The Sergeant-at-Arms announced the Speaker and Members of the House. They were admitted and seated. The President invited Speaker Frederick 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. Hearing no objection, the motion prevailed.

Senator Grier moved that the President of the Senate preside over the Joint Session. Hearing no objection, the motion prevailed.

Senator Grier moved that the Secretary of the Senate and Chief Clerk of the House act as Secretaries of the Joint Session. Hearing no objection, the motion prevailed.

The President appointed the following committee to escort the Governor to the Senate Chamber: Representative Heckert, Representative Hearn, Senator Steele and Senator Cook.

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:

GOVERNOR'S MESSAGE

Mr. President

Mr. President Pro Tem

Mr. Speaker

Ladies and Gentlemen of the 126th General Assembly

Fellow Delawareans:

First, let me welcome the new 126th General Assembly. To those of you who served in the 125th, I look forward to working with you again. To you new Legislators, I say there is no more exciting or satisfying experience than public service. Welcome!

A year ago, I suggested to the 125th General Assembly goals for the State. Those goals were a challenge not only to the General Assembly, but also to this Administration and to the people of Delaware.

The challenge was accepted. The record shows that. The spirited dedication of thousands of Delawareans has powered our progress.

And so it is with humility, gratitude and deep pride in our people that I report today what has been done to move towards those goals, and our plans for continued progress.

We cannot claim that we have become a Model State in just two years. But we have laid a solid foundation upon which we are building. We have made many changes. Some people consider these changes troublesome and disturbing, but that is the price of progress.

The time has come for evaluation and refinement of the many new tools we have forged to build a better Delaware.

We have many new programs. Are they working? How well? Can they be made to work better? These are questions the taxpayers of this State have every right to ask. These are questions that we in State Government have the responsibility to answer before launching any major new programs.

Our mission as public servants is to get solutions to the problems of the people and thus help them build a higher quality life. With reorganization and with our new programs, Delaware has never been better equipped to fulfill that mission.

Problems are solved not by programs, but by **effective** programs — not **bigger** government, but by **better** government.

This is the philosophy to which this administration committed itself when offering State goals a year ago. 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

Our goal is to stop the growth in violent crime, then to reduce it 25 per cent by 1976 and to cut it in half by 1980.

We must and we will reach that goal!

The causes of crime are rooted in the many ills plaguing society — such as poverty, unemployment, drug abuse, poor housing, racial unrest. The crime rate is an index of our failure to solve those problems. As we reduce crime, we will improve the quality of life for all Delawareans.

How will we measure the crime rate?

In 1970 for the first time, all 36 police agencies in Delaware reported crime statistics uniformly to one State Agency. Because now all are reporting, the number of crimes recorded for 1970 will jump sharply over 1969. But now we have a valid means to measure the crime rate in succeeding years.

Three of the major areas in fighting crime are police, courts and correctional agencies.

We have made dramatic progress in all of them.

State Police, for example, are receiving this year more than double the funds allocated in 1968, providing sorely-needed pay increases, 120 more troopers and better equipment.

Four additional State Police troops were established. Major new installations have been erected — the Training Academy, Communications Center, State Morgue and Crime Laboratory, and Troop 6 Headquarters on Kirkwood Highway. A Troop Headquarters is under construction at Odessa. Next year's capital budget will provide funds for another in the Lewes—Rehoboth Beach Area.

Local police forces are stronger than ever before. In the past two years, the State for the first time has provided funds — totaling nearly \$1.7 million — to help 33 communities add more men and better equipment. I recommend we continue this aid.

Quality training is now compulsory for any new policeman in Delaware.

Since 1968, State dollars spent on all police forces in Delaware have jumped from \$2.3 million to \$5.7 million. That is a long step towards providing better protection for the people.

Let's look at the courts.

There is no more precious institution in America. We are a nation founded on Law with Justice. In our eagerness to protect the people from violent crime, we must never forget our responsibility to see that every individual receives justice.

Most people have their only contact with courts at the magistrate level. That contact moulds their opinion of the quality of justice in Delaware.

With higher salaries attracting better applicants and with new training programs, the caliber of justice in our magistrate courts is much better.

In Delaware, our emphasis is on the applicant's qualifications to dispense justice. We have removed magistrate appointments from the arena of political patronage.

The Debtor's Prison Law has ended the dual system of justice, one for the poor man and one for the rich. No longer is a man jailed solely because he cannot pay a fine. This program has saved the State hundreds of thousands of dollars.

One of the best deterrents to crime is prompt court action at all levels. A recent report by the Council on Administration of Justice recommends ways to speed court action. I urge that the Legislature respond to this report.

Last year, I named an ad hoc committee to study reorganization and improvement of our Family Courts, which are so important in preventing crime. The committee will propose legislation shortly. I urge you to give it serious consideration.

The area of corrections has seen truly startling improvements in the past two years. The fact that many serious problems still exist emphasizes how deplorable the situation was.

In adult corrections, the work release program started two years ago is proving highly successful in saving the State money and helping prepare inmates to return to the community with jobs.

We will in next year's budget provide funds to complete staffing of the new \$11 million prison at Smyrna. The opening of this facility will be one of the great milestones in Delaware's correctional history — if we are successful in providing the necessary staff and treatment programs.

It is interesting to note that, because of the recent influx of drug offenders, the institution would be filled well beyond capacity were it not for the Debtor's Prison Law and the Alcoholic Detoxification Program.

Without those programs, our prisons would have approximately 100 more inmates today. And so while prison populations in neighboring Pennsylvania, Maryland and New Jersey have risen since 1968, Delaware's has decreased.

In the area of probation and parole, we have upgraded and increased the staff from 12 to 26 and opened four regional offices.

Last June, a new Parole Board was authorized by the 125th General Assembly. It is now in operation with a full-time Chairman and members professionally-qualified to determine whether an offender is safe for release to the community.

Our Juvenile Corrections System is a major hope for salvaging trouble-prone youngsters and steering them away from lives of crime.

We now recognize that in Delaware. Since 1968, the size of the treatment staff at Ferris School and other juvenile institutions has risen from 182 to 267, an increase of nearly 50 per cent. Included are more than 20 persons with degrees in social and behavioral sciences. This dramatic change was made possible through funds from the State and through federal funds infused into the Juvenile System through the agency to reduce crime.

But in prevention lies the real key for reducing the crime rate.

One of the most important preventive measures is working in the community with counselors, half-way houses and programs to keep youngsters out of trouble.

Two years ago, the Community Services Division of Juvenile Corrections had five part-time employees assigned to this work. Today, there are 51 deployed in four offices in Wilmington, four offices in New Castle County, one in Kent and one in Sussex. Plans are underway to open two others in the Milford and Dover areas.

Two half-way houses are being opened in Wilmington, one for boys and one for girls. I am recommending that we fund another one next year in the lower part of the State.

One of the most pressing problems for years has been that of mixing youthful offenders with hardened adult criminals. State funds for a facility to correct this situation were authorized in 1964 but were spent for other purposes.

The Cabinet Form of Government provided the opportunity to solve this decades-old problem by converting the Kent Correctional Institution for Adults to the Delaware Youth Center.

The objective was to remove every juvenile from the adult corrections system. However, it was not completely met because nine hard-core juveniles had to be returned to adult institutions. However, the 20 remaining in the Youth Center are out of the adult system and are responding to treatment. So we have made progress toward solving this knotty problem.

The 1972 Capital Budget will recommend funding of a Diagnostic-Infirmiry-Security complex at Ferris School. This facility will substantially improve treatment and also eliminate the security facility known as "The Jug."

Our efforts in juvenile corrections will ultimately bear fruit in salvaged lives and responsible citizens.

All of these steps will help reduce crime, but we cannot hope for any real success unless we at the same time attack the other root causes I mentioned earlier.

There is no limit to what can be achieved through community cooperation and effort. Let me cite two examples.

Last year, a volunteer group of approximately 50 persons — representing a cross-section of the community — renovated Ball Cottage at Ferris. They did a beautiful job.

Another example. When troubled kids are sent to Ferris School, we give them very little instruction. The Delaware State Education Association recently surveyed Ferris School and concluded that those boys qualify for special State support as do other socially and emotionally maladjusted youngsters in our public schools.

How come we have overlooked this situation for so long?

Perhaps we should be paying more attention to the teacher who said, "Inasmuch as you have done it unto one of the least of these, my brethren, you have done it unto me."

Because the DSEA cared enough to get involved, the 1972 budget will more than double the funds to support education in the Division of Juvenile Corrections.

These are the things we can achieve through community effort and involvement that breathe new life into the great ideals upon which this nation was founded.

A nation is only as strong as its families. I believe that many of our troubles in America today can be traced to weakening of the family structure. Problems such as delinquency and drug abuse claw at the fabric of family solidarity.

I am seriously concerned with this problem as are hundreds of thousands of American parents.

Raising children has always had its pitfalls. But in today's society, pitfalls are more numerous, and deep enough to shake a family apart.

Parents are so proud and happy when the new baby is born. They plan for his future. They wonder, "What will he be when he grows up?"

And suddenly he's a growing boy and it's time to wonder about what kind of friends he has. And how he spends his free time. And whether all those things you tried to teach him really sank in.

A family must be strong to overcome problems.

Go to Family Court some day and see the anguish on faces of mothers and fathers whose children are in trouble.

What would **you** do if your dream for your child's future were punctured by a hypodermic needle?

Yes, parents have reason to be concerned. Because these problems reach into the home and test the mettle of all families.

No matter how much the State commits in dollars and programs towards solution of society's ills, we cannot succeed unless we have the commitment of the community. That means everyone, every family.

We must all work to strengthen our families. Let's make sure we get involved with our kids. Work with them and play with them. Combine love with discipline. Let us never forget that we teach by our example.

If each of us accepts this moral commitment, we will reach our goal of reducing crime and building a better life for all Delawareans.

EDUCATION

We have made impressive progress towards our goal of providing a more meaningful education for all Delawareans. We will continue to spend appreciably more dollars for education than for all of our other activities combined.

The past two years has seen completion of the reorganiza-

tion of School Districts, provision for the first time of Equalization Funds, increased support for the education of disadvantaged young people, funding for State-supported kindergartens and for children with learning disabilities, and improved salaries and benefits for teachers.

These are unquestionably important achievements of which we can all be proud. But the greatest need in education today is accountability—getting results.

Education's job is to prepare our young people for happy, productive and rewarding lives. Any child who leaves school — either before or after graduation — without such preparation has been deprived of the education he deserves.

Our Education System must be tailored to fit the needs of the individual child. Too often, the child is tailored to the system. This can lead to frustrated kids who rebel against the system.

We must have the ability not only to discover potential, but to develop it and help the child select the career he wants and will enjoy.

We are well on the way towards making education more meaningful in Delaware. A vital step has been the upgrading of Occupational-Vocational Education.

For too long, Occupational-Vocational Education has been treated as a step-child. It's going to be made a full-fledged member of the Educational Family in Delaware.

The Milford School District and the Kent County Vocational-Technical School are already cooperating in a pilot project that could serve as a model for the expansion of Vocational Education in our State.

Our goal should be that every High School graduate receive with his diploma either a college acceptance, or a job offer, or both. We cannot do that unless our schools offer a wide choice of training and adequate individual counseling.

I propose that next year we provide \$1.3 million towards implementing last year's legislation calling for establishing Occupational-Vocational Programs in every High School. The goal is to complete this project by 1973.

The 1972 Capital Budget will include funds to meet Wilmington's Vocational needs by designing a Vo-Tech School for the Howard Educational Park.

I am also recommending \$1.4 million in capital funds for Delcastle Vocational High School, and \$265,000 for equipment at Kent County Vocational High School.

This program to construct Wilmington and suburban campuses for the Delaware Technical and Community College and to strengthen its downstate facilities has my vigorous support. The Capital Improvement Program provided \$23 million for these facilities over the next six years.

So while our major thrust will be in Occupational-Vocational Education, we will not neglect other important educational areas.

One of these is education in the early, formative years of a child's life. We have established the Bureau of Child Development to augment existing efforts in this area.

We have studied and revised regulations for operation of Day-care Centers and have standardized licensing requirements.

The Community Coordinated Child Care Committee (4—C) has been created, and county-level committees will be formed by the end of this month. This committee not only is the coordinating mechanism for all early childhood education but also brings to Delaware additional federal funds for the Head Start Programs.

Another goal is to establish Community Schools in all districts. A committee was formed and has recommended a \$500,000 program for the coming year. If federal funds are not available, the State will provide the funds in fiscal 1973.

In higher education, we intend to continue our vigorous support. I will discuss this in detail in my budget message next week.

We are also making concerted efforts to save educational dollars. A task force is working to overhaul our lengthy and costly school construction procedures.

In striving for our goal of a more meaningful education for all Delawareans, we most certainly will improve the quality of life for all Delawareans.

REDUCING POLLUTION

A year ago, we pledged to launch in 1970 a major war not only on pollution of the water and air, but also on pollution of the mind and body by drugs and alcohol.

We have done so.

Reorganization spurred our progress. For the first time in the State's history, the essential management of our natural resources and environmental control was placed under a single "umbrella."

Here are some of our key accomplishments in protecting the environment:

- Water quality standards have been established for all of our interstate streams.

- Major water pollution control measures, such as the Kent County Sewage System, expansion of the New Castle County Sewage System and the Wilmington Sewage Treatment Plant, the Bethany Beach Regional System, and preliminary planning of the Lewes—Rehoboth Regional System, are well underway, in partnership with local government.

This year \$4 million was provided to aid this work. We recommend that next year another \$4 million in capital funds be allocated for this program.

We are making good progress toward our goal to clean up virtually every major stream in Delaware by 1978.

- Air quality standards have been adopted. The proposed implementation plan is in Washington for review.

- We have instituted a comprehensive air quality monitoring system.

- All State-owned facilities this year started burning low-sulfur fuel.

- A special study has been completed of all fuel burning and incinerating equipment operated by the State. Implementation is expected to save the State about \$500,000 a year.

- Controls have been clamped on some major sources of air pollution, including open burning for auto salvage and refuse disposal.

- A law has been enacted to control motor vehicle exhaust fumes.

One of the serious environmental blights is the litter.

We have:

- Contracted for construction of a pilot plant that would process trash and other solid wastes, reclaiming salable materials. One million dollars has been authorized for design.

- Formed a Delaware Clean Earth Committee to spearhead anti-litter efforts and coordinate private and public efforts, and tightened anti-litter laws.

- Initiated a pilot program with the Department of Highways and Transportation whereby abandoned cars are being removed.

Another approach that could have a telling impact is a State-wide Authority that would collect and dispose of all liquid and solid wastes. I propose that we look into this possibility during 1971.

The grim problem of drug abuse continues to cloud the hopes of thousands of Delaware parents and the futures of their children. Our State Government has responded to the need for action.

The Drug Abuse Control Division was activated in July, 1970, for State-wide education, treatment and prevention of drug abuse.

The State has initiated a three-pronged attack on drug abuse with programs of education, treatment and enforcement. The last General Assembly appropriated \$265,000 for these programs. I will ask for more in the coming year.

- Drug laws have been improved, with stiffer penalties for “pushers.”

- A Methadone Clinic is operating in Wilmington as a cooperative venture between the State and the Wilmington Medical Center.

- A clinic to help victims of drug abuse has been opened in Dover, and others are planned at Newark and Georgetown.

Emergency clinics have been established at Beebe Hospital and Nanticoke Hospital.

- The State has seven Drug Counselors. More will be added.
- The Governor's Council on Drug Abuse has been formed to spark and coordinate programs throughout the State.
- The State Police established a Drug Control Unit. Drug arrests, which totaled 33 in all of 1968, climbed to over 1,000 last year.

The drug abuse problem is great and growing, but we now have taken the offensive. Our task is to get our attack running smoothly and effectively and to respond promptly as needs are defined. Studies are underway to establish an Institution for Drug Treatment.

Alcohol is also a drug, but society is more familiar with it and tends to accept it. This social "respectability" adds to the danger of alcohol.

In the past two years, we have:

- Opened the first Alcoholic Detoxification Center in the State's history.
- Hired a full-time coordinator to initiate a State-wide Alcohol Countermeasures Program.
- Enacted more stringent laws against the drinking driver and provided all State Police Troops with video tape equipment to aid in conviction.

While it is obvious that we have done much to combat all of these pollutants, we must persist if we are to succeed. We will continue working to improve the quality of our air and streams and to combat the scourges of drugs and alcohol.

IMPROVING GOVERNMENT

Reorganization is the most important step we have taken towards building a Model State Government. It was completed within the timetable we set a year ago.

Our new Cabinet Form of Government has tremendous potential. We must develop it into an efficient organization that gets results. This will require full involvement of the citizens advisory councils.

Reorganization has made it easier to implement recommendations of the Governor's Economy Committee. We have fully implemented 251 of the 525 recommendations — nearly 48 per cent of the total. Department heads also were directed by executive order to root out additional non-essential spending.

The results? The economy drive so far has saved the taxpayers of Delaware \$8.6 million, and the end is not yet in sight.

That money has been freed to do more important work. Let's take one small example. Elimination of one magnetic tape typewriter saved the State \$7,500 a year in rental cost. That

money thus is freed to hire, for example, an additional Drug Counselor.

Let's take one big example. By working out a new arrangement with the Farmers Bank, the State is receiving \$1.7 million more each year in interest on money deposited in that bank. That \$1.7 million is enough to permit us, for instance, to start Occupational-Vocational Programs in all High Schools of the State next year as well as to add 40 more people to the staffs of our State Hospitals.

That's not magic. That's economy. And because of it, we will be able to run this State with much improved services next year without a tax increase.

But reorganization and economy alone do not make a Model State Government. You must also have capable, loyal and happy employees. The State has taken several actions to improve morale and working conditions of its employees. It raised pay scales, provided a Hospital Care Insurance Plan and improved pension benefits.

The employees have responded, and I thank them for it. I am proud of them.

Other steps to improve State Government will be taken this year.

Legislation creating a Code of Ethics for State employees will be introduced by this Administration.

Two important actions of the Legislature will be revision of the State Constitution and reapportionment as required following the ten-year census.

We have also in the past two years strengthened our working relationships with all levels of Governments.

At the local level, we have forged many partnerships. We worked with the city of Rehoboth to provide adequate police protection during the summer influx of vacationers, with Lewes on closing of an unsightly dump and the relocation of an industrial park, with Smyrna to solve a serious drainage problem, with Sussex and Kent Counties on their airport projects, with New Castle County on the Police Jurisdictional Problem, and with Wilmington on the Federal Office Building. There are many more examples.

We are working closely with adjoining States through organizations such as the Mid-Atlantic Governors' Conference, the Delaware River Basin Commission and the Committee on Regional Development.

Our relationship with the federal government grows stronger. President Nixon's revenue-sharing proposal is concrete proof of his determination to return responsibility and funds to the State and local levels, where most problems can best be solved. I will continue to work vigorously for revenue-sharing.

With these actions, we are well on the road to a Model State Government.

MORE AND BETTER JOBS

This Administration recognizes that jobs are the cornerstone of self-respect, human dignity and hope for a meaningful future.

With reorganization all major agencies and programs relating to job development training and working conditions have been centralized in the Department of Labor.

What has been done?

The Wilmington Job Bank, which provided daily rundowns on job openings, was initiated on schedule last July 1. It will be State-wide by the end of this month.

The comprehensive manpower plan was completed July 11.

The Youth Opportunities Unlimited Summer Jobs Program, which employs young people from low-income families, again proved successful in 1970.

We have strengthened State financial support of the Opportunities Industrialization Center.

The minimum wage was increased from \$1.25 to \$1.60 an hour.

Unemployment compensation benefits were substantially increased, the first changes in more than four years.

Workmen's compensation maximum benefit was raised 50 per cent, the first major change in more than ten years.

I will propose further improvements in the Workmen's Compensation and Unemployment Compensation Laws.

We have improved effectiveness of the Division of Vocational Rehabilitation, supported creation of the Affirmative Action Plan for Minority Employment in the construction trades, strengthened our Industrial Safety Inspection Program, and taken steps to provide improved employment services for veterans returning from Vietnam.

We have had a climate of cooperation in the past two years between my office and representatives of organized labor. I will make every effort to continue this relationship, both for the economic health of the community and for all who work in our State.

Our large and healthy agricultural industry occupies a vital role in the State's economy. It's continued growth not only provides jobs but helps assure preservation of our valuable open spaces.

We will stay close to agribusiness and continue to work together to see that this important business grows and prospers.

To assure that our wage earners get the most for their dollars, we have created a new Division of Consumer Affairs that will be proposing a series of Bills to protect our citizens from sharpsters and shoddy products.

All of these elements are related to increasing the quality of life.

TO PROTECT, DEVELOP AND ENJOY OUR NATURAL RESOURCES

Of my many responsibilities as Governor, I regard as among the most vital the preservation and enhancement of Delaware's natural resources — its beaches and wetlands, fields and forests, parks and recreation areas. These belong to all the people of Delaware.

Here is what State Government has done in the past two years to meet its responsibility in this area:

- Acquired a total of 2,960 acres, including a 73-acre fresh-water lake, for hunting, fishing and wildlife preservation.
- Opened 14,000 acres to public hunting and trained more than 3,000 persons, primarily young people, in how to hunt safely.
- Earmarked \$3 million this year and \$4 million for each of the next five years for acquisition of additional "open space."
- Purchased 471 acres to develop Lums Pond Park.
- Are preparing master plans for developing six other existing parks.

We have also:

- Initiated a Park User fee to help us reach our goal of expanding park services appreciably in most parks by 1972.
- Made 62 grants totaling \$850,000 to help public and private agencies start or expand recreation programs, including seven communities in Sussex County and four in Kent.
- Started improvement of five creeks in Sussex County for pleasure boating and commercial fishing, under a carefully developed plan that avoids any negative environmental impact.

We are also encouraged by what appears to be a rebirth of the once-thriving oyster industry. Last year, the seed oyster grounds were opened for harvest for the first time since 1965.

So we are moving ahead briskly in many areas to promote the development of our natural resources. At the same time, we are concerned with the quality of that development. In fact, our theme will be, "Quality development or no development."

For example, while we promote tourism, we are opposed to the proliferation of garish "quick buck" tourist traps. They are environmental parasites that feed upon and ultimately destroy the natural beauty which attracts them.

In our desire to make the ocean shore more accessible, it would be a crime to ruin our relatively unspoiled shore by allowing excessive construction of parking lots and camp sites. Our remaining dunes can be as effectively deformed by a State-built camp site as was the Great Dune by Army bulldozers.

Quality development also will guide our decisions on other commercial and industrial growth. We are anxious to pump new dollars and new jobs into Delaware's economy, but not if the price is disfigurement and pollution of our environment.

Delaware must grow to provide the jobs and tax revenue our people and economy need to prosper. But since we are a small State, it is essential that we get maximum yield from every acre that is developed.

I recommend that we welcome the corporate headquarters, or research facilities or industrial parks that offer attractive physical plants, high-paying quality job opportunities, and few or no threats to the environment.

Heavy industry such as refineries or steel mills gulp large chunks of land, offer relatively fewer jobs, lower tax revenues and serious threats to the environment. I will vigorously oppose any more such industry.

The pressures for uninhibited commercialization are strong. To cope with them, we need a thoughtful, comprehensive plan to guide us in our decisions — a plan of what the people of Delaware want their coast and wetlands to look like 10 or 20 years from now.

A year ago, we had no such plan. As a stopgap measure, last Spring I declared a moratorium on any major commercial developments in our bay and coastal areas.

A study is being made by the task force on Marine and Coastal Affairs, headed by Dr. James H. Wakelin, Jr., internationally-renowned marine scientist. A preliminary report will be submitted to me next month. It should lead to a master plan and controls to assure healthy conservation and growth of our coastal and bay areas.

In the coming year, I will be submitting to you legislation to protect our valuable wetlands, which serve as a nursery for the raising of fin and shell fish.

We are working closely with the University of Delaware's College of Marine Studies on design of a campus near Lewes. This is a quality project of major import since it will not only provide jobs but also expertise to help develop the potential in our estuaries and coastal zone. It has my wholehearted support.

We are determined that our natural resources be safeguarded from indiscriminate growth.

IMPROVING HUMAN SERVICES

Among the most important functions of State Government is the prompt, adequate and efficient delivery of human services.

The chief accomplishment in this area during the past two years has been establishment of the Department of Health and Social Services, which enables us to better utilize our talents and resources.

One of the prime objectives of this Department is to make Human Services more accessible and convenient to the people.

Towards this end, we have set a goal of establishing by 1975 fourteen community Service Centers which concentrate Human Services at one neighborhood location.

To date, two service centers are in operation and two others are in planning stages. I will propose funds next year to open three more.

The welfare problem continues to plague us. Government has the dual responsibility of meeting the needs of our citizens who require help, and of helping them become self-supporting.

Since 1968, four thousand Delawareans moved off the dole and into jobs. Yet, during the same period, 5,000 new recipients have been added to the welfare rolls. State dollars for welfare will total nearly \$16 million this year, more than double the costs for fiscal 1969.

Welfare is a national problem. I will continue to work for the Family Assistance Plan proposed by President Nixon. Although far from perfect, it provides for a major advance.

Meanwhile, we in Delaware are going to continue our efforts to solve this problem. We need to convert welfare from a "something for nothing" system to a "something for something" system.

If we offer "instant welfare," then let us also offer "instant incentives" to do something in return for the welfare grant. The dole is degrading. Wages are the bridge to self-respect and dignity.

I therefore have directed the Secretary of the Department of Health and Social Services and the Secretary of the Department of Labor to devise a program under which **every** welfare recipient will agree to do certain things in exchange for his grant.

This does not necessarily mean a formal 8-hour-a-day job. However, a woman could take care of a neighbor's children so their mother can work. Another recipient might work a few hours a week at State Institutions, or help at a Day Care Center or Head Start Class. The important thing is that they **know** they are **doing** something in return for the money they receive.

Take the person who loses his job and applies for welfare. If the welfare worker has a list of available jobs, the applicant might be put to work immediately. In short, we want the social worker to serve also as a work counsellor.

When one has the opportunity to visit every corner of our State and see first hand great examples of how the handicapped, the blind, the deaf, the paraplegic, the disabled war veterans, the mentally retarded, the aged have learned to do something constructive to help support themselves, the old cry that most welfare recipients cannot do something in exchange for State aid rings hollow indeed.

We are spending 12 million State dollars this year for welfare grants. Let's buy \$12 million worth of services with it.

In the fields of mental health and retardation, we recognize the dire need for additional psychiatric services. This area is receiving our immediate high-priority attention. The first order of business is to fill the key vacancies for institutional superintendents and psychiatrists.

In the past two years, we have seen the opening of a Psychiatric Wing at Beebe Hospital in Lewes, the All-Star House for mildly-retarded adults, the Sussex Treatment Unit and a new food service facility at Delaware State Hospital, and one wing at the Charles L. Terry, Jr. Children's Psychiatric Center.

The budget, to be presented next week, will include \$2 million for an Admission and Research Building at Delaware State Hospital, \$1.9 million to complete construction of cottages at the Hospital for the Mentally Retarded at Stockley, and funds to open another wing at the Terry Center, thus doubling its capacity.

For years, mental health has received a lower level of funding than has physical health, and we are determined to work towards ending that double standard.

Our private hospitals and the Delaware Adolescent Program merit our continued support. I will discuss this next week in the budget message.

The need for more and adequate housing persists, and the State should strongly increase its activities in this area.

We have a \$5 million revolving fund for interest-free loans to help non-profit corporations build housing. Starting in fiscal 1969, these funds have helped finance 1,230 units, of which 122 are completed and 551 are under construction. Another 563 are nearing start of construction. Projects have started in Milford and Dover and one will start in Seaford next month.

Although we have willing sponsors for needed additional projects, the entire \$5 million is either on loan or committed. I will recommend increasing the revolving fund by allocating another \$3 million from divestiture funds. In addition, the Capital Budget will propose \$2 million to be spent by the State for actual construction of low and moderate income housing.

Continued improvement in this vital area of Human Services is essential.

SAFER MOVEMENT OF PEOPLE AND GOODS

In my "Future of the State" message a year ago, I proposed that Delaware within five years lead the nation in highway safety by having the lowest number of deaths and injuries per passenger mile.

Although there were 23 more fatalities last year than in 1969, a closer look at the statistics reveals that the *number* of fatal *accidents* remained the same as in 1969, and personal injury accidents declined 3 per cent. This occurred although there are today 53,000 more vehicles and 27,000 more drivers on the road than there were in 1968, the record year for highway deaths in Delaware. The rate of deaths per miles traveled was lower last year than in 1968.

We must and will do better. I am confident that we will reach our highway safety goal.

Last year on highways here at home, more Americans died than in the 10 years of war in Southeast Asia. Alcohol and speed were the major causes.

Accordingly, we have launched a number of programs to stop people from “drinking then driving” and from speeding. These involved tighter laws and enforcement, better equipment like Vascar, improved training and more thorough inspection of both drivers and vehicles.

There is no magic formula to highway safety. It requires hard, persistent work.

Our new Division of Transportation is taking a fresh look at how to relieve serious peak traffic and parking problems by more effective mass transit and at plans for providing adequate air transportation for our area.

The last two years has seen intensive planning for major highway projects expected to be under construction in the next two years. They include Delaware 141 to relieve bottlenecks at Newport, Prices Corner and Kennett Pike; completion of dualization of Route 14 from Milford to the Rehoboth Beach area, the I-95 connector to downtown Wilmington, the continuation of 12th Street in Wilmington and improvements to Naamans Road. It is essential that early decisions be made to resolve the controversies surrounding the Dover Bypass and Concord Pike projects.

* * * *

Reducing crime, improving education, 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.

Every Delawarean can be proud of the progress we have made. We will continue moving ahead, encouraging involvement of the people through organizations such as the Governor’s Youth Council and the Council for Women, and through activities such as the Governor’s Town Hall meetings and Citizens’ Hours.

We must especially seek to tap the great potential of energy and ideas represented by our dedicated young people, probably the best-educated generation in the history of this nation.

People want more services, but not more taxes. I have responded to these conflicting demands by a substantial increase in the budget for critical areas of human need, by a major economy drive and by improving the efficiency of Government while at the same time avoiding a tax increase.

However, the overriding responsibility of a Governor is to unify the people, to build bridges of understanding between all Delawareans.

Unity with understanding. There is no more potent force to build stronger, more cohesive families, schools, neighborhoods and a Model State.

Our progress in the past two years has been due in great part to the hard work and dedication of members of the 125th General Assembly. The pace of our progress in the next two years will depend on you members of the 126th General Assembly.

You face many far-reaching and difficult decisions in the coming months. Some of them, such as aid to non-public schools, contain emotional dynamite which, if subjected to the heat of reckless debate, can explode and destroy the bridges of understanding we are so laboriously building. The responsibility to avoid discord rests with all of us, both in and out of Government.

We have charted bold courses into the future. If we travel them with charity, courage and understanding, if we concentrate on those things which unify us rather than divide us, we will reach our goal of building a better life for all Delawareans — of making the State that started a nation the State that leads the nation.

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 reconvene in their respective Chambers. Hearing no objection, the motion prevailed.

Senator Grier moved the Senate recess for an hour at 2:15 P.M. Hearing no objection, the motion prevailed.

The Senate reconvened at 3:15 P.M.

Senator Castle introduced **SB 8** which was given its first reading by title only, entitled:

SB 8 — “An Act to Amend Section 4974, Title 10, Delaware Code Relating to Place for Public Sale of Real Estate.” Assigned to Committee on Judiciary and Elections.

Senator Slawik introduced **SB 9**, co-sponsored by Senator Cicione, which was given its first reading by title only, entitled:

SB 9 — “An Act to Amend Chapter 16, Title 2, Delaware Code, Relating to the Powers of Local Transportation Authorities.” Assigned to Committee on Highways, Transportation and Insurance.

Senator Slawik introduced **SJR 1**, co-sponsored by Senators Grier, Isaacs, McCullough and Manning, entitled:

SJR 1 — “Extending Best Wishes for Success to Warren J. Gehrt on His Appointment as Superintendent of the Hospital for the Mentally Retarded.”

WHEREAS, Warren J. Gehrt has served the State of Delaware admirably in various capacities for nearly 10 years; and

WHEREAS, Mr. Gehrt has dedicated his vast knowledge and ability to helping all sorts and conditions of men, women, and children, especially those in less fortunate circumstances than others; and

WHEREAS, Mr. Gehrt is held in high esteem by citizens in all areas of the State of Delaware for his outstanding achievements and personality; and

WHEREAS, Mr. Gehrt, a Delaware resident, has been appointed Superintendent of the State Hospital for the Mentally Retarded, effective January 15, 1971; and

WHEREAS, Mr. Gehrt, as a result of this appointment, will have served the State of Delaware as a leader in each of the three counties, commencing in New Castle, continuing in Kent for the past two and one-half years and finally proceeding to the hospital in Sussex County; and

WHEREAS, the members of the Senate and House of Representatives desire jointly to convey their best wishes for success to Warren J. Gehrt in his new role;

NOW, THEREFORE:

BE IT RESOLVED that the Senate and House of Representatives of the 126th General Assembly of the State of Delaware —

In a manner warm and sincere,

Do send wishes of great success and cheer,

To a man of stature, faith, and merit

Truly, a “man of all counties,” Warren Gehrt; and

BE IT FURTHER RESOLVED that a copy of this Resolution be spread on the Journals of the Senate and House of Representatives and that a copy be forwarded to Mr. Gehrt and his family.

The Resolution was assigned to Committee on Executive.

Senator Holloway introduced SB 10 which was given its first reading by title only, entitled:

SB 10 — “An Act to Amend Section 112, Subchapter 1, Chapter 1, Title 16, Delaware Code, Relating to Prosecutions Instituted by the Department of Health and Social Services by Authorizing Prosecutions for Violations of Health Laws to be Instituted by Service of a Summons and Providing for Penalties for Failure to Appear in Answer Thereto.” Assigned to Committee on Health and Social Services.

Senator Holloway introduced SB 11 which was given its first reading by title only, entitled:

SB 11 — “An Act Amending Title 15, Delaware Code, Relating to the Reporting of Contributions to and the Expenditures of Candidates for Election, and Providing Penalties for the Violations Thereof.” Assigned to Committee on Judiciary and Elections.

Senator Holloway introduced SB 12 which was given its first reading by title only, entitled:

SB 12 — “An Act to Amend Chapter 39, Title 18, Delaware Code, Relating to Casualty Insurance, to Add a New Subchapter Providing for Group Casualty Insurance.” Assigned to Committee on Highways, Transportation and Insurance.

Senator Holloway introduced SB 13 which was given its first reading by title only, entitled:

SB 13 — “An Act to Amend Chapter 45, Title 11, Delaware Code, Relating to Appeals, by Providing for Criminal Appeals to

Superior Court in All Cases.” Assigned to Committee on Judiciary and Elections.

Senator Holloway introduced SB 14 which was given its first reading by title only, entitled:

SB 14 — “An Act to Amend Title 15, Chapter 51, Delaware Code, Providing a Prohibition of and Penalties for the Publication or Distribution of Political Statements without Name and Address of Publisher or Distributor.” Assigned to Committee on Judiciary and Elections.

Senator Holloway introduced SB 15 which was given its first reading by title only, entitled:

SB 15 — “An Act to Amend Subchapter XXIX, Chapter 3, Title 11, Delaware Code, Relating to Perjury, by Adding a New Section to Require Disclosure of Bad Credit Rating and Providing Penalty for Nondisclosure.” Assigned to Committee on Judiciary and Elections.

Senator Holloway introduced SB 16 which was given its first reading by title only, entitled:

SB 16 — “An Act to Amend Subsection 1117 (a) (5), Chapter 11, Part II, Title 30, Delaware Code, Relating to Personal Exemptions from State Income Taxes, by Providing a Tax Exemption for Taxpayers Who as Head of Household with One or More Dependents earns \$4500.00 or Less per Year.” Assigned to Committee on Finance.

Senator Holloway introduced SB 17 which was given its first reading by title only, entitled:

SB 17 — “An Act to Amend Chapter 5, Title 1, Delaware Code, Pertaining to the Designation of Legal Holidays.” Assigned to Committee on Judiciary and Elections.

Senator Holloway introduced SB 18 which was given its first reading by title only, entitled:

SB 18 — “An Act to Amend Title 21, Delaware Code, Chapter 1, Relating to the Appointment of Councilmen to Fill Seats in Incorporated Cities or Towns where Vacancies Are Created by Death or Incapacity.” Assigned to Committee on Public Safety.

Senator Holloway introduced SCR 3, co-sponsored by Senators Castle, Cicione, Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, Manning, McCullough, Robbins, Schlör, Slawik and Steele, entitled:

SCR 3 — “Expressing the Congratulations of the 126th General Assembly to the 1970 University of Delaware Football Team and Its Coach Harold “Tubby” Raymond for a Successful Season and a Third Consecutive Boardwalk Bowl Victory.”

WHEREAS, the Members of the Senate and House of the 126th General Assembly are indeed pleased and proud of the record and conduct of the 1970 University of Delaware Blue Hens football team and of its Coach Harold “Tubby” Raymond; and

WHEREAS, the University of Delaware Blue Hens were

named sole recipients of the Lambert Cup, emblematic of supremacy among eastern middle-sized colleges; and

WHEREAS, the University of Delaware Blue Hens for the third consecutive year were invited to play in the Atlantic City Boardwalk Bowl, the championship event of NCAA football in the East; and

WHEREAS, the University of Delaware Blue Hens kept their Boardwalk Bowl record unblemished by downing Morgan State in a thrilling 38 — 23 contest; and

WHEREAS, Coach Raymond and the University of Delaware Blue Hens football squad have once more distinguished themselves as outstanding sportsmen on and off the gridiron; and

WHEREAS, the Members of the Senate of the 126th General Assembly of the State of Delaware, the House of Representatives joining herein, are extremely proud of their football representatives from the University of Delaware campus;

NOW THEREFORE:

BE IT RESOLVED that the Senate of the 126th General Assembly of the State of Delaware, the House of Representatives concurring herein, send loud and sincere cheers of praise and thanks to Coach Harold “Tubby” Raymond, all of his assistants and to all the Members of the 1970 University of Delaware Blue Hen football squad.

BE IT FURTHER RESOLVED, that a copy of this Senate Concurrent Resolution be entered on the Journal of the Senate and House of Representatives; and

BE IT FURTHER RESOLVED, that copies be delivered to Coach Raymond, to Dr. E. A. Trabant, President of the University of Delaware, to Dr. George M. Worrilow, Vice-President of the University of Delaware, and to Dave Nelson, Athletic Director of the University of Delaware.

The Resolution was assigned to the Committee on Executive.

Senator duPont moved that the following communication received from the Governor be made part of the Record. Hearing no objection, the motion prevailed.

November 16, 1970

The Honorable Eugene D. Bookhammer
Lieutenant Governor
State of Delaware
Dover, Delaware
Dear Lt. Governor Bookhammer:

In May of 1969, the Senate passed a Resolution requesting me to seek an advisory opinion of the State Supreme Court “as to the constitutionality of the practice of certain counties granting a tax credit or tax differential for certain services in cases where a municipality is also providing said service.” In searching our records, we have found that this question was posed to the

Supreme Court in May of 1969 and we received a reply from Chief Justice Daniel F. Wolcott on May 28, 1969.

Our records, however, do not indicate that the reply of the Supreme Court was communicated to the Senate. I am, therefore, now enclosing a copy of the letter of May 28, 1969, sent to me by the Chief Justice in reply to Senate Resolution 44.

Sincerely,
(Signed) Russell W. Peterson
Governor

cc Secretary of the Senate
Senator J. Donald Isaacs
Enclosure

May 28, 1969

The Honorable Russell W. Peterson
Governor of Delaware
Dover, Delaware 19901

Dear Governor Peterson:

I acknowledge your letter of May 21, 1969, addressed to me, requesting an opinion of the Justices of the Supreme Court pursuant to 10 *Del. C.* § 141.

The question posed by you has been asked pursuant to Resolution No. 44 of the Senate requesting you to seek the opinion of the Chief Justice because "The Members of the Senate desire a definitive judicial opinion as to the legality" of the practice mentioned therein.

In Senate Resolution No. 44, it is stated that an opinion is desired "as to the constitutionality of the practice of certain counties granting a tax credit or tax differential for certain services in cases where a municipality is also providing said services." The practice referred to seems applicable in New Castle County by reason of 9 *Del. C.* § 1102, 1132, 1134, 1155, 1159 and 1160, all of which relate to "local service function".

The three members of the Court have carefully considered your request for an advisory opinion, and most respectfully must ask to be relieved from the necessity of answering. We, of course, desire to cooperate fully with the Executive and Legislative Branches of the State Government; but you and the Senators will agree, of course, that we cannot act except in accordance with the law.

Authority to the Governor to request advisory opinions is found in 10 *Del. C.*, § 141 and 29 *Del. C.*, § 2102.

These statutes require that the members of the Supreme Court furnish their opinions "whenever the Governor...shall require it for public information, or to enable him to discharge the duties of his office with fidelity...". Moreover, opinions may be requested under the statutes only upon "the proper construction of any provision in the Constitution of this State or of the United States, or the constitutionality of any law enacted by the Legislature of this State."

After careful consideration, we are unanimously of the view that the request contained in your letter does not fall within the purview of S141 and S2102 for the reason that the opinion being requested is not required to enable the Governor to discharge the duties of his office. Also, the constitutionality of a "practice" is being questioned, rather than the constitutionality of an Act of the General Assembly, as prescribed by S141 and S2102. Furthermore, the question suggested by the Senate is so vague as to be almost hypothetical. We do not have before us any facts which would permit the framing of a precise issue of law to be answered. The question presented is, therefore, too hypothetical or theoretical to be answered properly under the cited statutes.

Attention is invited to *Opinion of the Justices*, 8 Terry 117, 88 A.2d 128. From that reported advisory opinion it is clear that questions may be answered by the members of the Court only when the answer given has a "bearing upon a present constitutional duty awaiting performance by the executive." In our opinion, the question of the constitutionality of the practice, as presented in the Senate Resolution, does not meet the requirements of the law.

If a decision upon this practice is desirable for the administration of orderly government, it would seem more appropriate to us that the question be raised in the usual fashion; for example, by a taxpayer's suit, which would take its usual and proper course through the courts.

For the foregoing reasons, we must respectfully reply that the furnishing of an advisory opinion in accordance with your letter would be improper on our part.

Respectfully yours,

IDFR:g

cc Honorable James B. Carey

Honorable Daniel L. Herrmann

Senator Cook introduced **SR 7** entitled:

SR 7 — "In Reference to Election of Officers."

BE IT RESOLVED that the Senate of the 126th General Assembly of the State of Delaware elects the following named individuals to serve on the Legislative Staff and to serve during the pleasure of the Senate.

Marie Austin, Nancy W. Cook, Alma M. Gray, Ruth Haggerty, Sandra Krett, L. Vincent Ramunno.

Senator Cook moved that **SR 7** 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, McCullough, Robbins, Schlör, Slawik, Steele — 18.

ABSENT: Mr. Foltz — 1.

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

Senator Castle introduced **SB 19** which was given its first reading by title only, entitled:

SB 19 — “An Act to Amend Chapter 175, Volume 52, Laws of Delaware, Being an Act Entitled “An Act to Authorize the Mayor and Council of the City of Wilmington to Issue Negotiable Bonds and Notes for Lawful Purposes and to Provide for Their Payment.” Assigned to Committee on Judiciary and Elections.

Senator Isaacs introduced **SCR 4**, entitled:

SCR 4 — “Relating to the Payment for the Purchase of a Plaque Commemorating the Middletown High School Football Team.” Assigned to Committee on Executive.

Senator Isaacs introduced **SJR 2** entitled:

SJR 2 — “Extolling the Championship Middletown High School Football Team and Its Coach, Bill Billings.”

WHEREAS, the members of the brand new 126th General Assembly are anxious to extoll the outstanding feats of the 1970 Middletown Cavaliers High School football team and its coach, Bill Billings; and

WHEREAS, the Middletown High School football team guided by its incomparable coach, Bill Billings, won the Class B. Championship of the Blue Hen Conference with a record of ten wins and no losses; and

WHEREAS, Coach Billings in nine seasons as head coach of the Middletown team has compiled an amazing mark of 81 victories against only three defeats; and

WHEREAS, Coach Billings was acclaimed by his peers as 1970 high school “Coach-of-the-Year” for an unprecedented third time; and

WHEREAS, the Middletown Cavaliers football team were officially rated the number one high school football team of 1970 in the State of Delaware by the Dunkel rating system; and

WHEREAS, the Middletown team and its coach, throughout a victorious season displayed exemplary conduct on and off the gridiron;

NOW, THEREFORE:

BE IT RESOLVED, that the Senate and House of Representatives jointly express their most sincere congratulations to Coach Bill Billings, to his assistants, and to all members of the 1970 Middletown High School football team for their outstanding championship season; and

BE IT FURTHER RESOLVED that a copy of this Joint Resolution be entered on the Journals of the Senate and House; and

BE IT FURTHER RESOLVED that copies be delivered to Coach Billings, to Mr. Dallas Ashby, Principal of Middletown High

School, and to Mr. William Keene, Superintendent of the Appoquinimink School District.

The Resolution was assigned to Committee on Executive.

Senator Isaacs introduced **SB 20** which was given its first reading by title only, entitled:

SB 20 — “An Act to Amend Chapter 7, Title 29, Delaware Code, by Adding Thereto a New Section 710 Permitting the General Assembly to Request Judicial Opinions from the Supreme Court of the State of Delaware.” Assigned to Committee on Executive.

Senator Isaacs introduced **SB 21** which was given its first reading by title only, entitled:

SB 21 — “An Act to Amend Chapter 30, Title 9, Delaware Code, by Adding Thereto a New Section 3013, Relating to an Exclusion for Conveyances of Land not Less than Two Acres between Members of a Family.” Assigned to Committee on Community Affairs.

Senator Elliott introduced **SA 1** to **SB 2** co-sponsored by Senators Hart and Isaacs.

Senator Elliott moved that **SA 1** be adopted.

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

YEAS: Messrs. (Mrs.) Conner, Elliott, Hart, Isaacs, Robbins — 5.

NAYS: Messrs. Castle, Cook, duPont, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele — 12.

NOT VOTING: Mr. Cicione — 1.

ABSENT: Mr. Foltz — 1.

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

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

SB 2 — “An Act to Amend Chapter 9, Title 28, Delaware Code, Relating to Miscellaneous Provisions.”

Senator Steele asked for the privilege of the floor for Mr. Bayard Brittingham, representing Delaware Park, to explain **SB 2**. Hearing no objection, the privilege was granted.

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, Grier, Hale, Holloway, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele — 11.

NAYS: Messrs. (Mrs.) Conner, Elliott, Hart, Hickman, Isaacs, Robbins — 6.

NOT VOTING: Mr. Cicione — 1.

ABSENT: Mr. Foltz — 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 3** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 3 — “An Act to Amend Chapter 3, Title 28, Delaware Code, Relating to Horse Racing.”

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, Grier, Hale, Hart, Hickman, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele — 13.

NAYS: Messrs. Elliott, Isaacs, Robbins — 3.

NOT VOTING: Mr. Cicione — 1.

ABSENT: Messrs. Foltz and 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 for concurrence.

The Chair presented the following House Concurrent Resolution which was given first reading by title only, entitled:

HCR 1 — “Providing that a Joint Session of the Senate and House of Representatives Be Convened to Hear the Governor’s Annual Budget Message.”

Senator duPont moved that Rule 9 be suspended for the purpose of considering **HCR 1**.

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, Grier, Hale, Hart, Hickman Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 18.

ABSENT: Mr. Foltz — 1.

So the question was decided in the affirmative and the motion, having received the required constitutional majority, was 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, McCullough, Robbins, Schlör, Slawik, Steele — 18.

ABSENT: Mr. Foltz — 1.

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

Senator duPont announced the following appointments to the Interstate Cooperation Commission: Senators Cook, Hale and Manning.

Senator duPont announced the following appointments to the Joint Constitution Revision Committee: Senators Manning (Chairman), Castle, Foltz and Robbins.

Senator Grier moved that the Senate adjourn until Thursday, January 14 at 1:30 P.M. Hearing no objection, the motion prevailed and the Senate adjourned at 5:05 P.M.

3RD LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:30 P.M. on January 14, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Godfrey.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

PRESENT: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, Schlör, Slawik, Steele — 15.

ABSENT: Messrs. Foltz, Hart, McCullough, Robbins — 4.

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 introduced **SB 22**, co-sponsored by Senator Slawik, which was given its first reading by title only, entitled:

SB 22 — "An Act Concurring in the Proposed Amendment to Articles III and XV of the Constitution of the State of Delaware to Abolish the Office of Coroner." Assigned to the Joint Committee on Constitutional Revision.

Senator Steele introduced **SB 23** which was given its first reading by title only, entitled:

SB 23 — "An Act to Amend Part VII, Title 16 of the Delaware Code Requiring the Use of Safety Glazing Materials in Hazardous Locations in Residential, Commercial or Public Buildings as a Means of Protecting the Public Against Death and Injury Caused by Splintered Glass." Assigned to Committee on Health and Social Services.

Senator Elliott introduced **SB 24** which was given its first reading by title only, entitled:

SB 24 — "An Act to Amend Subchapter 1, Chapter 10, Title 14 of the Delaware Code Relating to School Districts Operating Cooperatively with School Districts of Another State." Assigned to Committee on Education.

Senator Elliott introduced **SB 25** which was given its first reading by title only, entitled:

SB 25 — "An Act to Effectuate the Statutory Dedication of a Certain Railroad Crossing in Sussex County to the State of Delaware for Use of Same by the Highway Department as a Public Crossing." Assigned to Committee on Community Affairs.

Senator Manning introduced **SB 26**, co-sponsored by Senator Slawik, which was given its first reading by title only, entitled:

SB 26 — “An Act Agreeing to a Proposed Amendment to the Constitution of the State of Delaware.” Assigned to the Joint Committee on Constitutional Revision.

Senator Robbins introduced **SB 27** which was given its first reading by title only, entitled:

SB 27 — “An Act Amending Title 7, Subchapter 11, Delaware Code, as it Pertains to the Sale or Lease of Subaqueous Lands.” Assigned to Committee on Natural Resources and Environmental Control.

Senator Elliott introduced **SR 8**, co-sponsored by Senators Cicione and Isaacs, entitled:

SR 8 — “In Reference to Rules of the Delaware State Senate.”

Senator Elliott moved that roll call on **SR 8** be tabled. Hearing no objection, the motion prevailed.

Senator Isaacs introduced **SB 28** which was given its first reading by title only, entitled:

SB 28 — “An Act to Amend Subchapter LIII, Chapter 8, Title 11 of the Delaware Code, Providing That Persons Who Are Not *Bona Fide* Currently Registered Students, Staff or Faculty of the University of Delaware, or Any Other State-supported College, University or Public School, and Who Have No Apparent Lawful Business to Pursue at the Institution, or Who Are Acting in a Manner Disruptive of or Disturbing to the Normal Educational Functions of the Institution, May Be Denied Access to the Buildings or Grounds Thereof.” Assigned to Committee on Judiciary and Elections.

Senator duPont introduced **SR 9**, entitled:

SR 9 — “In Reference to Payment of Lease for MT/ST for the Delaware State Senate.”

Senator duPont moved that **SR 9** 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, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele — 16.

ABSENT: Messrs. Foltz, Hickman, McCullough — 3.

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

Senator Elliott introduced **SB 29** which was given its first reading by title only, entitled:

SB 29 — “An Act to Amend Title 29 of the Delaware Code, Providing for Autopsy Reports and Release of Remains of Deceased to the Immediate Family.” Assigned to Committee on Judiciary and Elections.

Senator Cicione introduced **SB 30**, co-sponsored by Senators Hart, Slawik, Cook, Schlör, Manning, Isaacs, Hickman, Conner, Elliott, Holloway, Grier, Hale, Castle, which was given its first reading by title only, entitled:

SB 30 — “An Act Appropriating Funds for Education and Training of Children of Delaware State Police Officers Killed in the Line of Duty and of Delaware State Police Officers who Died from Disease, Wounds or Disabilities Resulting from Police Work.” Assigned to Committee on Finance.

Senator Cicione introduced **SB 31**, co-sponsored by Senator Holloway, which was given its first reading by title only, entitled:

SB 31 — “An Act to Amend Chapter 9, Title 20 of the Delaware Code, Making it Illegal for Any Cemetery or Memorial Park to Refuse to Inter the Remains of Any Member of the Armed Forces of the United States or Any Veteran of the Armed Forces of the United States who Actively Served and Received an Honorable Discharge.” Assigned to Committee on Executive.

Senator Slawik introduced **SB 32** which was given its first reading by title only, entitled:

SB 32 — “An Act to Amend Title 15, Delaware Code, by Providing for the Conducting of Presidential Primary Elections in Presidential Election Years, to Amend Said Title 15, Insofar as Inconsistent Herewith, and to Repeal Title 15, Delaware Code, Section 3114.” Assigned to Committee on Judiciary and Elections.

Senator duPont, on behalf of the Committee on Executive to whom had been referred **SB 20**, reported the same back to the Senate: 6 Favorable.

Senator duPont, on behalf of the Committee on Executive to whom had been referred **SJR 1**, reported the same back to the Senate: 6 Favorable.

Senator Slawik moved that Rule 9 be suspended for the purpose of considering **SJR 1**.

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, Grier, Hale, Hart, Isaacs, (Mrs.) Manning, Schlör, Slawik, Steele — 14.

ABSENT: Messrs. Foltz, Hickman, Holloway, McCullough, Robbins — 5.

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

Senator Slawik moved that **SJR 1** which was given its second reading by title only, be adopted.

SJR 1 — “Extending Best Wishes for Success to Warren J. Gehrt on His Appointment as Superintendent of the Hospital for the Mentally Retarded.”

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, Holloway, Isaacs, (Mrs.) Manning, Schlör, Slawik, Steele — 15.

ABSENT: Messrs. Foltz, Hart, (Mrs.) Manning, Robbins —

4.

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 duPont, on behalf of the Committee on Executive to whom had been referred **SCR 4**, reported the same back to the Senate: 4 Favorable.

Senator duPont, on behalf of the Committee on Executive to whom had been referred **SJR 2**, reported the same back to the Senate: 5 Favorable.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred **SB 8**, reported the same back to the Senate: 5 Favorable.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred **SB 19**, reported the same back to the Senate: 4 Merits.

Senator duPont, on behalf of the Committee on Executive to whom had been referred **SCR 4**, reported the same back to the Senate: 4 Favorable.

Senator duPont, on behalf of the Committee on Executive to whom had been referred **SCR 3**, reported the same back to the Senate: 6 Favorable.

The President announced that the previous roll call on the temporary approval of **SR 5** on January 12, be made permanent. Hearing no objection, the Resolution was permanently adopted.

Senator Steele introduced **SB 33**, co-sponsored by Senator Isaacs, which was given its first reading by title only, entitled:

SB 33 — “An Act to Amend Title 29, Delaware Code, Chapter 80 by Creating a New Subsection Relating to the Powers and Duties of the Secretary of Natural Resources and Environmental Control to Make Grants for the Construction of Water Pollution Control Facilities.” Assigned to Committee on Natural Resources and Environmental Control.

On motion of Senator Elliott, the roll call on **SR 8** was lifted.

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

YEAS: Messrs. Castle, Cicone, duPont, Elliott, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, Schlor, Slawik — 12.

NAYS: Messrs. (Mrs.) Conner, Cook, Robbins, Steele — 4.

ABSENT: Messrs. Foltz, Hickman, McCullough — 3.

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

Senator Holloway introduced **SR 10**, entitled:

SR 10 — “Commemorating the Birth Date of the Late Reverend Martin Luther King, Jr.”

WHEREAS, January 15, 1971 A.D. is the date commemorating the birth of the late Reverend Martin Luther King, Jr.; and

WHEREAS, the Reverend Martin Luther King, Jr. was a man possessing the qualities of courage, vision, compassion, and forthrightness; and

WHEREAS, the Reverend Martin Luther King, Jr. was revered by people of all races and creeds throughout the world, and in particular by the Black People of his native land, the United States of America; and

WHEREAS, the Reverend Martin Luther King, Jr., in his leadership role on this earth had a beautiful dream of men of all faiths and colors living together side-by-side in a spirit of unity and love; and

WHEREAS, the Reverend Martin Luther King, Jr. was not permitted — as the result of his untimely death by an assassin's bullet in April 1968 A.D. — to see his dream fulfilled; and

WHEREAS, the members of the 126th General Assembly wish to mark the anniversary of the Reverend Martin Luther King, Jr. in a quiet, solemn and reflective mood.

NOW THEREFORE,

BE IT RESOLVED that the members of the Senate of the 126th General Assembly of the State of Delaware observe a moment of silence in the memory of the man, the Reverend Martin Luther King, Jr., and of his hopes and dreams of a peaceful life for all mankind; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Mrs. Martin Luther King, Jr. and her family.

Senator Holloway moved that **SR 10** 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, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlor, Slawik, Steele — 16.

ABSENT: Messrs. Foltz, Hickman, McCullough — 3.

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

Pursuant to **SR 10**, the Presiding Officer of the Senate called for a moment of silence.

Senator Cicione, on behalf of the Committee on Labor and Industrial Relations to whom had been referred **SCR 2**, reported the same back to the Senate: 3 Favorable; 4 Merits.

Senator Manning moved to amend the Senate Rules to change the required number of Backed Copies of Bills from 13 to 11. Hearing no objection, the motion prevailed.

Senator duPont introduced **SR 11**, entitled:

SR 11 — "Authorizing the Legislative Council to Furnish Postage for the First Session of the 126th General Assembly."

Senator duPont moved that **SR 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, Grier, Hale, Hart, Holloway, Isaacs, Robbins, Schlör, Slawik, Steele — 15.

ABSENT: Messrs. Foltz, Hickman, (Mrs.) Manning, McCullough — 4.

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

Senator Cook introduced **SCR 5**, co-sponsored by Senator Robbins, entitled:

SCR 5 — "Relative to the Department of Highways and Transportation Delaying Further Action of the Frederica to Camden By-pass."

Senator Cook moved that **SCR 5** be tabled. Hearing no objection, the motion prevailed.

Senator Grier moved that the Senate recess until Wednesday, January 20, 1971 at 12:30 P.M. Hearing no objection, the motion prevailed and the Senate recessed at 3:20 P.M.

The Senate reconvened at 12:50 P.M., Wednesday, January 20.

Senator Grier moved that the Senate adjourn until Wednesday, January 20 at 12:50 P.M. Hearing no objection, the motion prevailed and the Senate adjourned at 12:50 P.M.

4TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 12:50 P.M. on January 20, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Godfrey.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were 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 following message was read from the House:

Mr. President:

The House wishes to inform the Senate that it has passed **HCR 2** and **HJR 2** and requests the concurrence of the Senate.

Senator Steele introduced **SB 34** which was given its first reading by title only, entitled:

SB 34 — "An Act Making a Supplementary Appropriation in the Amount of \$60,000 to Delaware State College for Salaries." Assigned to Committee on Finance.

Senator Steele introduced **SB 35** which was given its first reading by title only, entitled:

SB 35 — “An Act to Validate a Bond Election Held in the Alexis I. duPont School District, Delaware.” Assigned to Committee on Finance.

At 12:55 P.M., Senator Grier moved the Senate recess to the call of the chair in order to reconvene in Joint Session with the members of the House to hear the Governor’s Budget Message. Hearing no objection, the motion prevailed.

JOINT SESSION

Representative Jarvis moved that the House and Senate convene in Joint Session. Hearing no objection, the motion prevailed.

Representative Jarvis moved that the Speaker of the House preside over the Joint Session. Hearing no objection, the motion prevailed.

Representative Jarvis moved that the Chief Clerk of the House and the Secretary of the Senate act as Secretaries of the Joint Session. Hearing no objection, the motion prevailed.

Representative Jarvis moved a committee be appointed by the Chair to escort the Governor to the House Chamber. Hearing no objection, the motion prevailed.

The Chair appointed the following committee to escort the Governor to the House Chamber: Representatives Murphy and Boulden, Senators Isaacs and Holloway.

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:

Mr. Speaker

Mr. President

Mr. President pro Tem

Ladies and Gentlemen of the 126th General Assembly

Members of the Cabinet

Fellow Delawareans:

I appear before you today to present my proposed operating and capital budgets for Fiscal 1972 and the Capital Improvements Program through 1977.

These Fiscal Programs are interrelated and coordinated to help us move towards the State goals we proposed a year ago. In my “Future of the State” message last week, I discussed in depth our goals, our plans for reaching them, and the substantial progress to date.

What counts most are results per taxpayer dollar. We need the most efficient organization possible. We must also wage a continuing war on waste and constantly evaluate our results. These requirements were uppermost in my mind in drafting the proposals I offer today.

Recommended operating expenditures for the coming year total \$263.9 million, an increase of 8.7 per cent over the \$242.8 million presented a year ago.

We started the current fiscal year with a General Fund balance of \$5.7 million and expect to end this year with a balance of \$7.7 million.

The \$7.7 million balance, plus \$260 million in General Fund revenue as estimated by the Governor's Advisory Council (Chart 1), will leave us with an estimated cash balance of \$3.8 million at the end of Fiscal 1972.

The proposed Capital Budget for Fiscal 1972 is \$55.1 million, and the six-year Capital improvements Program amounts to \$363 million.

The Fiscal 1972 Operating Budget is the first that has been prepared under the new Cabinet Form of Government. We have used a new approach that I believe has resulted in a better and more realistic plan.

Each Secretary was allocated a tight basic figure. Then he was asked to review his operations carefully, eliminating all unnecessary functions and developing a proposal within the allocated figure.

The next step was to have each Secretary list by priority the additional programs he considered important to reaching our goals. Comparing all priorities to each other, to available funds and to our goals, I reached my decision on which programs to include in the proposed budget.

This approach, coupled with the General Assembly's review procedures, will result in a better and more meaningful budget.

You will note that my proposal does not blaze any major new trails. As I said last week, the time has come to evaluate, to clear and widen the paths we have opened in the past two years.

Here is how I recommend we allocate our spending in Fiscal 1972:

\$148.6 million towards improving Education, \$47.3 million for improving Health and Welfare Services, \$21.8 million for reducing crime, \$26.5 million for better highways, and \$19.7 million for other services. (Chart 2)

The proposed Budget continues to provide appreciably more for Education than for all other activities combined. Next year, we suggest spending \$148.6 million as compared to \$133.2 million in the current year.

In each of the past four years, funds for Education constituted approximately 54 per cent of the General Fund Budget. In Fiscal 1972, Education's share will rise to 56.4 per cent. (Chart 3)

In addition, the Capital Budget for Public Education provided \$2.4 million for capital items with a life over 10 years. Approximately the same amount for similar capital items for other Departments was also included in the Capital Budget. These items were formerly in the Operating Budget.

As one result, the total unit allotment for non-salary expenses, the so-called Division II Type, has been raised to \$1,215. This compares to \$1,050 per unit this year, an increase of over \$1 million. These additional funds will help assure proper maintenance to protect our multi-million dollar investment in School Buildings.

The Operating Budget also includes \$1.3 million to begin establishing comprehensive Occupational—Vocational Programs in every High School, and \$3.4 million for salary increases for Public School teachers and staff.

During the past two years, \$3.5 million of State funds have been provided for the first time to equalize Educational Opportunity. In 1972, we recommend adding \$300,000 more for that purpose.

Thus the State in three years will have taken a long step toward helping the less affluent School Districts offer their students Educational Opportunities equal to those offered by the more affluent Districts. We must do even more in future years.

The needs of our three institutions of Higher Education — University of Delaware, Delaware State College, and the Delaware Technical and Community College — continue to grow.

With more High School graduates wishing to continue their education, and with a greater variety of Educational Opportunities now being offered, the pressure for more funds is great. For example, the total costs of Delaware Technical and Community College, established in 1968 under the leadership of Governor Charles L. Terry, Jr., will have grown to approximately \$4.7 million in Fiscal 1972.

Over the past three years, the State has increased its appropriation for Higher Education by 70 per cent, or by approximately \$10 million. I recommend we add another \$3 million, bringing the total to \$26 million next year.

To help meet the need for more Doctors and medical personnel, we established last year the Delaware Institute of Medical Education and Research, a joint effort of the University of Delaware, the Wilmington Medical Center, the Jefferson Medical School and the State. This program is moving well and promises to have a great impact on improving the quality of medical services in Delaware. We are budgeting \$1.5 million for this effort next year, an 87 per cent increase.

My 1972 Capital Budget provides \$12.1 million for Education. Some of the projects are:

\$2.8 million for a new Newark Middle School; \$1.5 million for an addition to Warner Middle School; \$2.3 million for Delcastle Vocational High School and Kent County Vocational High School; \$300,000 to design a Vocational Technical School for the Howard Educational Park; \$280,000 to design the Suburban Campus of the Northern Branch of the Technical and Community College; \$150,000 for design of a new library at Delaware State College; and \$200,000 for design of a Campus for the University of Delaware's College of Marine Studies at Lewes.

Over the next six years, the capital improvements program recommends \$92 million for Primary, Secondary and Vocational—Educational School Building construction, and \$53 million for Higher Education.

During the coming year, we will also continue our efforts to economize and get maximum results from taxpayers' dollars spent for Education. I am looking forward to the report of the Action Force on School Construction Costs, which will recommend ways for substantial savings in this area of ever-increasing expense.

It is estimated that School construction costs nationally have been rising 18 per cent per year. In Delaware, it now takes 3½ to 4 years from planning to occupancy of a new School. The Action Force believes this can be cut to two years. If so, a School that costs \$6 million under the present procedure would only cost \$5 million, a saving of \$1 million.

Although we spend a lot of time talking about how much money goes into Education, we don't spend enough time talking about results. Yes, we need much more accountability in education. This year, as National Chairman of the Education Commission of the States, I have the opportunity to participate in a nation-wide study of Accountability. The approaches being developed in that study should be extremely helpful to us in Delaware as we work to measure the quality of our Education.

During the past year, I have visited our General and Mental Hospitals, our needy neighborhoods and the homes of welfare recipients and the working poor. I have talked to hundreds of people at Town Hall Meetings and Citizens' Hours, and received many, many letters. This has increased my appreciation of the need for more Health and Related Services.

Responding to this need, next year's budget earmarks \$193,000 to add 33 employees to staff the new wing being opened at The Charles L. Terry Jr. Children's Psychiatric Center; \$92,000 to open and staff a new Mental Health Center in Northern New Castle County; \$80,000 for 20 more employees at the Hospital for the Mentally Retarded; \$155,000 to open three more Community Service Centers at Southbridge and West Center City in Wilmington and the Seaford—Laurel Area; and \$100,000 for additional Drug Counselors, professional staff and Live-in Centers for victims of drug abuse.

The Delaware Adolescent Program is attracting national attention for its success in helping young unwed mothers to stay in School and to keep from having other illegitimate children. Of approximately 250 children helped in the past two years, 95 per cent have returned to School. Less than 1 per cent have had a second pregnancy. I am recommending \$100,000 for this program again next year.

Last week, I discussed in detail our rapidly rising Welfare costs and the need for a new approach to solve the problem. In the report that will be distributed to you at the conclusion of my remarks today, you will find a chart showing this growth in the

past four years. (Chart 4) It emphasizes the need for a new approach.

Escalating costs for indigent patients continue to strain the financial structures of our Hospitals. The State has increased its Hospital support from \$800,000 from Medicaid in Fiscal 1968 to a recommended \$3.5 million from Medicaid and Direct Grants in Fiscal 1972. (Chart 5) I plan to work with other levels of Government and with the Hospitals to seek a more adequate solution to this problem.

The State also offers low-interest Construction Loans to Hospitals. Since 1968, a total of slightly over \$6 million has been loaned by the State to five Hospitals — Milford, Nanticoke, Beebe, Riverside and Kent General — to assist in Construction Projects.

Last week I mentioned that the 1972 Capital Budget will include \$2 million for a new Admissions and Research Building at Delaware State Hospital and \$1.9 million for completion of Cottage Construction at the Hospital for the Mentally Retarded. In addition, next year's Capital Budget will provide \$600,000 towards construction of a Health and Service Center in Dover, and \$400,000 to furnish and equip 10 new cottages at Governor Bacon Health Center. With completion of these projects, the Hospital for the Mentally Retarded and Governor Bacon Health Center will be fully rebuilt.

The Capital Improvements Program commits approximately \$28 million during the next six years for further improvements and additions to Health and Social Service Facilities, including Community Service Centers in Georgetown, Dover and Wilmington.

As I pointed out in my "Future of the State" message, Delaware has a vital stake in striking a sound balance between the conservation and proper development of our Natural Resources.

One important step is for the State to acquire ownership of key areas. I am recommending that \$23 million in Capital Funds be spent during the next six years — including \$4 million in 1972 — for the acquisition of such areas. The \$4 million will be matched with over \$1 million in Federal money to protect the critical lands so vital to our State.

Another goal is to clean up virtually every major stream in Delaware by 1978. Towards this end, we authorized \$4 million this year to help local Governments improve sewage facilities. I am recommending another \$4 million in Fiscal 1972.

The six-year Capital Improvements Program calls for a total of \$22 million for this Program. Completion of these projects will mean that 90 per cent of the people of Delaware will be served by sewage facilities providing at least 90 per cent treatment. I am told we would be the first State in the nation to accomplish this.

Reducing crime is another key goal. Charts attached to my report show the substantially increased commitment we have made in areas of Police, Courts and Corrections. (Charts 6, 7 and 8) Next year's proposed Budget will provide approximately \$1.8

million more for bolstering Court Staffs, adding more Deputies to the Attorney General's and Public Defender's Offices, fully staffing the new Parole Board and staffing the new prison at Smyrna.

Also, Educational funds of approximately \$400,000 — more than double this year's allocation — will pay for improved instruction of youths in the Division of Juvenile Corrections.

Capital spending next year in this area will include \$1 million for construction of a Diagnostic—Infirmary—Security Complex at Ferris School and \$650,000 for a new State Police Station in the Rehoboth Beach area.

To meet the challenge presented by the severe housing shortage, I am recommending \$12 million over the next six years for construction of low and moderate income housing. As I said last week, I am also proposing that \$3 million from Divestiture Funds be added to the existing \$5 million Revolving Fund that helps non-profit corporations construct low and moderate income housing.

Ten million dollars in Capital Funds also is recommended next year for the State Office Building in the Wilmington Civic Center. The project not only will help assure the success of the Center but is expected to provide substantial savings in rental costs by consolidating State Offices at the new location.

The 1972 Capital Budget contains \$10 million for Highway Construction. The Department of Highways and Transportation has a backlog of over \$60 million in unspent funds. When this backlog is reduced, a greater commitment of new funds will be made to highway construction.

The six-year Capital Program included \$87 million for meeting critical highway needs in the State.

I am also recommending \$300,000 to totally renovate the Wilmington Inspection Lanes in order to better serve the citizens in Northern New Castle County. We had previously planned to spend \$1 million to build an entirely new facility. But major changes in the management and operation of the existing Lanes have so markedly increased their efficiency, and thus their capacity, that a new building is not needed. Complaints about spending long hours in inspection lines, complaints about inconvenient hours and poor service, have virtually ended.

The Motor Vehicle Inspection Lanes are now being operated to serve the *public* instead of the *employees*.

These Fiscal programs are designed to solve our pressing needs. The 1972 Capital Budget, for example, allocates 22 per cent to Education, 10 percent for Health and Social Services, 16 per cent for Natural Resources and Environmental control, and 18 per cent for Highways.

It is my firm belief that careful implementation of the 1972 Operating and Capital Budgets and the Capital Improvements Program will greatly accelerate the State's progress in achieving its goals while increasing the quality of services to the people of Delaware.

Now let's look at our Debt Service. For years, the State's debt had been growing rapidly. Each year the funds needed to pay the principal and interest on our loans — the Debt Service — kept taking increasingly larger bites from our Operating Funds. In fact by 1969, 20 cents out of every General Fund dollar went to pay off our debts.

Furthermore, we had new buildings but we couldn't afford to hire enough people to run them properly.

In my Budget Message last year, I promised to stop this excessive growth in debt. Accordingly, I set a Debt Service limit of 20 per cent of the previous year's General Fund revenue, which kept the debt well below the previously established legal ceiling.

Further analysis has convinced me that even stricter controls are required and that we should as soon as possible limit our Debt Service to no more than 17.5 per cent of the revenue.

The Capital Improvements Program I present today is geared to this control.

Meanwhile, we will continue working diligently to improve the operation and efficiency of State Government through every means at our command.

We will insist on good management procedures. Reorganization of the former State Tax Department, now the Division of Revenue, is just one example of what can be done. Because the General Assembly last year beefed up the Department's Field Auditing Staff, the State collected nearly \$1.3 million in taxes that would not have been collected otherwise.

The Federal Government's decision on the issue of Revenue Sharing will have great impact in Delaware and in all States. President Nixon's Revenue-Sharing proposal is sound and it is needed. Many States are in a financial crisis and desperately need help now. While Delaware is not one of those, Revenue-Sharing would be a tremendous help to us in reaching our goals. I will continue working for adoption of that concept.

But Revenue-Sharing would not relieve us of our responsibility to keep striving for the most effective government for the people of Delaware.

The Economy Drive has been and will remain the backbone of this effort. We have so far squeezed \$8.6 million worth of waste and inefficiency out of our Governmental operations. This has enabled us to provide \$8.6 million more in services without a tax increase. We're going to keep right on going!

* * * *

Now the time has come for the Executive Branch to transmit its fiscal plans to the Legislative Branch. We do so with confidence that your fair and conscientious scrutiny will improve these proposals. While they are buttressed with considerable detail, we stand ready to provide you with any other information needed to assist your deliberations.

I am proud of these proposals. They are realistic. They meet the increasing demand for services. They dovetail into a comprehensive vehicle to move us towards our goal of becoming a Model State.

We have met our responsibilities. And we have done so without the necessity of calling upon the people of Delaware for a tax increase.

Budgets of necessity are cold and lifeless. The accent is on figures, percentages and growth rates. But I'm sure that in your analysis you will see that I purpose putting more of our dollars on people and less on physical structures.

Building monuments of brick and mortar is comparatively easy. All that takes is money. But the monument for which we strive is to build a better quality life for all Delawareans. This monument requires bricks of dedicated service to the people, and the unifying mortar of understanding, hope, and faith in each other.

This task is more difficult and challenging. But the rewards are infinitely greater.

The 125th General Assembly, and through them the people of Delaware, responded magnificently to this challenge by carving out new programs and new frontiers. I am confident that you too will respond to the less glamorous but vital challenge to refine and evaluate those programs in order to ensure that we will continue moving toward our goals.

And let us never lose sight of the need for increasing involvement of thousands of Delawareans, especially our youth, and for a dynamic partnership for progress between Federal, State and Local Governments.

Great tasks require great commitments. If we join our strengths and our talents, in mutual trust and good will, we must succeed.

* * * * *

Representative Jarvis moved that the previously named committee escort the Governor from the Chamber.

Representative Jarvis 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.

Representative Jarvis moved the two Houses now separate to reconvene in their respective chambers. Hearing no objection, the motion prevailed and the Joint Session adjourned at 1:40 P.M.

The Senate reconvened at 3:30 P.M.

Senator duPont introduced **SR 12** entitled:

SR 12 — "In Reference to Election of Officers."

Senator duPont moved that **SR 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, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Slawik, Steele — 16.

NOT VOTING: Mr. Cicione — 1.

ABSENT: Messrs. Hickman and Schlör — 2.

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

Senator Elliott introduced **SB 36** which was given its first reading by title only, entitled:

SB 36 — “An Act to Amend Section 1318, Title 14, Delaware Code, Relating to Sick Leave Provisions for School Employees by Providing Terminal Pay for Unused Sick Leave Time.” Assigned to Committee on Finance.

Senator Manning introduced **SCR 6**, co-sponsored by Senator Robbins, entitled:

SCR 6 — “Appropriating Money out of the General Fund of the State Treasury to Pay Certain Expenses of the Legislative Building Committee of the First Session of the 126th General Assembly.”

Senator Manning requested that **SCR 6** be stricken from the calendar. Hearing no objection, the motion prevailed.

Senator Holloway introduced **SR 13**, co-sponsored by Senators Cook, duPont, Grier, Hale, Hart, Manning, Robbins and Steele, entitled:

SR 13 — “Showing Appreciation to Retiring Public Service Commission Chairman William D. Guthrie for Eighteen (18) Months of Dedicated Service.”

Senator Holloway moved that **SR 13** 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, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 18.

ABSENT: Mr. Hickman — 1.

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

Senator Schlör introduced **SB 37**, co-sponsored by Senators Cook and Isaacs, which was given its first reading by title only, entitled:

SB 37 — “An Act to Amend Section 3904, of Chapter 1 of Title 18, Delaware Code, by Striking Section 3904, and Inserting a New Section 3904 Providing Reasons for Cancellation of a Casualty Insurance Policy.” Assigned to Committee on Highways, Transportation and Insurance.

Senator Cicione introduced **SB 38**, co-sponsored by Senators Isaacs and Hart, which was given its first reading by title only, entitled:

SB 38 — “An Act to Amend Chapter 43, Title 29 of the Delaware Code Regarding the Appointment of Notaries Public for Certain Service Organizations.” Assigned to Committee on Judiciary and Elections.

Senator duPont introduced **SB 39** which was given its first reading by title only, entitled:

SB 39 — “An Act to Amend Section 126, Title 10 of the Delaware Code, with Respect to Qualification for Office of Deputy Administrator for Justices of the Peace.” Assigned to Committee on Executive.

Senator duPont introduced **SB 40** which was given its first reading by title only, entitled:

SB 40 — “An Act Making an Appropriation to the Historical Society of Delaware.” Assigned to Committee on Finance.

Senator Elliott introduced **SB 41**, co-sponsored by Senators Isaacs, Hart and Robbins, which was given its first reading by title only, entitled:

SB 41 — “An Act to Amend Chapter 25 of the Delaware Code, Pertaining to the Contractors’ License Requirements and Taxes, and Providing an Increase in the Reduction from Gross Receipts before Computing Said Fee.” Assigned to Committee on Finance.

Senator Hickman introduced **SB 42** which was given its first reading by title only, entitled:

SB 42 — “An Act Making a Supplementary Appropriation to the Department of Highways and Transportation for the Purpose of Correcting the Drainage Problem Created During the Construction of State Highway Route No. 14 and to Overcome Frequent Flooding due to Tidewater Backup.” Assigned to Committee on Finance.

Senator Hickman introduced **SB 43** which was given its first reading by title only, entitled:

SB 43 — “An Act to Amend an Act Entitled “An Act to Incorporate the Town of Ocean View in Sussex County, Delaware”, Being Chapter 649, Volume 18, Laws of Delaware, as Amended, Relating to the Annual Salary Paid to Members of the Town Council and Penalty for the Late Payment of Taxes.” Assigned to Committee on Community Affairs.

Senator Conner introduced **SB 44**, co-sponsored by Senators Castle, Cicione, Cook, duPont, Elliott, Foltz, Grier, Hart, Holloway, Manning, McCullough, Robbins and Slawik, which was given its first reading by title only, entitled:

SB 44 — “An Act Making a Supplementary Appropriation from the General Fund of the State in the Amount of \$47,000 to the Crippled Children’s Section of the Division of Maternal, Child and Crippled Children’s Services of the Division of Physical Health of the Department of Health and Social Services.” Assigned to Committee on Finance.

Senator Schlör introduced **SR 14**, entitled:

SR 14 — “That the Senate of the 126th General Assembly Consider Reapportionment as Its First Order of Business.”

Senator Steele moved that **SR 14** 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, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Isaacs, Steele — 11.

NAYS: Messrs. Cook, Holloway, Robbins, Schlör, Slawik — 5.

NOT VOTING: Mr. McCullough — 1.

ABSENT: Mr. Hickman and (Mrs.) Manning — 2.

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

Senator Steele introduced **SB 45**, co-sponsored by Senator Hale, which was given its first reading by title only, entitled:

SB 45 — “An Act to Amend Chapter 1, Subchapter 1, Title 14, Delaware Code Relating to State Board of Education Composition, Organization and Administration.” Assigned to Committee on Education.

Senator Manning introduced **SCR 7**, co-sponsored by Senator Robbins, entitled:

SCR 7 — “Appropriating Money out the the General Fund of the State Treasury to Pay Certain Expenses of the Legislative Building Committee of the First Session of the 126th General Assembly.”

Senator Manning moved that **SCR 7** 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, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele — 17.

NOT VOTING: Mr. McCullough — 1.

ABSENT: Mr. Hickman — 1.

So the question was decided in the affirmative and the Resolution, having received the required constitutional majority, was adopted by the Senate and ordered to the House for concurrence.

Senator duPont introduced **SB 46** which was given its first reading by title only, entitled:

SB 46 — “An Act Amending Title 29, Sections 903 and 904, Delaware Code, Relating to the Appointment and Duties of the Bill Clerks, and Abolishing the Passed Bills Committee.” Assigned to Committee on Executive.

The Secretary read the following message received from the House.

January 20, 1971

Mr. President:

The House wishes to inform the Senate that it has passed **SCR 1** and is returning same to the Senate.

The Chair presented the following House Joint Resolution which was given first reading in full, as follows:

HJR 2 — "In Memory of Delawareans Dr. James M. Chase, David Gamberg, Turner B. Hastings, Mathew E. Mitten, and James G. Smith, Jr. Who Died in a Plane Crash in Vermont."

WHEREAS on January 16, 1971 A.D., the lifeless bodies of five prominent Dover men and the wreckage of the small plane in which they crashed were found on a desolate Vermont mountainside; and

WHEREAS the loss of these five beloved individuals has cast a pall over the whole State of Delaware and, in particular, the community in which they lived, and

WHEREAS, the feelings of hundreds of Delawareans who were friends of one or more of the crash victims seem to be expressed best in the words of Dover resident, Al Hedgecock, a friend of all five: "In the fourteen years I have been a Delawarean, I can think of no greater blow at the vitals of this area than that which happened last Friday on a snowy hillside in Vermont to five of the most forceful young leaders of our community. They were bound together in a love of sports and the great outdoors. Several were key movers in the industries and employment they developed. One was rapidly becoming the most widely respected area physician of his generation. Several were responsible for the beginning of the Rehoboth Beach Sailing Club and the new Indoor Tennis Association. All were interested in young people and the future of their city. Matt Mitten, Jimmy Smith, Turner Hastings, Jim Chase, Dave Gamberg. The toll sounds incredible. And to the families and many friends they leave behind, it is...! These were bold men, in ideas and works. And they were friends. . .to each other, and to me. . .and to you. They will be gravely missed. But marks of their boldness will be evident to all of us for many years." and

WHEREAS, the members of the 126th General Assembly and the Governor of Delaware wish to express their sorrow over the loss of these five gentlemen who contributed so much in so many ways during their days on this earth.

NOW, THEREFORE:

BE IT RESOLVED that the members of the 126th General Assembly and the Governor of Delaware extend their deepest sympathies to the families and friends of the Messrs. Jim Chase, Dave Gamberg, Turner Hastings, Matt Mitten, and Jimmy Smith, and

BE IT FURTHER RESOLVED that the text of this Resolution be spread upon the Journals of both the Senate and House of Representatives of the 126th General Assembly and that copies of this resolution be sent to the families of each of the five men herein remembered respectfully and prayerfully.

Senator Foltz moved that Rule 9 be suspended for the purpose of considering **HJR 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, 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, having received the required constitutional majority, was 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 and ordered to the House.

The Chair presented the following House Current Resolution which was given its first reading by title only, entitled:

HCR 2 — "Memorializing the Congress of the United States to Call a Constitutional Convention for the Purpose of Proposing a Constitutional Amendment Providing for a Return of Tax Monies from the Federal Government to the Several States."

Senators Foltz, Robbins and Cook requested that their names be added as honorary co-sponsors of the Resolution.

Senator Manning requested the privilege of the floor for Representative George C. Hering, III, to explain **HCR 2**. Hearing no objection, the privilege was granted.

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, Hale, Hickman, Holloway, (Mrs.) Manning, Schlör — 9.

NAYS: Messrs. Cicione, Elliott, Foltz, Hart, Isaacs, McCullough, Robbins, Slawik, Steele — 9.

ABSENT: Mr. Grier — 1.

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

Senator Cook introduced **SB 47** which was given its first reading by title only, entitled:

SB 47 — "An Act to Amend Chapter 23, Title 6, Delaware Code, by Providing for a Rate of Interest Not in Excess of Six (6) Per Cent Per Annum." Assigned to Committee on Finance.

On motion of Senator Castle, **SB 19** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 19 — “An Act to Amend Chapter 175, Volume 52, Laws of Delaware, Being an Act Entitled “An Act to Authorize the Mayor and Council of the City of Wilmington to Issue Negotiable Bonds and Notes for Lawful Purposes and to Provide for Their Payment.”

Senator Castle moved that roll call on **SB 19** be tabled. Hearing no objection, the motion prevailed.

On motion of Senator Isaacs **SJR 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SJR 2 — “Extolling the Championship Middletown High School Football Team and Its Coach, Bill Billings.”

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, Gale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele — 17.

ABSENT: Messrs. Grier and McCullough — 2.

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

On motion of Senator Isaacs, **SB 20** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 20 — “An Act to Amend Chapter 7, Title 29, Delaware Code, by Adding thereto a New Section 710 Permitting the General Assembly to Request Judicial Opinions from the Supreme Court 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, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, Robbins, Schlör, Slawik, Steele — 15.

NOT VOTING: Mrs. Conner and Mrs. Manning — 2.

ABSENT: MR. Grier and 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 for concurrence.

Senator Steele introduced **SB 48** which was given its first reading by title only, entitled:

SB 48 — “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 Therefore and Appropriating the Monies to Various Agencies of the State.” Assigned to Committee on Finance.

Senator Isaacs requested that **SCR 4** be stricken from the calendar. Hearing no objection, the motion prevailed.

On motion of Senator Holloway, **SCR 3** was taken up for consideration in order to pass the Senate.

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, Schlor, Slawik, Steele — 17.

ABSENT: Messrs. Grier and McCullough — 2.

So the question was decided in the affirmative and the Resolution, having received the required constitutional majority, was adopted by the Senate and ordered to the House for concurrence.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred **SB 18**, reported the same back to the Senate: 5 Merits; 1 Unfavorable.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred **SB 25**, reported the same back to the Senate: 6 Favorable.

Senator duPont moved that the Senate adjourn until Thursday, January 21 at 1:30 P.M. Hearing no objection, the motion prevailed and the Senate adjourned at 5:10 P.M.

5TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:40 P.M. on January 21, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Godfrey.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, 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 Isaacs requested that **SCR 4** be stricken from the calendar. Hearing no objection, the motion prevailed.

Senator Elliott introduced **SB 49** which was given its first reading by title only, entitled:

SB 49 — "An Act to Reincorporate the Town of Blades." Assigned to Committee on Community Affairs.

Senator Steele introduced **SB 50** which was given its first reading by title only, entitled:

SB 50 — "An Act Making a Supplemental Appropriation to the Self-insurance Fund from the Capital Investment Fund." Assigned to Committee on Finance.

Senator Steele introduced **SB 51** which was given its first reading by title only, entitled:

SB 51 — "An Act Making a Supplemental Appropriation to the State Employees' Retirement Fund from the Capital Investment Fund." Assigned to Committee on Finance.

Senator Steele introduced **SB 52** which was given its first reading by title only, entitled:

SB 52 — “An Act Authorizing the Treasurer of the State of Delaware to Advance \$78,000 from the General Fund to the State Department of Public Instruction to Expedite the Completion of Necessary Water and Sewer Facilities for the H. B. duPont Middle School in the Alexis I. du Pont School District.”

Senator Steele moved that Rule 9 be suspended for the purpose of considering **SB 52**.

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, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Slawik, Steele — 16.

NAYS: Messrs. Foltz and Schlor — 2.

NOT VOTING: Mr. Isaacs — 1.

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

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, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele — 17.

NAYS: Mr. Foltz — 1.

NOT VOTING: Mr. Isaacs — 1.

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

Senator Steele introduced **SB 53** which was given its first reading by title only, entitled:

SB 53 — “An Act Authorizing the State of Delaware to Borrow Money to Be Used for Local Park Development and Park Land Acquisition Assistance and to Issue Bonds and Notes Therefor and Appropriating the Money Borrowed to the Department of Natural Resources and Environmental Control.” Assigned to Committee on Finance.

Senator Cicione introduced **SB 54**, co-sponsored by Senators Elliott, Isaacs and Slawik, which was given its first reading by title only, entitled:

SB 54 — “An Act to Amend Chapter 67, Title 25 of the Delaware Code with Reference to Leases of Rental Property by Members of the Armed Forces of the United States.” Assigned to Committee on Executive.

Senator Holloway introduced **SB 55** which was given its first reading by title only, entitled:

SB 55 — “An Act to Amend Chapter 5, Title 1, Delaware Code, Pertaining to the Designation of Legal Holidays.” Assigned to Committee on Executive.

Senator Cicione introduced **SJR 3**, co-sponsored by Senators Elliott, Isaacs and Slawik, which was given its first reading by title only, entitled:

SJR 3 — “Commending the American Rifles Association of the Delaware Army National Guard, Designating Said American Rifles Association as the Official Military Ceremonial Unit of the State of Delaware, and Urging Their Financial Support by the 128th General Assembly.” Assigned to Committee on Executive.

Senator Steele introduced **SB 35** which was given its first reading by title only, entitled:

SB 35 — “An Act to Validate a Bond Election Held in the Alexis I. duPont School District, Delaware.”

Senator Steele moved that Rule 9 be suspended for the purpose of considering **SB 35**.

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, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Slawik, Steele — 16.

NAYS: Messrs. Foltz and Schlor — 2.

NOT VOTING: Mr. Isaacs — 1.

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

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, Holloway, (Mrs.) Manning, Robbins, Schlor, Slawik, Steele — 16.

NAYS: Mr. Foltz — 1.

NOT VOTING: Messrs. Isaacs and 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 for concurrence.

Senator duPont, on behalf of the Committee on Executive to whom had been referred **SB 31**, reported the same back to the Senate: 4 Favorable; 1 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 35**, reported the same back to the Senate: 4 Favorable.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 42**, reported the same back to the Senate: 1 Favorable; 5 Merits.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred **SB 43**, reported the same back to the Senate: 1 Favorable; 5 Merits.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred **SB 21**, reported the same back to the Senate: 1 Favorable; 1 Unfavorable; 4 Merits.

Senator Manning, on behalf of the Joint Committee on Constitution Revision to whom had been referred **SB 22**, reported the same back to the Senate: 1 Favorable; 4 Merits.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred **SB 23**, reported the same back to the Senate: 3 Favorable, 3 Merits.

Senator Manning, on behalf of the Joint Committee on Constitution Revision to whom had been referred **SB 26**, reported the same back to the Senate: 5 Merits.

Senator Hale, on behalf of the Committee on Education to whom had been referred **SB 45**, reported the same back to the Senate: 2 Favorable, 3 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred **SB 38**, reported the same back to the Senate: 6 Favorable.

On motion of Senator Castle, the roll call on **SB 19** was lifted. Hearing no objection, the motion prevailed.

Senator Castle moved that the roll call on **SB 19** be tabled. Hearing no objection, the motion prevailed.

Senator Elliott moved that **HCR 2** be taken up for reconsideration.

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, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning — 12.

NAYS: Messrs. Foltz, Isaacs, McCullough, Robbins, Slawik, Steele — 6.

NOT VOTING: Mr. Schlör — 1.

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

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, (Mrs.) Manning, Schlör — 11.

NAYS: Messrs. Cicione, Foltz, Isaacs, McCullough, Robbins, Slawik, Steele — 7.

NOT VOTING: Mr. Hart — 1.

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

On motion of Senator Castle **SB 8** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 8 — "An Act to Amend Section 4974, Title 10, Delaware Code Relating to Place for Public Sale of Real Estate."

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, duPont, Grier, Hale, Holloway, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele — 11.

NAYS: Messrs. Cook, Foltz, Hickman, Isaacs, Robbins — 5.

NOT VOTING: Messrs. Cicione, Elliott, Hart — 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.

The Secretary read the following message which was received from the House.

Mr. President:

The House wishes to inform the Senate it has passed **SCR 3** and **SCR 7** and is returning same to the Senate.

Senator Grier moved that the Senate recess until Wednesday, January 27 at 1:30 P.M. Hearing no objection, the motion prevailed and the Senate recessed at 3:30 P.M.

Senator Grier moved that the Senate adjourn until 3 P.M., Wednesday, January 27. Hearing no objection, the Senate adjourned at 3 P.M.

6TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3 P.M., January 27, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Godfrey.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

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

ABSENT: Mr. Schlör -- 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 presented the following Resolution of the Council of the City of Wilmington and the reply he made to the President of the Council. Senator duPont moved that both the Resolution and the letter of reply be made part of the Record. Hearing no objection, the motion prevailed.

Wilmington, Delaware
January 14, 1971

WHEREAS, The Council of the City of Wilmington is desirous of encouraging and providing public aid to parochial schools; and

WHEREAS, the Diocese of Wilmington is burdened with the increasing cost of transportation, food, materials, building costs and teachers' salaries, recreational facilities; and

WHEREAS, the Board of Public Education in Wilmington is relieved of the responsibility of providing physical facilities, teachers, health and recreational facilities, food, transportation and school supplies and materials for a substantial part of our populace by reason of the Parochial School System assuming this burden.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON That the General Assembly enact legislation facilitating substantial public assistance to parochial schools in order to alleviate the hardships imposed upon the parochial school system of this City.

FURTHER RESOLVED That copies of this resolution be forwarded to the Governor, Speaker of House of Representatives and President Pro Tem of the Senate of the State of Delaware.

Passed by City Council, January 14, 1971

Approved as to form

January 11, 1971

ATTEST:(Signed) Leo J. Marshall

City Clerk

(Signed) Joseph Lichtenbaum
Assistant City Solicitor

January 26, 1971

Mr. William J. McClafferty, President
Council of the City of Wilmington
Wilmington City Building
Wilmington, Delaware

Dear Mr. President:

This will acknowledge receipt of Resolution NO. 71—007, passed by City Council on January 14, 1971. You may rest assured that I will have it read into the Senate Record at our next session, along with a copy of this letter.

It is interesting to note that the City Council is on public record of being in favor of public aid to Catholic Schools only, and not non-public schools. I am sure that you are aware of other religion affiliated schools, as well as private schools in or close to Wilmington, to which City residents send their children.

I was sorry to learn from the press this morning that the City Council did not take a similar, strong, public stand in reference to the City's Debt Ceiling. I hope that the Council will take this route regarding the search for new revenues or continuing the existing program.

In closing, I appreciate the Council's thinking on how to spend the state taxpayer's money and will look forward to its thinking on how to raise funds for the City.

Very truly yours,

(Signed) Reynolds duPont
President Pro Tem

RduP:bgv

Senator Cicione introduced **SB 56** which was given its first reading by title only, entitled:

SB 56 — “An Act Making a Supplementary Appropriation to the Veterans’ Pay Commission to Defray Reasonable Costs in Their Operation.” Assigned to Committee on Finance.

Senator Cicione introduced **SA 1** to **SB 31**.

Senator Cicione moved that **SA 1** be placed with **SB 31**. Hearing no objection, the motion prevailed.

Senator Slawik introduced **SB 57** which was given its first reading by title only, entitled:

SB 57 — “An Act Agreeing to a Proposed Amendment to the Constitution of the State of Delaware.” Assigned to Committee on Finance.

Senator Holloway introduced **SB 58** which was given its first reading by title only, entitled:

SB 58 — “An Act to Amend Title 29 of the Delaware Code by Adding Thereto a New Chapter, Providing for the Implementation of the Ombudsman Concept and the Creation of the Office of Citizens Assistance.” Assigned to Committee on Judiciary and Elections.

Senator Cicione introduced **SB 59**, co-sponsored by Senators Elliott, Foltz and Slawik, which was given its first reading by title only, entitled:

SB 59 — “An Act Compensating the Widows and/or Dependents of Delaware State Police Officers Killed as a Result of the Performance of Their Duties.” Assigned to Committee on Finance.

Senator Foltz introduced **SR 15** which was read in its entirety as follows:

SR 15 — “Relating to the Death of William C. Keller.”

WHEREAS, the Senate of the 126th General Assembly has learned with deepest regret of the fatal automobile accident which took the life of State Trooper William C. Keller; and

WHEREAS, William C. Keller served the State of Delaware as a State Trooper in a laudable capacity since first becoming a State Policeman on January 1, 1969; and

WHEREAS, William C. Keller was loved and respected by all who knew him, especially his peers and colleagues throughout the greater community of Dover; and

WHEREAS, the members of the Senate of the 126th General Assembly desire to express in this public manner their own feelings and sense of loss which is felt throughout the State of Delaware.

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 126th General Assembly of the State of Delaware, that the members wish to express their deepest sympathy to the family of William C. Keller, a respected and beloved member of his community, and a State

Trooper who served his State with complete dedication and distinction.

BE IT FURTHER RESOLVED the text of this Resolution be made a part of the Journal of the proceedings of the Senate of the 126th General Assembly of the State of Delaware and that a copy be forwarded to the immediate family of William C. Keller.

Senator Foltz moved that the Resolution 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, Slawik, Steele — 18.

ABSENT: Mr. Schlor — 1.

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

Senator Foltz introduced **SB 60** which was given its first reading by title only, entitled:

SB 60 — "An Act to Exempt the Capital School District from Repaying to the State of Delaware Certain Sums not Properly Expended by the Former Dover Special School District." Assigned to Committee on Finance.

Senator Isaacs introduced **SB 61** which was given its first reading by title only, entitled:

SB 61 — "An Act to Amend Sections 2105, 2107 and 2110, Title 7, Delaware Code, Relating to Oysters." Assigned to Committee on Natural Resources and Environmental Control.

Senator Isaacs introduced **SB 62** which was given its first reading by title only, entitled:

SB 62 — "An Act to Amend Chapter 21, Title 14, Delaware Code, Relating to Persons Qualified to Vote in Local School Bond Elections." Assigned to Committee on Education.

Senator Cicione introduced **SB 63**, co-sponsored by Senators Manning and Slawik, which was given its first reading by title only, entitled:

SB 63 — "An Act Relating to Terrence S. Truitt, Deceased, a Former Active Member of the Delaware State Police, and the Eligibility of His Widow and Children for a Pension." Assigned to Committee on Finance.

Senator Isaacs introduced **SB 64** which was given its first reading by title only, entitled:

SB 64 — "An Act to Amend S 1908, Title 7, Delaware Code, Relating to Leasing Acreage under the Jurisdiction of the Department of Natural Resources and Environmental Control." Assigned to Committee on Natural Resources and Environmental Control.

Senator Elliott introduced **SB 65** which was given its first reading by title only, entitled:

SB 65 — "An Act to Amend Chapter 17, Title 14, Delaware

Code, Relating to State Appropriations for Units of Pupils.” Assigned to Committee on Education.

Senator Holloway introduced **SB 66** which was given its first reading by title only, entitled:

SB 66 — “An Act to Amend Chapter 51, Title 25, Delaware Code, Requiring a Pledge by a Landlord to His Tenant that the Premises Are in a Habitable Condition.” Assigned to Committee on Community Affairs.

The Secretary read the following message received from the House:

1/21/71

Mr. President:

The House wishes to inform the Senate it has passed **HB 2**, **HB 12**, **HB 20** and **SJR 1** and is returning same to the Senate.

Senator Holloway introduced **SB 67** which was given its first reading by title only, entitled:

SB 67 — “An Act to Amend Section 1702, Subchapter 1, Chapter 17, Title 15, Delaware Code, Relating to Removal of Names from Voter Registration Records, by Giving Voters the Right to Know the Person Causing Such Removal or Challenging a Voter Registration Record and Providing Penalties for Violation thereof.” Assigned to Committee on Judiciary and Elections.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 44**, reported the same back to the Senate: 4 Favorable.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred **SB 49**, reported the same back to the Senate: 6 Merits.

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

HB 2 — “An Act to Amend Subchapter 11, Chapter 3, Title 28 of the Delaware Code, Relating to Racing Applications, Award of Dates, and Maximum Racing Days.” Assigned to Committee on Finance.

HB 12 — “An Act to Amend Section 2004, Chapter 20, Title 14, Delaware Code Relating to Construction of Facilities Exceeding the Standard School Construction Formula.” Assigned to Committee on Education.

HB 20 — “An Act to Amend Section 9602, Title 9, Delaware Code, Relating to the Salary of the Recorder of Deeds in and for New Castle County.” Assigned to Committee on Community Affairs.

Senator duPont, on behalf of the Committee on Executive to whom had been referred **SB 46** reported the same back to the Senate: 5 Favorable.

On motion of Senator Cicione **SB 38** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 38 — “An Act to Amend Chapter 43, Title 29 of the Delaware Code Regarding the Appointment of Notaries Public for Certain Service Organizations.”

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 Conner moved that Rule 9 be suspended for the purpose of considering **SB 44**.

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.

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

On motion of Senator Conner **SB 44** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 44 — “An Act Making a Supplementary Appropriation from the General Fund of the State in the Amount of \$47,000 to the Crippled Children’s Section of the Division of Maternal, Child and Crippled Children’s Services of the Division of Physical Health of the Department of Health and Social Services.”

Senator Conner moved that action on **SB 44** be deferred. Hearing no objection, the motion prevailed.

On motion of Senator Conner. the roll call on **SB 44** was lifted.

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, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 18.

ABSENT: Mr. Hickman — 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 Hickman, **SB 42** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 42 — “An Act Making a Supplementary Appropriation to the Department of Highways and Transportation for the purpose of Correcting the Drainage Problem Created during the Construction of State Highway Route No. 14 and to Overcome Frequent Flooding due to Tidewater Backup.”

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

YEAS: (Mrs.) Conner, Messrs. Cook, duPont, Elliott, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik — 13.

NOT VOTING: Messrs. Castle, Cicione, Foltz, Hart, Isaacs, Steele — 6.

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 Schlör introduced **SB 68**, co-sponsored by Senator Slawik, which was given its first reading by title only, entitled:

SB 68 — “An Act to Amend Section 1902, Title 14, Delaware Code, by Exempting Residential Property Owned by Certain Persons over the Age of 65 from Payment of School Taxes.” Assigned to Committee on Finance.

Senator Hale, on behalf of the Committee on Education to whom had been referred **HB 12**, reported the same back to the Senate: 3 Favorable; 3 Merits.

Senator Grier moved that the Senate recess for 15 minutes at 3:55 P.M. Hearing no objection, the motion prevailed.

The Senate reconvened at 4:10 P.M.

Senator Schlör introduced **SB 69** which was given its first reading by title only, entitled:

SB 69 — “An Act Agreeing to a Proposed Amendment to Article 2 of the Constitution of the State of Delaware by Striking Section 17 thereof which Prohibits Lotteries or Wagering.” Assigned to Committee on Executive.

Senator Elliott introduced **SB 70** which was given its first reading by title only, entitled:

SB 70 — “An Act to Amend Title 29, Chapter 46, of the Delaware Code Pertaining to the Number of State-Paid Additional Attorneys Authorized to Represent a Single Indigent Criminal Defendant.” Assigned to Committee on Judiciary and Elections.

Senator Manning introduced **SB 71**, co-sponsored by Senator Slawik, which was given its first reading by title only, entitled:

SB 71 — “An Act Amending Title 23, Delaware Code, Providing for a Fee Schedule for Motor Boat Licenses as Provided in Title 23, Delaware Code, Chapter 21.” Assigned to Committee on Natural Resources and Environmental Control.

Senator Slawik introduced **SB 72**, co-sponsored by Senators Cicione, Isaacs and Schlör, which was given its first reading by title only, entitled:

SB 72 — “An Act to Amend Title 29 of the Delaware Code, for a Method of Payment of State Officials and Employees, and Designating Every Other Friday as the Time Such Employees are Paid.” Assigned to Committee on Labor.

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

On motion of Senator Castle, the roll call on **SB 19** was lifted.

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, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Schlör, Slawik — 15.

NOT VOTING: Messrs. Cook, McCullough, Robbins, Steele — 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.

Senator Grier moved that the Senate adjourn until Thursday, January 28 at 1:30 P.M. Hearing no objection, the motion prevailed and the Senate adjourned at 4:30 P.M.

7TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:55 P.M. on January 28, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Rev. Lawrence Staton.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

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 posted.

Senator Castle introduced **SB 73** which was given its first reading by title only, entitled:

SB 73 — “An Act Making a Supplementary Appropriation to the Wilmington School District.” Assigned to Committee on Finance.

Senator duPont introduced **SA 1** to **SB 21**

Senator duPont moved that **SA 1** be placed with **SB 21**. Hearing no objection, the motion prevailed.

Senator Slawik introduced **SB 74** which was given its first reading by title only, entitled:

SB 74 — “An Act to Amend Title 15, Delaware Code, Relating to Fair Election Practices Including Disclosure and Limitation of Campaign Funds.” Assigned to Committee on Judiciary.

Senator Cicione introduced **SB 75** which was given its first reading by title only, entitled:

SB 75 — “An Act to Amend Chapter 28, Title 10 of the Delaware Code, Relating to Constables for Justices of the Peace.” Assigned to Committee on Judiciary.

Senator Cicione introduced **SB 76**, co-sponsored by Senator Slawik, which was given its first reading by title only, entitled:

SB 76 — “An Act to Amend Subchapter 111, Chapter 31, Title 19, of the Delaware Code, Prohibiting Proprietary Trade or Training Schools which Have no Employment Facilities from Implying in Their Enrollment Advertisements or Literature that the Enrollee Will easily Obtain Employment by Reason of His Training in That School.” Assigned to Committee on Labor.

Senator Cicione introduced **SB 77** which was given its first reading by title only, entitled:

SB 77 — “An Act to Amend Subchapter IV, Title 3 of the Delaware Code, Pertaining to the Requirement that Containers for Dairy Products Identify the Date when the Dairy Product was Placed in the Container.” Assigned to Committee on Agriculture.

Senator Schlor introduced **SB 78** which was given its first reading by title only, entitled:

SB 78 — “An Act to Amend Chapter 41, Title 11 of the Delaware Code with Respect to Crimes Involving the Use of a Weapon, and Providing that upon Acquittal or Reversal of an Initial Conviction that the Weapon be Returned to its Legal Owner.” Assigned to Committee on Judiciary and Elections.

Senator Schlor introduced **SB 79** which was given its first reading by title only, entitled:

SB 79 — “An Act to Amend Chapter 23, Title 24 of the Delaware Code, Concerning Pawnbrokers and Stolen Property.” Assigned to Committee on Judiciary and Elections.

Senator McCullough introduced **SJR 4** which was given its first reading in entirety as follows and then assigned to Committee on Executive.

SJR 4 — “Commending William Alfred (Bill) Skinner upon Being Named Delaware’s Outstanding Male Athlete of 1970.”

WHEREAS, the members of the Senate and House of Representatives of the 126th General Assembly are happy to learn that the Wilmington Sportwriters and Broadcasters Association has named javelin thrower William Alfred (Bill) Skinner Delaware’s most Outstanding Athlete in 1970; and

WHEREAS, Bill Skinner is the second son of the late Harry L. Skinner, Sr., a former resident of Holloway Terrace and a former officer of the Delaware State Senate; and

WHEREAS, Bill Skinner, now resides with his mother in Penn Acres in New Castle County after having attended Rose Hill Elementary School, William Penn and Wilmington High Schools in his early years; and

WHEREAS, Bill Skinner, a naval veteran with an honorable discharge, has been acclaimed throughout the world for his accomplishments; and

WHEREAS, Bill Skinner, a senior at the University of Tennessee, won the coveted United States NCAA and AAU titles during 1970 with tosses exceeding 270 feet; and

WHEREAS, West German Chancellor Willy Brandt cited Bill Skinner for an outstanding achievement after a meet in Stuttgart, Germany, in which Skinner tossed the javelin 291 feet, 10 inches; and

WHEREAS, Bill Skinner in July 1970 became the first American ever to defeat the reigning Russian Olympic Champion, Jan Juszis; and

WHEREAS, both the House and Senate wish to show their appreciation to Bill Skinner for his fantastic sports exploits, especially being named Delaware's Outstanding Athlete,

BE IT RESOLVED by the Senate and the House of Representatives of the State of Delaware, with the approval of the Governor, as attested by his signature appended hereto, that the General Assembly commend Bill Skinner, a fine American from the State That Started A Nation; and

BE IT FURTHER RESOLVED that this Resolution be entered on the Journals of both the Senate and House of Representatives, and a copy be sent to Bill Skinner and his Family living in Penn Acres, New Castle, Delaware.

The Secretary read the following message from the House:
Mr. President:

The House wishes to inform the Senate that it has passed **HJR 1 w/ HA 1** and **HCR 5** and requests the concurrence of the Senate. The House also passed **SB 2** and **SB 3** and is returning the same to the Senate.

Senator Manning introduced **SB 80**, co-sponsored by Senator Robbins, which was given its first reading by title only, entitled:

SB 80 — "An Act to Amend Chapter 19, Title 11, of the Delaware Code by Creating a New Section 1913 Relating to Placing a Law Enforcement Officer in Peril." Assigned to Committee on Judiciary and Elections.

The Chair presented **HJR 1 w/ HA 1** which was given its first reading by title only as follows:

HJR 1 w/ HA 1 — "Delegating Full Powers to the Legislative Council of the 126th General Assembly in the Determination of the Composition and Reapportionment of the General Assembly, and Authorizing the Legislative Council to Promulgate Such Additional Regulations and to Delegate Such Matters as It May Deem Proper in the Execution of this Resolution."

Senator duPont moved that Rule 9 be suspended for the purpose of considering **HJR 1 w/ HA 1**.

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.

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

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 by the Senate and ordered to the House.

Senator duPont introduced **SR 16** entitled:

SR 16 — "Authorizing Payments for Services Rendered by the Staff of the Senate for the 126th General Assembly."

Senator duPont moved that **SR 16** 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, Robbins, Schlör, Slawik, Steele — 18.

ABSENT: Mr. McCullough — 1.

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

The Chair presented **HCR 5** which was given its first reading in its entirety as follows:

HCR 5 — "Expressing the Appreciation of the 126th General Assembly of the State of Delaware to John J. Williams for His Forthright Leadership in the United States Senate from 1946 to 1970."

WHEREAS, the House of Representatives of the 126th General Assembly of the State of Delaware notes with regret that John J. Williams, of Millsboro, has carried out his intention not to run again for the high office of United States Senator; and

WHEREAS, the decision of John J. Williams not to run again was based on a matter of principle which he stood by after long consideration and study; and

WHEREAS, the decision that John J. Williams made not to seek a fifth term in the United States Senate was entirely characteristic of the strong, upright and forthright decisions he had made many times during his career as a United States Senator; and

WHEREAS, the 92nd Congress of the United States, just convened, will miss his considered and temperate approach to legislation and his continued interest in maximizing government efficiency; and

WHEREAS, the members of the 126th General Assembly of the State of Delaware agreeing that the public career of former Senator John J. Williams is a model and example of public service for all men and women; and

WHEREAS, the presentation of this concurrent resolution presents the opportunity for the members of the 126th General Assembly to express their most sincere appreciation for the outstanding service that former Senator Williams has rendered this State and Nation.

NOW, THEREFORE:

BE IT RESOLVED, that the House of Representatives of the 126th General Assembly, the Senate concurring therein, takes this opportunity to express the most sincere appreciation of its members for the unexampled career of former United States Senator John J. Williams; and

BE IT FURTHER RESOLVED, that the 126th General Assembly of the State of Delaware wishes by this concurrent resolution to call attention to people everywhere of the high respect in which the citizens of the State of Delaware hold Senator Williams for his integrity and wisdom; and

BE IT FURTHER RESOLVED, that the 126th General Assembly of the State of Delaware wishes to call attention also to the unusual and inspiring example of self-denial exemplified by Senator Williams in refusing because of advancing age to seek a fifth term in the United States Senate despite the widespread public demand that he continue as a member of the United States Senate; and

BE IT FURTHER RESOLVED, that all citizens of Delaware, of all ages, have the right to be exceptionally proud of this outstanding yet humble man who was known as the *Conscience of the Senate* and *Mr. Integrity*; and

BE IT FURTHER RESOLVED, that by this concurrent resolution all of the members of the 126th General Assembly take pride in expressing to former Senator Williams their warm personal regard, their esteem and their most sincere hope that in retirement he will continue to raise a standard for all citizens to rally to; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to former United States Senator John J. Williams, to the Secretary of the United States Senate, and to the Division of Archives and Cultural Affairs; and further, that a copy be inserted in the official Journals of the proceedings of the 126th General Assembly, and that copies be distributed to the press, radio and television media.

Senator duPont moved that **HCR 5** 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 by the Senate and ordered to the House.

On motion of Senator Steele, **HB 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 2 — "An Act to Amend Subchapter 11, Chapter 3, Title 28 of the Delaware Code, Relating to Racing Applications, award of dates, and maximum racing days."

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, Hart, Holloway, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele — 14.

NAYS: Messrs. Hickman, Isaacs, Robbins — 3.

NOT VOTING: Messrs. Cicione and Elliott — 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 Hale **HB 12** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 12 — "An Act to Amend Section 2004, Chapter 20, Title 14, Delaware Code Relating to Construction of Facilities Exceeding the Standard School Construction Formula."

Senator Hale moved that **HB 12** be tabled. Hearing no objection, the motion prevailed.

On motion of Senator Isaacs **SB 21** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 21 — "An Act to Amend Chapter 30, Title 9, Delaware Code, by adding thereto a New Section 3013, Relating to an Exclusion for Coveyances of Land not Less than Two Acres between Members of a Family."

Senator duPont introduced SA 1 to SB 21.

Senator duPont moved that SA 1 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 Isaacs moved that SB 21 w/ SA 1 now be 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.

On motion of Senator duPont SB 46 with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 46 — "An Act Amending Title 29, Sections 903 and 904, Delaware Code, relating to the Appointment and Duties of the Bill Clerks, and abolishing the passed Bills Committee."

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.

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 duPont, on behalf of the Committee on Executive to whom had been referred SJR 4, reported the same back to the Senate: 6 Favorable.

Senator McCullough moved that Rule 9 be suspended for the purpose of considering SJR 4.

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.

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

Senator Slawik requested that his name be added to the Joint Resolution as co-sponsor.

The Joint Resolution was given its second reading by title as follows:

SJR 4 — “Commending William Alfred (Bill) Skinner upon Being Named Delaware’s Outstanding Male Athlete of 1970.”

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, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 18.

ABSENT: (Mrs.) Conner — 1.

So the question was decided in the affirmative and the Resolution, having received the required constitutional majority, was adopted by the Senate and ordered to the House for concurrence.

Senator duPont introduced **SR 17** entitled:

SR 17 — “To Debit Senate Travel Account for Legislators’ Mileage of the Present Session of the 126th General Assembly.”

Senator duPont moved that **SR 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, 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 moved that the Senate recess for half an hour at 4:00 P.M. Hearing no objection, the motion prevailed.

The Senate reconvened at 5:00 P.M.

Senator Slawik introduced **SB 81** which was given its first reading by title only, entitled:

SB 81 — “An Act Making a Supplementary Appropriation to the State Highway Department for the Purpose of Flood Control.” Assigned to Committee on Finance.

Senator Slawik introduced **SR 18** entitled:

SR 18 — “Relating to the Failure of Legislative Council to Provide Parking Facilities to all Members of the Senate of the 126th General Assembly.”

Senator Slawik moved that **SR 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. Cook, Elliott, Foltz, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik — 11.

NAYS: Messrs. duPont and Steele — 2.

NOT VOTING: Messrs. Castle, Cicione, (Mrs.) Conner, Grier, Hale, (Mrs.) Manning — 6.

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

Senator Cicione introduced **SS 1** for **SB 31**, entitled:

SS 1 for **SB 31** — "An Act to Amend Chapter 9, Title 20 of the Delaware Code, Making it Illegal for any Cemetery or Memorial Park to Refuse to Inter the Remains of Any Member of the Armed Forces of the United States or any Veteran of the Armed Forces of the United States Who Actively Served and Received an Honorable Discharge."

Senator Cicione moved that **SS 1** be adopted in lieu of **SB 31**. Hearing no objection, the motion prevailed.

On motion of Senator Cicione, **SS 1** for **SB 31** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SS 1 for **SB 31** — "An Act to Amend Chapter 9, Title 20 of the Delaware Code, Making it Illegal for any Cemetery or Memorial Park to Refuse to Inter the Remains of any Member of the Armed Forces of the United States or any Veteran of the Armed Forces of the United States who Actively Served and Received an Honorable Discharge."

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, Schlör, Slawik, Steele — 17.

NOT VOTING: Messrs. Holloway and 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 Slawik introduced **SCR 8**, co-sponsored by Senators Cook, Holloway, McCullough, Robbins and Schlör, which was read in its entirety as follows:

SCR 8 — "Expressing Best Wishes for a Speedy Recovery to Former Governor Elbert N. Carvel."

WHEREAS, the members of the Senate of the 126th General Assembly of the State of Delaware have learned of the illness of former Governor Elbert N. Carvel; and

WHEREAS, Elbert N. Carvel is a man of great stature, both in height (6' 7") and in achievement; and

WHEREAS, Elbert N. Carvel is beloved by thousands of Delawareans through out the State; and

WHEREAS, Elbert N. Carvel has been sidelined recently for too many days with an unexpected and unwanted illness

NOW THEREFORE,

BE IT RESOLVED that the members of the Senate of the 126th General Assembly, the members of the House of Representative concurring, send the fondest of wishes to "Big Bert" for a speedy and complete return to a robust condition of health.

BE IT FURTHER RESOLVED that a copy of this Resolution be included in both the Senate and House Journals and a copy forwarded to former Governor Elbert N. Carvel.

Senator Slawik moved that SCR 8 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 by the Senate and ordered to the House for concurrence.

Senator Cook introduced SB 82 which was given its first reading by title only, entitled:

SB 82 — "An Act to Amend Chapter 52, Title 30 of the Delaware Code Relating to Exemptions in Reciprocal Agreements from the Application of the Motor Carrier Fuel Purchase Law Provisions." Assigned to Committee on Highways, Transportation and Insurance.

Senator Holloway introduced SS 1 for SB 66, entitled:

SS 1 for SB 66 — "An Act to Amend Chapter 51, Title 25, Delaware Code, Requiring a Pledge by a Landlord to His Tenant that the Premises are in a Habitable Condition."

Senator Holloway moved that SS 1 be adopted in lieu of SB 66. Hearing no objection, the motion prevailed.

Senator Slawik introduced SA 1 to SB 32.

Senator Slawik moved that SA 1 be placed with SB 32. Hearing no objection, the motion prevailed.

Senator Hale introduced SB 83 which was given its first reading by title only, entitled:

SB 83 — "An Act to Amend the Delaware Constitution of 1897, Article III, Providing for the Governor's Budget to Become Law in the Absence of a Budget Act by the General Assembly, or the Failure of a Budget Act to Pass." Assigned to Committee on Finance.

Senator Conner introduced **SB 84** which was given its first reading by title only, entitled:

SB 84 — “An Act Making a Supplementary Appropriation from the General Fund of the State in the Amount of \$50,000 to the Division of Physical Health of the Department of Health and Social Services.” Assigned to Committee on Finance.

The Secretary read the following message from the House:
Mr. President:

The House wishes to inform the Senate that it has passed **HB 28 w/ HA 1**, **HB 38** and **SB 44 w/ HA 1** and requests the concurrence of the Senate.

The House wishes to inform the Senate it has passed **SB 52** and is returning same to the Senate.

The Chair presented the following House Bill which was given its first reading by title only, entitled:

HB 28 w/ HA 1 — “An Act to Amend Chapter 1, Title 10 of the Delaware Code, Relating to Advisory Opinions by the Justices of the Supreme Court; and Providing for the Briefing of Issues Submitted by the Governor; and Requiring Notification to the General Assembly.”

Senator Manning moved that Rule 9 be suspended for the purpose of considering **HB 28 w/ HA 1**.

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, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, McCullough, Steele — 11.

NAYS: Messrs. Hart, Isaacs, Robbins — 3.

NOT VOTING: Messrs. Cicione, Cook, Elliott, Schlör, Slawik — 5.

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

Senator McCullough moved that action on **HB 28 w/ HA 1** be deferred for amendment.

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

YEAS: Messrs. Cicione, Cook, Elliott, Foltz, Hart, Hickman, Isaacs, McCullough, Robbins, Schlör, Slawik — 11.

NAYS: Messrs. Castle, duPont, Grier, Hale, (Mrs.) Manning, Steele — 6.

NOT VOTING: (Mrs.) Conner and Mr. Holloway — 2.

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

Senator Schlör introduced **SB 85**, co-sponsored by Senator Cook, which was given its first reading by title only, entitled:

SB 85 — “An Act to Amend Title 30, Section 1117 (a), Relating to Exemptions and Credits Against Net Income, by Increasing the Amount from “\$600” to “\$800”. Assigned to Committee on Finance.

On motion of Senator Conner **SB 44 w/ HA 1** 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.

Senator Cicione moved that the roll call on **SS 1** for **SB 31** 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, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 18.

ABSENT: Mr. Foltz — 1.

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

Then 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, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 18.

ABSENT: Mr. Foltz — 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 introduced **HB 38** which was given its first reading by title only, entitled:

HB 38 — “An Act to Require a Certificate of Origin to Accompany Applications for Titles to New Motor Vehicles.” Assigned to Committee on Public Safety.

The Secretary read the following message from the House:
Mr. President:

The House wishes to inform the Senate it has passed **HB 7 w/ HA 1** and requests the concurrence of the Senate, also **SB 35** and is returning same to the Senate.

Senator duPont moved that the Senate recess for 20 minutes at 6:05 P.M. Hearing no objection, the motion prevailed.

The Senate reconvened at 6:25 P.M.

Senator Isaacs introduced **SB 86**, co-sponsored by Senator Manning, which was given its first reading by title only, entitled:

SB 86 — “An Act to Amend Chapter 1, Title 10 of the Delaware Code, Relating to Advisory Opinions by the Justices of the Supreme Court upon the Request of the General Assembly.”

Senator Isaacs moved that Rule 9 be suspended for the purpose of considering **SB 86**.

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.

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

Senator Isaacs requested the privilege of the floor for Mr. Joseph Yucht, Senate Attorney, to explain **SB 86**. Hearing no objection, the privilege was granted.

Senator Conner moved that **SB 86** 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. (Mrs.) Conner, Hale, Hickman — 3.

NAYS: Messrs. Cook, duPont, Isaacs, McCullough, Robbins, Schlör, Slawik — 7.

NOT VOTING: Messrs. Castle, Cicione, Elliott, Foltz, Hart, Holloway, (Mrs.) Manning, Steele — 8.

ABSENT: Mr. Grier — 1.

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

Senator Grier moved that the Senate recess to the call of the Chair. Hearing no objection, the motion prevailed and the Senate recessed at 7:20 P.M.

The Senate reconvened at 1:55 p.m., March 1, 1971.

Senator Isaacs moved that **SB 86** be tabled. Hearing no objection, the motion prevailed.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred **HB 20**, reported the same back to the Senate: 1 Favorable; 5 Merits.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred **SB 66**, reported the same back to the Senate: 3 Favorable, 3 Merits.

Senator Hale introduced **SB 87**, co-sponsored by Senators Castle, Cicione, duPont, Elliott, Grier, Hart, Holloway, Isaacs, Manning and Steele, which was given its first reading by title only, entitled:

SB 87 — “An Act to Amend Title 24 of the Delaware Code, Establishing an Educational Program for Physicians’ Assistants under the Jurisdiction of the Board of Trustees of the Delaware Institute of Medical Education and Research and Certification by the Medical Council of Delaware.” Assigned to Committee on Health and Social Services.

Senator Elliott introduced **SB 88** which was given its first reading by title only, entitled:

SB 88 — “An Act to Amend an Act Being Chapter 42, Volume 53, Laws of Delaware, as Amended, Entitled “An Act Amending, revising and Consolidating the Charter of the City of Seaford” to Permit Vacancies in the Office of Mayor or Councilman to be Filled for the Remainder of the Unexpired Term.” Assigned to Committee on Community Affairs.

Senator Hickman introduced **SB 89** which was given its first reading by title only, entitled:

SB 89 — “An Act to Amend an Act Being Chapter 170, Volume 57, Laws of Delaware, Entitled “An Act to Reincorporate the City of Lewes” to Increase the Maximum Amount which May be Contributed to the Volunteer Fire Company.” Assigned to Committee on Community Affairs.

Senator Elliott introduced **SB 90** which was given its first reading by title only, entitled:

SB 90 — “An Act to Amend Chapter 5, Title 7 of the Delaware Code, to Exempt Minors with Military Training from the Requirements of the Mandatory Six Hours Required Instruction in Order to Obtain a Hunting License.” Assigned to Committee on Natural Resources and Environmental Control.

Senator Cicione introduced **SB 91**, co-sponsored by Senators Hart and Robbins, which was given its first reading by title only, entitled:

SB 91 — “An Act to Amend Part VI, Title 16 of the Delaware Code Exempting Certain Firemen, Policemen, and Volunteer Ambulance and Rescue Squad Personnel from Civil Liability when Rendering Emergency Care, First Aid and Rescue in the Performance of Their Official Duties except in Certain Instances.” Assigned to Committee on Health and Social Services.

Senator Elliott introduced **SA 1** to **SB 24**.

Senator Elliott moved that **SA 1** be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Elliott introduced **SA 1** to **SB 25**.

Senator Elliott moved that **SA 1** be placed with the Bill. Hearing no objection, the motion prevailed.

The Chair presented **HB 7 w/ HA 1** which was given its first reading by title only and assigned to Committee as follows:

HB 7 w/ HA 1 — “An Act to Amend Title 7 of the Delaware Code, Relating to the Illegal Slaughtering of Animal Species on the Verge of Extinction, Empowering the Division of Fish and Wildlife to Designate Endangered Species and Prohibiting the Sale of Certain Animal Skins.” Assigned to Committee on Natural Resources and Environmental Control.

Senator duPont presented the following letter received from Mr. Norman L. Dobyns, Director of Government Relations for the American Can Company, and requested that it be made a part of the Record.

February 10, 1971

President of the Senate

Capitol Building

Honorable Sir:

I have been informed that various proposals to restrict non-returnable beverage containers or to impose a charge on non-returnable beverage containers are now pending before you.

I respectfully ask that you and your colleagues make no decision on these proposals without conducting a full public hearing on them, and I would be very deeply grateful if you would make my request for a public hearing known to your committee chairmen.

Also, I would be grateful if you would give me an opportunity to appear as a witness for the American Can Company when public hearings are scheduled. I would be glad to meet with you or anyone you may designate at any time to discuss the non-returnable container issue.

Thank you for your consideration.

Sincerely,

(Signed) Norman L. Dobyns

NLD:jch

Senator duPont presented the following letter received from Mr. Canfield Hadlock, Secretary of the Convention of the Diocese of Delaware, and requested that it be made part of the Record.

February 10, 1971

The Honorable Reynolds duPont
The State Senate
Dover, Delaware 19901
Dear Senator duPont:

At its meeting on January 31, the 186th Annual Convention of the Episcopal Diocese of Delaware approved the following Resolution commending the Governor and other State agencies for their efforts to help the Spanish-speaking persons who reside in this State:

“WHEREAS, there is a continuing need in Delaware among migrants and other Spanish-speaking persons for the services of persons who are fluent in both Spanish and English, so that matters relating to justice, education, health and general welfare may be intelligently and humanely arranged;

“RESOLVED, that this Convention commend the Governor of Delaware, the various State Departments and the Legislature for their efforts in appropriating funds and hiring Spanish-speaking personnel to work with migrants and other Spanish-speaking persons; and

“BE IT FURTHER RESOLVED, that this Convention urgently request that such efforts be continued and expanded.”

The Convention hopes this communication will be read on the floor of the Senate and made a part of the Senate record.

Sincerely yours,
(Signed) Canfield Hadlock
Secretary of the Convention

ch:nb

Senator duPont announced that he had regrettably received the resignation of Senator Foltz from the Legislative Council and the appointment of Senator Castle to the same.

Senator Hale introduced SA 1 to HB 12.

Senator Hale moved that SA 1 be placed the Bill. Hearing no objection, the motion prevailed.

Senator Cicione introduced SA 1 to SB 63.

Senator Cicione moved that SA 1 be placed the Bill. Hearing no objection, the motion prevailed.

Senator Steele, on behalf of the Committee on Finance to whom had been referred SB 34, reported the same back to the Senate: 5 Favorable; 1 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 40**, reported the same back to the Senate: 2 Favorable; 4 Merits.

Senator Grier moved that the Senate adjourn until 3:00 p.m., Monday, March 1. Hearing no objection, the motion prevailed and the Senate adjourned at 3:00 p.m.

EIGHTH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:00 p.m. on March 1, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Godfrey.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

PRESENT: Messrs. Castle, Cicione, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Steele — 16.

ABSENT: (Mrs.) Conner, Messrs. Cook and 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 posted.

The Secretary read the following communication from the House:

1/28/71

Mr. President:

The House wishes to inform the Senate it has defeated **SB 19 w/ HA 2** and passed **SCR 8**.

Senator Grier moved that the Senate recess for 30 minutes at 3:05 p.m. Hearing no objection, the motion prevailed.

The Senate reconvened at 3:55 p.m.

Senator Isaacs introduced **SB 92** which was given its first reading by title only, entitled:

SB 92 — "An Act to Amend Chapter 83, Title 29, Delaware Code, Relating to Duties of the Division of Accounting of the Department of Finance." Assigned to Committee on Finance.

Senator Cicione introduced **SB 93**, co-sponsored by Senator Steele, which was given its first reading by title only, entitled:

SB 93 — "An Act Authorizing the Payment of Compensation and Travel Allowance to the Former Commissioners for Their Services to the Veterans: Military Pay Commission in Fiscal Year 1971." Assigned to Committee on Finance.

Senator McCullough introduced **SB 94** which was given its first reading by title only, entitled:

SB 94 — "An Act to Amend Chapter 33, Title 19 of the Delaware Code Relating to Unemployment Compensation Eligibility and Benefits." Assigned to Committee on Labor and Industrial Relations.

On Motion of Senator Manning **HB 20** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 20 — “An Act to Amend Section 9602, Title 9, Delaware Code, Relating to the Salary of the Recorder of Deeds in and for 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, Cicione, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, Robbins, Steele — 12.

NOT VOTING: Mr. McCullough — 1.

ABSENT: (Mrs.) Conner, Messrs. Cook, Hart, Isaacs, Schlör, Slawik — 6.

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 Hale, the roll call on **HB 12** was lifted without objection.

Senator Hale introduced **SA 1** to **HB 12**.

Senator Hale moved that **SA 1** to **HB 12** 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, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Steele — 14.

NOT VOTING: Messrs. Robbins and Schlör — 2.

ABSENT: (Mrs.) Conner, Messrs. Cook and Slawik — 3.

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

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, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Manning, Steele — 12.

NAYS: Messrs. McCullough, Robbins and Schlör — 3.

NOT VOTING: Mr. Isaacs — 1.

ABSENT: (Mrs.) Conner, Messrs. Cook and Schlör — 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 Hickman **SB 43** with title as follows was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 43 — “An Act to Amend an Act Entitled “An Act to Incorporate Ocean View in Sussex County, Delaware”, being Chapter 649, Volume 18, Laws of Delaware, as amended, relating to the annual salary paid to members of the Town Council and Penalty for the Late Payment of Taxes.”

Senator Hickman moved that the roll call on SB 43 be tabled. Hearing no objection, the motion prevailed.

Senator Steele introduced SB 95 which was given its first reading by title only, entitled:

SB 95 — “An Act Proposing an Amendment to Article 2, Section 17 of the Constitution of the State of Delaware to Permit Lotteries for the Purpose of Raising Funds for the Use of Hospitals.” Assigned to Committee on Executive.

Senator Steele introduced SB 96 which was given its first reading by title only, entitled:

SB 96 — “An Act to Amend Title 29, Delaware Code, Section 6913, Relating to Public Construction Contracts.” Assigned to Committee on Finance.

On motion of Senator Steele SB 34 with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 34 — “An Act Making a Supplementary Appropriation in the Amount of \$60,000 to Delaware State College for 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, duPont, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele — 12.

NAYS: Messrs. Elliott, Hart, Isaacs — 3.

NOT VOTING: Mr. Cicione — 1.

ABSENT: (Mrs.) Conner, Messrs. Cook and 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.

Senator Cicione moved that SB 96 be assigned to the Committee on Labor and Industrial Relations.

Senator Steele moved to table Senator Cicione’s motion to assign SB 96 to the Committee on Labor and Industrial Relations.

Senator Hale moved that the roll call on the motion to table Senator Cicione’s motion to place SB 96 in the Committee on Labor and Industrial Relations 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, Hart, Holloway, Isaacs, McCullough, Robbins, Schlör — 9.

NAYS: Messrs. Castle, duPont, Grier, Hale, Hickman, (Mrs.) Manning, Steele — 7.

ABSENT: (Mrs.) Conner, Messrs. Cook and Slawik — 3.

So the question, having failed to secure a constitutional majority, was lost.

On the question, “Shall the motion (to table Senator Cicione’s motion to assign SB 96 to the Committee on Labor and Industrial Relations) be adopted?”, the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Castle, duPont, Grier, Hale, Hickman, (Mrs.) Manning, Robbins, Steele — 8.

NAYS: Messrs. Cicione, Elliott, Foltz, Hart, Holloway, Isaacs, McCullough, Schlör — 8.

ABSENT: (Mrs.) Conner, Messrs. Cook and Slawik — 3.

So the question, having failed to receive a constitutional majority was lost.

On the question, "Shall the motion (that SB 96 be placed in the Committee on Labor and Industrial Relations) be adopted?", the roll call was tabled.

Senator Grier moved that the Senate adjourn until 1:30 p.m. Tuesday, March 2. Hearing no objection, the motion prevailed and the Senate adjourned at 4:25 p.m.

NINTH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:55 p.m. on March 2, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Godfrey.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

PRESENT: Messrs. Castle, Cicione, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele — 17.

ABSENT: (Mrs.) Conner and Mr. Slawik — 2.

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 posted.

Senator Foltz introduced SB 97 which was given its first reading by title only, entitled:

SB 97 — "An Act to Amend Title 18 of the Delaware Code Relating to the Basic Property Protection Plan by Deleting Subsection (d) (1) of Section 4103 and by Amending Section 4106." Assigned to Committee on Highways, Transportation and Insurance.

Senator Steele introduced SB 98 which was given its first reading by title only, entitled:

SB 98 — "An Act to Amend Chapter 299, Volume 57, Laws of Delaware, Known as the "Annual Capital Improvement Act of 1970" by Providing an Alternative to Alterations of Certain Facilities at the Woods Haven-Kruse School." Assigned to Committee on Finance.

Senator duPont introduced SR 19 entitled:

SR 19 — "In Reference to Election of Officers."

Senator duPont moved that SR 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, Cook, duPont, Elliott, Foltz, Grier, Hale, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Steele — 15.

ABSENT: (Mrs.) Conner, Messrs. Hart, Hickman, Slawik — 4.

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

Senator Isaacs introduced **SCR 9** entitled:

SCR 9 — "Relating to the Closing of St. Georges Bridge to Traffic for Repairs."

Senator Isaacs moved that the Resolution 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, Foltz, Grier, Hale, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlor, Steele — 14.

NOT VOTING: Mr. McCullough — 1.

ABSENT: (Mrs.) Conner, Messrs. Hart, Hickman, Slawik — 4.

So the question was decided in the affirmative and the Resolution was adopted by the Senate and ordered to the House for concurrence.

Senator Cicione introduced **SJR 5** which was given its first reading by title only, entitled:

SJR 5 — "Commemorating Disabled American Veterans and Congratulating Them upon Their Fiftieth Anniversary." Assigned to Committee on Executive.

Senator Steele introduced **SA 1 to SB 23**.

Senator Steele moved that **SA 1** be placed with the Bill and the motion carried without objection.

Senator duPont introduced **SJR 6**, co-sponsored by Senators Castle, Cicione, Cook, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, Manning, McCullough, Robbins, Schlor and Steele, which was given its first reading by title only, entitled:

SJR 6 — "Relating to the Death of Mrs. Edgar J. Boggs."

WHEREAS, the members of the Senate and the House of Representatives of the 126th General Assembly, along with the Governor have learned with regret of the passing of Mrs. Edgar J. Boggs of Cheswold, Delaware, mother of former Governor J. Caleb Boggs and now Senior U.S. Senator from Delaware; and

WHEREAS, Mrs. Boggs not only served the people of the State of Delaware as a faithful and dedicated state employee until her retirement, but she also led an exemplary community life giving a full measure of her time to many civic and religious causes; and

WHEREAS, Mrs. Boggs' life was so full of meritorious accomplishments she was awarded the high honor of Mother of the Year in 1954 for her truly American home and the way she had reared her four (4) boys, one of which she sacrificed during World War II for the preservation of our liberties, another of which later became Governor and U.S. Senator from the great State of Delaware; and

WHEREAS, the members of the 126th General Assembly along with the Governor 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 members of the Senate and the House of Representatives of the 126th General Assembly, along with the Governor, wish to express their regret at the passing of Mrs. Edgar J. Boggs, a prominent figure in the community and a truly great mother.

BE IT FURTHER RESOLVED that the text of this resolution be entered on the Journals of both the Senate and House of Representatives, and that copies be sent to the immediate family of Mrs. Edgar J. Boggs.

Senator duPont moved that Rule 9 be suspended for the purpose of considering **SJR 6**.

On the question, "Shall the motion be adopted?", 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, Steele — 16.

ABSENT: (Mrs.) Conner, Messrs. Hart and Schlör — 3.

So the question was decided in the affirmative and the motion, having received the required constitutional majority, was 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, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele — 17.

ABSENT: (Mrs.) Conner and Mr. Slawik — 2.

So the question was decided in the affirmative and the Resolution, having received the required constitutional majority, was adopted by the Senate and ordered to the House for concurrence.

Senator Elliott introduced **SJR 7** which was given its first reading by title only, entitled:

SJR 7 — "Saluting the Delaware Agricultural Industry and the Members of the Committee for the Delaware Agricultural Industry's First Annual Dinner."

WHEREAS, the Governor Russell W. Peterson and the members of the 126th General Assembly of the State of Delaware are aware that the Agricultural Industry — recently and rightly termed as “Agri-business” — is Delaware’s largest industry, grossing \$150,000,000 in farm sales and a total industry gross product exceeding \$500,000,000; and

WHEREAS, the Delaware Agricultural Industry provides employment for a third of the State’s total work force; and

WHEREAS, the Governor and the members of the 126th General Assembly were appreciative guests at the First Delaware Agricultural Industry Dinner held on February 13, 1971, in Dover; and

WHEREAS, the Governor and members of the 126th General Industry wish to give proper recognition and thanks to all of the Delawareans who worked diligently to make the Industry’s First Annual Dinner a highly successful event; and

WHEREAS, the dinner committee executed its duties under the guidance and sponsorship of the Delaware Council of Farm Organizations;

NOW THEREFORE,

BE IT RESOLVED that the Senate and House of Representatives of the 126th General Assembly, in recognition of the outstanding role played by “Agri-business” in the State of Delaware, and in appreciation of the great inaugural dinner sponsored by the fine people of the Delaware Industry, send sincere expressions of congratulations and thanks to all members of the Agricultural Dinner Committee and to the members of the Delaware Council of Farm Organizations for a job “well-done”.

BE IT FURTHER RESOLVED that the text of this Resolution be spread upon the minutes of the Senate and House Journals and copies forwarded to Secretary of Agriculture Wallace “Pat” Caulk and to the other officers of the Delaware Council of Farm Organizations and to the members of the Delaware Agricultural Industry Dinner Committee.”

The Resolution was assigned to Committee on Agriculture.

Senator Castle introduced **SB 99** which was given its first reading by title only, entitled:

SB 99 — “An Act to Revise the General Corporation Law Relating to Corporations Classified as Private Foundations for Federal Income Tax Purposes.” Assigned to Committee on Judiciary and Elections.

Senator Manning introduced **SB 100** which was given its first reading by title only, entitled:

SB 100 — “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, Jurisdiction and Procedures.” Assigned to Committee on Judiciary and Elections.

Senator Manning introduced **SB 101** which was given its first reading by title only, entitled:

SB 101 — “An Act to Amend Title 21, Delaware Code, Chapter 7, Relating to the Jurisdiction of Certain Courts over Children Sixteen or Seventeen Years Old Charged with Violations of the Motor Vehicle Laws.” Assigned to Committee on Judiciary and Elections.

Senator Manning introduced **SB 102** which was given its first reading by title only, entitled:

SB 102 — “An Act to Amend Chapter 9, Title 10, Concerning the Jurisdiction of the Family Court and Transfer of Cases from Superior Court to Family Court.” Assigned to Committee on Judiciary and Elections.

Senator Manning introduced **SA 1 to SB 100**.

Senator Manning moved that **SA 1** be placed with the Bill and the motion carried without objection.

Senator Castle introduced **SB 103** which was given its first reading by title only, entitled:

SB 103 — “An Act to Revise the Trust Law Relating to Trusts Classified as Private Foundations for Federal Income Tax Purposes.” Assigned to Committee on Judiciary and Elections.

Senator Manning introduced **SR 20** entitled:

SR 20 — “Appropriating Money out of the General Fund of the State Treasury to Pay Certain Expenses of the Legislative Building Committee of the First Session of the 126th General Assembly.”

Senator Manning requested that **SR 20** be stricken and the motion carried without objection.

Senator Holloway introduced **SB 104** which was given its first reading by title only, entitled:

SB 104 — “An Act Amending Title 31, Delaware Code of 1953, by Protecting the Public Welfare, Creating a State Housing Code, Establishing the Offices of State Health Inspector and State Building Inspector, Creating Minimum Standards for Sanitary Facilities, Empowering the State Health Inspector and State Building Inspector and the Department of Health and Social Services to Administer Effectuation thereof and Providing Criminal Penalties for the Violations thereof.” Assigned to Committee on Health and Social Services.

Senator Robbins introduced **SB 105**, co-sponsored by Senators Cook, Holloway, McCullough and Schlör, which was given its first reading by title only, entitled:

SB 105 — “An Act Making an Appropriation to the Department of Health and Social Services for the Renovation of the Dorsey Lewis Building, Located on the Grounds of the Delaware State Hospital.” Assigned to Committee on Finance.

Senator duPont introduced **SB 106**, co-sponsored by Senator Hale, which was given its first reading by title only, entitled:

SB 106 — “An Act to Amend Subchapter 111, Chapter 10, Title 14 of the Delaware Code Relating to the School Board for the Reorganized School District which includes the Former School District of Alexis I. duPont Special School District.” Assigned to Committee on Education.

Senator Isaacs introduced **SB 107**, co-sponsored by Senator Cook, which was given its first reading by title only, entitled:

SB 107 — “An Act to Amend Chapters 9 and 11, Title 7, Delaware Code, relating to Fishing, the Catching Devices that May Be Used in Certain Areas and Providing Penalties for the Violation thereof.” Assigned to Committee on Natural Resources and Environmental Control.

Senator Manning introduced **SB 108**, co-sponsored by Senator Castle, which was given its first reading by title only, entitled:

SB 108 — “An Act to Amend Section 9402, Title 9, Delaware Code, Relating to the Salary of the Clerk of the Peace in and for New Castle County.” Assigned to Committee on Community Affairs.

Senator Cicione introduced **SB 109**, co-sponsored by Senator Slawik, which was given its first reading by title only, entitled:

SB 109 — “An Act to Amend Chapter 43, Title 21 of the Delaware Code, Relating to Vehicle Rear Wheel Flaps or Shields.” Assigned to Committee on Public Safety.

Senator Cicione introduced **SR 21** which was read in its entirety as follows:

SR 21 — “Acknowledging the Illness of Former Senator Anthony C. Moore and Forwarding Appropriate Greetings.”

WHEREAS, the members of the Senate of the 126th General Assembly have learned of the sudden illness of former Senator Anthony C. Moore; and

WHEREAS, former Senator Moore served capably during two terms in the Delaware State Senate; and

WHEREAS, former Senator Moore is presently employed by the Delaware Department of Agriculture; and

WHEREAS, former Senator Moore is maintaining his cheerful disposition despite enduring a *heart* attack during February, commonly known as “*heart*” month;

NOW THEREFORE,

BE IT RESOLVED, that the members of the Senate, from the bottoms of their *hearts*, send *heart* felt wishes for a speedy recovery to former Senator “Tony” Moore in Kent General Hospital, Dover.

BE IT FURTHER RESOLVED that a copy of this resolution be entered upon the minutes of the Senate of the 126th General Assembly and a copy sent speedily to former Senator Moore.”

Senator Cicione moved that the Resolution 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, Foltz, Grier, Hale, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele — 15.

ABSENT: (Mrs.) Conner, Messrs. Hart, Hickman, Slawik — 4.

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

Senator Holloway presented the following letter to be read to the members of the Senate and requested it be made a part of the record:

Members of the 126th General Assembly

Delaware State Senate

Legislative Hall

Dover, Delaware 19901

Attention: The Honorable Reynolds duPont

President Pro-Tem of the Senate

Dear Colleagues:

On February 12, 1971, I responded to an invitation of the National Federation of Settlement Houses and Neighborhood Centers to address some 300 social workers in Washington, D.C. on the topic of "How To Influence Legislators and Decision Makers". Recognizing that as a member of the Delaware General Assembly, I carry with me in my remarks the good image of the Delaware Legislature and recognizing also the obligation to put forth my best effort, I talked to our Legislative Council for research and preparation of my remarks.

I am proud to report that as a result of the professional help afforded me through our Legislative Council and though I was one of four panelists it was recognized that my presentation drew considerable praise and commendation from the 300 social workers attending the seminar. I do not believe that I could have made such a respectable presentation without the professional services of our Legislative Council staff. Therefore, I would like to tip my hat to the Messrs. Frick, Coker and Shiels, as well as to Miss Whitehead and the complete staff of the Council, for always being ready, willing and able to produce a crisp, first-rate effort.

Please note, too, that in view of the recent criticism in the Citizens Conference of State Legislatures Report on Delaware, this is just another example of Delaware's vastly underrated staff efficiency.

Yours in appreciation of a job well-done,

(Signed) Herman

HERMAN M. HOLLOWAY, SR.,

Senator, 2nd District

Senator Steele introduced **SB 110** which was given its first reading by title only, entitled:

SB 110 — “An Act to Amend Chapter 736, Volume 57, Laws of Delaware, Known as the “Annual Capital Improvement Act of 1971” by Providing an Alternative to Alterations of Certain Facilities at the Woods Haven-Kruse School.” Assigned to Committee on Finance.

Senator Steele introduced **SB 111** which was given its first reading by title only, entitled:

SB 111 — “An Act to Amend Chapter 469, Volume 56, Laws of Delaware, Known as the “Annual Capital Improvement Act of 1969”, by providing an Alternative to the Construction of a Sewerage Treatment Plant at the Hospital for the Mentally Retarded.” Assigned to Committee on Finance.

Senator Elliott introduced **SB 112**, co-sponsored by Senators Cicione, Hart, Isaacs, and Robbins, which was given its first reading by title only, entitled:

SB 112 — “An Act to Amend Chapter 25, Title 30, Delaware Code, Pertaining to the Contractors’ License Requirements and Taxes, and Providing for a Reduction from Gross Receipts before Computing Said Tax.” Assigned to Committee on Finance.

Senator Isaacs, on behalf of the Committee on Natural Resources and Environmental Control to whom had been referred **SB 90**, reported the same back to the Senate: 4 Favorable; 1 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 93**, reported the same back to the Senate: 1 Favorable; 2 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 96**, reported the same back to the Senate: 3 Favorable; 1 Merits.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred **SB 88**, reported the same back to the Senate: 1 Favorable; 3 Merits.

Senator Cicione moved that **SB 96** be committed to the Committee on Labor and Industrial Relations from the Committee on Finance.

Senator Cicione moved that the roll call on his motion 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, Cook, Elliott, Foltz, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlör — 10.

NAYS: Messrs. Castle, duPont, Grier, Hale, Hickman, Steele — 6.

NOT VOTING: Mr. Robbins — 1.

ABSENT: (Mrs.) Conner and Mr. Slawik — 2.

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

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred SB 89, reported the same back to the Senate: 2 Favorable; 3 Merits.

Senator Hickman introduced SB 113 which was given its first reading by title only, entitled:

SB 113 — “An Act to Amend the Act to Incorporate the Town of South Bethany.” Assigned to Committee on Community Affairs.

Senator Castle informed the Senate that the Committee on Judiciary and Elections would hold a public hearing on **SB 100**, **SB101**, and **SB 102** (Family Court Bills) at 7:30 p.m. March 16 in Legislative Hall.

Senator Grier moved that the Senate recess until 1:30 p.m., Wednesday, March 10. Hearing no objection, the motion prevailed and the Senate recessed at 4:30 p.m.

The Senate reconvened at 1:30 p.m., March 10, 1971, Lt. Governor Bookhammer presiding.

Senator Elliott introduced SA 1 to SB 49.

Senator Elliott moved that SA 1 be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Steele introduced SB 114 which was given its first reading by title only, entitled:

SB 114 — “An Act Authorizing the Treasurer of the State of Delaware to Advance \$190,000 to the Department of Health and Social Services to Expedite the Renovation of the Dorsey Lewis Building at the Delaware State Hospital, and to Appropriate \$137,500 to the Department of Health and Social Services for Operating Expenses for the Fiscal Year Beginning July 1, 1971 and Ending June 30, 1972, for the Development of the State’s New “Institute of Human Behavior”. Assigned to Committee on Finance.

Senator Steele introduced SB 115 which was given its first reading by title only, entitled:

SB 115 — “An Act to Amend Chapter 469, Volume 56, Laws of Delaware, Known as the “Annual Capital Improvement Act of 1969,” by Allowing a Change in the Location of a Work-release Center and Extending the Time for Such Project.” Assigned to Committee on Finance.

Senator Isaacs introduced SR 22, co-sponsored by Senators Cicione, Conner, Elliott, McCullough and Slawik, entitled:

SR 22 — “Acknowledging the Interest and Concern of the Delaware Labor Movement over Certain Legislation and Extending a Welcome to the Representatives of Labor to the State Capitol.”

WHEREAS, the members of organized labor in the United States of America have taken a keen interest in the mechanics of Government — be it national, state, or local — since the birth of labor unions under their founding father, Samuel Gompers, in 1864; and

WHEREAS, Members of the Delaware State Labor Council, AFL-CIO, and members of the Building and Construction Trades Council of Delaware Affiliated with the AFL-CIO, have expressed a deep concern over the content of SB 96; and

WHEREAS, approximately 5,000 representatives of the labor movement have journeyed to the State Capitol grounds to peacefully express their concern over SB 96; and

WHEREAS, the members of the Senate of the 126th General Assembly are cognizant of the fact that the visit by representatives of Labor to Dover is a splendid example of Democracy in action.

NOW THEREFORE,

BE IT RESOLVED by the members of the 126th General Assembly of the State of Delaware that a warm and cordial welcome be given on this date, March 10, 1971 to the representatives of the Delaware State Labor Council, AFL-CIO and of the Building and Construction Trades Council of Delaware, Affiliated with AFL-CIO.

BE IT FURTHER RESOLVED that the text of this Resolution be included in the minutes of the Senate Journal and copies be forwarded to Governor Russell W. Peterson and to the Presidents of the respective Councils.

Senator Isaacs moved that SR 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, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele — 18.

NOT VOTING: Mr. Holloway — 1.

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

Senator Slawik introduced SR 23, co-sponsored by Senators Cicione, Isaacs and McCullough, entitled:

SR 23 — "Expressing a Welcome to Members of Delaware's Labor Movement and Appreciation for the Concern of the Members of Labor over the Legislative Process."

WHEREAS, the members of the Senate of the 126th General Assembly have noted with interest the arrival on this date, March 10, 1971, of thousands of Delaware's labor force at Legislative Hall; and

WHEREAS, these representatives of Labor are extremely concerned over certain specific items of the legislative process; and

WHEREAS, historically from the days of its founder, Samuel Gompers, the Labor movement has taken a keen interest in the workings of government on all levels; and

WHEREAS, the members of the Senate of the 126th General Assembly wish to tip their respective hats to the visitors from Labor, particularly those wearing the “hard hats” of the construction industry;

NOW, THEREFORE:

BE IT RESOLVED that the Senate of the 126th General Assembly formally extend greetings and thanks for their concern to the members of the Delaware State Labor Council, AFL-CIO, to Council President Harold T. Bockman and to the members of the Building and Construction Trades Council of Delaware Affiliated with the AFL-CIO, and to Building Council President, J. Thomas Schranck.

BE IT FURTHER RESOLVED, that the contents of this resolution be spread upon the minutes of the Senate, and copies of same forwarded to the Messrs. Bockman and Schranck.

Senator Slawik moved that **SR 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, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 19.

Senator Cicione introduced **SB 116** which was given its first reading by title only, entitled:

SB 116 — “An Act to Amend Title 10 of the Delaware Code, Pertaining to Justices of the Peace in New Castle County; Enlarging the Jurisdiction of Said Justices to Include Violations of Ordinances, Codes and Regulations of the Government of New Castle County.” Assigned to Committee on Judiciary and Elections.

Senator Isaacs introduced **SA 1** to **SB 33**.

Senator Isaacs moved that **SA 1** be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Slawik introduced **SB 117**, co-sponsored by Senator Cicione, which was given its first reading by title only, entitled:

SB 117 — “An Act to Amend Chapter 85, Title 29 of the Delaware Code, Relating to the Department of Labor; Providing a Method by Which the Secretary of the Department Shall be Paid.” Assigned to Committee on Labor.

Senator Holloway introduced **SA 1** to **SB 18**.

Senator Holloway moved that **SA 1** be placed with the Bill. Hearing no objection, the motion prevailed.

On motion of Senator Cicione, the roll call on the motion to recommit **SB 96** to Committee on Labor from the Committee on Finance was lifted.

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

YEAS: Messrs. Cicione, (Mrs.) Conner, Cook, Elliott, Foltz, Hart, Holloway, Isaacs, McCullough, Robbins, Schlor, Slawik — 12.

NAYS: Messrs. Castle, duPont, Grier, Hale, Hickman, Steele — 6.

NOT VOTING: (Mrs.) Manning — 1.

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

The Secretary read the following message from the House:

Mr. President:

The House wishes to inform the Senate it has passed **HB 32**, **HB 33 w/ HA 1**, **HB 17**, **HB 45**, **HCR 3** and **HJR 3** and requests the concurrence of the Senate.

The House also passed **SB 38** and is returning same to the Senate.

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

HB 17 — “An Act to Amend Title 7, Delaware Code, Chapter 5, Section 512, relating to term of license.” Assigned to Committee on Natural Resources.

HB 32 — “An Act to Amend Title 14 of Delaware Code, changing the name of the “Delaware Institute of Technology” to “Delaware Technical and Community College”. Assigned to Committee on Education.

HB 33 w/ HA 1 — “An Act to Amend Sections 1092, 1201, 1202, and 1312 of Title 14, Delaware Code, relating to qualifications of employees of a reorganized school district and teacher certification.” Assigned to Committee on Education.

HB 45 — “An Act to Amend Title 30, Chapter 23, Delaware Code, by Allowing Exemption from License Requirements for Day Care Centers to Certain Non-profit Organizations.” Assigned to Committee on Health and Social Services.

The Chair presented **HJR 3** entitled:

HJR 3 — “Relative to Appropriating Funds to Legislative Council to Underwrite the Expense of Reapportioning the General Assembly.” Assigned to Committee on Finance.

Senator Isaacs, on behalf of the Committee on Natural Resources and Environmental Control to whom had been referred **SB 33**, reported the same back to the Senate: 5 Merits.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred **SB 108**, reported the same back to the Senate: 2 Favorable; 3 Merits.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred **SB 113**, reported the same back to the Senate: 3 Favorable; 2 Merits.

Senator duPont, on behalf of the Committee on Executive to whom had been referred SJR 5, reported the same back to the Senate: 5 Favorable.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred SB 87, reported the same back to the Senate: 5 Favorable; 1 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred HJR 3, reported the same back to the Senate: 4 Favorable, 1 Merits.

The Chair presented HCR 3 which was given its first reading by title only as follows:

HCR 3 — "Urging Senators Boggs and Roth and Representative duPont to Initiate Federal Legislation to Prevent the Dumping of Waste Material and Refuse into the Atlantic Ocean within One Hundred Miles of the State of Delaware, State of New Jersey and State of Maryland." Assigned to Committee on Natural Resources and Environmental Control.

Senator Grier moved that the Senate adjourn until Wednesday, March 10 at 2:05 p.m. Hearing no objection, the motion prevailed and the Senate adjourned at 2:05 p.m.

10TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:05 p.m., March 10, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Staton.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

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 posted.

ANNOUNCEMENTS

Senator duPont informed the Senate that the CAPS Dinner would be held on March 16 at 11:45 a.m.

Senator duPont also announced that the dinner of the Business and Professional Women's Club would be held on March 11 at 5:30 p.m.

Senator Grier moved that the Senate recess for 15 minutes. Hearing no objection, the motion prevailed and the Senate recessed.

The Senate reconvened at 2:40 p.m.

Senator Elliott introduced SA 1 to SB 29.

Senator Elliott moved that SA 1 be placed with the Bill. Hearing no objection, the motion prevailed.

On motion of Senator Elliott **SB 90** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 90 — “An Act to Amend Chapter 5, Title 7 of the Delaware Code, to Exempt Minors with Military Training from the Requirements of the Mandatory Six Hours Required Instruction in Order to Obtain a Hunting License.”

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 Hickman **SB 89** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 89 — “An Act to Amend an Act Being Chapter 170, Volume 57, Laws of Delaware, Entitled “An Act to Reincorporate the City of Lewes to Increase the Maximum Amount which May be Contributed to the Volunteer Fire Company.”

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, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Steele — 13.

NOT VOTING: Messrs. Cook, Holloway, McCullough, Robbins, Schlör, Slawik — 6.

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 **SJR 5** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SJR 5 — “Relating to the death of Mrs. Edgar J. Boggs.”

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, Robbins, Schlör, Slawik, Steele — 18.

NAYS: Mr. McCullough — 1.

So the question was decided in the affirmative and the Resolution, having received the required constitutional majority, was adopted by the Senate and ordered to the House for concurrence.

On Motion of Senator Cicione SB 93, with title as follows, was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 93 — “An Act Authorizing the Payment of Compensation and Travel Allowance to the Former Commissioners for Their Services to the Veterans’ Military Pay Commission in Fiscal Year 1971.”

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.

On motion of Senator Steele HJR 3, with title as follows, was taken up for consideration and read a second time by title only in order to pass the Senate.

HJR 3 — “Relative to Appropriating Funds to Legislative Council to Underwrite the Expense of Reapportioning the General Assembly.”

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 by the Senate and ordered to the House.

The Secretary read the following message from the House:
Mr. President:

The House wishes to inform the Senate that it has passed **HCR 9** and requests the concurrence of the Senate.

On motion of Senator Isaacs **HCR 9** with title as follows was taken up for consideration in order to pass the Senate.

HCR 9 — “Expressing Congratulations to Mrs. Phyllis Schabinger, First Grade Teacher in the Appoquinimink School District, on Being Chosen Delaware Teacher of the Year.”

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 by the Senate and ordered to the House.

Senator Elliott, on behalf of the Committee on Agriculture to whom had been referred **SJR 7**, reported the same back to the Senate: 6 Favorable.

On motion of Senator Steele **SB 33** with title as follows was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 33 — "An Act to Amend Title 29, Delaware Code, Chapter 80 by Creating a New Subsection Relating to the Powers and Duties of the Secretary of Natural Resources and Environmental Control to Make Grants for the Construction of Water Pollution Control Facilities."

Senator Steele moved that **SB 33** be tabled. Hearing no objection, the motion prevailed.

Senator Grier moved that the Senate adjourn until 1:30 p.m., March 11, 1971. Hearing no objection, the motion prevailed and the Senate adjourned at 3:15 p.m.

11TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:00 p.m., March 11, 1971; Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Godfrey.

Pledge of Allegiance to the Flag.

By roll call the following Senators were present:

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 posted.

Senator Manning introduced **SB 118**, co-sponsored by Senator Slawik, which was given its first reading by title only, entitled:

SB 118 — "An Act Proposing an Amendment to the Constitution of the State of Delaware." Assigned to Joint Committee on Constitutional Revision.

Senator Elliott introduced **SB 119** which was given its first reading by title only, entitled:

SB 119 — "An Act to Permit an Exception to Section 5521, Title 29 of the Delaware Code." Assigned to Committee on Executive.

Senator Slawik introduced **SB 120**, co-sponsored by Senator Cicione, which was given its first reading by title only, entitled:

SB 120 — "An Act to Amend Title 7 of the Delaware Code, Pertaining to Site Location of Commercial Development; and Providing for a Commission Which Would Exercise the Police Power of the State to Control the Location of Developments Which may Adversely Affect the Environment." Assigned to Committee on Natural Resources and Environmental Control.

Senator Holloway introduced **SB 121** which was given its first reading by title only, entitled:

SB 121 — “An Act to Amend Article 11, Section 2 of the Delaware Constitution of 1897, as Amended, Pertaining to the Legislature and the Qualifications of its Members.” Assigned to Committee on Executive.

Senator Holloway introduced **SB 122** which was given its first reading by title only, entitled:

SB 122 — “An Act to Amend Article III, Section 6 of the Delaware Constitution of 1897, as Amended, Pertaining to the Executive Branch of State Government and the Qualifications for Office of Governor.” Assigned to Committee on Executive.

Senator Steele introduced **SB 123** which was given its first reading by title only, entitled:

SB 123 — “An Act to Amend 543, Title 4, Delaware Code, Relating to Grounds for Refusal of a License to Sell Alcoholic Liquors.” Assigned to Committee on Administrative Services.

Senator Elliott introduced **SB 124** which was given its first reading by title only, entitled:

SB 124 — “An Act to Amend Title 21, Delaware Code, by Amending Chapter 21, Subchapter 2, Section 2121, Pertaining to the Number of Rear Axles on Trucks.” Assigned to Committee on Public Safety.

The Chair recognized Miss Dee Lafferty who presented to the Senate a message from the Governor.

The following messages were read from the Governor:

March 11, 1971

To the Senate of the 126th General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate, the following, elected by the Board of Trustees of the University of Delaware to be a member of that Board:

| | |
|---|---|
| Werner C. Brown Old Kennett Road Greenville Wilmington, Delaware | to be a member of the Board of Trustees, University of Delaware, for a six-year term from December 5, 1970 to expire December 5, 1976, filling the vacancy of Mr. Henry B. duPont, deceased. |
|---|---|

| | |
|--|--|
| Otis H. Smith Bay Manor Farms Gills Neck Road Lewes, Delaware | to be a member of the Board of Trustees, University of Delaware, for a six-year term from December 6, 1970 to expire December 6, 1976. (Reappointed) |
|--|--|

Your consideration of this nomination will be appreciated.

Respectfully submitted
(Signed) Russell W. Peterson
Governor

March 11, 1971

To the Senate of the 126th General Assembly
of the State of Delaware:

In Conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

| | |
|----------------------|---------------------------------|
| Robert W. Wakefield | to be a member of the Public |
| 112 Thistle Lane | Service Commission, for the |
| Meadows | State of Delaware, filling the |
| Wilmington, Delaware | unexpired term ending September |
| | 1, 1972, of William D. Guthrie, |
| | resigned |

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

March 11, 1971

To the Senate of the 126th General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

| | |
|-------------------|----------------------------------|
| Leon F. Trivits | to be a member of the Industrial |
| Hearns Pond | Accident Board, for a six-year |
| Seaford, Delaware | term from date of confirmation, |
| | to fill the vacancy of William |
| | J. Gordy, resigned. |

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

The Secretary read the following message from the House:

3-11-71

Mr. President:

The House wishes to inform the Senate it has passed **HB 46, HB 74 w/ HA 1, HCR 6 w/ HA 1** and **HCR 10** and requests the concurrence of the Senate.

The House also passed **SB 8, SB 34, SJR 4** and is returning same to the Senate.

The Chair presented the following House Bills which were given first reading by title only and assigned to committee as follows:

HB 46 — "An Act to Grant the Widow of a Deceased Member of the State Judiciary who was Receiving a Pension on December 29, 1967 all Benefits Provided by Chapter 198, Volume 56, Laws of Delaware." Assigned to Committee on Finance.

HB 74 w/ HA 1 — "An Act to Amend Chapter 1, Title 10 and Chapter 21, Title 29 of the Delaware Code, Relating to Advisory Opinions by the Justices of the Supreme Court; and

Providing for the Briefing of Issues Submitted by the Governor; and Requiring Notification to the General Assembly.' Assigned to Committee on Judiciary.

The Chair presented **HCR 6 w/ HA 1** which was given its first reading by title only, entitled:

HCR 6 w/ HA 1 — "Creating a Task Force on Legislative Reorganization to plan and implement any needed or desired reorganization of the Legislative Branch of the State Government; Prescribing Certain Powers and Responsibilities for Such Task Force; and Providing a Supplementary Appropriation for the Expenses incurred by Such Task Force."

On motion of Senator duPont the Resolution was assigned to Committee on Executive without objection.

The Chair presented **HCR 10** which was given its first reading by title only, entitled:

HCR 10 — "Relating to Transportation of Pupils in the Conrad School District and the Formation of a Committee to Study Pupil Transportation Throughout the State."

Senator Cicione moved that the Resolution be laid on the table. Hearing no objection, the motion prevailed.

Senator Castle introduced **SCR 10** which was given its first reading by title only, entitled:

SCR 10 — "Memorializing and Urging the Delaware Congressional Delegation to Support Legislation Proposing the 26th Amendment to the U.S. Constitution."

Senator Castle moved that **SCR 10** 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, Slawik, Steele — 16.

NAYS: Messrs. McCullough, Robbins, Schlör — 3.

So the question was decided in the affirmative and the Resolution, having received the required constitutional majority, was adopted by the Senate and ordered to the House for concurrence.

Senator Isaacs introduced **SA 2 to SB 33**.

Senator Isaacs moved that **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. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 18.

ABSENT: Mr. Cicione — 1.

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

On motion of Senator Manning, **SB 108** was taken up for consideration and given its second reading by title only in order to pass the Senate.

SB 108 — “An Act to Amend Section 9402, Title 9, Delaware Code, Relating to the Salary of the Clerk of the Peace in and for 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, 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 Elliott moved that **SA 1** to **SB 49** which had been placed with the Bill now 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, Isaacs, (Mrs.) Manning, Steele — 13.

NOT VOTING: Messrs. Cook, Holloway, McCullough, Robbins, Schlör, Slawik — 6.

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 49 w/ SA 1** was taken up for consideration and given its second reading by title only in order to pass the Senate.

SB 49 w/ SA 1 — “An Act to Reincorporate the Town of Blades.”

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, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Steele — 13.

NOT VOTING: Messrs. Holloway, McCullough, Robbins, Schlör, Slawik — 5.

ABSENT: Mr. Cook — 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 88** was taken up for consideration and given its second reading by title only in order to pass the Senate.

SB 88 — “An Act to Amend an Act Being Chapter 42, Volume 53, Laws of Delaware, as Amended, Entitled “An Act Amending, Revising and Consolidating the Charter of the City of Seaford” to Permit Vacancies in the Office of Mayor or Councilman to be Filled for the Remainder of the Unexpired Term.”

Senator Elliott moved that the roll call on **SB 88** be tabled. Hearing no objection, the motion prevailed.

Senator Cicione moved that the roll call on **HCR 10** be lifted. Hearing no objection, the motion prevailed.

Senator Cicione requested the privilege of the floor for Representative Harkins to discuss **HCR 10**. Hearing no objection, the motion prevailed.

Senator Cicione moved that the roll call on **HCR 10** be tabled. Hearing no objection, the motion prevailed.

Senator Isaacs moved that **SA 1** to **SB 33** be stricken. Hearing no objection, the motion prevailed.

On motion of Senator Steele **SB 33 w/ SA 2** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 33 w/ SA 2 — “An Act to Amend Title 29, Delaware Code, Chapter 80 by Creating a New Subsection Relating to the Powers and Duties of the Secretary of Natural Resources and Environmental Control to Make Grants for the Construction of Water Pollution Control Facilities.”

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, Slawik, Steele — 18.

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, the roll call on **SCR 5** was lifted without objection.

Senator Foltz announced that he will be recorded as “not voting” on the Resolution because of conflict of interest; further that if he could vote, he would be opposed to **SCR 5**.

Senator Foltz moved that the roll call on **SCR 5** be tabled.

Senator Foltz moved that the Senate recess for 10 minutes. Hearing no objection, the motion prevailed.

The Senate reconvened 10 minutes later.

Senator Foltz moved that his motion to table the roll call on **SCR 5** be withdrawn. Hearing no objection, the motion prevailed.

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, Grier, Hale, Hickman, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 13.

NAYS: Mr. Isaacs — 1.

NOT VOTING: Messrs. Cicione, Elliott, Foltz, Hart — 4.

ABSENT: Mr. Holloway — 1.

So the question was decided in the affirmative and the Resolution, having received the required constitutional majority, was adopted by the Senate and ordered to the House for concurrence.

Senator Cicione introduced **SCR 11**, co-sponsored by Senator Slawik, which was given its first reading by title only, entitled:

SCR 11 — “Relating to Transportation of Pupils in the Conrad School District and the Formation of a Committee to Study Pupil Transportation Throughout the State.”

Senator Cicione moved that **SCR 11** be stricken from the calendar. Hearing no objection, the motion prevailed.

The Secretary read the following message from the House

3—11—71

Mr. President:

The House wishes to inform the Senate that it has passed **HB 84 w/ HA 1** and requests the concurrence of the Senate.

Senator Castle moved that Rule 9 be suspended for the purpose of considering **HB 84 w/ HA 1**.

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, duPont, Elliott, Foltz, Grier, Hale, Hart, Holloway, (Mrs.) Manning, Steele — 12.

NOT VOTING: Messrs. Cook, Isaacs, McCullough, Robbins, Schlör, Slawik — 6.

ABSENT: Mr. Hickman — 1.

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

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, Foltz, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, Steele — 13.

NOT VOTING: Messrs. Cook, Isaacs, McCullough, Robbins, Schlör, Slawik — 6.

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 Elliott moved that the roll call on SB 88 be lifted. Hearing no objection, the motion prevailed.

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, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Steele — 13.

NOT VOTING: Messrs. Cook, Holloway, McCullough, Robbins, Schlör, Slawik — 6.

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 introduced SR 24, co-sponsored by Senators Cicione, Cook, Hale and McCullough, entitled:

SR 24 — "Extending Contratulations to Five Delaware Football Players on the University and College Level upon Their Being Drafted by National Football League Teams."

Senator Holloway moved that SR 24 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, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 18.

ABSENT: Mr. Hickman — 1.

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

Senator Cicione introduced SCR 12, co-sponsored by Senator Slawik, entitled:

SCR 12 — "Relating to Transportation of Pupils in the Conrad School District."

Senator Cicione moved that SCR 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, 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 by the Senate and ordered to the House for concurrence.

Senator Grier moved that the Senate recess until 1:30 p.m., Tuesday, March 15. Hearing no objection, the motion prevailed and the Senate recessed at 5:30 p.m.

The Senate reconvened at 2:05 p.m., Tuesday, March 16, 1971.

Senator Schlör introduced **SA 1** to **HCR 6**.

Senator Schlör moved that **SA 1** be placed with the Resolution. Hearing no objection, the motion prevailed.

Senator Schlör introduced **SB 125** which was given its first reading by title only, entitled:

SB 125 — “An Act to Amend Chapters 31 and 33, Title 15 of the Delaware Code Relating to Primary Elections.” Assigned to Committee on Judiciary and Elections.

Senator Elliott introduced **SB 126** which was given its first reading by title only, entitled:

SB 126 — “An Act to Amend Chapter 13, Title 14, Delaware Code, Entitled State Supported Salary Schedules for School Employees.” Assigned to Committee on Education.

Senator Foltz introduced **SB 127**, co-sponsored by Senators duPont and Holloway, which was given its first reading by title only, entitled:

SB 127 — “An Act Making Appropriation to Delaware State College for the Restoration of Loockerman Hall Located on the Campus of Delaware State College and Designating Capital Investment Funds as the Source of Appropriation.” Assigned to Committee on Finance.

Senator Slawik introduced **SB 128** which was given its first reading by title only, entitled:

SB 128 — “An Act to Amend Title 11, Chapter 45 of the Delaware Code Relating to Appeals from a Conviction Before an Alderman or Mayor.” Assigned to Committee on Judiciary and Elections.

Senator Slawik introduced **SB 129** which was given its first reading by title only, entitled:

SB 129 — “An Act to Amend Title 11, Chapter 22 of the Delaware Code Relating to Jurisdiction of the Various Courts of Common Pleas for Violations of City or Town Ordinances.” Assigned to Committee on Judiciary and Elections.

Senator Grier introduced **SJR 8**, co-sponsored by Senator Robbins and Honorary Co-sponsors: Representatives Harrington, Smith and Quillen, which was given its first reading by title only, entitled:

SJR 8 — “Saluting the 1971 Milford High School Basketball Team and Its Coaches on Becoming the First Lower Delaware School to Win the Delaware State Basketball Tournament.”

On motion of Senator Grier **SJR 8** was laid on the table, without objection.

Senator Cicione introduced **SB 130**, co-sponsored by Senator Slawik, which was given its first reading by title only, entitled:

SB 130 — “An Act to Amend Chapter 7, Title 21 of the Delaware Code Relating to the Enforcement, Arrest, Bail and Appeal for Motor Vehicle Violations.” Assigned to Committee on Public Safety.

Senator Cicione introduced **SB 131**, co-sponsored by Senator Slawik, which was given its first reading by title only, entitled:

SB 131 — “An Act to Amend Subchapter 11, Part V, Chapter 83, Title 11 of the Delaware Code Relating to Compensation for Widows and/or Dependents of Delaware State Police Officers Killed as a Result of the Performance of Their Duties.” Assigned to Committee on Judiciary and Elections.

Senator Elliott introduced **SS 1** to **SB 29**, co-sponsored by Senator Steele.

Senator Elliott moved that **SS 1** be adopted in lieu of **SB 29**. Hearing no objection, the motion prevailed.

Senator Conner introduced **SB 132**, co-sponsored by Senators Cicione, Foltz, Hart, Holloway and Slawik, which was given its first reading by title only, entitled:

SB 132 — “An Act to Amend Chapter 3, Title 31, Delaware Code, Pertaining to Child Welfare by Permitting the Department of Health and Social Services, Division of Social Services to Continue Payments and Allocations for Dependent or Neglected Children After They have Been Legally Adopted.” Assigned to Committee on Health and Social Services.

The Secretary read the following message from the House:

3—16—71

Mr. President:

The House wishes to inform the Senate it has passed **HB 41**, **HB 67**, **HB 65 w/ HA 1**, and **HCR 11** and requests the concurrence of the Senate.

The House also passed **SCR 9** and **SCR 12** and is returning the same to the Senate.

The Chair presented the following House Bills which were given first reading by title only and assigned to Committee as follows:

HB 41 — “An Act to Amend Title 4 of the Delaware Code, Relating to the Importation of Alcoholic Liquors.” Assigned to Committee on Finance.

HB 65 w/ HA 1 — “An Act to Amend Chapter 6, Title 14, of the Delaware Code Authorizing the Payment of Tuition for Inmates of Children’s Homes or Institutions.” Assigned to Committee on Education.

HB 67 — “An Act to Amend Chapter 27, Title 21 of the Delaware Code, Pertaining to School Bus Driver License Applications and Qualifications therefor.” Assigned to Committee on Public Safety.

The Chair presented **HCR 11** which was given its first reading by title only as follows:

HCR 11 — “Requesting the Governor to Request an Opinion from the Attorney General and to Direct the Secretary of the Department of Highways and Transportation on Matters Pertaining to the Chesapeake and Delaware Canal and the St. Georges Bridge.”

Senator duPont moved that **HCR 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, 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 Resolution, having received the required constitutional majority, was adopted by the Senate and ordered returned to the House.

Senator Schlör introduced **SA 1** to **SB 125**.

Senator Schlör moved that **SA 1** be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Cicione requested that **SB 63** be stricken from the record. Hearing no objection, the motion prevailed.

Senator Hart, on behalf of the Committee on Highways, Transportation and Insurance to whom had been referred **SB 97**, reported the same back to the Senate: 2 Favorable; 4 Merits.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred **SB 10**, reported the same back to the Senate: 2 Favorable; 4 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred **SB 80**, reported the same back to the Senate: 5 Favorable; 1 Merits.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred **SB 91**, reported the same back to the Senate: 6 Merits.

Senator Castle, of behalf of the Committee on Judiciary and Elections to whom had been referred **SB 99**, reported the same back to the Senate: 3 Favorable, 3 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred **SB 103**, reported the same back to the Senate: 3 Favorable; 3 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred, **SB 116**, reported the same back to the Senate: 6 Merits.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred **SB 124**, reported the same back to the Senate: 5 Merits.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred, **SB 109**, reported the same back to the Senate: 1 Favorable; 4 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 36**, reported the same back to the Senate: 6 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 98**, reported the same back to the Senate: 5 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 110**, reported the same back to the Senate: 6 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 111**, reported the same back to the Senate: 6 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 115**, reported the same back to the Senate: 6 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 114**, reported the same back to the Senate: 6 Merits.

Senator duPont, on behalf of the Committee on Executive to whom had been referred **SJR 3**, reported the same back to the Senate: 5 Favorable; 1 Merits.

Senator Isaacs, on behalf of the Committee on Natural Resources and Environmental Control to whom had been referred **HCR 3** reported the same back to the Senate: 4 Favorable; 1 Merits.

Senator duPont, on behalf of the Committee on Executive to whom had been referred the nominations for appointments by the Governor reported the same back to the Senate as follows:

Mr. Trivits: 5 Favorable

Mr. Wakefield: 3 Favorable; 2 Merits

Mr. Brown: 3 Favorable

Mr. Smith: 4 Favorable

Senator Manning introduced Mr. Wm. L. Frederick from the Council of State Governments.

On motion of Senator Hickman, **SB 113** with title as follows was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 113 — “An Act to Amend the Act to Incorporate the Town of South Bethany.”

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, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Steele — 13.

NOT VOTING: Messrs. Cook, Holloway, McCullough, Robbins, Schlör, Slawik — 6.

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 that the Senate adjourn until 2:55 p.m., Tuesday, March 16, 1971. Hearing no objection, the motion prevailed and the Senate adjourned at 2:55 p.m.

12TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:55 p.m., Tuesday, March 16, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Godfrey.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

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 minutes 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 posted.

On motion of Senator Foltz, SB 97 with title as follows was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 97 — "An Act to Amend Title 18 of the Delaware Code Relating to the Basic Property Protection Plan by Deleting Subsection (d) (i) of Section 4103 and by Amending Section 4106."

Senator Foltz moved that the roll call on SB 97 be tabled. Motion prevailed, without objection.

Senator Foltz moved that the roll call on SB 97 be lifted. Hearing no objection, the motion prevailed.

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, McCullough, Robbins, Schlör, Slawik, Steele — 18.

ABSENT: (Mrs.) Manning — 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 Cicione requested that SB 63 be re-instated. Hearing no objection, the motion prevailed.

Senator Cicione requested that SB 59 be stricken from the calendar. Hearing no objection, the motion prevailed.

On motion of Senator Isaacs, HCR 3 with title as follows was taken up for consideration in order to be adopted by the Senate and was given its second reading by title only, entitled:

HCR 3 — “Urging Senators Boggs and Roth and Representative duPont to Initiate Federal Legislation to Prevent the Dumping of Waste Material and Refuse into the Atlantic Ocean within One Hundred Miles of the State of Delaware, State of New Jersey, and State of Maryland.”

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, 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 Resolution, having received the required constitutional majority, was adopted by the Senate and ordered back to the House.

Senator Grier moved that the Senate recess for 10 minutes at 3:00 p.m. Hearing no objection, the motion prevailed.

The Senate reconvened at 3:30 p.m.

Senator Grier moved that **SJR 8** be lifted from the table. Hearing no objection, the motion prevailed.

Senator Grier moved that Rule 9 be suspended for the purpose of considering **SJR 8**.

On the question, “Shall the motion 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, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele — 17.

ABSENT: Mr. Cicione and (Mrs.) Manning — 2.

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

Senator Grier requested the privilege of the floor for George Frick to read **SJR 8**. Hearing no objection, the privilege was granted.

Senator Grier then introduced the members of the Milford Basketball team.

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, McCullough, Robbins, Schlör, Slawik, Steele — 18.

ABSENT: (Mrs.) Manning — 1.

So the question was decided in the affirmative and the Resolution, having received the required constitutional majority, was adopted by the Senate and ordered to the House for concurrence.

Senator Grier moved that the Senate recess until Tuesday, March 23, 1971 at 1:30 p.m. Hearing no objection, the motion prevailed and the Senate recessed at 3:40 p.m.

The Senate reconvened at 2:20 p.m. Tuesday, March 23, 1971.

Senator Hale introduced SB 133, co-sponsored by Senators Castle, Conner, Elliott and Slawik, which was given its first reading by title only, entitled:

SB 133 — "An Act Amending Title 29, Delaware Code, Acknowledging the Rights and Defining the Limitations of Legislative Office, Establishing a Code of Legislative Conduct, and Establishing a Joint Committee on Legislative Conduct in the General Assembly." Assigned to Committee on Executive.

Senator Hale introduced SB 134, co-sponsored by Senators Castle, Conner, Elliott and Slawik, which was given its first reading by title only, entitled:

SB 134 — "An Act to Amend Title 29 of the Delaware Code by Adding a New Chapter Providing for the More Effectual Regulation of the Conduct of Officers and Employees on the State of Delaware, Establishing Standards Therefor, and Providing for Disciplinary Action and Criminal Penalties for Violation Thereof." Assigned to Committee on Executive.

Senator Hale introduced SB 135, co-sponsored by Senators Castle, Conner, Elliott and Slawik, which was given its first reading by title only, entitled:

SB 135 — "An Act to Amend Title 11, Delaware Code Relating to Bribery of Public Servants and Political Party Officials." Assigned to Committee on Judiciary and Elections.

Senator Slawik introduced SB 136 which was given its first reading by title only, entitled:

SB 136 — "An Act to Amend Section 7915, Title 29 of the Delaware Code Relating to the Membership of the Council on the Aging." Assigned to Committee on Judiciary and Elections.

Senator Hickman introduced SB 137 which was given its first reading by title only, entitled:

SB 137 — "An Act Authorizing the Secretary of the Department of Natural Resources and Environmental Control to Administer and Distribute \$647,422.00 in the Form of Grants to the Town of Selbyville from Funds Authorized under Chapter 736, Volume 57, Laws of Delaware."

Senator Hickman moved that Rule 9 be suspended for the purpose of considering SB 137.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hickman, (Mrs.) Manning, Steele — 9.

NOT VOTING: Messrs. Cook, Foltz, Hart, Holloway, Isaacs, McCullough, Robbins, Schlör — 8.

ABSENT: Messrs. Cicione and Slawik — 2.

So the question was decided in the negative and the motion was lost and the Bill was therefore referred to the Committee on Natural Resources and Environmental Control.

Senator Hale introduced (by request) **SB 138** which was given its first reading by title only, entitled:

SB 138 — “An Act Relating to Eligibility for Certain Benefits for Boyd R. Greenwalt, Teacher, Dover High School.” Assigned to Committee on Finance.

Senator Isaacs introduced **SS 1** for **SB 28**, co-sponsored by Senator Cicione.

Senator Isaacs moved that the Substitute Bill be placed with **SB 28**. Hearing no objection, the motion prevailed and the Substitute Bill was referred to Committee on Judiciary and Elections.

Senator Cicione introduced **SB 139**, co-sponsored by Senator Slawik, which was given its first reading by title only, entitled:

SB 139 — “An Act Making A Supplementary Appropriation to the Department of Community Affairs and Economic Development for Flags.” Assigned to Committee on Finance.

Senator Steele introduced **SB 140** which was given its first reading by title only, entitled:

SB 140 — “An Act to Amend Chapter 51, Title 29, Delaware Code, by Including Under Health Care Insurance Coverage Individuals Receiving Retirement or Disability Benefits under Chapter 39, Title 14, Delaware Code.” Assigned to Committee on Finance.

Senator Elliott introduced **SB 141**, co-sponsored by Senator Steele, which was given its first reading by title only, entitled:

SB 141 — “An Act to Amend Title 29 of the Delaware Code, Providing for Release of Postmortem and Autopsy Reports, Notification of Relatives and Release of Remains of Deceased to the Immediate Family.” Assigned to Committee on Judiciary and Elections.

Senator Cicione introduced **SS 1** for **SB 91** which was given its first reading by title only, entitled:

SS 1 for **SB 91** — “An Act to Amend Part VI, Title 16 of the Delaware Code Exempting Certain Policemen, from Civil Liability when Rendering Emergency Care, First Aid and Rescue in the Performance of Their Official Duties Except in Certain Instances.” The Substitute Bill was referred to Committee on Health and Social Services.

Senator Holloway introduced **SB 142** which was given its first reading by title only, entitled:

SB 142 — “An Act Making a Supplementary Appropriation to the Department of Highways and Transportation for the Construction of an Overhead Walkway in the City of Wilmington.” Assigned to Committee on Finance.

Senator Holloway introduced SA 2 to SB 100, co-sponsored by Senators Cook, McCullough and Schlör.

Senator Holloway moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Manning introduced SCR 13, co-sponsored by Senators Cicione, Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Holloway and Robbins, entitled:

SCR 13 — “Relative to the Proposed Amendment to the Constitution of the United States Extending the Right to Vote to Citizens Eighteen Years of Age or Older.”

Senator Manning moved that the Resolution 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, Robbins, Schlör, Steele — 17.

NAYS: Mr. McCullough — 1.

ABSENT: Mr. Slawik — 1.

So the question was decided in the affirmative and the Resolution, having received the required constitutional majority, was adopted by the Senate and ordered to the House for concurrence.

Senator Hale, on behalf of the Committee on Education to whom had been referred SB 24, reported the same back to the Senate: 1 Favorable; 3 Merits; 1 Unfavorable.

Senator Hale, on behalf of the Committee on Education to whom had been referred SB 106, reported the same back to the Senate: 1 Favorable; 3 Merits; 1 Unfavorable.

Senator Steele, on behalf of the Committee on Finance to whom had been referred HB 41, reported the same back to the Senate: 1 Favorable; 3 Merits.

Senator duPont, on behalf of the Committee on Executive to whom had been referred HCR 6 w/ HA 1, reported the same back to the Senate: 3 Favorable; 3 Merits.

The Secretary read the following message from the House:

3/17/71

Mr. President:

The House wishes to inform the Senate that it has passed HB 76, HB 78 and HB 85 w/ HA 1 and requests the concurrence of the Senate.

The Secretary read the following message which was received from the Governor:

March 18, 1971

To the Senate of the
126th General Assembly
of the State of Delaware

On March 17, 1971, I received Senate Bill No. 33, As Amended by Senate Amendment 2, entitled:

“AN ACT TO AMEND TITLE 29, DELAWARE CODE, CHAPTER 80 BY CREATING A NEW SUBSECTION RELATING TO THE POWERS AND DUTIES OF THE SECRETARY OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO MAKE GRANTS FOR THE CONSTRUCTION OF WATER POLLUTION CONTROL FACILITIES.”

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

Last year the 125th General Assembly enacted legislation providing grants for construction of water pollution control facilities. The legislation, however, did not set forth the procedures for administration and disbursement of the funds. The result was that the funds, although sorely-needed by many Delaware communities, could not be distributed.

Therefore, I urged the introduction this year of Senate Bill No. 33. As originally introduced, it provided an effective mechanism for the distribution of the appropriated funds. However, the bill was amended, causing the following problems:

1. It alters the original distribution mechanism by substituting an unsatisfactory procedure under which both the Secretary and the Council on Environmental Control would be vested with the power to distribute and administer the funds. While both would have equal and concurrent powers, the extent or nature of the need for that concurrence is not clear. This is administratively and practically unwise.

2. It provides that no project may become final until the Chairmen of the Senate and House Committees on Natural Resources and Environmental Control are notified. This presumably would require the Secretary to notify the Chairmen, whether or not the General Assembly is in session, and presumably would mean that the Secretary or the Council could take no action if either Chairman could not be located.

3. This splintering of responsibility and authority is contrary to the spirit and principles of the Reorganization of the Executive Branch of Delaware State Government. This amended bill, if it became law, would cloud the lines of responsibility so as to delay, if not hamstring, the administration of this vitally needed water pollution control program.

I know that members of the General Assembly are as concerned as I with the need for effective water pollution control and want to see the funds spent as effectively and as quickly as feasible. However, this amended bill would, in my judgment, have the opposite effect and would delay implementation of the

program. While holding out to local communities the prospect for immediate assistance, it could at the same time frustrate these hopes in a bureaucratic snarl.

Therefore, I earnestly request that you reconsider your decision and enact the original version of Senate Bill No. 33.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

Senator Isaacs requested the privilege of the floor to comment on the Governor's veto message. Hearing no objection, the privilege was granted.

The Secretary informed the Senate that Legislative Advisory No. 2 received from Mr. Fletcher E. Campbell, Jr., Counsel to the Governor, indicated that the Governor had approved the following Bills and Resolutions submitted to him for signature:

HB 20 (3-2-71); **HB 12 w/ SA 1** (3-11-71); **HB 84 w/ HA 1** (3-11-71); **HJR 3** (3-15-71); **HCR 9** (3-15-71); **SB 38** (3-15-71); **SJR 8** (3-16-71); **SB 8** (3-18-71); **SB 34** (3-18-71); **SJR 4** (3-18-71); **HCR 3** (3-18-71); and **HCR 11** (3-18-71).

The Governor vetoed **SB 33 w/ SA 2** (3-18-71).

Senator duPont introduced **SB 143** which was given its first reading by title only, entitled:

SB 143 — "An Act to Amend Title 29, Delaware Code, Chapter 80 by Creating a New Subsection Relating to the Powers and Duties of the Secretary of Natural Resources and Environmental Control to Make Grants for the Construction of Water Pollution Control Facilities." Assigned to Committee on Natural Resources and Environmental Control."

The Chair introduced the following House Bills which were given first reading by title only and assigned to committee as follows:

HB 26 "An Act to Amend Chapter 125, Volume 56 of the Laws of Delaware, Lowering the Voting Age of a Resident to Eighteen (18) Years of Age from the Present Requirement of Twenty-one (21) Years of Age." To Judiciary and Elections.

HB 78 — "An Act to Amend Title 25, Chapter 27, Delaware Code, Relating to Mechanics' Liens Against an Owner who Pays the Contractor for Construction and Building." To Committee on Labor.

HB 85 /w HA 1 — "An Act Making a Supplementary Appropriation to the Secretary of State for Automation of the Franchise Tax Department and the Corporation Department." To Committee on Finance.

Senator Grier moved that the Senate adjourn until 2:50 p.m. March 23, 1971. Hearing no objection, the motion prevailed and the Senate adjourned at 2:50 p.m.

13TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:50 p.m. Tuesday, March 23, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Reverend S. H. Murphy.

Pledge of Allegiance to the Flag.

By roll call the following Senators were present:

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 minutes 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 posted.

The Secretary then read the following messages:

STATE BOARD OF EDUCATION DOVER, DELAWARE

March 19, 1971
Mrs. Barbara A. Konopik
Secretary of the Senate
Legislative Hall
Dover, Delaware

Dear Mrs. Konopik:

This will acknowledge receipt of Senate Concurrent Resolution No. 12 dated March 11, 1971. The State Board of Education accepted the recommendation of the Unique Hazards Committee to continue bus privileges for students in the Conrad Area School District for the balance of this school year.

A survey is being made of transportation in all school districts of the state with the intent that only eligible students living beyond the one and two mile limitation will be transported beginning September 1, 1971. Exceptions will be in hazardous areas if recommended by the Unique Hazards Committee and approved by the State Board of Education.

I would appreciate it if you will bring this to the attention of the Senate members.

Very truly yours,
(Signed) Kenneth C. Madden
State Superintendent
KCM;sg

DEPARTMENT OF HIGHWAYS AND TRANSPORTATION
DOVER, DELAWARE

March 19, 1971

Mrs. Barbara A. Konopik
Executive Secretary of the Senate
Legislative Hall
Dover, Delaware 19901

Dear Mrs. Konopik:

I have received Senate Concurrent Resolution No. 9 of March 1, 1971, relating to the closing of the St. Georges Bridge.

We are well aware of the problems involved, and are doing everything possible from the departmental point of view to solve them. You recognize, however, that this bridge is owned and controlled by the Corps of Engineers and not the Department of Highways and Transportation. Our responsibility rests in coordinating traffic patterns through the other road structures of the State when the Corps makes the needed improvements to the bridge. We are working closely with them.

Next week, I have a meeting in Washington with Congressman duPont to discuss some portions of this resolution, and will make every endeavor to abide by its suggestions.

Sincerely,
(Signed) A. Kirk Mearns, Jr.

AKM/g

Senator Holloway introduced SB 144 which was given its first reading by title only, entitled:

SB 144 — "An Act to Amend Subchapter 11, Chapter 27, Title 21 of the Delaware Code Providing for Special Work Licenses for Persons Convicted of Certain Motor Vehicle Offenses." Assigned to Committee on Public Safety.

Senator Holloway introduced SB 145 which was given its first reading by title only, entitled:

SB 145 — "An Act to Amend Chapter 21, Title 12, of the Delaware Code Relating to Debts of and Claims Against Decedent Estates." Assigned to Committee on Judiciary and Elections.

Senator Cicione requested that SB 91 be stricken from the calendar. Hearing no objection, the motion prevailed.

Senator Cicione requested that SB 132 be stricken from the calendar. Hearing no objection, the motion prevailed.

On motion of Senator Cicione SB 109 was taken up for consideration and given its second reading by title only in order to pass the Senate.

SB 109 — "An Act to Amend Chapter 43, Title 21 of the Delaware Code, Relating to Vehicle rear Wheel Flaps or Shields."

Senator Cicione moved that SB 109 be tabled. Hearing no objection, the motion prevailed.

Senator Grier moved that the Senate recess for 15 minutes at 3:05 p.m. Hearing no objection, the motion prevailed.

The Senate reconvened at 5:20 p.m.

Senator Manning introduced SB 146, co-sponsored by Senator Cook, which was given its first reading by title only, entitled:

SB 146 — “An Act to Amend Title 31, Chapter 52, Delaware Code, Relating to Interstate Compact on Juveniles Providing Amendments Relating to Out-of-state Confinement, Rendition and Empowering Designation of Administrator.” Assigned to Committee on Judiciary and Elections.

Senator Isaacs introduced SA 1 to SB 143.

Senator Isaacs moved that the amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Schlor introduced SB 147 which was given its first reading by title only, entitled:

SB 147 — “An Act to Amend the Insurance Code, Title 18 of the Delaware Code Relating to the Imposition of Fees and Taxes on Insurance Companies.”

Assigned to Committee on Highways, Transportation and Insurance.

Senator Cicione introduced SB 148, co-sponsored by Senator Slawik, which was given its first reading by title only, entitled:

SB 148 — “An Act to Amend Title 29, Delaware Code, Chapter 69, Relating to Procurement of Materiel and Award of Contracts for Public Works by State Agencies.” Assigned to Committee on Labor and Industrial Relations.

Senator Isaacs, on behalf of the Committee on Natural Resources and Environmental Control to whom had been referred SB 137, reported the same back to the Senate: 1 Favorable; 5 Merits.

Senator Hickman moved that Rule 9 be suspended for the purpose of considering SB 137.

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, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, Slawik, Steele — 14.

NOT VOTING: Messrs. Cook, McCullough, Robbins, Schlor — 4.

ABSENT: (Mrs.) Manning — 1.

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

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 Cicione introduced SB 149 which was given its first reading by title only, entitled:

SB 149 — “An Act to Amend Chapter 673 of Volume 57, Laws of Delaware, Pertaining to the Annual Report Required of all State Agencies, Boards, Commissions and Departments Receiving Appropriations from This State.” Assigned to Committee on Finance.

Senator Robbins introduced SA 1 to SB 109.

Senator Robbins moved that the amendment be placed with the Bill. Hearing no objection, the motion prevailed.

The following message was read from the House:

3-23-71

Mr. President:

The House wishes to inform the Senate that it has passed **HB 3 w/ HA 1; HB 91; HB 104; HB 48 w/ HA 1, 5, 6, 8; HJR 4 w/ HA 1** and requests the concurrence of the Senate.

The Chair introduced the following House Bills which were given first reading by title only and assigned to Committee as follows:

HB 3 w/ HA 1 — “An Act Proposing an Amendment to Section 2, Article V, of the Constitution of the State of Delaware, Relating to Qualifications for Voting.” Committee on Judiciary and Elections.

HB 48 w/ HA 1, 5, 6, 8 — “An Act to Amend Title 22, Delaware Code, Entitled “Municipalities” by Adding Thereto a New Chapter 9 Authorizing Cities with a Population in Excess of 50,000 Persons to Enact a Tax on Income of its Residents; and a Tax on the Income of Nonresidents Engaged in any Occupation, Business or Profession within the City.” Committee on Judiciary and Elections.

HB 91 — “An Act Making Supplementary Appropriations to the Department of Justice for the Purpose of Providing Additional Salaries, Contractual Services, Supplies and Materials and Capital Outlay.” Committee on Finance.

HB 104 — “An Act to Amend Title 18, Delaware Code, Providing for Health Insurance, Group Health Insurance, Blanket Health Insurance, and Health Service Corporations to be Subject to the Provisions of Chapter 25, Title 18, Delaware Code, Regarding Rates and Rating Organizations.” Committee on Health and Social Services.

The Chair introduced **HJR 4 w/ HA 1** which was given its first reading by title only, as follows:

HJR 4 w/ HA 1 — “Relating to Infractions of Delaware Tax Laws by Vendors.” Assigned to Committee on Finance.

Senator Isaacs introduced SB 150 which was given its first reading by title only, entitled:

SB 150 — “An Act to Amend Subchapter LIII, Chapter 8, Title 11 of the Delaware Code, Providing for Persons Trespassing upon and/or Damaging or Defacing Buildings and Grounds on State Supported Schools, Colleges and Universities and Providing Penalties Therefor.” Assigned to Committee on Judiciary and Elections.

The following message was read from the House:

3—23—71

Mr. President:

The House wishes to inform the Senate it has passed **SB 137** and **SCR 13** and is returning same to the Senate.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **HB 85**, reported the same back to the Senate: 3 Favorable; 1 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred **SB 135**, reported the same back to the Senate: 6 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred **SB 136**, reported the same back to the Senate: 1 Favorable; 5 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred **SB 141**, reported the same back to the Senate: 6 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 140**, reported the same back to the Senate: 3 Favorable; 1 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred **HB 48**, reported the same back to the Senate: 1 Favorable; 3 Merits; 1 Unfavorable.

Senator Cook introduced **SR 25** entitled:

SR 25 — “Providing for a Senate Committee to Investigate the Circumstances Surrounding the Resignation of John Kramdeas from His Position as Federal-State Highway Safety Coordinator in the Department of Public Safety.”

Senator Cook moved that the Resolution 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, McCullough, Robbins, Schlör, Slawik — 5.

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

NOT VOTING: Messrs. Cicione, Hart, Holloway, Isaacs — 4.

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

Senator Grier moved that the Senate adjourn until 1:30 p.m., Wednesday, March 24, 1971. Hearing no objection, the motion prevailed and the Senate adjourned at 6:00 p.m.

14TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:55 p.m. Wednesday, March 24, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Godfrey.

Pledge of Allegiance to the Flag.

By roll call the following Senators were present:

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 minutes 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 posted.

Senator Hale introduced SB 151 which was given its first reading by title only, entitled:

SB 151 — "An Act to Amend Chapter 79, Title 29 of the Delaware Code, Relating to Fees Charged by the Department of Health and Social Services, and Providing for the Elimination of Liability of Parents of Retarded Persons over Age Twenty-one for Fees Charged by the Hospital for the Mentally Retarded." Assigned to Committee on Health and Social Services.

Senator Steele introduced SA 1 to HB 48.

Senator Steele moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Elliott introduced SA 1 to SB 118.

Senator Elliott moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Elliott introduced SA 2 to SB 118.

Senator Elliott moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Elliott introduced SA 3 to SB 118.

Senator Elliott moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Steel introduced SA 2 to SB 143.

Senator Steele moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Slawik introduced SB 152 which was given its first reading by title only, entitled:

SB 152 — "An Act to Amend Title 15, Delaware Code, by Providing for the Conducting of Presidential Primary Elections in Presidential Election Years, to Amend Said Title 15, Insofar as Inconsistent Herewith, and to Repeal Title 15, Delaware Code, Section 3114." Assigned to Committee on Judiciary and Elections.

Senator Schlör introduced **SB 153**, co-sponsored by Senator Cicione, which was given its first reading by title only, entitled:

SB 153 — “An Act to Amend Chapter 15, Title 14, Delaware Code Relating to Fiscal Provisions for Free Public Schools, by Creating a Non-public Elementary and Secondary Education Fund to Finance the Purchase of Secular Educational Services from Nonpublic Schools Located within the State of Delaware for the Benefit of Residents of the State; and Designating Capital Investment Fund as the Source of Funds.” Assigned to Committee on Finance.

Senator Elliott introduced **SB 154** which was given its first reading by title only, entitled:

SB 154 — “An Act to Amend Title 14 of the Delaware Code, Concerning Moral and Spiritual Emphasis in the Public Schools of the State of Delaware.” Assigned to Committee on Education.

The following letter from Mr. Fletcher E. Campbell, Jr., Counsel to the Governor, was read by the Secretary:

March 23, 1971

To the Senate of the
126th General Assembly
of the State of Delaware

Governor Peterson has asked me to inform the General Assembly that he has, in accordance with the wishes of the General Assembly as expressed in House Concurrent Resolution No. 11, sent the following letters:

- (1) Requesting an opinion of the Attorney General as to the legal obligation, according to the original canal agreement, of the Corps of Engineers to not only maintain but to construct additional crossings at the Chesapeake and Delaware Canal.
- (2) Requesting the Secretary of Highways and Transportation to prepare a complete analysis of the increased costs to the State for the closing of the main artery of this State, including:
 - (a) detour lighting and signs
 - (b) necessary detour road reconstruction
 - (c) additional school bussing costs
- (3) Making a formal appeal to the Delaware congressional delegation to request the Corps of Engineers to replace the sidewalk on the St. Georges Bridge if its removal is planned.
- (4) Requesting the Delaware congressional delegation to ascertain if the last repair on the St. Georges Bridge during 1964 was inadequate or improperly done and to identify the firms receiving contracts for the latest reconstruction.

Yours very truly,
(Signed) Fletcher E. Campbell, Jr.
Counsel to the Governor

FEC,Jr:mm

Senator duPont moved that the letter be made part of the Record. Hearing no objection, the motion prevailed.

Senator Cicione requested that **SB 148** be stricken from the calendar. Hearing no objection, the motion prevailed.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred **SB 150**, reported the same back to the Senate: 5 Merits.

Senator Slawik requested that **SB 32** be stricken from the calendar. Hearing no objection, the motion prevailed.

Senator Steele introduced **SA 1** to **HB 48**.

Senator Castle moved that **SA 1** to **HB 48** 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, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hart, Hickman, Holloway, (Mrs.) Manning, Schlor — 12.

NAYS: Messrs. Elliott, Hale, Isaacs, McCullough, Robbins, Slawik, Steele — 7.

So the question was decided in the affirmative and the motion, having received the required constitutional majority, was adopted and the Amendment was tabled.

Senator McCullough introduced **SA 2** to **HB 48**, co-sponsored by Senator Slawik.

Senator Castle moved that **SA 2** to **HB 48** 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, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, Schlor — 13.

NAYS: Messrs. Isaacs, McCullough, Robbins, Slawik, Steele — 5.

NOT VOTING: Mr. Cook — 1.

So the question was decided in the affirmative and the motion, having received the required constitutional majority, was adopted and the Amendment was tabled.

On motion of Senator Castle, **HB 48 w/ HA 1, 5, 6, 8** was taken up for consideration and given its second reading by title only in order to pass the Senate.

HB 48 w/ HA 1, 5, 6, 8 — "An Act to Amend Title 22, Delaware Code, Entitled "Municipalities" by Adding Thereto a New Chapter 9 authorizing cities with a Population in Excess of 50,000 Persons to Enact a Tax on Income of its Residents; and a tax on the income of Non-residents Engaged in Any Occupation, Business or Profession Within the City."

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, Foltz, Grier, Hickman, Holloway, Schlör — 10.

NAYS: Messrs. Cook, Hale, Hart, Isaacs, (Mrs.) Manning, McCullough, Robbins, Slawik, Steele — 9.

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

Senator Manning introduced SR 26, co-sponsored by Senators Castle, Cicione, Conner, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik and Steele.

SR 26 "Relative to Birthday Greetings to the Senate Chief — Senator Reynolds duPont."

Senator Manning moved that the Resolution 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, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 18.

NOT VOTING: Mr. duPont — 1.

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

Senator Cook introduced SA 1 to SB 107, co-sponsored by Senator Robbins.

Senator Cook moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Elliott introduced SA 1 to SB 24.

Senator Elliott moved that the Amendment 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, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 17.

NAYS: Mr. Hale — 1.

NOT VOTING: 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 Elliott SB 24 w/ SA 1 was taken up for consideration and given its second reading by title only in order to pass the Senate.

SB 24 w/ SA 1 — "An Act to Amend Subchapter 1, Chapter 10, Title 14 of the Delaware Code relating to School Districts Operating Cooperatively with School Districts of Another 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, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 18.

NAYS: 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.

On motion of Senator Elliott SB 36 was taken up for consideration and given its second reading by title only in order to pass the Senate.

SB 36 — "An Act to Amend Section 1318, Title 14, Delaware Code, Relating to Sick Leave Provisions for School Employees by Providing Terminal Pay for Unused Sick Leave Time."

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, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele — 12.

NAYS: Messrs. Cook, Hickman, Holloway — 3.

NOT VOTING: Messrs. Foltz, Isaacs, Robbins — 3.

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 124 was taken up for consideration and given its second reading by title only in order to pass the Senate.

SB 124 — "An Act to Amend Title 21, Delaware Code, by Amending Chapter 21, Subchapter 2, Section 2121, Pertaining to the Number of Rear Axles on Trucks."

Senator Elliott moved that consideration of the Bill be deferred. Hearing no objection, the motion prevailed.

Senator duPont moved that the appointment by the Governor of Werner C. Brown be confirmed by the Senate.

On the question, "Shall the appointment be confirmed?", 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, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 18.

ABSENT: Mr. Hickman — 1.

So the question was decided in the affirmative and the appointment, having received the required constitutional majority, was confirmed.

Senator Elliott requested the privilege of the floor and asked that recognition be given to Mr. Brown for his having been the first appointee to receive confirmation of the Senate in Open Session. Hearing no objection, the privilege was extended.

Senator duPont moved that the appointment by the Governor of Otis Smith be confirmed by the Senate.

On the question, "Shall the appointment be confirmed?", 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, Robbins, Schlör, Slawik, Steele — 17.

NOT VOTING: Messrs. Cicione and Isaacs — 2.

So the question was decided in the affirmative and the appointment, having received the required constitutional majority, was confirmed.

Senator duPont moved that the appointment by the Governor of Leon Trivits be confirmed by the Senate.

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

YEAS: Messrs. Castle, Cicione, Cook, duPont, Elliott, Foltz, Grier, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 17.

ABSENT: (Mrs.) Conner and Mr. Hale — 2.

So the question was decided in the affirmative and the appointment, having received the required constitutional majority, was confirmed.

Senator duPont moved that the appointment by the Governor of Robert W. Wakefield be confirmed by the Senate.

On the question, "Shall the appointment be confirmed?", 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 appointment, having received the required constitutional majority, was confirmed.

On motion of Senator duPont, SB 106 was taken up for consideration and given its second reading by title only in order to pass the Senate.

SB 106 — "An Act to Amend Subchapter III, Chapter 10, Title 14 of the Delaware Code Relating to the School Board for the Reorganized School District which Includes the Former School District of Alexis I. duPont Special School 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, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlör, Steele — 17.

NAYS: Messrs. Robbins and 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 Schlör introduced SA 1 to HCR 6.

Senator Schlör moved that the Amendment 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, Schlör, Slawik, Steele — 18.

NAYS: Mr. Robbins — 1.

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

On motion of Senator duPont HCR 6 w/ HA 1 and SA 1, was taken up for consideration and given its second reading by title only in order to pass the Senate.

HCR 6 w/ HA 1, SA 1 — "Creating A Task Force on Legislative Reorganization to Plan and Implement any Needed or Desired Reorganization of the Legislative Branch of the State Government; prescribing Certain Powers and Responsibilities for Such Task Force; and Providing a Supplementary Appropriation for the Expenses Incurred by Such Task Force."

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 by the Senate and ordered to the House.

On motion of Senator Holloway, SB 10 was taken up for consideration and given its second reading by title only in order to pass the Senate.

SB 10 — "An Act to Amend Section 112, Subchapter 1, Chapter 1, Title 16, Delaware Code, Relating to Prosecutions Instituted by the Department of Health and Social Services by Authorizing Prosecutions for Violations of Health Laws to be Instituted by Service of a Summons and Providing for Penalties for Failure to Appear in Answer Thereto."

Senator Holloway moved that consideration of SB 10 be deferred. Hearing no objection, the motion prevailed.

Senator Elliott requested that SB 25 and SB 29 be stricken from the calendar. Hearing no objection, the motion prevailed.

Senator Cook introduced SA 2 to SB 109.

Senator Cook moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Grier moved that the Senate adjourn until 1:30 Thursday, March 25, 1971. Hearing no objection, the motion prevailed and the Senate adjourned at 5:20 p.m.

15TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:26 p.m., Thursday, March 25, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Godfrey.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

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

ABSENT: Mr. duPont — 1.

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

Senator Cicione introduced SB 155, co-sponsored by Senators Hart and Slawik, which was given its first reading by title only, entitled:

SB 155 — "An Act to Amend Subchapter IV, Chapter 51, Title 30, of the Delaware Code, Relating to State Aid to Municipalities for Streets." Assigned to Committee on Finance.

Senator Holloway introduced SB 156 which was given its first reading by title only, entitled:

SB 156 — "An Act to Amend Title 30 of the Delaware Code Relating to a Tax on Soft Drinks and Other Such Beverages and the Disposition of the Revenue to Aid Non-profit Hospitals." Assigned to Committee on Finance.

Senator Schlör introduced SB 157 which was given its first reading by title only, entitled:

SB 157 — "An Act to Amend Section 9209, Title 10, Delaware Code, Relating to Salaries of Justices of the Peace, by Increasing the Salaries to \$12,000 per Year." Assigned to Committee on Finance.

Senator McCullough introduced SB 158 which was given its first reading by title only, entitled:

SB 158 — "An Act Conferring upon Justices of the Peace Original Jurisdiction for Any Mother Vehicle Violation by a Child

over 16 Years of Age.” Assigned to Committee on Judiciary and Elections.

Senator Slawik introduced SB 159 which was given its first reading by title only, entitled:

SB 159 — “An Act to Amend Section 9203, Title 10, Delaware Code, Relating to Political Affiliation of Justices of the Peace.” Assigned to Committee on Judiciary and Elections.

Senator Steele, on behalf of the Committee on Finance to whom had been referred HJR 4, reported the same back to the Senate: 1 Favorable; 3 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred HB 91, reported the same back to the Senate: 4 Merits.

The Secretary read the following message from the House:

3-24-71

Mr. President:

The House wishes to inform the Senate it has passed **HB 105 w/ HA 1**; **HB 107 w/ HA 1**; **HB 115**; **HB 121**; **HB 125** and **HJR 5** and requests the concurrence of the Senate.

The House also passed **SJR 7 w/ HA 1** and is returning same to the Senate.

The Chair introduced the following House Bills which were given first reading by title only and assigned to Committee as follows:

HB 105 w/ HA 1 — “An Act to Amend Chapter 80, Title 9, of the Delaware Code, Relating to County Tax Rates.” Assigned to Committee on Finance.

HB 107 w/ HA 1 — “An Act to Amend Chapter 51, Title 9, Delaware Code, Relating to Street and Highway Lighting in Unincorporated Communities and Villages in Kent County.” Assigned to Committee on Community Affairs.

HB 115 — “An Act to Provide a Supplementary Appropriation to the Department of Health and Social Services.” Assigned to Committee on Finance.

HB 121 — “An Act to Amend Title 14, Section 1913, Delaware Code, Relating to “Objections to Assessment List; Posting; Hearing” Assigned to Committee on Education.

HB 125 — “An Act to Amend Titles 16 and 29, Delaware Code, Relating to the Powers of the Division of Physical Health and the Division of Environmental Control.” Assigned to Committee on Health and Social Services.

The Chair introduced **HJR 5** which was given its first reading by title only, entitled:

HJR 5 — “Expressing Concern for American Prisoners of War and Commending the Prisoner of War Commission of Delaware, Governor Russell W. Peterson and All the Persons Who Planned or Participated in the P.O.W. Benefit Basketball Game.”