

House recessed at 1:59 P.M., reconvened at 3:05 P.M.

Rep. Matushefske asked to be marked present.

On motion of Rep. Heckert **HB 129** with **HA 1 & 2** having previously had its final reading was again before the House for consideration.

Rep. Heckert moved for adoption of **HA 2** by voice vote. Motion carried.

Roll call on **HB 129** with **HA 1 & 2** revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 38.

ABSENT: Harkins - 1.

**HB 129** with **HA 1 & 2** having received a constitutional majority was declared passed the House.

On motion of Rep. Billingsley **HB 15** had its final reading and was placed before the House for consideration.

**HB 15** - An Act To Amend Subchapter I, Chapter 5, Title 7 of the Delaware Code, Pertaining to Hunting, Trapping and Fishing Licenses and the Exceptions Thereto.

Roll call revealed:

YEAS: Berndt, Billingsley, Dillman, Dobberstein, Hering, Jarvis, Justice, Knox, Little, Poulterer, Riddagh - 11.

NAYS: Boulden, Clendaniel, Connor, Cordrey, Derrickson, Gordy, Harrington, Hearn, Heckert, Johnson, Jonkiert, Kirk, Leshner, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Quillen, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 26.

ABSENT: Gruwell, Harkins - 2.

**HB 15** not having received a constitutional majority was declared lost.

On motion of Rep. Seibel **SB 49** with **SA 1** had its final reading and was placed before the House for consideration.

**SB 49** with **SA 1** - An Act To Reincorporate the Town of Blades.

The following communication was presented by Rep. Derrickson.

TOWN OF BLADES  
Office of the Mayor and Council  
Blades, Delaware

31 March 1971

Representative Harry E. Derrickson  
General Assembly  
Dover Legislature, House of Representatives  
Dover, Delaware 19901

Dear Representative Derrickson:

I am writing to you in reference to the **Town of Blades Charter**. I would like to stress the fact that the charter which we are now using dates back to 1915. In our modern day of living, it is just about impossible to work with the existing charter, due to the fact that for every little item in question the Blades Council has had to get advice from our Town of Blades solicitor, John E. Messick, ESQ.

Last July motion was made and passed that we have our solicitor to draw a new charter for our town. This was done. We held two public hearings on this charter and it was voted unanimously by the town's people. This charter takes us into the future, provides annexation so our little town can grow. As it has been in the past, the old charter did not give our working council the authority to reach out into different fields. The Blades Council's position toward this charter is very favorable. The Town of Blades can not stand alone in our modern day. We have to move forward, water and sewer is in the process for hearing and referendum, with the new charter, this would lead to annexation, improvement of property, growth of our town and modern brand of thought.

I have been councilwoman in the Town of Blades for two (2) years and am now the Town Clerk. I would like to stress the point that during that two years, we had a problem working under the old charter, and if we had not had the advice from our solicitor we would have been at a total loss. It is of my opinion that this new charter would save the Town of Blades considerable legal fees and definitely up-grade our town which is very much needed.

I trust that you will do everything in your power to see that our Town of Blades gets this new charter.

Thanking you, I am,

Sincerely,  
/s/ Betty A. Koester,  
Town Clerk

Roll call on **SB 49** with **SA 1** revealed:

**YEAS:** Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshar, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 38.

**ABSENT:** Harkins - 1.

**SB 49** with **SA 1** having received a 2/3 majority was declared passed the House.

On motion of Rep. Berndt **HB 126** was stricken.

On motion of Rep. Jarvis **SJR 5** had its final reading and was placed before the House for consideration.

**SJR 5** - Commemorating Disabled American Veterans and Congratulating Them Upon Their Fiftieth Anniversary.

Roll call on **SJR 5** revealed:

**YEAS:** Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshar, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 38.

**ABSENT:** Harkins - 1.

**SJR 5** having received a constitutional majority was declared adopted by the House.

On motion of Rep. Jarvis **SJR 6** had its final reading and was placed before the House for consideration.

**SJR 6** - Relating To the Death of Mrs. Edgar J. Boggs.

Roll call on **SJR 6** revealed:

**YEAS:** Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshar, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 38.

**ABSENT:** Harkins - 1.

**SJR 6** having received a constitutional majority was declared passed the House.

On motion of Rep. Weiss **SB 140** had its final

reading and was placed before the House for consideration.

**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.

Roll call on **SB 140** revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 38.

ABSENT: Harkins - 1.

**SB 140** having received a constitutional majority was declared passed the House.

On motion of Rep. Weiss **SB 146** had its final reading and was placed before the House for consideration.

**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.

Roll call on **SB 146** revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 39.

**SB 146** having received a constitutional majority was declared passed the House.

On motion of Rep. Seibel **SB 88** had its final reading and was placed before the House for consideration.

**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.

Roll call on **SB 88** revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel,



Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshar, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 39.

**SB 88** having received a 2/3 majority was declared passed the House.

On motion of Rep. Weiss **HB 144** with **HA 1** had its final reading and was placed before the House for consideration.

**HB 144** with **HA 1** - An Act To Amend Chapter 41, Title 21, Delaware Code and Chapter 3, Title 11, Delaware Code, Relating to Pedestrian Walking on Highways or Soliciting Rides.

**HA 1** to **HB 144** - Rep. Weiss moved that **HA 1** be adopted by voice vote. Motion carried.

Roll call on **HB 144** with **HA 1** revealed:

YEAS: Berndt, Billingsley, Connor, Derrickson, Dillman, Harkins, Hearn, Hering, Jarvis, Justice, Kirk, Knox, Leshar, Little, Miller, Moerschel, Murphy, Poulterer, Quillen, Seibel, Weiss, Wright, Mr. Speaker Frederick - 23.

NAYS: Boulden, Clendaniel, Cordrey, Dobberstein, Gordy, Gruwell, Harrington, Orth, Smith, Tribbitt - 10.

NOT VOTING: Heckert, Johnson, Matushefske, Mears - 4.

ABSENT: Jonkiert, Riddagh - 2.

**HB 144** with **HA 1** having received a constitutional majority was declared passed the House.

**HR 31** - Congratulating Representative and Mrs. Mike Harkins on the Arrival of Their Third Baby Girl. Introduced by Rep. Connor. Adopted by voice vote.

On motion of Rep. Leshar **HB 114** was stricken.

House recessed at 4:10 P.M., reconvened at 4:36 P.M.

Committee Reports:

Appropriations: **HB 109-6M.** Judiciary: **HB 82-2F, 4M.** **HB 138-2F, 3M.** **HB 139-1F, 5M.** **HB 147-2F, 3M.** Community Affairs: **HB 183-1F, 4M.** **HB 184-1F, 4M.** **SB 113-1F, 4 M.** Labor & Commerce: **HB 186-5F.** Public Safety: **HB 149-1F, 3M.** **HB 150-1F, 3M.** **HB 177-3M, 1U.** **HB 179-4M.** **HB 180-1F, 3M.** **HB 182-1F, 3M.**

The Senate informed the House it had passed **HB 103.**

House recessed to the call of the Chair at 4:40 P.M.

April 7, 1971

### 19th LEGISLATIVE DAY

The Speaker called the House to order at 1:51 P.M.. The Majority Leader moved to adjourn at 1:51 P.M., thereby ending the previous legislative day. The House reconvened at 1:52 P.M.

There was a prayer by the Chaplain Rev. L. C. Schleh, Grace Church, Milton.

The Speaker led those present in a salute of the flag.

Members present: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 38.

Absent: Hearn - 1.

Rep. Hearn asked to be marked present later.

The Minutes of the previous legislative day were approved as posted.

Communications:

Telegram to Rep. Heckert as follows.

Wilmington, Del.

State Rep. Clarice Heckert  
Legislative Hall  
Dover, Del.

Please read full telegram into official record for HB 86. DUE Inc. wholeheartedly support principle of HB 86. Extensive state wide testing of both public and non-public schools long overdue. Educators like other public and business officials should be held accountable for results. Too much emphasis in past on money and unmeasured programs. Need to correct differences between intercity and suburban school performances. Maybe satisfied after causes are determined. Believe national not state tests should be used. Sorry we couldn't have a representative at hearing.

Charles Hoeftman Secty Due Inc  
610 Delaware Ave.

Thomas Shea, Maurice Kelly, John Boraski

The following prefiled legislation was introduced:

**HB 188** - An Act To Amend Chapter 31, Title 3, Delaware Code Relating to Milk, Cream and Other Milk Products Concerning Method of Sampling and Testing. Introduced by Rep. Quillen. Assigned to Agriculture Committee.

**HB 189** - 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. Introduced by Rep. Derrickson. Assigned to Community Affairs Committee.

**HB 190** - An Act To Amend Chapter 55, Title 29, Delaware Code, Entitled "State Employees' Pension Plan", Concerning the Reentering of State Service. Introduced by Rep. Hearn. Assigned to Judiciary Committee.

**HB 191** - An Act To Amend Part V, Title 19 of the Delaware Code Relating to Public Officers and Employees, and Providing For a Uniform Facsimile Signatures of Public Officials Act. Introduced by Rep. Weiss. Assigned to Judiciary Committee.

**HB 192** - An Act To Amend Chapter 73, Title 16, Delaware Code, By Creating a New Subchapter to Cover the Ownership, Use and Filling of Liquefied Petroleum Gas Containers. Introduced by Reps. Dobberstein & Gruwell. Assigned to Labor & Commerce Committee.

**HB 193** - An Act To Provide a Supplementary Appropriation to the Department of Health and Social Services. Introduced by Rep. Little. Assigned to Health & Social Services Committee.

**HB 194** - An Act To Amend Chapter 647, Volume 57, Laws of Delaware, Allowing Unexpended Funds Appropriated Therein to be Used to Build a Hangar for the State Police Helicopter. Introduced by Reps. Berndt & Wright. Assigned to Public Safety Committee.

**HB 195** - An Act To Amend Subchapter IV, Chapter 25, Title 24 of the Delaware Code Relating to the Labeling of Pharmaceutical Prescriptions. Introduced by Rep. Little. Assigned to Health & Social Services Committee.

**HA 1 to HB 36** introduced by Rep. Poulterer. Placed with bill.

**HA 4 to HB 54** introduced by Rep. Tribbitt. Placed with bill.

**HA 1 to HB 109** introduced by Rep. Leshner. Placed with bill.

**HA 2 to HB 109** introduced by Rep. Harkins. Placed with bill.

**HA 1 to HB 147** introduced by Rep. Hering. Placed with bill.

**HA 1 to HB 152** introduced by Rep. Derrickson. Placed with bill.

**HA 1 to HB 174** introduced by Rep. Hering. Placed with bill.

**HA 1 to HB 184** introduced by Rep. Dobberstein. Placed with bill.

**HCR 16** - Commending Three Ambulance Crew Members of the Camden-Wyoming Fire Company For Their Expert Action at the Scene of a Maryland Auto Accident. Introduced by Rep. Moerschel. Adopted by voice vote.

**HR 32** - Praising the Newark High School Band For its Performance at the 1971 Cherry Blossom Festival. Introduced by Rep. Murphy & Others. Adopted by voice vote.

**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. Introduced by Sen. Slawik. Assigned to Judiciary Committee.

**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. Introduced by Sens. Cicione & Slawik. Assigned to Public Safety Committee.

**SJR 11** - Paying Tribute and Expressing Heartfelt Sympathy at the Time of the Death of Alexander R. Abrahams. Introduced by Sen. duPont. Assigned to Community Affairs Committee.

House recessed at 2:10 P.M. Reconvened at 4:00 P.M.

Rep. Hearn asked to be marked present.

On motion of Rep. Dobberstein **HB 183** had its final reading and was before the House for consideration.

**HB 183** - An Act To Amend Chapter 5, Title 9 of the Delaware Code Relating to Suburban Community Improvements With Regard to Bond Elections.

**HA 1 to HB 183** introduced by Rep. Dobberstein. Adopted by voice vote.

Privilege of the floor was granted to Mr. John Mulford, House Attorney, to explain the bill and

Roll call on **HB 183** with **HA 1** revealed:

**YEAS:** Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Leshner, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 34.

**NAYS:** Kirk - 1.

**NOT VOTING:** Berndt, Billingsley - 2.

**ABSENT:** Knox, Little - 2.

**HB 183** with **HA 1** having received a constitutional majority was declared passed the House.

On motion of Rep. Dobberstein **HB 184** with **HA 1** had its final reading and was before the House for consideration.

**HB 184** with **HA 1** - An Act To Amend Subchapter I, Chapter 5, Title 9 of the Delaware Code Pertaining to Suburban Communities Improvements by Removing the Interest Rate Ceiling on Bonds.

**HA 1** to **HB 184** - Rep. Dobberstein moved that **HA 1** be adopted by voice vote. Motion carried.

Roll call on **HB 184** with **HA 1** revealed:

**YEAS:** Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Justice, Kirk, Knox, Leshner, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 37.

**ABSENT:** Jonkiert, Little - 2.

**HB 184** with **HA 1** having received a constitutional majority was declared passed the House.

On motion of Rep. Riddagh **HB 186** had its final reading and was before the House for consideration.

**HB 186** - An Act To Amend Title 19, Delaware Code, Providing For the Amount of Wages Upon Which Death Compensation Shall be Based.

**HA 1** to **HB 186** introduced by Rep. Hering.

Roll call on **HA 1** to **HB 186** revealed:

**YEAS:** Berndt, Billingsley, Derrickson, Dillman, Gordy, Gruwell, Heckert, Hering, Jarvis, Justice, Knox, Leshner, Moerschel, Quillen, Riddagh, Weiss, Mr. Speaker Frederick - 17.

**NAYS:** Clendaniel, Cordrey, Harrington, Johnson, Kirk, Little, Matushefske, Mears, Orth, Poulterer, Tribbitt, Wright - 12.

NOT VOTING: Boulden, Connor, Dobberstein, Harkins, Hearn, Jonkiert, Miller, Murphy, Seibel, Smith - 10.

HA 1 to HB 186 not having received a majority was declared lost.

Roll call on HB 186 revealed:

YEAS: Billingsley, Boulden, Clendaniel, Connor, Cordrey, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 36.

NAYS: Berndt, Derrickson, Hering - 3.

HB 186 having received a constitutional majority was declared passed the House.

Privilege of the floor was granted Rep. Moerschel. He discussed SCR 13, (18 year olds privilege of franchise), and introduced Mr. Kirk Betts, Delaware's first 18 year old voter (31st district).

On motion of Rep. Derrickson HB 82 had its final reading and was placed before the House for consideration.

HB 82 - An Act To Amend Chapter 22, Title 25, Delaware Code, Relating to Unit Properties, to Limit the Circumstances Under Which Partition Shall Lie After Substantial Total Destruction of a Building.

Roll call revealed:

YEAS: Berndt, Billingsley, Boulden, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gruwell, Harkins, Harrington, Heckert, Hering, Jarvis, Johnson, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 34.

NAYS: Clendaniel, Gordy, Jonkiert - 3.

NOT VOTING: Hearn, Miller - 2.

HB 82 having received a constitutional majority was declared passed the House.

House recessed at 4:36 P.M., reconvened at 4:55 P.M.

The Senate informed the House it had passed HB 115, HCR 14 and HCR 16.

Committee Reports:

Health & Social Services: HB 193-4F. HB 195-4F. Public Safety: HS 1 for HB 4-2F, 3M. Community Affairs: HB 189-1F, 4M.

House recessed to the call of the Chair at 4:58 P.M.

April 8, 1971

## 20th LEGISLATIVE DAY

The Speaker called the House to order at 1:41 P.M. The Majority Leader moved to adjourn at 1:42 P.M., thereby ending the previous legislative day. The House reconvened at 1:42 P.M.

There was a prayer by the Chaplain Rev. Lester C. Schleh, Grace Church, Milton, Del.

The Speaker led those present in a salute of the flag.

Members present: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Mears, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 35.

Absent: Hearn, Matushefske, Miller, Moerschel - 4.

Reps. Hearn, Matushefske, Miller, and Moerschel asked to be marked present later.

The Minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

**HB 196** - An Act To Amend Title 21, Chapter 21, Subchapter IV, Reducing Registration Fees For Motor Vehicles Owned By Persons Over 62 Years of Age. Introduced by Reps. Justice & Wright. Assigned to Public Safety Committee.

**HB 197** - An Act To Amend Subchapter II, Chapter 5, Title 28 of the Delaware Code Relating to Licenses to Conduct Harness Racing Meets. Introduced by Reps. Connor, Gruwell & Harrington. Assigned to Revenue & Finance Committee.

**HS 1 for HB 171** - An Act To Amend Title 14, Delaware Code, By Providing For a New Chapter to be Designated as Chapter 28, Relating to the Establishment of a State Scholarship Program for Children Who are Residents of Delaware Attending Non-Profit, Non-Public Elementary and Secondary Schools Located Within the State of Delaware. Introduced by Reps. Murphy & Jonkiert. Assigned to Appropriations Committee.

**HA 2 to HB 149** introduced by Rep. Billingsley. Placed with bill.

**HA 1 to HB 157** introduced by Rep. Riddagh. Placed with bill.

**HJR 8** - Providing For the Establishment of a Revenue Study Commission. Introduced by Reps. Jarvis, Hearn & Others. Assigned to Revenue & Finance Committee.

**HCR 17** - Memorializing the Head of State and the Legislative Body of Each of the Signatory Nations of the Geneva Convention Relative to the Treatment of Prisoners of War and to the Delegates of the State of Delaware in the Congress of the United States for Their Information. Introduced by Rep. Little. Adopted by voice vote.

**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. Introduced by Sen. Isaacs. Assigned to Revenue & Finance Committee.

**SB 180** - An Act To Amend Chapter 1, Title 23, Delaware Code, Relating to Navigation and Waters, and Providing Pilotage Rates for Duly Licensed Pilots. Introduced by Sens. Hickman & Cook. Assigned to Labor & Commerce Committee.

**SCR 16** - Appointing Directors on the Part of the State for the Farmers Bank of the State of Delaware. Introduced by Sen. duPont. Assigned to Community Affairs Committee.

Minority Leader, Rep. Tribbitt, requested personal privilege of the floor and discussed the legality of **HB 84** introduced by Rep. Justice on March 2, 1971.

Rep. Justice explained that new legislation would be introduced and welcomed comments from the minority party.

House recessed at 2:01 P.M. Reconvened at 3:38 P.M.

**SCR 17** - Saluting the Victory of Miss Joyce Lynn Schneider in the Delaware American Legion Oratorical Competition and Wishing Her Well in the National Contest. Introduced by Sen. Castle. Adopted by voice vote.

Rep. Justice requested privilege of the floor for Mr. William W. Craig, Chairman of the American Legion Oratorical Committee. Privilege of the floor was granted Joyce Lee Schneider, winner of Delaware's American Legion Oratorical Competition, who gave an excellent presentation about the Bill of Rights.



The following representatives asked to be marked present: Hearn, Matushefske, Miller, Moerschel.

On motion of Rep. Dillman HS 1 for HB 4 had its final reading and was placed before the House for consideration.

HS 1 for HB 4 - An Act To Amend Subchapter 1, Chapter 21, Title 21, Relating to the Requirement of Insurance Before the Registration of Any Vehicle in This State and Providing a Penalty for Violation Thereof.

HA 1 to HS 1 for HB 4 introduced by Rep. Dillman. Adopted by voice vote.

Privilege of the floor was granted the following: Messrs. Verne M. McGrew, President of the Delaware Association of Independent Insurance Agents; Morris C. Sherill, Vice President of the Delaware Association of Insurance Agents; also representing Tri-State Mutual Agents Association; Frank Ursomarso, Delaware Automobile Dealers Association; Robert Short, Insurance Commissioner of Delaware.

On motion of Rep. Dillman roll call on HS 1 for HB 4 was tabled.

House recessed to the call of the Chair at 6:02 P.M.

April 13, 1971

## 21st LEGISLATIVE DAY

The Speaker called the House to order at 1:43 P.M. The Majority Leader moved to adjourn at 1:43 P.M., thereby ending the previous legislative day. The House reconvened at 1:44 P.M.

There was a prayer by the Chaplain Rev. Gregory Hose, Christ Episcopal Church, Dover, Del.

The Speaker led those present in a salute of the flag.

Members present: Berndt, Billingsley, Boulden, Clendaniel, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Matushefske, Mears, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 34.

Absent: Little, Harkins, Miller, Moerschel, Connor. (Marked present later.)

The Minutes of the previous legislative day were approved as posted.

Communications: On motion of Rep. Quillen 2 letters were read in.

Odessa Heights  
Odessa, Delaware  
April 13, 1970

Delaware State House of Representatives:  
Legislators:  
Re: Senate Bill 212

Do you condone breaking of the law, and the passing of legislation to lower the standards of our election laws???

Should our lawmakers not afford all citizens equal protection of the law, and equal elections, as guaranteed under the Constitution???

Responsible leadership is needed, can we look to you???

Governmental bodies ignoring the law endanger the welfare and safety of all people!!!

We therefore Pray for the defeat of Senate Bill 212.

Sincerely,  
/s/ Helen U. Wallace  
(Mrs. Raymond B. Wallace)  
and  
Concerned Citizens of  
New Castle County

April 13, 1971

Honorable Representatives of the  
General Assembly of Delaware:

Today, April 13, 1971, we may be witness to the introduction of S. B. 212 in the House of Representatives under the sponsorship of Senator Michael N. Castle which would certify (or condone) the paper ballot elections held since H. B. 492 was signed into law on April 9, 1970.

H. B. 492 (the law) requires that voting machines, rather than paper ballots, be used in all city or town elections in Delaware. Since April 9, 1970, fourteen elections have been held using paper ballots, in clear and distinct violation of the law.

Now S. B. 212 has been passed in the Senate to certify these illegal elections. By what stretch of the

imagination are ex post facto laws proper legislation, or democratic? Retroactive laws, if allowed, place all the laws of the State of Delaware in question.

The Delaware citizen will ask himself, "What IS the law?" The answer will surely be, "It is unknown, the General Assembly hasn't met yet!"

A citizen's illegal act today may be retroactively legal a year from now. A legal act today may be retroactively illegal tomorrow. Must we be forced into a situation where a statute of limitations will have to be enacted specifying a time limit on changing a law retroactively?

Finally, what injuries were suffered by the State of Delaware, its citizens or candidates involved in the 14 illegal elections? It is unknown. How can it be measured? But injuries were suffered, otherwise why have an H. B. 492? Laws are passed to prevent certain injustices and to sustain rights the citizen is entitled to.

Remember, as legislators, you should make laws - not break laws. When S. B. 212 comes before you for consideration, may your conscience be your guide.

Yours in the interest of maintaining  
the laws of our State,  
/s/ Virginia M. Lyndall  
Virginia M. Lyndall et al

VL:ea

Rep. Leshner welcomed the Women's Club of Claymont, Del.

# OFFICE OF THE GOVERNOR

April 13, 1971

## LEGISLATIVE ADVISORY NO. 3

TO:

Rep. George C. Hering, III  
Sen. Reynolds DuPont  
Robert Short  
Sen. Andy Foltz  
Sen. Thomas E. Hickman, Jr.  
Mayor Alfred A. Stango  
Sen. David Elliott  
Rep. William L. Frederick  
Rep. George Jarvis  
Rep. Kermit H. Justice  
Mayor Carl P. LeKites, Jr.  
Rep. Herbert A. Leshner

Rosalie Obara  
 Rep. John Dillman  
 William Warren  
 Hon. Harry G. Haskell, Jr.  
 Sen. Margaret R. Manning  
 Rep. W. Neal Moerschel  
 Sen. Anthony J. Cicione  
 Rep. Clarice U. Heckert  
 Sen. Allen Cook, Jr.  
 Sen. Dean C. Steele  
 Rep. Michael E. Harkins

Rep. Robert W. Riddagh  
 Joseph Anton Burger  
 Rep. Sherman W. Tribbitt  
 Rep. Joseph R. Murphy  
 Rep. John A. Dillman, Jr.  
 Rep. John G. S. Billingsley  
 Mayor David Passwaters  
 Camden-Wyoming Fire Company  
 Ambulance Crew

Hon. W. Laird Stabler, Jr.  
 All Cabinet Secretaries  
 Lewis Darlin  
 Bruce Ralston  
 James R. Zeller  
 George Cripps  
 Emily Womach  
 Richard Caldwell  
 Legislative Council  
 Governor's Staff  
 Secretary of the Senate  
 Clerk of the House  
 Mayor William Slatcher  
 John J. Roth, Sr.

FROM: Fletcher E. Campbell, Jr., Counsel to the Governor

The Governor approved the following legislation on the indicated dates:

**SB 137** - 3/30/71 - authorizing the Secretary of Natural Resources and Environmental Control to administer and distribute \$647,422 in the form of grants to the town of Selbyville.

**HB 48** As Amended by H. A. 1, 5, 6, and 8 - 3/30/71 - allowing municipalities with a population in excess of 50,000 to assess a tax of not more than 1.5% of the earned income of its residents or of any

income earned within the city by nonresidents.

**HJR 6** - 4/1/71 - endorsing the "Alcohol Safety Action Program".

**SB 106** - 4/1/71 - eliminating the requirement that members of the School Board for the reorganized school district which includes the former A. I. duPont Special School District state their political affiliation.

**HB 85** As Amended by H. A. 1 - 4/5/71 - making a supplementary appropriation to the Secretary of State for the automation of the Franchise Tax operation.

**SB 108** - 4/6/71 - raising the salary of the Clerk of the Peace for New Castle County from \$9,000 to \$12,000.

**HB 91** - 4/6/71 - providing a supplemental appropriation to the Department of Justice for salaries, etc.

**HB 32** - 4/8/71 - changing the name of the "Delaware Institute of Technology" to "Delaware Technical and Community College".

**HB 136** - 4/9/71 - reducing the time limit for appeals from the Court of Chancery to the Supreme Court from 60 to 30 days.

**HB 134** - 4/9/71 - reducing the time for appeal to the Supreme Court from the Superior Court in civil actions from 60 to 30 days.

**HB 135** - 4/9/71 - reducing the time for appeals to the Supreme Court in criminal actions from 60 to 30 days.

**SB 97** As Amended by H. A. 1 - 4/9/71 - including agricultural and manufacturing property within Delaware's "basic property protection plan".

**SB 89** - 4/9/71 - amending the charter of the city of Lewes to allow that city to contribute more of its revenues to volunteer fire companies.

**SJR 7** As Amended by H. A. 1 - 4/9/71 - commending Secretary Caulk and the Delaware Agriculture Industry for the dinner for legislators and other government officials held on February 13, 1971.

**HCR 6** As Amended by H. A. 1 and S. A. 1 - 4/9/71 - setting up a Task Force on Legislative Reorganization and appropriating \$15,000 therefor.

**HCR 8** - 4/9/71 - providing a supplementary appropriation of \$24,750 to Legislative Council.

**HJR 4** As Amended by H. A. 1 - 4/10/71 - relating to infractions of Delaware laws for vendors.

**HB 41** - 4/11/71 - permitting the importation of up to one quart of alcoholic liquors per person

per day.

**HJR 5** - 4/11/71 - commending all who planned or participated in the Prisoner of War Benefit Basketball Game.

**SJR 6** - 4/11/71 - expressing the regret of the General Assembly at the passing of Mrs. Edgar J. Boggs.

**HB 107** As Amended by H. A. 1 - 4/11/71 - relating to street and highway lighting in unincorporated communities and villages in Kent County.

**SB 140** - 4/11/71 - including under health care insurance coverage those receiving retirement or disability benefits under 49 Del. C. Chapter 39.

**SB 88** - 4/11/71 - amending the charter of the city of Seaford to provide for the filling of vacancies in the office of Mayor or Councilman.

**HB 115** - 4/11/71 - making a supplemental appropriation of \$664,400 to the Department of Health and Social Services.

**SJR 5** - 4/11/71 - paying tribute to the Disabled American Veterans on their 50th anniversary.

**SB 146** - 4/11/71 - amending the Interstate Compact on Juveniles by providing for the out-of-state confinement of juveniles.

**HB 103** - 4/11/71 - amending the charter of the town of Clayton to extend its town limits.

**SB 90** - 4/11/71 - exempting all those under 19 who have completed basic military training in the use of firearms from certain prerequisites for obtaining a hunting license.

**HB 65** As Amended by H. A. 1 - 4/11/71 - authorizing the payment of tuition for inmates of children's homes or institutions by their home school districts.

**HCR 14** - 4/11/71 - congratulating Joseph Anton Burger, recipient of the Delaware Jaycees' Outstanding Young Man of the Year Award.

**HCR 16** - 4/11/71 - commending three ambulance crew members of the Camden-Wyoming Fire Company for their expert action at the scene of a Maryland automobile accident.

**SB 49** As Amended by S. A. 1 - 4/11/71 - re-incorporating the town of Blades by adopting a new charter therefor.

**HB 137** - 4/11/71 - reducing the time allowed for state appeals in certain criminal matters to the Supreme Court from the Superior Court from 60 days to 30 days.

**HB 132** - 4/11/71 - making a change in special registration plates for fire trucks.

FEC, JR: pm

**Committee Reports:**

Judiciary: **HB 36-1F**, 4M. **HB 53-1F**, 4M. **HB 191-1F**, 4M.

The following prefiled legislation was introduced:

**HB 198** - An Act To Amend Title 16, Delaware Code, By Striking Out Chapter 10A and Inserting in its Place a New Chapter 10A Providing for the Licensing and Regulation of Rates of Charge of Hospitals. Introduced by Rep. Dillman and Rep. Little. Assigned to Health & Social Services Committee.

Reps. Little, Harkins and Miller asked to be marked present.

**HB 199** - An Act To Amend Chapter 33, Title 14, Delaware Code, By Providing For the Extending of Vocational Rehabilitation Services to Public Assistance Recipients, and Providing an Appropriation to Assist in Such Services. Introduced by Rep. Harkins. Assigned to Health & Social Services Committee.

**HB 200** - An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1972. Introduced by Rep. Leshner. Assigned to Appropriations Committee.

**HB 201** - An Act To Amend Chapter 44, Title 21, Delaware Code, Relating to Abandoned Vehicles. Introduced by Rep. Berndt. Assigned to Public Safety Committee.

**HB 202** - An Act To Amend Chapter 44, Title 21, Delaware Code, Relating to Abandoned Vehicles. Introduced by Rep. Berndt. Assigned to Public Safety Committee.

**HB 203** - An Act To Amend Title 14, Section 1908, Delaware Code Relating to the Form of Ballots at Local School Tax Elections. Introduced by Rep. Heckert. Assigned to Education Committee.

**HB 204** - An Act To Authorize the State Highway Department to Install a Traffic Light at the Intersection of Naamans Road and the Entrance to the Tri-State Shopping Mall, New Castle County. Introduced by Rep. Heckert. Assigned to Highway & Transportation Committee.

**HB 205** - An Act To Amend Subchapter II, Chapter 21, Title 21 of the Delaware Code Relating to Special Plates For Members of the Delaware National Guard.

Introduced by Rep. Quillen. Assigned to Public Safety Committee.

**HB 206** - An Act Authorizing the State of Delaware to Borrow Money to be Used for the Improvement of Dirt Roads and to Issue Bonds and Notes Therefor and Appropriating the Money Borrowed to the Department of Highways and Transportation. Introduced by Rep. Gordy. Assigned to Highways & Transportation Committee.

**HR 33** - Relating to Payment of Chaplains. Introduced by Rep. Jarvis. On motion of Rep. Jarvis, **HR 33** was adopted by voice vote.

**HS 1** for **HB 69** - An Act To Amend Chapter 43, Title 21 of the Delaware Code, Relating to the Escape of Contents from Motor Vehicles, and Providing Penalties Therefor. Introduced by Reps. Berndt & Orth. Assigned to Public Safety Committee.

**HA 1** to **HB 35** introduced by Rep. Riddagh. Placed with bill.

**HA 2** to **HB 157** introduced by Rep. Dobberstein. Placed with bill.

**HCR 18** - Urging The Adoption of President Nixon's Revenue-Sharing Plan. Introduced by Rep. Kirk. On motion of Rep. Kirk **HCR 18** was adopted by voice vote.

**HA 1** to **SS1** for **SB 31** introduced by Rep. Seibel. Placed with bill.

**HA 1** to **SB 113** introduced by Rep. Murphy. Placed with bill.

**HA 2** to **SB 113** introduced by Rep. Murphy. Placed with bill.

**SB 189** - An Act To Amend Chapter 5, Title 7 of the Delaware Code, To Raise the Licensing Agents Bonds to \$5,000. Introduced by Sen. Elliott. Assigned to Natural Resources Committee.

**SB 196** - 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 Make a Supplementary Appropriation of \$137,500 to the Department of Health and Social Services for Operating Expenses for the Development of the State's New "Institute of Human Behavior". Introduced by Sen. Steele. Assigned to Health & Social Services Committee.

**SB 212** - An Act To Validate Certain Municipal Elections Conducted Subsequent to April 9, 1970 and



to Confirm Certain Acts Performed and Ordinances Enacted by Said Municipalities. Introduced by Sen. Castle. Assigned to Judiciary Committee.

The House recessed at 2:15 P.M. Reconvened at 3:42 P.M.

Reps. Connor and Moerschel asked to be marked present.

On motion of Rep. Quillen **HB 150** was stricken.

On motion of Rep. Derrickson **HB 189** was before the House for consideration.

**HB 189** - 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.

On motion of Rep. Derrickson roll call on **HB 189** was taken.

Roll call revealed:

YEAS: Berndt, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwel, Harkins, Harrington, Hearn, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Little, Matusheske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 36.

ABSENT: Billingsley, Heckert, Leshner - 3.

**HB 189** having received 2/3 vote was declared passed the House.

On motion of Rep. Seibel **SB 113** was before the House for consideration.

**SB 113** - An Act To Amend the Act to Incorporate the Town of South Bethany.

On motion of Rep. Murphy **HA 1 & HA 2** to **SB 113** were stricken.

On motion of Rep. Seibel roll call on **SB 113** was taken.

Roll call revealed:

YEAS: Berndt, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwel, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Matusheske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 36.

ABSENT: Billingsley, Leshner, Little - 3.

**SB 113** having received 2/3 vote was declared passed the House.

On motion of Rep. Little **HB 193** was stricken. The House recessed at 3:50 P.M., reconvened at 4:37 P.M.

**Committee Reports:**

Health & Social Services: **SB 196-5F**. Secondary Committee, Appropriations: **SB 196-4M**. Education: **HB 203-6M**. Judiciary: **SB 212-4M**, 2U. Public Safety: **HB 196-1F**, 4M. Revenue & Finance: **HJR 8-2F**, 3M. Labor & Commerce: **SB 180-1F**, 4M.

The House recessed to the call of the Chair at 4:48 P.M.

April 14, 1971

**22nd LEGISLATIVE DAY**

The Speaker called the House to order at 1:47 P.M. The Majority Leader moved to adjourn at 1:48 P.M., thereby ending the previous legislative day. The House reconvened at 1:48 P.M.

There was a prayer by the Chaplain Rev. John Roock, St. John's Lutheran Church, Dover, Del.

The Speaker led those present in a salute of the flag.

Members present: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 37.

Absent: Hering, Moerschel - 2. Both Rep. Hering and Rep. Moerschel asked to be marked present later.

The Minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

**HB 207** - An Act Establishing A Freedom of Information Act, Requiring All Meetings of the Governing Bodies of Municipalities, Counties, School Districts and All Other Boards, Bureaus, Commissions or Organizations Supported Wholly or in Part by Public Funds to be Open to Any Citizen of the State of Delaware; and All Records of the Governing Bodies of Municipalities, Counties and School Districts and All Other Boards, Bureaus, Commissions or Organizations Supported Wholly or in Part by Public Funds or Expending Public Funds, Shall be Public and Open to

Personal Inspection by Any Citizen of the State of Delaware; and Providing Penalties For Violation of This Act. Introduced by Rep. Jarvis. Assigned to Judiciary Committee.

**HB 208** - An Act Proposing An Amendment To Article 5, Section 2 of the Delaware Constitution of 1897 Relating to Residency Requirements and Qualifications For Voting. Introduced by Rep. Jarvis. Assigned to Judiciary Committee.

**HB 209** - An Act To Amend Chapter 43, Title 21 of the Delaware Code Relating to the Escape of Contents From Motor Vehicles, and Providing Penalties Therefor. Introduced by Rep. Berndt. Assigned to Public Safety Committee.

On motion of Rep. Berndt **HB 69** was stricken.

**HB 210** - An Act To Amend Chapter 60, Title 7, Delaware Code, Relating to Water and Air Resources and Certain Procedures Relating to Rules Set Forth in Said Chapter. Introduced by Rep. Boulden. Assigned to Environmental Control Committee.

**HB 211** - An Act To Amend Subchapter II of Chapter 11, Title 30 of the Delaware Code Relating to Personal Income Tax. Introduced by Rep. Dobberstein. Assigned to Revenue & Finance Committee.

On motion of Rep. Dobberstein **HB 127** was stricken.

**HB 212** - An Act To Amend Subchapter IV of Chapter 21, Title 21, Delaware Code Relating to Fee Schedule For Registration of Certain Vehicles. Introduced by Rep. Dillman. Assigned to Public Safety Committee.

**HB 213** - An Act To Amend Subchapter II of Chapter 21, Title 21, Delaware Code Relating to Vehicle Plates. Introduced by Rep. Dillman. Assigned to Public Safety Committee.

**HB 214** - An Act To Amend Chapter 1, Title 21, Delaware Code Relating to Definitions. Introduced by Rep. Dillman. Assigned to Public Safety Committee.

**HB 215** - An Act Making A Supplemental Appropriation to the Division of Social Services For Public Assistance Grants. Introduced by Rep. Knox. Assigned to Health & Social Services Committee.

**HB 216** - An Act To Amend Subchapter IV, Chapter 25, Title 24 of the Delaware Code Relating to the Labeling of Pharmaceutical Prescriptions. Introduced by Rep. Little. Assigned to Health & Social Services Committee.

**HB 217** - An Act Placing A 10% Surtax on All Fines Levied For Violations of Certain Sections of Title 4 and Title 21 of the Delaware Code to be Deposited to the Account of the Alcoholic Detoxification Center. Introduced by Rep. Little. Assigned to Revenue & Finance Committee.

**HB 218** - An Act To Amend Section 8313, Title 29, Delaware Code, Requiring the Secretary of the Department of Finance to Make a Monthly and Annual Report of the General Fund Cash Condition and the Department's Operations to the Governor and the General Assembly. Introduced by Rep. Tribbitt. Assigned to Revenue & Finance Committee.

**HA 3** to **HB 109** introduced by Rep. Harkins. Placed with bill.

**HA 4** to **HB 109** introduced by Rep. Heckert. Placed with bill.

**HA 2** to **HB 116** introduced by Rep. Billingsley. Placed with bill.

**HA 2** to **HB 152** introduced by Rep. Derrickson. Placed with bill.

**HA 1** to **HB 163** introduced by Rep. Dillman. Placed with bill.

**HA 1** to **HB 195** introduced by Rep. Little. Stricken.

**HA 1** to **HB 200** introduced by Rep. Tribbitt. Placed with bill.

**HA 2** to **HB 200** introduced by Rep. Tribbitt. Placed with bill.

**HJR 9** - Directing the State Board of Education to Establish a Program of Safety Education in the Elementary and Secondary Schools of This State. Introduced by Reps. Boulden & Murphy. Assigned to Education Committee.

**HCR 19** - Pertaining to the Introduction of Legislation During the First Session of the 126th General Assembly. Introduced by Rep. Jarvis. On motion of Rep. Jarvis **HCR 19** was adopted by voice vote.

On motion of Rep. Quillen **HB 175** was stricken.

The House recessed to the call of the Chair at 2:11 P.M., reconvened at 3:50 P.M.

Reps. Hering and Moerschel marked present.

On motion of Rep. Leshar **HB 29** had its final reading and was placed before the House for consideration.

**HB 29** - An Act To Amend Title 21, Delaware Code, Relating to Projections From Periphery of Tires.

Roll call on **HB 29** revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Matushefske, Mears, Miller, Moerschel, Murphy, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 37.

ABSENT: Little, Orth - 2.

**HB 29** having received a constitutional majority was declared passed the House.

On motion of Rep. Seibel **HB 109** had its final reading and was placed before the House for consideration.

**HB 109** - An Act To Amend Section 4067, Subchapter VI, Chapter 40, Title 31, Delaware Code, Relating to the Housing Development Fund of the Delaware State Housing Authority by Increasing the Amount of Said Fund.

**HA 1** to **HB 109** introduced by Rep. Leshner was defeated.

**HA 2** to **HB 109** introduced by Rep. Harkins was stricken.

**HB 109** was tabled until later on the Agenda.

On motion of Rep. Weiss **SB 196** had its final reading and was placed before the House for consideration.

**SB 196** with **HA 1** - 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 Make a Supplementary Appropriation of \$137,500 to the Department of Health and Social Services for Operating Expenses for the Development of the State's New "Institute of Human Behavior".

**HA 1** to **SB 196**, introduced by Rep. Tribbitt was adopted by voice vote.

Roll call on **SB 196** with **HA 1** revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 39.

**SB 196** with **HA 1** having received a constitutional majority was declared passed the House.

On motion of Rep. Seibel **HB 109** was again before the House for consideration.

**HA 3** to **HB 109**, introduced by Rep. Harkins was stricken.

**HA 4** to **HB 109**, introduced by Rep. Heckert was defeated.

Roll call on **HB 109** revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 36.

NAYS: Heckert, Poulterer, Quillen - 3.

**HB 109** having received a constitutional majority was declared passed the House.

On motion of Rep. Little **SB 180** had its final reading and was placed before the House for consideration.

**SB 180** - An Act To Amend Chapter 1, Title 23, Delaware Code, Relating to Navigation and Waters, and Providing Pilotage Rates For Duly Licensed Pilots.

Roll call on **SB 180** revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 38.

ABSENT: Poulterer - 1.

**SB 180** having received a constitutional majority was declared passed by the House.

On motion of Rep. Heckert **HB 203** had its final reading and was placed before the House for consideration.

**HB 203** - An Act To Amend Title 14, Section 1908, Delaware Code Relating to the Form of Ballots at Local School Tax Elections.

Roll call on **HB 203** revealed:

YEAS: Gordy, Heckert, Knox, Mears, Poulterer, Weiss - 6.

NAYS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Gruwell, Harkins, Harrington, Hearn,

Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Lesh-  
er, Matushefske, Miller, Orth, Quillen, Riddagh, Seibel,  
Smith, Tribbitt, Wright, Mr. Speaker Frederick - 27.

NOT VOTING: Dillman, Dobberstein, Moerschel,  
Murphy - 4.

ABSENT: Derrickson, Little - 2.

HB 203 not having received a constitutional major-  
ity was declared lost in the House.

On motion of Rep. Quillen HB 53 was stricken.

On motion of Rep. Weiss HB 191 had its final  
reading and was placed before the House for con-  
sideration.

HB 191 - An Act To Amend Part V, Title 29 of  
the Delaware Code Relating to Public Officers and  
Employees, and Providing For a Uniform Facsimile  
Signatures of Public Officials Act.

Roll call on HB 191 revealed:

YEAS: Berndt, Billingsley, Boulden, Connor, Der-  
rickson, Dillman, Dobberstein, Gordy, Gruwell, Har-  
kins, Hearn, Harrington, Heckert, Hering, Jarvis,  
Jonkiert, Justice, Kirk, Knox, Lesh, Little, Matu-  
shefske, Mears, Moerschel, Murphy, Orth, Poulterer,  
Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Mr.  
Speaker Frederick - 34.

NAYS: Clendaniel, Cordrey - 2.

NOT VOTING: Johnson, Miller, Wright - 3.

HB 191 having received a constitutional majority  
was declared passed the House.

The House recessed to the call of the Chair at  
5:16 P.M., reconvened at 5:51 P.M.

The Senate informed the House that it passed  
HB 141 with HA 1.

Committee Reports:

Appropriations: SB 168-1F, 4M. Revenue & Fin-  
ance: HB 176-3M, 2U. Labor & Commerce: HB 192-  
5M. Public Safety: HB 212-1F, 4M. HB 213-1F, 3M.  
HB 214-1F, 4M. Judiciary: HB 187-4M. SB 128-  
4F. SB 141-3F, 1M. Agriculture: HB 188-1F, 4M.  
Education: HJR 9-4F.

The House recessed to the call of the Chair at  
5:55 P.M.

April 20, 1971

### 23rd LEGISLATIVE DAY

The Speaker called the House to order at 1:42 P.M.  
The Majority Leader moved to adjourn at 1:42 P.M.,

thereby ending the previous legislative day. The House reconvened at 4:43 P.M.

There was a prayer by the Chaplain Rev. Robert Van Cleaf, St. Paul's Methodist Church, Odessa, Delaware.

The Speaker led those present in a salute of the flag.

Members present: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Matushefske, Mears, Miller, Moerschel, Murphy, Poulterer, Orth, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 38.

Absent: Little - 1.

Late: Harkins, Riddagh, Moerschel, Miller, Gordy - 5.

The Minutes of the previous legislative day were approved as posted.

The Senate informed the House that it passed HB 111, HB 117 and HB 46.

The following prefiled legislation was introduced:

**HB 219** - An Act To Amend Section 8105, Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power by Exempting Lands and Improvements of Shellcrest Swimming Club, Inc. From Assessment and Taxation. Introduced by Rep. Little. Assigned to Revenue & Finance Committee.

**HB 220** - An Act To Amend Chapter 51, Title 25, Delaware Code, Relating to Terms and Conditions of Residential Leases for Persons Over 60 Years of Age. Introduced by Rep. Hearn. Assigned to Community Affairs Committee.

**HB 221** - An Act To Amend Chapter 39, Title 25, Delaware Code, Relating to Liens of Garagemen, Livery and Stable Keepers Concerning Disposition of Proceeds of Sale. Introduced by Rep. Quillen. Assigned to Judiciary Committee.

**HB 222** - An Act To Amend Chapter 16, Title 2 of the Delaware Code Relating to the Powers of Local Transportation Authorities of the Department of Transportation. Introduced by Reps. Justice and Hearn. Assigned to Highways & Transportation Committee.

**HB 223** - An Act To Amend Chapter 55, Title 29, Delaware Code Relating to the State Employees' Pension Plan. Introduced by Rep. Murphy. Assigned to



Judiciary Committee.

**HB 224** - An Act Making An Appropriation to the Department of Highways and Transportation for the Greater Wilmington Transportation Authority During the Fiscal Year Ending June 30, 1972. Introduced by Rep. Murphy. Assigned to Appropriations Committee.

**HB 225** - An Act To Amend Subchapter IV, Chapter 51, Title 30 of the Delaware Code Relating to Appropriations Paid Through the State Treasurer From Funds Collected by the Department of Highways and Transportation. Introduced by Rep. Tribbitt. Assigned to Appropriations Committee.

**HJR 10** - Defining "The Legislator's Right to Know" About and Have Information Concerning New Programs. Introduced by Rep. Hearn. Assigned to House Administration Committee.

**HA 1 to HB 177**, introduced by Rep. Gordy. Placed with bill.

**HA 2 to HB 177**, introduced by Rep. Gordy. Placed with bill.

**HA 1 to HB 196**, introduced by Rep. Justice. Placed with bill.

**HA 2 to HB 196**, introduced by Rep. Leshner. Placed with bill.

**HA 3 to HB 200**, introduced by Rep. Connor. Placed with bill.

**HA 4 to HB 200**, introduced by Rep. Murphy. Placed with bill.

**HA 5 to HB 200**, introduced by Rep. Tribbitt. Placed with bill.

**SB 99** - An Act To Revise the General Corporation Law Relating to Corporations Classified as Private Foundations for Federal Income Tax Purposes. Introduced by Sen. Castle. Assigned to Judiciary Committee.

**SB 100 with SA 1, 2, 3, 10** - 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. Introduced by Sen. Manning. Assigned to Judiciary Committee.

**SB 101 with SA 1** - 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. Introduced by Sen. Manning. Assigned to Judiciary Committee.

**SB 102 with SA 1** - 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. Introduced by Sen. Manning. Assigned to Judiciary Committee.

**SB 103** - An Act To Revise the Trust Law Relating to Trusts Classified as Private Foundations For Federal Income Tax Purposes. Introduced by Sen. Castle. Assigned to Judiciary Committee.

**SS 1 for SB 172** - An Act To Provide a Supplementary Appropriation to the Courts of the State of Delaware. Introduced by Sen. Castle. Assigned to Appropriations Committee.

**SS 1 for SB 190** - An Act To Amend Title 7 of the Delaware Code Relating to Public Lands. Introduced by Sen. Elliott. Assigned to Natural Resources Committee.

**SB 206** - An Act To Amend § 302 and § 303, Chapter 3, Title 29, Delaware Code by Transferring the Responsibility For the State's Boundaries From the Chief Engineer of the Highway Department to the Secretary of Natural Resources and Environmental Control in Conjunction With the Director of the Division on Archives and Cultural Affairs. Introduced by Sen. Isaacs. Assigned to Natural Resources Committee.

The House recessed to the call of the Chair at 2:05 P.M., reconvened at 3:14 P.M.

Reps. Harkins, Riddagh, Moerschel, Miller and Gordy asked to be marked present.

On motion of Rep. Justice **HB 196** was stricken.

On motion of Rep. Hering **SB 212** had its final reading and was placed before the House for consideration.

**SB 212** - An Act To Validate Certain Municipal Elections Conducted Subsequent to April 9, 1970 and to Confirm Certain Acts Performed and Ordinances Enacted by Said Municipalities.

Privilege of the floor was granted to former Rep. Jerome Unruh speaking as a concerned citizen from Odessa to protest **SB 212**.

Privilege of the floor was granted to Mrs. Raymond B. Wallace, Odessa, also speaking as a concerned citizen and protesting **SB 212**.

Privilege of the floor was granted to Miss Virginia Lyndell, Dover.

The House recessed to the call of the Chair at 3:51 P.M., reconvened at 3:56 P.M.

On motion of Rep. Hering roll call was taken on **SB 212** and revealed:

YEAS: Cordrey, Gordy, Hering - 3.

NAYS: Billingsley, Boulden, Clendaniel, Connor, Derrickson, Dillman, Dobberstein, Gruwell, Harkins, Harrington, Hearn, Heckert, Jarvis, Johnson, Justice, Kirk, Knox, Leshar, Matushefske, Mears, Miller, Moerschel, Murphy, Poulterer, Quillen, Riddagh, Seibel, Smith, Wright, Mr. Speaker Frederick - 30.

NOT VOTING: Berndt, Jonkiert, Tribbitt - 3.

ABSENT: Little, Orth, Weiss - 3.

**SB 212** not having received 2/3 vote was declared lost in the House.

On motion of Rep. Boulden **HJR 9** had its final reading and was placed before the House for consideration.

**HJR 9** - Directing the State Board of Education to Establish a Program of Safety Education in the Elementary and Secondary Schools of this State.

On motion of Rep. Boulden, roll call on **HJR 9** was taken and revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gruwell, Harrington, Hearn, Heckert, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshar, Matushefske, Mears, Miller, Moerschel, Murphy, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Wright, Mr. Speaker Frederick - 33.

ABSENT: Gordy, Harkins, Hering, Little, Orth, Weiss - 6.

**HJR 9** having received a constitutional majority was declared adopted in the House.

On motion of Rep. Derrickson **HB 152** had its final reading and was placed before the House for consideration.

**HB 152** - An Act To Amend Title 3, Delaware Code, By Creating a New Chapter to be Designated as Chapter 56 Relating to the Issuing, Administration, Enforcement and Determination of Marketing Programs on Agricultural Commodities Imposing Powers and Duties on the State Department of Agriculture Providing For the Creation and Operation of Committees Prescribing the Contents of Programs and Providing For the Imposition and Collection of Fees.

**HA 1 and HA 2 to HB 152**, introduced by Rep. Derrickson, were adopted by voice vote.

Privilege of the floor was granted to Pat Caulk, Secretary of Agriculture to explain the bill.

On motion of Rep. Derrickson, roll call on **HB 152** with **HA 1, 2** was taken and revealed:

**YEAS:** Berndt, Billingsley, Boulden, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gruwell, Harkins, Harrington, Heckert, Hering, Jarvis, Johnson, Kirk, Knox, Leshner, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 30.

**NAYS:** Clendaniel, Gordy, Hearn, Jonkiert, Matuskefske, Mears - 6.

**NOT VOTING:** Miller - 1.

**ABSENT:** Justice, Little - 2.

**HB 152** with **HA 1, 2** having received a constitutional majority was declared passed the House.

On motion of Rep. Dillman roll call on **HB 163** was lifted and rescinded. **HA 1 to HB 163** was adopted by voice vote.

**HB 163** - An Act To Amend Section 3507, Title 11, Delaware Code, and Section 4176 (a), Title 21, Delaware Code, Relating to Evidence of Weight of Alcohol in the Blood of a Person Alleged to Have Driven, Operated, or Had in Actual Physical Control a Motor Vehicle While Under the Influence of Intoxicating Liquor or Drugs.

On motion of Rep. Dillman, roll call on **HB 163** with **HA 1** was taken and revealed:

**YEAS:** Berndt, Billingsley, Connor, Derrickson, Dillman, Dobberstein, Gruwell, Harkins, Heckert, Hering, Jarvis, Justice, Kirk, Knox, Leshner, Moerschel, Murphy, Poulterer, Quillen, Riddagh, Seibel, Smith, Weiss, Mr. Speaker Frederick - 24.

**NAYS:** Clendaniel, Cordrey, Gordy, Harrington, Hearn, Jonkiert, Matushefske, Mears, Miller, Orth, Tribbitt - 11.

**NOT VOTING:** Boulden, Johnson, Wright - 3.

**ABSENT:** Little - 1.

**HB 163** with **HA 1** having received a constitutional majority was declared passed the House.

The House recessed to the call of the Chair at 4:58 P.M., reconvened at 5:23 P.M.

**Committee Reports:**

**Community Affairs:** **SJR 3-5M. SJR 11-5F. SCR 16-5M. Environmental Control:** **HB 210-5F, 1M. HJR 7-**

6F. Health & Social Services: HB 215-4M. Natural Resources: SS 1 for SB 190-4M. SB 206-3F, 2M. Public Safety: HB 181-4M. HB 209-1F, 3M. Revenue & Finance: HB 154-3M, 3U. HB 197-6M.

On motion of Rep. Jarvis, HB 147 was stricken.

The House recessed to the call of the Chair at 5:28 P.M.

April 21, 1971

## 24th LEGISLATIVE DAY

The Speaker called the House to order at 1:42 P.M. The Majority Leader moved to adjourn at 1:42 P.M., thereby ending the previous legislative day. The House reconvened at 1:43 P.M.

There was a prayer by the Chaplain Rev. Robert Van Cleaf, St. Paul's Methodist Church, Odessa.

The Speaker led those present in a salute of the flag.

Members present: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Knox, Leshner, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 35.

Absent: Gruwell, Harkins, Kirk, Little. All marked present later.

The Minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

**HB 226** - An Act Making A Supplementary Appropriation to the Educational Contingency Fund for the Purpose of Tuition Payments on Account of Delmar School District. Introduced by Rep. Heckert. Assigned to Appropriations Committee.

**HB 227** - An Act To Provide A Supplementary Appropriation to the Various Departments and School Districts of the State. Introduced by Rep. Weiss. Assigned to Appropriations Committee.

**HS 1 for HB 34** - An Act To Amend Subchapter XXXVIII, Title II, Delaware Code, Relating to Outdoor Motion Picture Theatres Which Exhibit Restricted Films. Introduced by Reps. Seibel and Billingsley. Assigned to Judiciary Committee.

**HCR 20** - To Acknowledge That The Erection of An Oil Refinery in the State of Delaware Would Create

Needed New Jobs. Introduced by Rep. Matushefske. Assigned to Labor & Commerce Committee.

Rep. Gruwell marked present.

HCR 21 - Relating to April 22nd as Earth Day and the Week of April 19th as Earth Week. Introduced by Reps. Gruwell & Jarvis. Rep. Gruwell moved for its adoption by voice vote. Motion carried.

HR 34 - Expressing the Heartfelt Sympathies of the House of Representatives on the Death of Former State Representative William J. Paskey, Jr. Introduced by Rep. Quillen. On motion of Rep. Quillen HR 34 was stricken due to an error in the resolution.

HR 35 - Recognizing the Deeds of Charles C. (Chief) Clark, Last of the Nanticoke Indian Chiefs, and Expressing Sorrow at the Time of his Death. Introduced by Rep. Cordrey. Rep. Cordrey moved for its adoption by voice vote. Motion carried.

HR 36 - Recognizing Efforts of the Southern Christian Conference and Welcoming SCLC Freedom Marchers to Delaware. Introduced by Rep. Miller. On motion of Rep. Miller HR 36 was adopted by voice vote.

HA 6 to HB 200, introduced by Rep. Tribbitt. Placed with bill.

HA 7 to HB 200, introduced by Rep. Tribbitt. Placed with bill.

HA 1 to HB 207, introduced by Rep. Jarvis. Placed with bill.

HA 1 to HB 222, introduced by Rep. Justice. Placed with bill.

HA 1 to HB 101, introduced by Rep. Billingsley. Placed with bill.

HA 1 to HB 155, introduced by Rep. Riddagh. Placed with bill.

HA 1 to HB 197, introduced by Rep. Moerschel. Placed with bill.

The House recessed to the call of the Chair at 1:58 P.M., reconvened at 3:22 P.M.

The Senate informed the House that it passed HB 87 with HA 1, HB 125, HB 144 with HA 1.

HA 1 to HB 139, introduced by Rep. Leshner. Placed with bill.

HA 2 to HB 139, introduced by Rep. Hering. Placed with bill.

HA 3 to HB 139, introduced by Rep. Hering. Placed with bill.

HA 1 to SB 141, introduced by Rep. Miller. On

motion of Rep. Miller **HA 1** to **SB 141** was stricken.  
Reps. Harkins and Kirk marked present.

On motion of Rep. Hering **HB 138** had its final reading and was placed before the House for consideration.

**HB 138** - An Act Proposing An Amendment to Article I, Section 4 of the Constitution of the State of Delaware Relating to Trial By Jury.

Privilege of the floor was granted to Daniel L. Hermann, Assoc. Justice of the Delaware Supreme Court. Privilege of the floor was granted to Judge William T. Quillen, Superior Court Judge.

On motion of Rep. Hering roll call was taken on **HB 138** and then tabled.

On motion of Rep. Hering **HB 139** had its final reading and was placed before the House for consideration.

**HB 139** - An Act To Amend Chapter 1 of Title 10, Delaware Code, by Creating the Administrative Office of the Courts and Transferring to that Office the Office of Deputy Administrator for the Justice of the Peace Courts and Making a Supplementary Appropriation Therefor.

On motion of Rep. Leshner **HA 1** to **HB 139** was adopted by voice vote.

On motion of Rep. Hering **HA 2** to **HB 139** was adopted by voice vote.

On motion of Rep. Hering **HA 3** to **HB 139** was adopted by voice vote.

Privilege of the floor was granted to Chief Justice Daniel Wolcott.

On motion of Rep. Hering roll call was taken on **HB 139** with **HA 1, 2, 3**. Roll call revealed:

YEAS: Berndt, Billingsley, Boulden, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwel, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 37.

NAYS: Clendaniel - 1.

ABSENT: Little - 1.

**HB 139** with **HA 1, 2, 3** having received a constitutional majority was declared passed the House.

On motion of Rep. Boulden **HB 210** had its final reading and was placed before the House for consideration.

**HB 210** - An Act To Amend Chapter 60, Title 7, Delaware Code, Relating to Water and Air Resources and Certain Procedures Relating to Rules Set Forth in Said Chapter.

On motion of Rep. Boulden roll call on **HB 210** was taken. Roll call revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshar, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 35.

ABSENT: Derrickson, Hering, Little, Quillen - 4.

**HB 210** having received a constitutional majority was declared passed the House.

On motion of Rep. Jarvis **HJR 8** had its final reading and was placed before the House for consideration.

**HJR 8** - Providing For the Establishment of a Revenue Study Commission.

On motion of Rep. Jarvis roll call on **HJR 8** was taken. Roll call revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshar, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 37.

ABSENT: Derrickson, Little - 2.

**HJR 8** having received a constitutional majority was declared adopted in the House.

On motion of Rep. Billingsley **HB 101** had its final reading and was placed before the House for consideration.

**HB 101** - An Act To Amend Title 6 of the Delaware Code, Prohibiting the Sale of Certain Beverages in Non-Returnable or "Disposable" Beverage Containers Within the State of Delaware.

**HA 1** to **HB 101** introduced by Rep. Billingsley.

Privilege of the floor was granted to House Attorney, Ed Sobolewski to answer questions concerning **HB 101**. Privilege of the floor was granted to Mrs. Betty Hutchinson, Newark Conservation Assoc.; Mr. John Fisher, Co-ordinator of Claymont Environmental Club; Mrs. Joan Lang, Chairman of Comm. for return



of returnable bottles; Mr. Steve Fuller, Pres. of Ecological Action co-ordinating Comm. On motion of Rep. Billingsley **HB 101** was deferred indefinitely.

The House recessed to the call of the Chair at 5:50 P.M.

April 22, 1971

## 25th LEGISLATIVE DAY

The Speaker called the House to order at 1:40 P.M. The Majority Leader moved to adjourn at 1:40 P.M., thereby ending the previous legislative day. The House reconvened at 1:41 P.M.

There was a prayer by the Chaplain, Rev. Brooks Reynolds, Asbury Methodist Church, New Castle, Del.

The Speaker led those present in a salute of the flag.

Members present: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Knox, Leshar, Mears, Miller, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 35.

Absent: Kirk, Little, Matushefske, Moerschel - 4.

Reps. Kirk, Moerschel, and Matushefske asked to be marked present later.

The Minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

**HB 228** - An Act To Amend Section 1301 (3) (b), Chapter 13, Title 19, Delaware Code, Relating to the Exemption of Certain Employees From the Definition of Public Employees. Introduced by Rep. Moerschel. Assigned to Labor & Commerce Committee.

**HB 229** - An Act To Amend Title 21, Chapter 21, Subchapter IV, Reducing Registration Fees for Motor Vehicles Owned by Persons Over 62 Years of Age. Introduced by Rep. Justice. Assigned to Public Safety Committee.

**HB 230** - An Act To Amend Subchapter I of Chapter 7, Title 7, Delaware Code, Creating a Hunting Season During Which Primitive Weapons May be Used. Introduced by Rep. Knox. Assigned to Natural Resources Committee.

**HB 231** - An Act To Amend Subchapter IV, Chapter 51, Title 30, of the Delaware Code, Relating to State

Aid to Municipalities for Streets. Introduced by Rep. Murphy. Assigned to Highways & Transportation Committee.

**HB 232** - An Act To Amend Title 16, Delaware Code, by Creating a New Chapter to be Designated as Chapter 68 to Provide for the Regulation of and Standards for Ambulance Service by the State Fire Prevention Commission. Introduced by Rep. Dillman. Assigned to Health & Social Services Committee.

**HB 233** - An Act To Amend Chapter 63, Title 29, Delaware Code, Relating to the Budget Commission. Introduced by Rep. Tribbitt. Assigned to House Administration Committee.

**HR 37** - Expressing the Heartfelt Sympathies of the House of Representatives on the Death of Former State Representative Walter J. Paskey, Jr. Introduced by Rep. Quillen. On motion of Rep. Quillen, **HR 37** was adopted by voice vote.

**HCR 22** - Relating to Notification to the Secretary of State of First-Leg Passage of Proposed Constitutional Amendments. Introduced by Rep. Hering. On motion of Rep. Hering, **HCR 22** was adopted by voice vote.

**HA 3** to **HB 116**, introduced by Rep. Justice. Placed with the bill.

**HA 1** to **HB 158**, introduced by Rep. Dillman. Placed with the bill.

**HA 1** to **HB 209**, introduced by Rep. Derrickson. Placed with the bill.

**HA 2** to **SB 141**, introduced by Rep. Miller. Placed with the bill.

**HA 8** to **HB 200**, introduced by Rep. Harkins. Placed with the bill.

**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. Introduced by Sen. Steele. Assigned to Judiciary Committee.

**SB 139** - An Act Making a Supplementary Appropriation to the Department of Community Affairs and Economic Development for Flags. Introduced by Sen. Cicione. Assigned to Appropriations Committee.

**SB 143** with **SA 3** - 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. Introduced by Sen. duPont. Assigned to Environmental Control Committee.

**SB 182** with **SA 1** - An Act To Amend Part VII, Title 16, Delaware Code, by Creating a New Chapter 76 Dealing with Escalators. Introduced by Sen. Holloway. Assigned to Health & Social Services Committee.

**SS 1** for **SB 169** - An Act to Provide a Supplementary Appropriation to the Department of Public Safety. Introduced by Sen. Hickman. Assigned to Appropriations Committee.

**SS 1** for **SB 184** - An Act to Provide a Supplementary Appropriation to the Department of Community Affairs and Economic Development. Introduced by Sen. Manning. Assigned to Appropriations Committee.

**SB 230** - An Act to Amend Part VII, Title 16 of the Delaware Code Requiring the Use of Safety Glazing Materials in Hazardous Locations in Residential, Industrial, Commercial or Public Buildings as a Means of Protecting the Public Against Death and Injury Caused by Splintered Glass. Introduced by Sen. Steele. Assigned to Health & Social Services Committee.

**SB 231** - An Act Instructing the Director of the Division of Archives and Cultural Affairs to Publish the Boundaries of Delaware. Introduced by Sen. Isaacs. Assigned to Natural Resources Committee.

**SCR 19** - Providing for the Establishment of a Joint Committee to Study the Feasibility of the Utilization of School Facilities for 12 Months Each Year. Introduced by Sen. Schlor. Assigned to Education Committee.

The House recessed to the call of the Chair at 1:53 P.M., reconvened at 3:30 P.M.

On motion of Rep. Hering, **SB 141** had its final reading and was placed before the House for consideration.

**SB 141** with **SA 1** - An Act to Amend Title 29 of the Delaware Code, Providing for Release of Post-mortem and Autopsy Reports, Notification of Relatives and Release of Remains of Deceased to the Immediate Family.

Reps. Kirk, Moerschel, Matushefske marked present.

Rep. Miller introduced **HA 2** to **SB 141**. On motion of Rep. Miller, roll call on **HA 2** to **SB 141** was taken. Roll call revealed:

**YEAS:** Boulden, Clendaniel, Cordrey, Gordy, Har-

rington, Hearn, Johnson, Jonkiert, Matushefske, Miller, Orth, Poulterer, Smith, Tribbitt - 14.

NAYS: Berndt, Billingsley, Derrickson, Dillman, Dobberstein, Heckert, Hering, Knox, Leshar, Mears, Quillen, Riddagh - 12.

NOT VOTING: Connor, Harkins, Jarvis, Justice, Kirk, Moerschel, Murphy, Seibel, Weiss, Wright, Mr. Speaker Frederick - 11.

ABSENT: Gruwell, Little - 2.

HA 2 to SB 141 not having received a majority was declared defeated by the House.

On motion of Rep. Hering, roll call on SB 141 with SA 1 was taken. Roll call revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshar, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 37.

ABSENT: Gruwell, Little - 2.

SB 141 with SA 1 having received a constitutional majority was declared passed the House.

On motion of Rep. Hering, SB 128 had its final reading and was placed before the House for consideration.

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.

On motion of Rep. Hering roll call on SB 128 was taken. Roll call revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Dillman, Dobberstein, Gordy, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshar, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 36.

ABSENT: Derrickson, Gruwell, Little - 3.

SB 128 having received a constitutional majority was declared passed the House.

On motion of Rep. Billingsley, HB 187 had its final reading and was placed before the House for consideration.

Privilege of the floor was granted to House Attorney, John Rich, to answer questions regarding HB 187. On motion of Rep. Billingsley, HB 187 was

deferred until later on the Agenda.

On motion of Rep. Leshner, **SB 168** had its final reading and was placed before the House for consideration.

**SB 168** - An Act to Provide a Supplementary Appropriation to the Department of Finance.

On motion of Rep. Leshner, roll call on **SB 168** was taken. Roll call revealed:

**YEAS:** Berndt, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Matushefske, Mears, Miller, Moerschel, Murphy, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 33.

**NAYS:** Clendaniel - 1.

**ABSENT:** Billingsley, Boulden, Gruwell, Little, Orth - 5.

**SB 168** having received a constitutional majority was declared passed the House.

On motion of Rep. Poulterer, **HJR 7** had its final reading and was placed before the House for consideration.

**HJR 7** - Encouraging the Protection of the Environment, the Stabilization of the Population, and the Preservation of the Natural Resources of the State of Delaware.

On motion of Rep. Poulterer, roll call on **HJR 7** was taken. Roll call revealed:

**YEAS:** Berndt, Billingsley, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Matushefske, Mears, Miller, Moerschel, Murphy, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 36.

**ABSENT:** Boulden, Little, Orth - 3.

**HJR 7** having received a constitutional majority was declared adopted in the House.

Rep. Moerschel explained his position on the Dover By-pass.

On motion of Rep. Seibel, **SJR 11** had its final reading and was placed before the House for consideration.

**SJR 11** - Paying Tribute and Expressing Heartfelt Sympathy at the Time of the Death of Alexander R. Abrahams.

Roll call revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 37.

ABSENT: Leshar, Little - 2.

**SJR 11** having received a constitutional majority was declared adopted in the House.

On motion of Rep. Seibel, **SJR 3** had its final reading and was placed before the House for consideration.

**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.

On motion of Rep. Seibel roll call was taken on **SJR 3**. Roll call revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshar, Matushefske, Mears, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 36.

NAYS: Miller - 1.

ABSENT: Gordy, Little - 2.

**SJR 3** having received a constitutional majority was declared adopted in the House.

On motion of Rep. Seibel, **SCR 16** was deferred indefinitely.

On motion of Rep. Kirk, **SB 206** had its final reading and was placed before the House for consideration.

**SB 206** - An Act to Amend § 302 and § 303, Chapter 3, Title 29, Delaware Code by Transferring the Responsibility for the State's Boundaries From the Chief Engineer of the Highway Department to the Secretary of Natural Resources and Environmental Control in Conjunction with the Director of the Division of Archives and Cultural Affairs.

On motion of Rep. Kirk, roll call was taken on **SB 206**. Roll call revealed:

**YEAS:** Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Lesh, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 38.

**ABSENT:** Little - 1.

**SB 206** having received a constitutional majority was declared passed the House.

On motion of Rep. Jarvis **HB 176** had its final reading and was placed before the House for consideration.

**HB 176** - An Act to Amend Section 8105, Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power by Exempting Lands and Improvements of the Rutherford Civic Association, Inc., From Assessment and Taxation.

On motion of Rep. Jarvis, roll call on **HB 176** was taken. Roll call revealed:

**YEAS:** Berndt, Boulden, Derrickson, Dillman, Dobberstein, Harrington, Heckert, Hering, Jarvis, Johnson, Jonkiert, Kirk, Knox, Matushefske, Moerschel, Murphy, Poulterer, Quillen, Riddagh, Tribbitt, Weiss, Wright - 22.

**NAYS:** Clendaniel, Cordrey, Hearn, Lesh, Mears, Miller, Orth, Seibel, Smith - 9.

**NOT VOTING:** Billingsley, Connor, Gordy, Gruwell, Harkins, Justice, Mr. Speaker Frederick - 7.

**ABSENT:** Little - 1.

**HB 176** having received a constitutional majority was declared passed the House.

On motion of Rep. Connor, **HB 197** had its final reading and was placed before the House for consideration.

**HB 197** - An Act to Amend Subchapter II, Chapter 5, Title 28, of the Delaware Code Relating to Licenses to Conduct Harness Racing Meets.

Rep. Moerschel introduced **HA 1** to **HB 197** and asked for a roll call vote. Roll call revealed:

**YEAS:** Berndt, Dobberstein, Gordy, Hering, Lesh, Mears, Moerschel, Murphy, Quillen, Riddagh, Smith, Weiss, Mr. Speaker Frederick - 13.

**NAYS:** Billingsley, Boulden, Connor, Cordrey, Dillman, Harkins, Harrington, Hearn, Heckert, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Matushefske, Miller, Orth, Poulterer, Seibel, Tribbitt, Wright - 22.

NOT VOTING: Derrickson, Gruwell - 2.

ABSENT: Clendaniel, Little - 2.

HA 1 to HB 197 not having received a constitutional majority was declared defeated in the House.

Rep. Moerschel moved to table the roll call on HA 1 to HB 197. Motion failed.

The House recessed to the call of the Chair at 5:02 P.M., reconvened at 5:41 P.M.

On motion of Rep. Connor, HB 197 was deferred until the next legislative day.

On motion of Rep. Quillen, HB 188 had its final reading and was placed before the House for consideration.

HB 188 - An Act to Amend Chapter 31, Title 3, Delaware Code Relating to Milk, Cream and Other Milk Products Concerning Method of Sampling and Testing.

On motion of Rep. Quillen, roll call was taken on HB 188. Roll call revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 37.

ABSENT: Jarvis, Little - 2.

HB 188 having received a constitutional majority was declared passed the House.

Rep. Billingsley introduced HA 1 to HB 187 and moved for its adoption by voice vote. Motion carried.

On motion of Rep. Billingsley, HB 187 with HA 1 had its final reading and was brought before the House for consideration.

HB 187 with HA 1 - An Act to Amend Title 4, Delaware Code, Section 512, Relating to the Removal of Partially Consumed Bottles of Alcoholic Liquor from Clubs, Restaurants, Hotels, Dinner Theaters, or Horse Racetracks.

On motion of Rep. Billingsley, roll call on HB 187 with HA 1 was taken. Roll call revealed:

YEAS: Berndt, Billingsley, Boulden, Connor, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt,



Weiss, Wright, Mr. Speaker Frederick - 36.

NAYS: Clendaniel, Cordrey - 2.

ABSENT: Little - 1.

HB 187 with HA 1 having received a constitutional majority was declared passed the House.

On motion of Rep. Knox, HB 215 had its final reading and was brought before the House for consideration.

HB 215 - An Act Making a Supplemental Appropriation to the Division of Social Services for Public Assistance Grants.

Secondary report out of Committee on HB 215 - 3 favorable, 2 on its merits. Privilege of the floor was granted to Dr. Albert Ingram, Jr., Sec. of Dept. of Health and Social Services. On motion of Rep. Knox, roll call on HB 215 was taken.

Roll call revealed:

YEAS: Berndt, Connor, Derrickson, Dillman, Dobberstein, Gordy, Harkins, Harrington, Hearn, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Seibel, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 29.

NAYS: Clendaniel, Cordrey, Gruwell, Quillen, Ridgah, Smith - 6.

NOT VOTING: Heckert - 1.

ABSENT: Billingsley, Boulden, Little - 3.

HB 215 having received a constitutional majority was declared passed the House.

On motion of Rep. Kirk, SCR 20 had its final reading and was placed before the House for consideration.

SCR 20 - Relating to the Proposed Rezoning of the Sherwood Forest Project.

WHEREAS, there is presently pending before the County Council of New Castle County a proposed ordinance to rezone the Sherwood Forest Project to a PUD zone; and

WHEREAS, said proposed rezoning could impose drastic effects and great hardships on the residents of Birchwood Park, Fox Chase, and other adjoining communities; and

WHEREAS, there presently exists a severe problem pertaining to the sewers in said communities; and

WHEREAS, there presently exists insufficient roadways to safely and adequately permit traffic to flow into said communities and the surrounding area; and

WHEREAS, the proposed rezoning of said Sherwood Forest Project would over tax the existing roadways, sewers, water supply and recreational areas in said communities.

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 126th General Assembly the House of Representatives concurring therein that the County Council of New Castle County is hereby requested to reject the proposed ordinance.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journals of the Senate and House of Representatives of the 126th General Assembly and a copy forwarded to each member of the County Council of New Castle County and to the County Executive.

On motion of Rep. Hering, the roll call on **HB 138** was lifted from the Speaker's table.

On motion of Rep. Hering, roll call on **HB 138** was taken. Roll call revealed:

YEAS: Berndt, Billingsley, Boulden, Connor, Derickson, Dillman, Dobberstein, Harkins, Heckert, Hering, Jarvis, Justice, Kirk, Knox, Leshner, Mears, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 27.

NAYS: Clendaniel, Cordrey, Gordy, Gruwell, Harrington, Hearn, Johnson, Matushefske, Miller, Smith - 10.

NOT VOTING: Jonkiert - 1.

ABSENT: Little - 1.

**HB 138** having received 2/3 vote was declared passed the House.

Committee Reports:

Judiciary: **HB 223**, 3 favorable, 2 on its merits; **SB 22**, 3 favorable, 1 on its merits; **SB 150**, 2 favorable, 3 on its merits.

The House recessed to the call of the Chair at 6:40 P.M.

April 27, 1971

## 26th LEGISLATIVE DAY

The Speaker called the House to order at 1:41 P.M. The Majority Leader moved to adjourn at 1:41 P.M., thereby ending the previous legislative day. The House reconvened at 1:42 P.M.

There was a prayer by the Chaplain Rev. Brooks Reynolds, Asbury Methodist Church, New Castle, Del.

The Speaker led those present in a salute of the flag.

Members present: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Harkins, Harrington, Hearn, Heckert, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshar, Little, Matushefske, Mears, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 36.

Absent: Gruwell, Hering, Miller - 3. All marked present later.

The Minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

**HB 234** - An Act to Amend Chapter 23, Title 19 of the Delaware Code Relating to Additional Payments for Injuries or Death and Incidental Benefits. Introduced by Rep. Riddagh (co-sponsored by Rep. Gordy). Assigned to Labor & Commerce Committee.

On motion of Rep. Riddagh **HB 157** was stricken.

**HB 235** - An Act to Amend Title 14, Delaware Code, Relating to Remedies Available to Boards of Education and Organizations of Public School Employees. Introduced by Rep. Moerschel, by request. Assigned to Education Committee.

**HB 236** - An Act to Amend Title 14, Delaware Code, Relating to Negotiations Between Boards of Education and Organizations of Public School Employees. Introduced by Rep. Moerschel, by request. Assigned to Education Committee.

**HB 237** - An Act to Provide a Supplementary Appropriation to the Department of Labor to Effect the Vocational Rehabilitation of Public Assistance Recipients. Introduced by Rep. Harkins. Assigned to Appropriations Committee.

**HB 238** - An Act to Amend Chapter 9, Title 29, Delaware Code by Adding Thereto a New Section Relating to the Time Period Within Which Legislation May be Introduced Into Each Annual Session of the General Assembly. Introduced by Rep. Hering. Assigned to Judiciary Committee.

**HB 239** - An Act Proposing an Amendment to Article 5, Section 2 of the Delaware Constitution of 1897, as Amended, Relating to Residency Requirements and Qualifications For Voting. Introduced by

Rep. Jarvis. Assigned to Judiciary Committee.

On motion of Rep. Jarvis **HB 208** was stricken.

**HB 240** - An Act to Amend Chapter 9, Title 28, Delaware Code Relating to Harness Horse Racing on Sunday in Kent County. Introduced by Rep. Dillman. Assigned to Revenue & Finance Committee.

**HR 38** - Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the General Assembly. Introduced by Rep. Jarvis. On motion of Rep. Jarvis **HB 38** was adopted by voice vote.

Reps. Hering and Miller marked present.

**HR 39** - Authorizing Payment for Services Rendered by the Legislative Staff of the House of Representatives of the 126th General Assembly. Introduced by Rep. Jarvis. On motion of Rep. Jarvis **HR 39** was adopted by voice vote.

On motion of Rep. Johnson **HCR 23** was before the House for consideration.

**HCR 23** - Praising the Wilmington High School Basketball Team for a Record-Breaking Season and its Coach for Being Selected "Coach-of-Year".

WHEREAS, the Wilmington High School Red Devils basketball team had one of the finest seasons in the long and distinguished history of the school; and

WHEREAS, the high-scoring Wilmington High School team, despite finishing third place in the fifth annual Delaware High School Basketball Tournament, set ten records and tied two more during the four game event; and

WHEREAS, five of the records were team efforts while five others were the results of individual performances by team members Ron Johnson and Harry Randolph; and

WHEREAS, the Wilmington High team records for the Delaware High School Basketball Tournament included most points in the tournament (276), most points in a single game (97), most field goals made in a single game (43), most free throws made in the tournament (70), most free throws attempted in the tournament (128); and

WHEREAS, the Wilmington High School Red Devils received the highest ranking during the regular season of all high schools in Delaware (a 62.2 Dunkel Rating); and

WHEREAS, Wilmington High School Red Devil Coach Tim Autry was voted "Coach of the Year in

Delaware'' by his peers.

**NOW THEREFORE,**

**BE IT RESOLVED** by the House of Representatives of the 126th General Assembly, the Senate concurring, that highest plaudits be accorded the Wilmington High School Red Devils basketball team and its Coach, "Coach-of-the-Year", Tim Autry, for an outstanding season-long performance during the recently concluded 1970-71 season.

**BE IT FURTHER RESOLVED** that the text of this resolution be spread upon the minutes of the House and copies sent to Coach Autry and all members of the Wilmington High School basketball team including assistant coaches and managers, and to the Wilmington High School Principal, Jimmie V. Morris.

On motion of Rep. Johnson **HCR 23** was adopted by voice vote.

**HA 1 to SS 1 for SB 190**, introduced by Rep. Kirk. Placed with bill.

**HA 1 to HB 192**, introduced by Rep. Dobberstein. Placed with bill.

**HA 2 to HB 192**, introduced by Rep. Harrington. Placed with bill.

**HA 9 to HB 200**, introduced by Rep. Tribbitt. Placed with bill.

**SB 57** - An Act Agreeing to a Proposed Amendment to the Constitution of the State of Delaware. Introduced by Sen. Slawik. Assigned to Revenue & Finance Committee.

**SB 170** - An Act Making a Supplementary Appropriation to the Educational Contingency Fund to Meet Deficiencies in Regular Appropriations for Mandated Education Programs. Introduced by Sen. Hale. Assigned to Appropriations Committee.

**SB 173** - An Act Making a Supplementary Appropriation to the Educational Contingency Fund to Meet the Deficiency in the Regular Appropriation for Transportation of Nonpublic-Nonprofit School Pupils. Introduced by Sen. Cicione. Assigned to Appropriations Committee.

**SB 183** - An Act to Amend Title 16 of the Delaware Code Relating to the Free Use of Toilet Facilities. Introduced by Sen. Holloway. Assigned to Community Affairs Committee.

**SB 191** - An Act to Amend Chapter 3, Title 31, of the Delaware Code, Permitting the Division of Social Services to Continue Payments and Allocations

for Dependent or Neglected Children After the Children Have Been Legally Adopted. Introduced by Sen. Conner. Assigned to Health & Social Services Committee.

**SJR 13** - Saluting the Jewish War Veterans on Their 75th National and 25th State Anniversaries. Introduced by Sen. Cicione. Assigned to Community Affairs Committee.

The House recessed to the call of the Chair at 2:10 P.M., reconvened at 3:17 P.M.

On motion of Rep. Connor **HB 197** had its final reading and was placed before the House for consideration.

**HB 197** - An Act to Amend Subchapter II, Chapter 5, Title 28 of the Delaware Code Relating to Licenses to Conduct Harness Racing Meets.

Rep. Moerschel introduced **HA 2** to **HB 197** which was adopted by voice vote.

Rep. Gruwell asked to be marked present.

On motion of Rep. Connor roll call on **HB 197** with **HA 2** was taken. Roll call revealed:

YEAS: Berndt, Billingsley, Boulden, Connor, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Hearn, Heckert, Hering, Jarvis, Johnson, Justice, Kirk, Knox, Leshar, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 33.

NAYS: Clendaniel, Cordrey, Poulterer - 3.

ABSENT: Harrington, Jonkiert, Orth - 3.

**HB 197** with **HA 2** having received a constitutional majority was declared passed the House.

On motion of Rep. Billingsley **HB 116** had its final reading and was placed before the House for consideration.

**HB 116** - An Act to Amend Section 1154, Title 30, Delaware Code by Adding the Requirement for Employers to Make Monthly Deposits of State Personal Income Taxes Withheld From Employees.

Rep. Gordy introduced **HA 1** to **HB 116**. Rep. Gordy moved for its adoption by voice vote. Motion failed. Rep. Billingsley introduced **HA 2** to **HB 116** and moved for its adoption by voice vote. Motion carried. Rep. Justice introduced **HA 3** to **HB 116** and moved for its adoption by voice vote. Motion carried. On motion of Rep. Billingsley roll call on **HB 116** with **HA 2, 3** was taken. Roll call revealed:

YEAS: Berndt, Billingsley, Connor, Derrickson,

Dillman, Dobberstein, Harkins, Hering, Jarvis, Justice, Kirk, Knox, Leshner, Little, Moerschel, Murphy, Poulterer, Quillen, Riddagh, Seibel, Weiss, Mr. Speaker Frederick - 22.

NAYS: Clendaniel, Cordrey, Gordy, Gruwell, Harrington, Heckert, Matushefske, Mears, Orth, Smith, Tribbitt, Wright - 12.

NOT VOTING: Boulden, Hearn, Johnson, Jonkiert, Miller - 5.

**HB 116** with **HA 2, 3** having received a constitutional majority was declared passed the House.

On motion of Rep. Berndt **HB 209** with **HA 2** had its final reading and was placed before the House for consideration.

**HB 209** - An Act To Amend Chapter 43, Title 21, of the Delaware Code Relating to the Escape of Contents From Motor Vehicles, and Providing Penalties Therefor.

**HA 2** to **HB 209** was introduced by Rep. Mears. After much discussion Rep. Berndt deferred **HB 209** indefinitely.

On motion of Rep. Heckert **HB 154** had its final reading and was placed before the House for consideration.

**HB 154** - An Act To Amend Section 8105 Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power by Exempting Lands and Improvements of the Radnor Green Civic Association, Inc., from Assessment and Taxation.

On motion of Rep. Heckert roll call on **HB 154** was taken. Roll call revealed:

YEAS: Berndt, Boulden, Connor, Derrickson, Dillman, Dobberstein, Harrington, Heckert, Hering, Jarvis, Knox, Little, Matushefske, Moerschel, Murphy, Poulterer, Quillen, Riddagh, Tribbitt, Weiss, Wright - 21.

NAYS: Billingsley, Clendaniel, Cordrey, Gordy, Harkins, Kirk, Leshner, Miller, Orth, Seibel, Smith - 11.

NOT VOTING: Gruwell, Hearn, Johnson, Jonkiert, Justice, Mears, Mr. Speaker Frederick - 7.

**HB 154** having received a constitutional majority was declared passed the House.

On motion of Rep. Dobberstein **HB 192** had its final reading and was placed before the House for consideration.

**HB 192** - An Act To Amend Chapter 73, Title 16, Delaware Code, By Creating a New Subchapter to Cover the Ownership, Use and Filling of Liquefied Petroleum

Gas Containers.

Rep. Dobberstein introduced HA 1 to HB 192 which was adopted by voice vote. Rep. Harrington introduced HA 2 to HB 192. After much discussion Rep. Dobberstein deferred HB 192 until the next legislative day.

On motion of Rep. Connor the roll call on HB 23 was lifted from the Speaker's table.

HB 23 - An Act To Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of Jefferson Farms Swim Club, Inc., from Assessment and Taxation.

Roll call on HB 23 revealed:

YEAS: Boulden, Connor, Derrickson, Dillman, Dobberstein, Gordy, Harkins, Heckert, Hering, Johnson, Justice, Knox, Little, Matushefske, Moerschel, Murphy, Poulterer, Quillen, Tribbitt, Weiss, Wright - 21.

NAYS: Berndt, Billingsley, Clendaniel, Cordrey, Gruwell, Harrington, Hearn, Jonkiert, Kirk, Leshner, Mears, Miller, Orth, Riddagh, Smith - 15.

NOT VOTING: Jarvis, Mr. Speaker Frederick - 2.

ABSENT: Seibel - 1.

HB 23 having received a constitutional majority was declared passed the House.

The House recessed to the call of the Chair at 4:07 P.M., reconvened at 4:45 P.M.

Committee Reports:

Judiciary: HB 238 - 1F, 4M; HB 239-3F, 3M; SB 99-1F, 4M; SB 103-1F, 4M. Revenue & Finance: HB 172-4M; HB 219-1M, 3U; HB 240-4M; SB 57-1F, 3M. Appropriations: HB 54-3F, 2M; HB 55-2F, 3M; HB 61-4F; HB 59-4F, 2M; HB 58-2F, 4M; HB 56-1F, 5M; HB 62-4F; SB 170-1F, 4M; HB 200-4F; SS 1 for SB 172-2F, 4M; SB 170-1F, 4M; SB 173-2F, 2M. Education: SB 36-6M. Public Safety: HB 205-2M, 2U; HB 194-1F, 3M; HB 229-1F, 2M. Labor & Commerce: HB 234-3F, 1M. Health & Social Services: HB 199-3F, 1M; HB 232-5M; SB 182-4F, 1M; SB 191-4F, 1M.

The House recessed to the call of the Chair at 4:53 P.M.

April 28, 1971

## 27th LEGISLATIVE DAY

The Speaker called the House to order at 1:42 P.M. The Majority Leader moved to adjourn at 1:42 P.M.,



thereby ending the previous legislative day. The House reconvened at 1:43 P.M.

There was a prayer by the Chaplain Father John J. Masterson, St. Polycarp Church, Smyrna, Delaware.

The Speaker led those present in a salute of the flag.

Members present: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Dillman, Dobberstein, Gordy, Gruwell, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Mr. Speaker Frederick - 34.

Absent: Derrickson, Harkins, Moerschel, Weiss, Wright - 5. All marked present later.

The Minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

**HB 241** - An Act To Amend Chapter 55, Title 29, Delaware Code Relating to the State Employees' Pension Plan. Introduced by Rep. Murphy. Assigned to Judiciary Committee.

**HB 242** - An Act To Amend Subchapter XII, Chapter 3, Title 11, Delaware Code, Relating to Cemeteries by Making it a Misdemeanor to Refuse to Permit Interment of the Body of a Deceased Person Because of Sex, Race, Creed, Color, or National Origin in any Cemetery, Graveyard, or Memorial Park Used for the Interment of Deceased Persons Within this State and Providing a Penalty for Such Offense. Introduced by Rep. Miller. Assigned to Community Affairs Committee.

**HB 243** - An Act To Amend Title 14 of the Delaware Code by Eliminating the Posting of Assessment Lists and Hearing Objections Thereto. Introduced by Rep. Heckert. Assigned to Education Committee.

**HB 244** - An Act To Amend Section 2707, Chapter 27, Subchapter I, Title 21, Delaware Code, Relating to School Bus Drivers' Licenses. Introduced by Rep. Heckert. Assigned to Public Safety Committee.

**HB 245** - An Act To Amend Chapter 29, Title 14, Delaware Code, Relating to the Transportation of Elementary and Secondary Public School Students. Introduced by Rep. Wright. Assigned to Education Committee.

**HB 246** - An Act To Provide a Supplementary Appropriation to the State Board of Pharmacy for the

**Enforcement of Drug Distribution Laws.** Introduced by Rep. Little. Assigned to Appropriations Committee.

**HB 247** - An Act To Amend Subchapter II of Chapter 43, Title 21, Delaware Code Pertaining to Additional Equipment Required on Slow-Moving Vehicles. Introduced by Rep. Gordy. Assigned to Public Safety Committee.

**HA 1 to SB 100**, introduced by Rep. Moerschel. Placed with bill.

**HA 1 to SS 1 for SB 172**, introduced by Rep. Leshner. Placed with bill.

**SB 257** - An Act To Amend Title 15, Delaware Code, Relating to the Use of Voting Machines in Municipal Elections. Introduced by Sen. Isaacs. Assigned to Judiciary Committee.

The House recessed to the call of the Chair at 1:52 P.M., reconvened at 3:16 P.M.

Reps. Weiss, Derrickson asked to be marked present.

On motion of Rep. Harrington **HA 2 to HB 192** was stricken.

On motion of Rep. Dobberstein **HB 192** with **HA 1** had its final reading and was placed before the House for consideration.

**HB 192 with HA 1** - An Act To Amend Chapter 73, Title 16, Delaware Code, By Creating a New Subchapter to Cover the Ownership, Use and Filling of Liquefied Petroleum Gas Containers.

Rep. Dobberstein read a letter from Mr. William R. Favinger, State Fire Marshall.

Reps. Harkins and Moerschel asked to be marked present.

On motion of Rep. Dobberstein roll call on **HB 192** with **HA 1** was taken and tabled.

**HA 2 to SS 1 for SB 190** was introduced by Rep. Kirk. Placed with bill.

On motion of Rep. Weiss **SB 191** had its final reading and was placed before the House for consideration.

**SB 191** - An Act To Amend Chapter 3, Title 31 of the Delaware Code, Permitting the Division of Social Services to Continue Payments and Allocations for Dependent or Neglected Children After the Children Have Been Legally Adopted.

Privilege of the floor was granted to Miss Elizabeth Townsend, Executive Director of the Children's

Bureau of Delaware. Rep. Leshner moved to defer SB 191. On motion of Rep. Little roll call to defer SB 191 was taken. Roll call revealed:

YEAS: Berndt, Justice, Leshner, Quillen - 4.

NAYS: Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Hering, Jarvis, Johnson, Jonkiert, Kirk, Knox, Little, Matushefske, Mears, Miller, Moerschel, Orth, Poulterer, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 32.

NOT VOTING: Dillman, Heckert, Murphy - 3.

Motion to defer SB 191 was defeated. On motion of Rep. Weiss roll call on SB 191 was taken. Roll call revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 38.

NAYS: Leshner - 1.

SB 191 having received a constitutional majority was declared passed the House.

On motion of Rep. Hering SB 22 had its final reading and was placed before the House for consideration.

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.

HA 1 to SB 22 was introduced by Rep. Hering. After much discussion SB 22 was deferred.

On motion of Rep. Hering SB 99 had its final reading and was placed before the House for consideration.

SB 99- An Act To Revise the General Corporation Law Relating to Corporations Classified as Private Foundations for Federal Income Tax Purposes.

Privilege of the floor was granted to Mr. James Kennedy, Director of Revenue for the State.

Rep. Hering moved to defer SB 99 and SB 103 until Tuesday, May 4, 1971.

On motion of Rep. Dillman HB 232 was stricken.

On motion of Rep. Leshner **SS 1 for SB 172** had its final reading and was placed before the House for consideration.

**SS 1 for SB 172 - An Act To Provide a Supplementary Appropriation to the Courts of the State of Delaware.**

**HA 1 to SS 1 for SB 172**, introduced by Rep. Leshner. Adopted by voice vote. On motion of Rep. Billingsley **HA 2 to SS 1 for SB 172** was stricken. Rep. Little moved for a roll call to defer **SS 1 for SB 172 with HA 1**. Roll call revealed:

**YEAS:** Berndt, Billingsley, Cordrey, Dillman, Dobberstein, Gordy, Gruwell, Heckert, Hering, Jarvis, Johnson, Knox, Leshner, Mears, Moerschel, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Weiss - 22.

**NAYS:** Boulden, Clendaniel, Connor, Harkins, Harrington, Hearn, Jonkiert, Justice, Kirk, Little, Matushefske, Murphy, Tribbitt, Wright, Mr. Speaker Frederick - 15.

**NOT VOTING:** Derrickson, Miller - 2.

**SS 1 for SB 172** was deferred.

On motion of Rep. Riddagh **HB 172 with HA 1** had its final reading and was placed before the House for consideration.

**HB 172 - An Act To Amend Title 30, Chapter 23, Delaware Code, By Allowing Exemption From License Requirements for Certain Nonprofit Senior Citizens Centers.**

On motion of Rep. Riddagh roll call on **HB 172 with HA 1** was taken. Roll call revealed:

**YEAS:** Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 39.

**HB 172 with HA 1** having received a constitutional majority was declared passed the House.

On motion of Rep. Riddagh **HB 234** had its final reading and was placed before the House for consideration.

**HB 234 - An Act To Amend Chapter 23, Title 19 of the Delaware Code Relating to Additional Payments for Injuries or Death and Incidental Benefits.**

**HA 1 to HB 234**, introduced by Rep. Riddagh. Adopted by voice vote. On motion of Rep. Riddagh roll call on **HB 234** with **HA 1** was taken. Roll call revealed:

**YEAS:** Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 39.

**HB 234** with **HA 1** having received a constitutional majority was declared passed the House.

On motion of Rep. Dillman **HB 181** had its final reading and was placed before the House for consideration.

**HB 181** - An Act To Amend Title 18, Chapter 13, of the Delaware Code Pertaining to Obligations and Stock in Which Insurers May Invest.

Privilege of the floor was granted to Mr. Bruce Ralston, Director of Governmental Affairs of the Delaware Chamber of Commerce.

On motion of Rep. Dillman roll call was taken on **HB 181**. Roll call revealed:

**YEAS:** Berndt, Billingsley, Connor, Dillman, Dobberstein, Gruwell, Harkins, Harrington, Hearn, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Matushefske, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 30.

**NAYS:** Boulden, Clendaniel, Cordrey, Derrickson, Gordy, Heckert, Mears, Miller, Moerschel - 9.

**HB 181** having received a constitutional majority was declared passed the House.

On motion of Rep. Dillman **HB 158** had its final reading and was placed before the House for consideration.

**HB 158** - An Act To Amend Chapter 3, Section 310, Title 21, Delaware Code Relating to Automobile and License Records.

**HA 1 to HB 158**, introduced by Rep. Dillman. Adopted by voice vote. On motion of Rep. Dillman roll call on **HB 158** with **HA 1** was taken. Roll call revealed.

**YEAS:** Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein,

Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshar, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 38.

ABSENT: Quillen - 1.

HB 158 with HA 1 having received a constitutional majority was declared passed the House.

On motion of Rep. Dillman HB 180 had its final reading and was placed before the House for consideration.

HB 180 - An Act To Amend Subchapter II, of Chapter 29, Title 21, Delaware Code, Relating to Custody, Disposition and Return of Security.

On motion of Rep. Dillman roll call on HB 180 was taken. Roll call revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshar, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 37.

ABSENT: Quillen, Derrickson - 2.

HB 180 having received a constitutional majority was declared passed the House.

On motion of Rep. Leshar SS 1 for SB 172 was again placed before the House for consideration.

SS 1 for SB 172 - An Act To Provide a Supplementary Appropriation to the Courts of the State of Delaware.

HA 3 to SS 1 for SB 172, introduced by Rep. Billingsley. On motion of Rep. Billingsley roll call was taken on HA 3 to SS 1 for SB 172. Roll call revealed:

YEAS: Berndt, Billingsley, Clendaniel, Dillman, Gruwell, Heckert, Jarvis, Knox, Mears, Orth, Riddagh, Seibel, Mr. Speaker Frederick - 13.

NAYS: Boulden, Gordy, Harkins, Harrington, Hearn, Hering, Johnson, Justice, Leshar, Little, Matushefske, Poulterer, Tribbitt, Weiss, Wright - 15.

NOT VOTING: Connor, Cordrey, Dobberstein, Jonkiert, Kirk, Miller, Moerschel, Murphy, Smith - 9.

ABSENT: Derrickson, Quillen - 2.

HA 3 to SS 1 for SB 172 not having received a majority was defeated in the House. On motion of Rep. Leshar roll call on SS 1 for SB 172 was taken. Roll call revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel,

Connor, Cordrey, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 37.

ABSENT: Derrickson, Quillen - 2.

SS 1 for SB 172 having received a constitutional majority was declared passed the House.

On motion of Rep. Justice HB 229 had its final reading and was placed before the House for consideration.

HB 229 - An Act To Amend Title 21, Chapter 21, Subchapter IV, Reducing Registration Fees For Motor Vehicles Owned by Persons Over 62 Years of Age.

On motion of Rep. Justice roll call on HB 229 was taken. Roll call revealed:

YEAS: Berndt, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Little, Matushefske, Miller, Moerschel, Murphy, Orth, Poulterer, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 35.

NAYS: Billingsley, Mears, Quillen - 3.

NOT VOTING: Leshner - 1.

HB 229 having received a constitutional majority was declared passed the House.

On motion of Rep. Dobberstein the roll call on HB 192 with HA 1 was lifted. Roll call revealed:

YEAS: Boulden, Clendaniel, Connor, Cordrey, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Jarvis, Johnson, Jonkiert, Knox, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Smith, Tribbitt, Weiss, Wright - 27.

NAYS: Derrickson, Harrington, Justice, Kirk - 4.

NOT VOTING: Berndt, Billingsley, Hearn, Heckert, Hering, Leshner, Seibel, Mr. Speaker Frederick - 8.

HB 192 with HA 1 having received a constitutional majority was declared passed the House.

On motion of Rep. Justice HB 80 was stricken.

The House recessed to the call of the Chair at 5:40 P.M., reconvened at 6:10 P.M.

The Senate informed the House that it passed HB 7, HB 29, HB 109, HB 189.

Committee Reports:

Community Affairs: SJR 13-4F, 1M; SB 21-1F, 4M. Education: HB 243-1F, 4M. Highways & Trans-

portation: SCR 5-4M. Environmental Control: SB 143-4F, 1M. Judiciary: SB 257-2F, 2M. Appropriations: SS 1 for SB 169-4M; SS1 for SB 184-1F, 3M.

The House recessed to the call of the Chair at 6:15 P.M.

April 29, 1971

## 28th LEGISLATIVE DAY

The Speaker called the House to order at 1:39 P.M. The Majority Leader moved to adjourn at 1:39 P.M., thereby ending the previous legislative day. The House reconvened at 1:40 P.M.

There was a prayer by the Chaplain Fr. John J. Masterson, St. Polycarp R.C. Church, Smyrna, Del.

The Speaker led those present in a salute of the flag.

Members present: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Knox, Leshner, Little, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Mr. Speaker Frederick - 35.

Absent: Harkins, Wright, Kirk, Matushefske - 4. All marked present later.

The Minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

**HB 248** - An Act To Amend Section 918, Title 5, Delaware Code, Relating to Hypothecation of Assets to Certain Governmental Bodies. Introduced by Rep. Justice. Assigned to Community Affairs Committee.

**HB 249** - An Act To Amend Title 31 of the Delaware Code Relating to the Vacating or Demolition of Residential Properties by the Various Authorities. Introduced by Rep. Miller. Assigned to Health & Social Services Committee.

**HB 250** - An Act To Amend Titles 7, 16, and 29, Delaware Code to Provide for an Effective Program to Improve the Quality of Delaware's Environment, by Providing for Amendment of Chapters 60 and 64 of Title 7, Delaware Code, and for Repeal of Chapters 61, 62, and 63 of Title 7, Delaware Code and by Providing Omnibus Amendments, Corrections, Relating to the Department of Natural Resources and Environ-



mental Control as Provided in Title 29, Delaware Code, Chapter 80, and by Creating an Environmental Protection Appeals Board Defining its Organization, Powers, Duties, and Functions, and by Providing for the Creation of the Environmental Council Defining its Composition, Organization, Powers, Duties, and Functions. Introduced by Reps. Knox and Poulterer. Assigned to Environmental Control Committee.

**HB 251** - An Act To Amend Title 14 of the Delaware Code, Relating to the Public School System and the Establishment of Full-Time Programs. Introduced by Rep. Heckert. Assigned to Education Committee.

On motion of Rep. Knox **HB 44** was stricken.

**HB 252** - An Act To Amend Chapter 11, Title 16, of the Delaware Code Relating to Sanitoria, Rest Homes, Nursing Homes, Boarding Homes and Related Institutions. Introduced by Rep. Weiss. Assigned to Health & Social Services Committee.

**HB 253** - An Act To Amend Title 16, Delaware Code, By Creating a New Chapter to be Designated as Chapter 68 to Provide for the Regulation of and Standards for Ambulance Service by the State Fire Prevention Commission, and to Provide an Appropriation Therefor, and to Grant Immunity from Suit Under Certain Circumstances. Introduced by Rep. Dillman. Assigned to Health & Social Services Committee.

**HB 254** - An Act To Amend Chapter 25, Title 16, Delaware Code, Relating to Contraceptives. Introduced by Rep. Billingsley. Assigned to Health & Social Services Committee.

**HB 255** - An Act To Amend Title 14 of the Delaware Code Relating to the Entrance Age of School Children. Introduced by Rep. Connor. Assigned to Education Committee.

**HS 1 for HB 101** - An Act To Amend Title 6 of the Delaware Code, Prohibiting the Sale of Certain Beverages in Non-Returnable or "Disposable" Beverage Containers Within the State of Delaware. Introduced by Rep. Billingsley. Assigned to Environmental Control Committee.

**HA 2 to HB 174**, introduced by Rep. Hering. Placed with bill.

**HA 1 to HB 24**, introduced by Rep. Dillman. Placed with bill.

**HA 1 to SCR 5**, introduced by Rep. Moerschel. Placed with bill.

**SB 262** - An Act Agreeing to a Proposed Amendment to Section 1, Article VIII of the Constitution of the State of Delaware, Relating to the Exemption From Taxation of Real Property. Introduced by Sen. Slawik. Assigned to Revenue & Finance Committee.

Rep. Harkins asked to be marked present.

The House recessed to the call of the Chair at 1:57 P.M., reconvened at 3:11 P.M.

**HB 256** - An Act To Amend Titles 7, 16 and 29, Delaware Code to Provide for an Effective Program to Improve the Quality of Delaware's Environment, by Providing for Amendment of Chapters 60 and 64 of Title 7, Delaware Code, and for Repeal of Chapters 61, 62 and 63 of Title 7, Delaware Code, and by Providing Omnibus Amendments, Corrections, Relating to the Department of Natural Resources and Environmental Control as Provided in Title 29, Delaware Code, Chapter 80, and by Creating an Environmental Protection Appeals Board Defining its Organization, Powers, Duties, and Functions and by Providing for the Creation of the Environmental Council Defining its Composition, Organization, Powers, Duties, and Functions, and Making Appropriations Therefor. Introduced by Reps. Knox & Poulterer. Assigned to Environmental Control Committee.

Reps. Wright and Kirk asked to be marked present.

## REPORT TO 126th HOUSE OF REPRESENTATIVES FROM

### PUBLIC SERVICE COMMISSION

The Public Service Commission has made an investigation of the water supply being furnished residents of Glasgow Trailer Court located on Route 40, Bear, Delaware as requested by House Resolution 123 passed in the Second Session of the 125th General Assembly.

The Commission has been handicapped in its investigation because the Public Service Commission has no jurisdiction over utilities in mobile home parks when the system is owned and operated by the court owners. The Commission was further handicapped because residents were fearful of being expelled from the trailer park if their names were used in connection with the complaints. This coercion of residents is inexcusable, but is not in the purview of this report.

The trailer park consists of about 300 occupied trailers with plans for an additional 381 pads. They have

a 6" main running through the park served by three wells.

On April 17, 1970, the Public Service Commission granted Artesian Water Company (a utility under Public Service Commission jurisdiction) permission to extend its existing transmission line westward on U.S. Route 40 for 6,330 feet for the express purpose of serving Glasgow Trailer Park and any other customers that wanted service. This action by the Commission was at the request of Artesian and was a result of complaints by residents and a member of the General Assembly about poor quality of water in the trailer park. An informal agreement had been reached, before this action was taken, for Artesian to furnish water to this court. However, owners of Glasgow Trailer Court later decided it was economically to their advantage to dig new wells and do their own filtering.

On-site investigations have been made by Commissioners and Staff members.

**THE COMMISSION'S FINDINGS ARE AS FOLLOWS:**

- (1) The allegations mentioned in the preamble of House Resolution 123 appear to be true.
- (2) Even though new wells are in operation the quality of water is substandard.
- (3) Some residents will not use their washers for fear of discoloration of clothes.
- (4) A few residents import drinking water.
- (5) One resident interviewed refuses to bathe her infant because of the water.
- (6) Residents complained the water has at different times an "odor, bad taste, looks muddy, turns black when heated, and stains clothes."
- (7) Because of poor quality water, several mobile home owners would move if there were more trailer park facilities in New Castle County.
- (8) The Board of Health tests have not found any bacteria in the water. They did not test for other foreign matter.
- (9) Many residents state they are fearful of being served notice to vacate if they complain.

4/23/71

On motion of Rep. Knox **HB 250** was stricken.  
 On motion of Rep. Leshner **SB 170** had its final reading and was placed before the House for consideration.  
**SB 170** - An Act Making a Supplementary Appropriation to the Educational Contingency Fund to Meet

# Deficiencies in Regular Appropriations for Mandated Education Programs.

Privilege of the floor was granted to Dr. Kenneth Madden, Dept. of Public Instruction.

Rep. Matushefske asked to be marked present.

On motion of Rep. Leshner roll call was taken on **SB 170**. Roll call revealed:

**YEAS:** Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Quillen, Poulterer, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 38.

**NOT VOTING:** Jonkiert - 1.

**SB 170** having received a constitutional majority was declared passed the House.

On motion of Rep. Little the roll call on **HB 131** was lifted from the Speaker's table. Roll call revealed:

**YEAS:** Billingsley, Boulden, Connor, Dillman, Gruwell, Harkins, Hearn, Heckert, Jarvis, Johnson, Jonkiert, Justice, Knox, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Riddagh, Smith, Weiss, Wright, Mr. Speaker Frederick - 26.

**NAYS:** Berndt, Clendaniel, Cordrey, Derrickson, Dobberstein, Gordy, Harrington, Hering, Kirk, Leshner, Quillen, Seibel, Tribbitt - 13.

**HB 131** with **HA 1** having received a 2/3 vote was declared passed the House.

On motion of Rep. Leshner **SB 173** had its final reading and was placed before the House for consideration.

**SB 173** - An Act Making a Supplementary Appropriation to the Educational Contingency Fund to Meet the Deficiency in the Regular Appropriation for Transportation of Nonpublic School Pupils.

Privilege of the floor was granted to Dr. Kenneth Madden and Mr. Roger C. Mowrey, Dept. of Public Instruction. After much discussion Rep. Leshner moved to defer **SB 173** until the next legislative day.

On motion of Rep. Hering **SB 257** had its final reading and was placed before the House for consideration.

**SB 257** - An Act To Amend Title 15, Delaware Code, Relating to the Use of Voting Machines in Municipal Elections.

**HA 1** to **SB 257** was introduced by Rep. Hering and adopted by voice vote. On motion of Rep. Hering roll call was taken on **SB 257** with **HA 1**. Roll call revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 38.

ABSENT: Derrickson - 1.

**SB 257** with **HA 1** having received a constitutional majority was declared passed the House.

On motion of Rep. Berndt **HB 194** had its final reading and was placed before the House for consideration.

**HB 194** - An Act To Amend Chapter 647, Volume 57, Laws of Delaware, Allowing Unexpended Funds Appropriated Therein to be Used to Build a Hangar for the State Police Helicopter.

Privilege of the floor was granted to Lt. William Willin.

On motion of Rep. Berndt roll call was taken on **HB 194**. Roll call revealed:

YEAS: Berndt, Billingsley, Boulden, Connor, Clendaniel, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Knox, Jonkiert, Justice, Kirk, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Weiss, Wright, Mr. Speaker Frederick - 38.

NAYS: Tribbitt - 1.

**HB 194** having received a constitutional majority was declared passed the House.

On motion of Rep. Murphy **SCR 5** had its final reading and was placed before the House for consideration.

**SCR 5** - Relative to the Department of Highways and Transportation Delaying Further Action of the Frederica to Camden By-Pass.

**HA 1** to **SCR 5** was introduced by Rep. Moerschel and adopted by voice vote. On motion of Rep. Murphy **SCR 5** with **HA 1** was adopted by voice vote.

On motion of Rep. Heckert **HB 243** had its final reading and was placed before the House for consideration.

**HB 243** - An Act To Amend Title 14 of the Delaware Code by Eliminating the Posting of Assessment Lists and Hearing Objections Thereto.

On motion of Rep. Heckert roll call was taken on **HB 243**. Roll call revealed:

YEAS: Berndt, Billingsley, Boulden, Connor, Clendaniel, Cordrey, Derrickson, Dillman, Dobberstein,

Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Little, Matushefske, Leshner, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Weiss, Wright, Mr. Speaker Frederick - 38.

ABSENT: Tribbitt - 1.

**HB 243** having received a constitutional majority was declared passed the House.

On motion of Rep. Seibel **SJR 13** had its final reading and was placed before the House for consideration.

**SJR 13** - Saluting the Jewish War Veterans on Their 75th National and 25th State Anniversaries.

On motion of Rep. Seibel roll call was taken on **SJR 13**. Roll call revealed:

YEAS: Berndt, Billingsley, Boulden, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Orth, Moerschel, Poulterer, Murphy, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 35.

ABSENT: Clendaniel, Gordy, Gruwell, Harkins - 4.

**SJR 13** having received a constitutional majority was declared adopted in the House.

The House recessed to the call of the Chair at 5:55 P.M., reconvened at 6:15 P.M.

The Senate informed the House that it passed **HB 215**, **HB 139** as amended and **HB 197**.

Committee Reports:

Environmental Control: **HS 1** for **HB 101-3F**, **3M**.  
Revenue & Finance: **SB 262-1F**, **3M**. Health & Social Services: **HB 252-3F**, **1M**; **HB 253-4M**; **HB 254-4F**.

The House recessed to the call of the Chair at 6:19 P.M.

May 4, 1971

## 29th LEGISLATIVE DAY

The Speaker called the House to order at 1:42 P.M. The Majority Leader moved to adjourn at 1:42 P.M., thereby ending the previous legislative day. The House reconvened at 1:43 P.M.

There was a prayer by the Chaplain, Rev. Lester Schleh, Grace Church, Milton, Del.

The Speaker led those present in a salute of the flag.

Members present: Berndt, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harrington, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Matushefske, Mears, Miller, Moerschel, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 32.

Absent: Billingsley, Harkins, Hearn, Heckert, Leshner, Little, Murphy - 7. (Marked present later).

The Minutes of the previous legislative day were approved as posted.

## OFFICE OF THE GOVERNOR

April 30, 1971

### LEGISLATIVE ADVISORY NO. 4

TO:

Rep. John G. S. Billingsley  
 Rep. George Jarvis  
 Rep. Thomas Little  
 Rep. William T. Poulterer, III  
 Rep. W. Neal Moerschel  
 Rep. Hudson E. Gruwell  
 Rep. Clarice U. Heckert  
 Rep. Arthur W. Dobberstein  
 Rep. Kenneth W. Boulden  
 Rep. Robert J. Berndt  
 Rep. George C. Hering, III  
 Rep. George R. Quillen  
 Rep. Andrew G. Knox  
 Clerk of the Peace - New Castle County  
 Clerk of the Peace - Kent County  
 Clerk of the Peace - Sussex County  
 Medical Council of Delaware  
 Marshallton-McKean School District  
 Secretary of the Senate  
 Sen. Thomas E. Hickman, Jr.  
 Sen. Dean C. Steele  
 Sen. J. Donald Isaacs  
 Dr. Kenneth C. Madden  
 Morton R. Kimmel, Esquire  
 Hon. W. Laird Stabler, Jr.  
 All Cabinet Secretaries  
 Lewis Darlin  
 Bruce Ralston  
 James R. Zeller

George Cripps  
 Emily Womach  
 James Kennedy  
 W. Brooke Stabler  
 T. Rowland Marshall  
 Richard Caldwell  
 Legislative Council  
 Governor's Staff  
 Clerk of the House

FROM: Fletcher E. Campbell, Jr., Counsel to the Governor

The Governor approved the following legislation on the indicated dates:

**HB 45 - 4-18-71** - allowing exemption from license requirements for day care centers to certain non-profit organizations.

**HS 1 for HB 68 - 4-18-71** - giving jurisdiction over violations of county ordinances, codes and regulations to the Justice of the Peace Courts.

**HB 141 As Amended by HA 1 - 4-18-71** - relating to decisions by the Council on Highways.

**HCR 17 - 4-18-71** - relating to the treatment of prisoners of war.

**SB 113 - 4-18-71** - amending the Charter of the Town of South Bethany.

**HB 17 - 4-22-71** - providing that fishing licenses be valid for the calendar year rather than the fiscal year.

**HCR 19 - 4-27-71** - establishing May 28 as deadline for introduction of all legislation in the General Assembly.

**HCR 21 - 4-27-71** - relating to Earth Day and Earth Week.

**HB 111 - 4-27-71** - removing certain restrictions on the purchase of contraceptive supplies.

**HB 117 - 4-27-71** - changing the registration dates in and period of applicability of the Motor Carriers Fuel Purchase Law.

**HB 183 As Amended by HA 1 - 4-28-71** - relating to county bond elections.

**HB 184 As Amended by HA 1 - 4-28-71** - removing the interest rate ceiling on bonds.

**HB 210 - 4-28-71** - relating to water and air resources and certain procedures relating to rules.

**SB 196 As Amended by HA 1 - 4-28-71** - appropriating funds to the Department of Health & Social Services for the Institute of Human Behavior.



**SB 257** As Amended by **HA 1 - 4-29-71** - relating to the use of voting machines in municipal elections.

**HB 46 - 4-30-71** - granting pension benefits to the widow of a deceased judge.

**HB 87** As Amended by **HA 1 - 4-30-71** - providing for immunity of members of the Medical Examiners of Delaware.

**HB 124** As Amended by **HA 1** - appropriating funds to the Marshallton-McKean School Board to pay certain obligations.

**HB 125 - 4-30-71** - relating to the powers of the Division of Physical Health and the Division of Environmental Control.

**SB 180 - 4-30-71** - relating to navigation and waters, and providing pilotage rates for duly licensed pilots.

FEC,JR:mm

The following prefiled legislation was introduced:

**HB 257** - An Act To Amend Chapter 9, Title 4 of the Delaware Code Relating to Criminal Offenses and Penalties in the Sale of Alcoholic Liquors. Introduced by Reps. Little and Harrington. Assigned to Health & Social Services Committee.

**HB 258** - An Act To Amend Subchapter III of Chapter 21, Title 21, Delaware Code Relating to Inspection of Vehicles. Introduced by Rep. Dillman. Assigned to Public Safety Committee.

**HB 259** - An Act To Amend Title 14, Section 1318, Delaware Code, Relating to Sick Leave of State Employees in the Public School System. Introduced by Rep. Heckert. Assigned to Education Committee.

**HB 260** - An Act To Amend Part I, Chapter 9, Title 19 of the Delaware Code Relating to the Minimum Wage Rate. Introduced by Reps. Quillen & Gruwell. Assigned to Labor & Commerce Committee.

**HB 261** - An Act To Amend Chapter 237, Volume 46, Laws of Delaware, as Amended, an Act Known as the "City of Wilmington Employees' Retirement Act" Providing for an Increase in the Amount of Maximum and Minimum Pension Benefits. Introduced by Rep. Jonkiert. Assigned to Judiciary Committee.

**HB 262** - An Act To Amend Part III, Chapter 21, Title 29 of the Delaware Code, Relating to the Salary of the Governor of the State of Delaware. Introduced by Rep. Murphy. Assigned to Appropriations Committee.

**HB 263** - An Act Proposing an Amendment to Article II, Section 15 of the Constitution of the State of Delaware, Relating to Compensation to be Paid to the President of the Senate. Introduced by Rep. Murphy. Assigned to Appropriations Committee.

**HB 264** - An Act To Amend Chapter 9, Title 28, Delaware Code, Relating to Harness Horse Racing on Sunday in Kent County and Sussex County. Introduced by Rep. Dillman. Assigned to Revenue & Finance Committee.

**HB 265** - An Act To Amend Chapter 41, Title 21, Delaware Code by Making it Unlawful to Refuse to Submit to a Screening Breath Test Under Certain Conditions. Introduced by Rep. Dillman. Assigned to Public Safety Committee.

**HB 266** - An Act To Amend Chapter 7, Title 21, Delaware Code Relating to Arrest Without Warrant for Motor Vehicle Violations. Introduced by Rep. Dillman. Assigned to Public Safety Committee.

**HB 267** - An Act To Amend Subchapter I of Chapter 27, Title 21, Delaware Code Relating to Classification of Driver's License. Introduced by Rep. Dillman. Assigned to Public Safety Committee.

**HB 268** - An Act To Amend Subchapter I of Chapter 21, Title 21, Delaware Code Relating to Effective Date of Registration. Introduced by Rep. Dillman. Assigned to Public Safety Committee.

**HB 269** - An Act To Amend Subchapter II of Chapter 21, Title 21, Delaware Code, Relating to Special License Plates to Owners of Motor Vehicles Who Operate Amateur Radio Stations. Introduced by Rep. Dillman. Assigned to Public Safety Committee.

**HB 270** - An Act To Amend Titles 18 and 21, Delaware Code, Relating to the Requirement of Insurance on Motor Vehicles; Requiring Insurance Companies to Offer Certain Policy Coverage; Requiring Arbitration of Certain Claims and Providing a Penalty for Violation Thereof. Introduced by Rep. Dillman. Assigned to Public Safety Committee.

**HS 1 for HB 169** - An Act To Amend Title 14 of the Delaware Code, Allowing State Board of Education to Permit a Daily Period of Quiet, Patriotic, Philosophical, or Moral Meditation. Introduced by Rep. Connor. Assigned to Education Committee.

**HS 1 for HB 247** - An Act To Amend Subchapter II of Chapter 43, Title 21, Delaware Code Pertaining to Additional Equipment Required on Slow-Moving Ve-

hicles. Introduced by Reps. Gordy & Dillman. Assigned to Public Safety Committee.

**HCR 24** - Providing for a Joint House-Senate Committee to Investigate Busing of Certain Students Ineligible for Free State Bus Transportation. Introduced by Reps. Wright & Justice. On motion of Rep. Wright, roll call was taken on **HCR 24**.

Reps. Leshner, Billingsley and Heckert asked to be marked present.

Roll call revealed:

**YEAS:** Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Matushefske, Miller, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 34.

**NOT VOTING:** Mears - 1.

**ABSENT:** Harkins, Little, Moerschel, Murphy - 4.

**HCR 24** having received a constitutional majority was declared passed the House.

**HA 10 to HB 200**, introduced by Reps. Quillen & Harkins. Placed with the bill.

**HA 3 to HB 209**, introduced by Rep. Derrickson. Placed with the bill.

**HA 1 to SS 1 for SB 184**, introduced by Rep. Leshner. Placed with the bill.

**HA 11 through 92 to HB 200**, introduced by Rep. Tribbitt. Placed with the bill.

**HA 93 through 96 to HB 200**, introduced by Rep. Leshner. Placed with the bill.

**HA 97 to HB 200**, introduced by Rep. Gordy. Placed with the bill.

**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. Introduced by Sen. Steele. Assigned to Appropriations Committee.

**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. Introduced by Sen. Steele. Assigned to Appropriations Committee.

**SB 228** - An Act To Amend Chapter 23, Title 19 of the Delaware Code Relating to Payments for Injuries

or Death and Incidental Benefits. Introduced by Sen. Cicione. Assigned to Labor & Commerce Committee.

**SB 235** - An Act To Amend Title 29, Chapter 51, Delaware Code, Relating to Salary Deductions for Hospitalization Insurance and Dues. Introduced by Sen. Cook. Assigned to Health & Social Services Committee.

**SB 263** - An Act Agreeing to a Proposed Amendment to Articles III and XV of the Constitution of the State of Delaware to Abolish the Office of Coroner. Introduced by Sen. Steele. Assigned to Judiciary Committee.

**SJR 14** - Relating to the Boundaries of Delaware. Introduced by Sen. Isaacs. Assigned to Natural Resources Committee.

Rep. Little asked to be marked present.

On motion of Rep. Dillman, **HB 258** was stricken.

The House recessed to the call of the Chair at 2:15 P.M. Reconvened at 3:59 P.M.

The Senate informed the House that it passed **HB 121** and **HB 23**. **HCR 24** lost in the Senate.

Rep. Leshner introduced **HA 1** to **SB 173**. Placed with the bill.

Reps. Moerschel, Murphy, and Harkins asked to be marked present.

On motion of Rep. Leshner, **SS 1** for **SB 184** had its final reading and was placed before the House for consideration.

**SS 1** for **SB 184** with **HA 1** - An Act To Provide a Supplementary Appropriation to the Department of Community Affairs and Economic Development.

Rep. Leshner introduced **HA 1** to **SS 1** for **SB 184** and moved for its adoption by voice vote. Motion carried. On motion of Rep. Leshner, roll call was taken on **SS 1** for **SB 184** with **HA 1**. Roll call revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Johnson, Jonkiert, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 36.

ABSENT: Jarvis, Justice, Seibel - 3.

**SS 1** for **SB 184** with **HA 1** having received a constitutional majority was declared passed the House.

On motion of Rep. Leshner, **SS 1** for **SB 169** had its final reading and was placed before the House for consideration.

**SS 1 for SB 169** - An Act To Provide a Supplementary Appropriation to the Department of Public Safety. On motion of Rep. Leshner, roll call on **SS 1 for SB 169** was tabled.

On motion of Rep. Leshner, **HB 200** had its final reading and was placed before the House for consideration.

**HB 200** - An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1972.

Rep. Justice introduced **HA 98** to **HB 200**. Rep. Tribbitt introduced **HA 1** to **HB 200**. On motion of Rep. Tribbitt, roll call was taken on motion to table **HA 1** to **HB 200**. Roll call revealed:

**YEAS:** Berndt, Billingsley, Connor, Derrickson, Dillman, Dobberstein, Harkins, Heckert, Hering, Jarvis, Justice, Kirk, Knox, Leshner, Little, Moerschel, Murphy, Poulterer, Quillen, Riddagh, Seibel, Weiss, Mr. Speaker Frederick - 23.

**NAYS:** Boulden, Clendaniel, Cordrey, Gordy, Gruwell, Harrington, Hearn, Johnson, Jonkiert, Matushefske, Mears, Miller, Orth, Smith, Tribbitt, Wright - 16.

Motion to table was carried.

On motion of Rep. Leshner, roll call was taken on motion to table **HA 2** to **HB 200**. Roll call revealed:

**YEAS:** Berndt, Billingsley, Connor, Derrickson, Dillman, Dobberstein, Harkins, Heckert, Hering, Jarvis, Justice, Kirk, Knox, Leshner, Little, Moerschel, Murphy, Poulterer, Quillen, Riddagh, Seibel, Weiss, Mr. Speaker Frederick - 23.

**NAYS:** Boulden, Clendaniel, Cordrey, Gordy, Gruwell, Harrington, Hearn, Johnson, Jonkiert, Matushefske, Mears, Miller, Orth, Smith, Tribbitt, Wright - 16.

Motion to table was carried.

Rep. Connor moved to table **HA 3** to **HB 200**. Motion carried. On motion of Rep. Murphy, **HA 4** to **HB 200** was deferred. **HA 5** to **HB 200**, introduced by Rep. Tribbitt. Rep. Harkins moved to table **HA 5** to **HB 200**. Motion carried. Rep. Tribbitt introduced **HA 6** to **HB 200**. On motion of Rep. Leshner, roll call was taken on motion to table **HA 6** to **HB 200**. Roll call revealed:

**YEAS:** Berndt, Billingsley, Connor, Derrickson, Dillman, Dobberstein, Harkins, Heckert, Hering, Jarvis, Justice, Kirk, Knox, Leshner, Little, Moerschel, Murphy, Poulterer, Quillen, Riddagh, Seibel, Weiss, Mr. Speaker Frederick - 23.

**NAYS:** Boulden, Clendaniel, Cordrey, Gordy, Gru-

well, Harrington, Hearn, Johnson, Jonkiert, Mears, Miller, Orth, Smith, Tribbitt, Wright - 15.

ABSENT: Matushefske - 1.

Motion to table carried.

On motion of Rep. Leshner, roll call was taken on motion to table **HA 7 to HB 200**. Roll call revealed:

YEAS: Berndt, Billingsley, Connor, Derrickson, Dillman, Dobberstein, Harkins, Heckert, Hering, Jarvis, Justice, Kirk, Knox, Leshner, Little, Moerschel, Murphy, Poulterer, Quillen, Riddagh, Seibel, Weiss, Mr. Speaker Frederick - 23.

NAYS: Boulden, Clendaniel, Cordrey, Gordy, Gruwell, Harrington, Hearn, Johnson, Jonkiert, Mears, Miller, Orth, Smith, Tribbitt, Wright - 15.

ABSENT: Matushefske - 1.

Motion to table carried.

On motion of Rep. Leshner, roll call was taken on motion to table **HA 9 to HB 200**. Roll call revealed:

YEAS: Berndt, Billingsley, Connor, Derrickson, Dillman, Dobberstein, Harkins, Heckert, Hering, Jarvis, Justice, Kirk, Knox, Leshner, Little, Moerschel, Murphy, Poulterer, Quillen, Riddagh, Seibel, Weiss, Mr. Speaker Frederick - 23.

NAYS: Boulden, Clendaniel, Cordrey, Gordy, Gruwell, Harrington, Hearn, Johnson, Jonkiert, Matushefske, Mears, Miller, Smith, Tribbitt, Wright - 15.

ABSENT: Orth - 1.

Motion to table carried.

Rep. Quillen moved to defer **HA 10 to HB 200**.

The House recessed to the call of the Chair at 4:55 P.M. Reconvened at 5:15 P.M.

On motion of Rep. Leshner, roll call was taken on motion to table **HA 11 to 98 to HB 200**. Roll call revealed:

YEAS: Berndt, Billingsley, Connor, Derrickson, Dillman, Dobberstein, Harkins, Heckert, Hering, Jarvis, Justice, Kirk, Knox, Leshner, Little, Moerschel, Poulterer, Quillen, Riddagh, Seibel, Weiss, Mr. Speaker Frederick - 22.

NAYS: Boulden, Clendaniel, Cordrey, Gordy, Gruwell, Harrington, Hearn, Johnson, Jonkiert, Matushefske, Mears, Miller, Orth, Smith, Tribbitt, Wright - 16.

ABSENT: Murphy - 1.

Motion to table carried.

On motion of Rep. Leshner, roll call was taken on **HB 200**. Roll call revealed:

YEAS: Berndt, Billingsley, Derrickson, Dillman, Dobberstein, Harkins, Heckert, Hering, Jarvis, Justice,

Kirk, Knox, Leshner, Little, Moerschel, Murphy, Poulterer, Quillen, Riddagh, Seibel, Weiss, Mr. Speaker Frederick - 22.

NAYS: Clendaniel, Cordrey, Gruwell, Harrington, Mears, Orth, Smith, Tribbitt - 8.

NOT VOTING: Boulden, Gordy, Hearn, Johnson, Jonkiert, Matushefske, Miller, Wright - 8.

ABSENT: Connor - 1.

**HB 200** having received a constitutional majority was declared passed the House.

The House recessed to the call of the Chair at 6:08 P.M.

May 5, 1971

### 30th LEGISLATIVE DAY

The Speaker called the House to order at 1:43 P.M. The Majority Leader moved to adjourn at 1:43 P.M., thereby ending the previous legislative day. The House reconvened at 1:44 P.M.

There was a prayer by the Chaplain, Rev. Lester Schleh, Grace Church, Milton, Del.

The Speaker led those present in a salute of the flag.

Members present: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Leshner, Mears, Miller, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Mr. Speaker Frederick - 33.

Absent: Derrickson, Knox, Little, Matushefske, Moerschel, Wright - 6.

Derrickson, Knox, Little, Moerschel, Wright (Marked present later).

The Minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

**HB 272** - An Act Authorizing and Making a Supplemental Appropriation to the New Castle-Gunning Bedford School District to Pay Certain Obligations Incurred. Introduced by Rep. Kirk. Assigned to Appropriations Committee.

**HB 272** - An Act To Amend Chapter 3, of Title 21, Delaware Code, Relating to Registration and License

Records. Introduced by Rep. Dillman. Assigned to Public Safety Committee.

**HB 273** - An Act To Amend Chapter 67, Title 21, Delaware Code, Relating to Alteration of Authorized Identification Number on Vehicle or Engine. Introduced by Rep. Dillman. Assigned to Public Safety Committee.

**HB 274** - An Act To Amend Subchapter II of Chapter 21, Title 21, Delaware Code Relating to Number and Registration Plates. Introduced by Rep. Dillman. Assigned to Public Safety Committee.

**HB 275** - An Act To Amend Subchapter II of Chapter 21, Title 21, Delaware Code Relating to Number and Registration Plates. Introduced by Rep. Dillman. Assigned to Public Safety Committee.

**HB 276** - An Act To Amend Subchapter II, of Chapter 21, Title 21, Delaware Code Relating to Number and Registration Plates. Introduced by Rep. Dillman. Assigned to Public Safety Committee.

**HB 277** - An Act To Amend Chapter 45, Title 7, Delaware Code, Relating to the Sale of Public Lands. Introduced jointly by Reps. Murphy and Smith. Assigned to Natural Resources Committee.

**HR 40** - Expressing to the Delaware Alcoholic Beverage Control Commission the Concern of the General Assembly Over an Incident Which Occurred on Delaware State Route No. 2 Near the Maryland Border.

WHEREAS, the mission of the Delaware Alcoholic Beverage Control Commission is to enforce this State's statutes concerning alcoholic liquors, including the enforcement of the laws dealing with the importation of liquors into the State of Delaware; and

WHEREAS, it is the belief of some legislators that the Delaware Alcoholic Beverage Control Commission has lately come to regard itself as the enforcement arm of the Retail Liquor Dealers Association of Delaware, and that some recent arrests of Delaware citizens are the direct result of complaints from liquor retailers concerning out-of-state liquor purchases by Delawareans; and

WHEREAS, instances have been brought to the attention of certain Members of the General Assembly, whereby Delaware residents have been harassed by Delaware Alcoholic Beverage Control Commission inspectors. A recent case involved a Wilmington man who purchased \$10.00 worth of alcoholic beverages near Elkton, Maryland. This Maryland liquor outlet



was under the surveillance of several Delaware A.B.C.C. inspectors who were posted there for the express purpose of detecting purchases by Delawareans at this location. These inspectors followed the aforementioned purchaser of \$10.00 worth of liquor into Delaware and arrested him. This man now faces a possible fine up to \$1000.00 and jail up to six (6) months and confiscation of his automobile.

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 126th General Assembly that the Delaware Alcoholic Beverage Control Commission be reminded, in no uncertain terms:

(1) that they are agents of the State of Delaware and no other group or association;

(2) that one of their prime objectives is the fair and efficient enforcement of the State laws pertaining to alcoholic beverages;

(3) that the posting of several Delaware A.B.C.C. inspectors at a single Maryland liquor outlet is considered to be an inappropriate use of the powers, funds, and personnel of the Delaware Alcoholic Beverage Control Commission, especially when the sole result was the arrest of a Delaware citizen making a purchase totaling a mere \$10.00.

BE IT FURTHER RESOLVED that the text of this resolution be spread upon the House Journal and copies forwarded to Thomas Herlihy, III, Chairman of the Delaware Alcoholic Beverage Control Commission, and to all other members of the Commission.

Introduced by Reps. Billingsley, Seibel and Jonkiert.

On motion of Rep. Billingsley a voice vote was taken on HR 40. HR 40 was declared defeated in the House by voice vote.

HA 1 to HB 205, introduced by Rep. Quillen. Placed with the bill.

HA 4 to HB 209, introduced by Rep. Derrickson. Placed with the bill.

HA 1 to HB 256, introduced by Reps. Knox and Poulterer. Placed with the bill.

SB 154 with SA 1 - An Act To Amend Title 14 of the Delaware Code, Concerning Moral and Spiritual Emphasis in the Public Schools of the State of Delaware. Introduced by Sen. Elliott. Assigned to Education Committee.

SB 260 - An Act To Amend An Act Being Chapter 166, Volume 37, Laws of Delaware Entitled "An Act

to Reincorporate the Town of Selbyville'' as Amended, by Increasing the Amount of Taxes That May be Raised in Any One Year. Introduced by Sen. Hickman. Assigned to Community Affairs Committee.

**SCR 23** - Appointing Directors on the Part of the State for The Farmers Bank of the State of Delaware for the Branch at Georgetown. Introduced by Sen. duPont. Assigned to Community Affairs Committee.

**SJR 12** - Giving Formal Approval to the Wearing of Mini-Skirts and Pants Suits by Female Employees Working for Agencies of the State of Delaware. Introduced by Sen. Cicione. Assigned to Community Affairs Committee.

On motion of Rep. Dillman, roll call was lifted on **HS 1** for **HB 4**.

**HS 1** for **HB 4** with **HA 1** - An Act To Amend Subchapter I, Chapter 21, Title 21, Relating to the Requirement of Insurance Before the Registration of Any Vehicle in This State and Providing a Penalty for Violation Thereof.

Roll call revealed:

**YEAS:** Berndt, Billingsley, Connor, Dillman, Harkins, Heckert, Jarvis, Kirk, Knox, Leshner, Little, Murphy, Poulter, Quillen, Seibel, Mr. Speaker Frederick - 16.

**NAYS:** Clendaniel, Cordrey, Gruwell, Harrington, Matushefske, Mears, Smith, Tribbitt - 8.

**NOT VOTING:** Boulden, Derrickson, Dobberstein, Gordy, Hearn, Hering, Johnson, Justice, Miller, Moerschel, Weiss, Wright - 12.

**ABSENT:** Jonkiert, Orth, Riddagh - 3.

**HS 1** for **HB 4** with **HA 1** not having received a constitutional majority was declared defeated in the House.

On motion of Rep. Dillman, **HB 133** was stricken. Reps. Moerschel, Little, Derrickson, Knox, and Wright asked to be marked present.

The House recessed to the call of the Chair at 2:20 P. M., reconvened at 3:20 P.M.

On motion of Rep. Hering, **SB 99** had its final reading and was placed before the House for consideration:

**SB 99** - An Act To Revise the General Corporation Law Relating to Corporations Classified as Private Foundations for Federal Income Tax Purposes.

On motion of Rep. Hering, roll call on **SB 99** was taken. Roll call revealed:

**YEAS:** Berndt, Billingsley, Boulden, Clendaniel,

Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Justice, Kirk, Knox, Leshner, Little, Mears, Miller, Moerschel, Murphy, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 36.

ABSENT: Jonkiert, Matushefske, Orth - 3.

**SB 99** having received 2/3 vote was declared passed the House.

On motion of Rep. Hering, **SB 103** had its final reading and was placed before the House for consideration.

**SB 103** - An Act To Revise the Trust Law Relating to Trusts Classified as Private Foundations for Federal Income Tax Purposes.

On motion of Rep. Hering, roll call on **SB 103** was taken. Roll call revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 38.

ABSENT: Matushefske - 1.

**SB 103** having received a constitutional majority was declared passed the House.

On motion of Rep. Hering, **HB 238** was deferred until the next session.

On motion of Rep. Berndt, **HB 209** had its final reading and was placed before the House for consideration.

**HB 209** - An Act To Amend Chapter 43, Title 21 of the Delaware Code Relating to the Escape of Contents from Motor Vehicles, and Providing Penalties Therefor.

On motion of Rep. Derrickson, **HA 1** and **3** to **HB 209** were stricken. On motion of Rep. Mears, **HA 2** to **HB 209** was stricken. Rep. Derrickson introduced **HA 4** to **HB 209** and moved for its adoption by voice vote. Motion carried. On motion of Rep. Berndt, roll call was taken on **HB 209** with **HA 4**. Roll call revealed:

YEAS: Berndt, Billingsley, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Harkins, Hearn, Heckert, Hering, Jarvis, Justice, Kirk, Knox, Leshner, Little, Mears, Moerschel, Murphy, Poulterer, Quillen, Riddagh, Seibel, Weiss, Wright, Mr. Speaker Frederick - 27.

NAYS: Clendaniel, Gordy, Harrington, Smith, Tribbitt - 5.

NOT VOTING: Gruwell, Johnson, Jonkiert, Miller, Orth - 5.

ABSENT: Boulden, Matushefske - 2.

**HB 209** with **HA 4** having received 2/3 vote was declared passed the House.

On motion of Rep. Weiss, **HB 252** had its final reading and was placed before the House for consideration.

**HB 252** - An Act To Amend Chapter 11, Title 16 of the Delaware Code Relating to Sanitoria, Rest Homes, Nursing Homes, Boarding Homes and Related Institutions.

Privilege of the floor was granted to Dr. Edward Gliwa, Deputy Director, Division of Physical Health. After much discussion, Rep. Weiss moved to defer **HB 252** until Tuesday, May 11, 1971.

Rep. Poulterer moved to defer **HB 36** until the next legislative day.

On motion of Rep. Poulterer, **SB 143** with **SA 3** had its final reading and was placed before the House for consideration.

**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.

On motion of Rep. Poulterer, roll call was taken on **SB 143** as amended. Roll call revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 39.

**SB 143** having received a constitutional majority was declared passed the House.

On motion of Rep. Dillman, **HB 253** was deferred until Thursday, May 13, 1971.

On motion of Rep. Quillen, **HB 205** had its final reading and was placed before the House for consideration.

**HB 205** - An Act To Amend Subchapter II, Chapter 21, Title 21 of the Delaware Code Relating to Special Plates for Members of the Delaware National Guard.

Rep. Quillen moved to table the roll call on **HB 205**.

A roll call on the motion to table the roll call revealed:

YEAS: Berndt, Billingsley, Clendaniel, Connor, Derrickson, Dillman, Dobberstein, Gordy, Harkins, Hering, Jarvis, Justice, Kirk, Knox, Little, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Weiss, Mr. Speaker Frederick - 24.

NAYS: Boulden, Cordrey, Gruwell, Harrington, Hearn, Heckert, Johnson, Jonkiert, Leshar, Matushefske, Mears, Miller, Smith, Tribbitt, Wright - 15.

The roll call on HB 205 was tabled.

On motion of Rep. Leshar, SB 173 was deferred until the next legislative day.

The House recessed to the call of the Chair at 4:40 P.M., reconvened at 5:10 P.M.

Committee Reports:

Appropriations: SB 110, 4M; SB 98, 4M; HB 227, 4M; HB 226, 4M. Education: HB 259, 5M; HS 1 for HB 169, 2F, 4M. Public Safety: HB 267, 4M; HB 266, 4M; HB 269, 3M, 1U; HB 268, 4M; HB 265, 4M; HB 270, 2F, 2M. Revenue & Finance: HB 264, 5M; SB 92, 5M; HB 217, 2M, 3U; HB 211, 3M, 2U. Community Affairs: HB 248, 5M; SB 260, 5M. Natural Resources: HB 230, 6M; SB 231, 2F, 4M; SJR 14, 3F, 3M. Secondary Report from Appropriations - HB 199, 2F, 2M; Environmental Control - HB 256, 5F.

The House recessed to the call of the Chair at 5:17 P.M.

May 6, 1971

### 31st LEGISLATIVE DAY

The Speaker called the House to order at 1:43 P.M. The Majority Leader moved to adjourn at 1:44 P.M., thereby ending the previous legislative day. The House reconvened at 1:44 P.M.

There was a prayer by the Chaplain, Rev. George Bishop, Trinity Methodist Church, Frederica.

The Speaker led those present in a salute of the flag.

Members present: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Justice, Kirk, Knox, Leshar, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Mr. Speaker Frederick - 37.

Absent: Jonkiert, Wright - 2.

(Reps. Jonkiert and Wright asked to be marked present later.)

The Minutes of the previous legislative day were approved as posted.

Committee Reports:

Appropriations: **SB 42**, 4 M; **SB 139**, 4 M.

The following prefired legislation was introduced:

**HB 278** - An Act To Amend Title 31, Delaware Code, Relating to Housing Authorities. Introduced by Reps. Seibel, Justice and others. Referred to the Committee on Community Affairs.

**HB 279** - An Act To Amend Chapter 1, Title 17, Delaware Code, Relating to the Acquisition and Sale of Real Property and the Power of Eminent Domain by the Department of Highways and Transportation. Introduced by Reps. Murphy and Smith. Referred to the Committee on Highway Transportation.

**HB 280** - An Act To Amend Title 11, Section 571, Delaware Code, Relating to Murder in the First Degree. Introduced by Rep. Harkins and others. Referred to the Committee on Judiciary. Privilege of the floor was granted Rep. Harkins who made remarks regarding **HB 280**.

**HB 281** - An Act To Amend Chapter 47, Title 9, Delaware Code, Relating to Garbage Collection in Unincorporated Areas of Kent County. Introduced by Reps. Riddagh and others. Referred to the Committee on Community Affairs.

**HB 282** - An Act To Amend Chapter 1, Title 10, Delaware Code, Relating to the Duties of the Administrative Office of the Courts. Introduced by Reps. Heckert and Dillman. Referred to the Committee on Judiciary.

**HA 2** to **HB 256**, introduced by Rep. Justice. Placed with bill.

**HA 2** to **SJR 12**, introduced by Rep. Gordy & others. Placed with bill.

**HA 3** to **HB 256**, introduced by Reps. Poulterer and Knox. Placed with bill.

**HCR 25** - Appointing Directors on the Part of the State for the Farmers Bank of the State of Delaware for the Branch at Wilmington. Introduced by Rep. Harkins. On motion of Rep. Harkins, **HCR 25** was placed on the Speaker's table.

**SB 27** with **SA 2** - An Act Amending Title 7, Subchapter II, Delaware Code, as it Pertains to the

Sale or Lease of Subaqueous Lands. Introduced by Rep. Robbins. Referred to the Committee on Natural Resources.

**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. Introduced by Sen. Steele. Referred to the Committee on Appropriations.

**SB 222** - An Act To Amend Title 8 of the Delaware Code Relating to Corporations by Making Certain Changes in Sections 103, 158, 222, 228, 251, 255, 381 and 391. Introduced by Sen. Castle. Referred to the Committee on Judiciary.

**SB 283** - An Act To Amend Section 1154, Title 30, Delaware Code, Relating to a Credit to Employees for Making Monthly Payments of Taxes Withheld from Employees. Introduced by Sen. Hart. Referred to the Committee on Revenue and Finance.

The House recessed at 1:57 P.M., reconvened at 2:45 P.M.

Message from the Governor dated May 6, 1971:

To the House of Representatives  
of the 126th General Assembly  
of the State of Delaware

On April 29, 1971, I received House Bill No. 29 entitled:

AN ACT TO AMEND TITLE 21, DELAWARE CODE, RELATING TO PROJECTIONS FROM PERIPHERY OF TIRES.

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

Although I wholeheartedly support the banning of studded tires from April 15 to October 15, I feel that House Bill No. 29 does not accomplish this. Section 4302, Title 21 of the Delaware Code, which House Bill No. 29 amends, apparently outlaws studded tires. House Bill No. 29 is based on the assumption that this present statute does ban them, since it is worded so as to allow studded tires during the winter months as if they were presently prohibited the year round.

However, an Opinion of the Attorney General, dated February 4, 1965, explicitly interpreted Section 4302 as not prohibiting studded tires. Since an Opinion

of the Attorney General is an authoratative interpretation of the law, I must assume that this opinion accurately states the law at present in Delaware. If I am correct, and if House Bill No. 29 is designed to permit something which now is prohibited, it fails to do so, because studded tires are not now prohibited at any time. If, on the other hand, the amendment is intended to prohibit, by negative implication, the use of studded tires during the summer months, it also fails to accomplish this aim, since the creation of a crime must be explicit, but the statutory language contained in House Bill No. 29 is not an explicit prohibition.

Therefore, I urge the General Assembly to pass another bill, this one drafted so as to prohibit unambiguously the use of studded tires from April 15 to October 15.

Respectfully submitted,  
Russell W. Peterson  
Governor

Rep. Wright asked to be marked present.

On motion of Rep. Leshner, **SB 173** had its final reading and was placed before the House for consideration.

**SB 173** with **HA 1** - An Act Making a Supplementary Appropriation to the Educational Contingency Fund to Meet the Deficiency in the Regular Appropriation for Transportation of Nonpublic-Nonprofit School Pupils. Introduced by Sen. Cicione.

**HA 1** to **SB 173**, introduced by Rep. Heckert. Adopted by voice vote.

Roll call on **SB 173** with **HA 1** revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 38.

ABSENT: Jonkiert - 1.

**SB 173** with **HA 1** having received a constitutional majority was declared passed the House.

Rep. Jonkiert asked to be marked present.

On motion of Rep. Billingsley, **HS 1** for **HB 101** had its final reading and was placed before the House for consideration.

**HS 1** for **HB 101** - An Act To Amend Title 6 of



the Delaware Code, Prohibiting the Sale of Certain Beverages in Non-Returnable or "Disposable" Beverage Containers Within the State of Delaware.

Privilege of the floor was granted Mrs. Jeanette Sam, First Vice-President of the Wilmington Branch, American Association of University Women.

Rep. Billingsley moved for a roll call on **HS 1** for **HB 101**. Following the roll call, Rep. Billingsley moved that the roll call be tabled. Rep. Hearn moved to recommit **HS 1** for **HB 101** to committee. Rep. Matushefske moved for a roll call vote on the recommitment motion.

Roll call on the motion to recommit **HS 1** for **HB 101** revealed:

YEAS: Boulden, Clendaniel, Cordrey, Gordy, Hearn, Johnson, Kirk, Little, Mears - 9.

NAYS: Berndt, Billingsley, Connor, Derrickson, Dobberstein, Gruwell, Harrington, Heckert, Hering, Jonkiert, Justice, Knox, Leshner, Matushefske, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Mr. Speaker Frederick - 25.

NOT VOTING: Dillman, Harkins, Miller, Wright - 4.

ABSENT: Jarvis - 1.

The motion to recommit **HS 1** for **HB 101** not having received a majority was declared lost.

Rep. Kirk moved to table the roll call on **HS 1** for **HB 101**. Roll call revealed:

YEAS: Berndt, Billingsley, Clendaniel, Derrickson, Dillman, Dobberstein, Heckert, Hering, Jarvis, Justice, Knox, Matushefske, Moerschel, Murphy, Poulterer, Riddagh, Seibel, Weiss, Mr. Speaker Frederick - 19.

NAYS: Boulden, Connor, Cordrey, Gordy, Gruwell, Harkins, Harrington, Hearn, Johnson, Jonkiert, Kirk, Leshner, Little, Mears, Miller, Orth, Quillen, Smith, Tribbitt, Wright - 20.

The motion to table the roll call on **HS 1** for **HB 101** not having received a majority was declared lost. Roll call was not tabled.

Roll call on **HS 1** for **HB 101** revealed:

YEAS: Berndt, Billingsley, Clendaniel, Connor, Dobberstein, Harkins, Knox, Matushefske, Moerschel, Murphy, Poulterer, Seibel, Weiss, Mr. Speaker Frederick - 14.

NAYS: Boulden, Cordrey, Gordy, Gruwell, Harrington, Johnson, Jonkiert, Kirk, Leshner, Mears, Orth,

Quillen, Riddagh, Smith - 14.

NOT VOTING: Derrickson, Dillman, Hearn, Heckert, Hering, Jarvis, Justice, Little, Miller, Tribbitt, Wright - 11.

HS 1 for HB 101 not having received a constitutional majority was declared lost.

On motion of Reps. Knox and Poulterer, HB 256 with HA 1, 2, 3, 4, 5, and 6 had its final reading and was placed before the House for consideration.

HB 256 with HA 1, 2, 3, 4, 5, 6 - An Act To Amend Titles 7, 16, and 29, Delaware Code to Provide for an Effective Program to Improve the Quality of Delaware's Environment, by Providing for Amendment of Chapters 60 and 64 of Title 7, Delaware Code, and for Repeal of Chapters 61, 62, and 63 of Title 7, Delaware Code, and by Providing Omnibus Amendments, Corrections, Relating to the Department of Natural Resources and Environmental Control as Provided in Title 29, Delaware Code, Chapter 80, and by Creating an Environmental Protection Appeals Board, Defining its Organization, Powers, Duties, and Functions, and by Providing for the Creation of the Environmental Council, Defining its Composition, Organization, Powers, Duties, and Functions, and Making Appropriations Therefor.

Privilege of the floor was granted Mr. Edward Spear, DelMarVa Power & Light Co., to answer questions regarding HB 256, as amended.

HA 1 to HB 256 - On motion of Rep. Knox, HA 1 was adopted by voice vote.

HA 2 to HB 256 - Rep. Justice moved for a roll call vote on HA 2.

Roll call on HA 2 revealed:

YEAS: Berndt, Derrickson, Harkins, Heckert, Hering, Justice, Mr. Speaker Frederick - 7.

NAYS: Billingsley, Boulden, Clendaniel, Connor, Cordrey, Dillman, Dobberstein, Gordy, Gruwell, Harrington, Hearn, Jarvis, Johnson, Jonkiert, Kirk, Knox, Leshner, Matushefske, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright - 30.

ABSENT: Little, Mears - 2.

HA 2 to HB 256 not having received a majority was declared lost.

HA 3 to HB 256 - On motion of Rep. Poulterer, HA 3 was stricken.

HA 4 to HB 256 - On motion of Rep. Poulterer, HA 4 was adopted by voice vote.

**HA 5 to HB 256** - On motion of Rep. Poulterer, **HA 5** was adopted by voice vote.

**HA 6 to HB 256** - On motion of Rep. Knox, **HA 6** was stricken.

Roll call of **HB 256** with **HA 1, 4, and 5** revealed:

YEAS: Berndt, Billingsley, Boulden, Connor, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 37.

NAYS: Clendaniel - 1.

NOT VOTING: Cordrey - 1.

**HB 256** with **HA 1, 4, and 5** having received a constitutional majority was declared passed the House.

On motion of Rep. Kirk, **SB 231** had its final reading and was placed before the House for consideration.

**SB 231** - An Act Instructing the Director of the Division of Archives and Cultural Affairs to Publish the Boundaries of Delaware.

Roll call on **SB 231** revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 39.

**SB 231** having received a constitutional majority was declared passed the House.

On motion of Rep. Seibel, **SB 260** had its final reading and was placed before the House for consideration.

**SB 260** - An Act To Amend An Act Being Chapter 166, Volume 37, Laws of Delaware Entitled "An Act to Reincorporate the Town of Selbyville" as Amended, by Increasing the Amount of Taxes That May be Raised in Any One Year.

Roll call on **SB 260** revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker

Frederick - 39.

**SB 260** having received a 2/3 majority was declared passed the House.

The House recessed at 4:44 P.M., reconvened at 5:20 P.M.

Committee Reports:

Agriculture: **HB 168**, 5 M. Judiciary: **HB 174**, 6 M; **HB 241**, 4 M. Health & Social Services: **SB 230**, 3 F, 1 M. Education: **HB 251**, 5 M. Revenue & Finance: **HB 77**, 1 F, 3 M.

The House recessed to the call of the chair at 5:22 P.M.

May 11, 1971

### 32nd LEGISLATIVE DAY

The Speaker called the House to order at 1:40 P.M. The Majority Leader moved to adjourn at 1:40 P.M., thereby ending the previous legislative day. The House reconvened at 1:41 P.M.

There was a prayer by the Chaplain Rev. George W. Bishop, Trinity Methodist Church, Frederica, Delaware.

The Speaker led those present in a salute of the flag.

Members present: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harrington, Heckert, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Mears, Miller, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Mr. Speaker Frederick - 33.

Absent: Harkins, Hearn, Hering, Matushefske, Moerschel, Wright - 6. (Marked present later)

The following prefiled legislation was introduced:

**HB 284** - An Act To Amend Section 8105, Chapter 81, Title 9, Delaware Code Relating to the Limitations Upon Taxing Power by Exempting Lands and Improvements of the Harrington New Century Club from Assessment and Taxation. Introduced by Rep. Quillen. Assigned to Revenue & Finance Committee.

**HB 283** - An Act To Amend Title 29, Delaware Code, Entitled "State Government" by Adding a New Chapter Thereto Relating to the Marking of State-Owned Motor Vehicles. Introduced by Rep. Jonkiert. Assigned to Highways & Transportation Committee.

**HB 285** - An Act To Amend Title 16 of the Delaware Code, Relating to the Public Health and Safety With

**Particular Reference to Persons Totally or Partially Blind.** Introduced by Rep. Little. Assigned to Health & Social Services Committee.

**HB 286** - An Act To Amend Part II, Title 6 of the Delaware Code, Relating to High Pressure Door-To-Door Sales Tactics, and Providing for Remedies to Purchasers of Sales Caused by High Pressure Door-To-Door Sales Tactics. Introduced by Rep. Seibel. Assigned to Community Affairs Committee.

**HB 287** - An Act To Amend Chapter 21, Title 5, Delaware Code, Relating to Regulation of Small Loans. Introduced by Rep. Little. Assigned to Labor & Commerce Committee.

**HB 288** - An Act To Amend Chapter 21, Title 5, Delaware Code, Relating to Small Loan Provisions Application to Banks and Trust Companies. Introduced by Rep. Little. Assigned to Labor & Commerce Committee.

**HB 289** - An Act To Amend Title 29 of the Delaware Code by Requiring All State Agencies and Departments to Receive Reimbursement for the Full Cost of Goods and Services Provided. Introduced by Rep. Billingsley. Assigned to Revenue & Finance Committee.

**HB 290** - An Act Proposing An Amendment to Section 2, Article 5, of the Constitution of the State of Delaware, Relating to Qualifications for Voting. Introduced by Rep. Miller. Assigned to Judiciary Committee.

**HB 291** - An Act To Amend Subchapter II, Chapter 55, Title 29 of the Delaware Code Relating to the State Employees' Pension Plan. Introduced by Rep. Riddagh. Assigned to Labor & Commerce Committee.

On motion of Rep. Seibel **HB 108** was stricken.

**HA 1 to HB 262**, introduced by Rep. Harkins. Placed with bill.

**HA 1 to SB 21**, introduced by Rep. Seibel. Placed with bill.

**HA 1 to SB 262**, introduced by Rep. Billingsley. Placed with bill.

**HJR 11** - Relating to the Dredging of the Channel Leading From Delaware Bay Into Murderkill River at Bowers Beach, Delaware. Introduced by Rep. Quillen. Assigned to Natural Resources Committee.

**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. Introduced by Sen. Foltz. Assigned to Appropriations Committee.

**SB 210** - An Act To Amend Title II, Chapter 43, Relating to Paroles and Providing Psychiatric Examinations. Introduced by Sen. Foltz. Assigned to Judiciary Committee.

**SB 211** - An Act To Amend Title II, Chapter 43, Relating to the Board of Parole, Compensation by Members and Meetings, and Making an Appropriation Therefor. Introduced by Sen. Foltz. Assigned to Judiciary Committee.

**SB 213** - An Act To Amend Title II, Delaware Code, Chapter 43, Abolishing Fixed Terms of Imprisonment and Providing Indeterminate Sentences for Crime, and Providing an Appropriation for its Implementation. Introduced by Sen. Foltz. Assigned to Judiciary Committee.

**SB 261** - An Act Making a Supplementary Appropriation to Optimist Club of Wilmington - Operation Firecracker Account. Introduced by Sen. Slawik. Assigned to Appropriations Committee.

**SB 294** - An Act To Amend §302 and §303, Chapter 3, Title 29, Delaware Code, By Transferring the Responsibility for the State's Boundaries from the Director of Operations of the Highway Department to the Secretary of Natural Resources and Environmental Control in Conjunction with the Director of the Division of Archives and Cultural Affairs. Introduced by Sen. Isaacs. Assigned to Natural Resources Committee.

Reps. Hearn, Harkins, Matushefske, Wright asked to be marked present.

The House recessed to the call of the Chair at 2:04 P.M., reconvened at 3:32 P.M.

**HA 1** to **HB 252**, introduced by Rep. Hering. Placed with bill.

Reps. Hering, Moerschel asked to be marked present.

On motion of Rep. Billingsley **HB 254** had its final reading and was placed before the House for consideration.

**HB 254** - An Act To Amend Chapter 25, Title 16, Delaware Code, Relating to Contraceptives. After much discussion Rep. Billingsley moved to defer **HB 254** indefinitely.

On motion of Rep. Kirk **SS 1** for **SB 190** had its final reading and was placed before the House for consideration.

**SS 1 for SB 190** - An Act To Amend Title 7 of the Delaware Code Relating to Public Lands.

**HA 1 to SS 1 for SB 190** was introduced by Rep. Kirk and adopted by voice vote. On motion of Rep. Kirk **HA 2 to SS 1 for SB 190** was stricken. Privilege of the floor was granted to Sen. Elliott to discuss **SS 1 for SB 190**. On motion of Rep. Kirk roll call was taken on **SS 1 for SB 190 with HA 1**. Roll call revealed:

**YEAS:** Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Heckert, Hering, Johnson, Jonkiert, Justice, Kirk, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 36.

**NOT VOTING:** Hearn - 1.

**ABSENT:** Jarvis, Quillen - 2.

**SS 1 for SB 190 with HA 1** having received 2/3 vote was declared passed the House.

On motion of Rep. Billingsley **SB 262** had its final reading and was placed before the House for consideration.

**SB 262** - An Act Agreeing to a Proposed Amendment to Section I, Article VIII, of the Constitution of the State of Delaware Relating to the Exemption from Taxation of Real Property.

**HA 1 to SB 262** was introduced by Rep. Billingsley and adopted by voice vote. On motion of Rep. Billingsley roll call was taken on **SB 262 with HA 1**. Roll call revealed:

**YEAS:** Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Johnson, Jonkiert, Justice, Kirk, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 37.

**ABSENT:** Jarvis, Knox - 2.

**SB 262 with HA 1** having received 2/3 vote was declared passed the House.

On motion of Rep. Justice **HB 248** had its final reading and was placed before the House for consideration.

**HB 248** - An Act To Amend Section 918, Title 5, Delaware Code, Relating to Hypothecation of Assets to Certain Governmental Bodies. Privilege of the floor was granted to Mr. Arnold Klein, New Castle County

Treasurer. On motion of Rep. Hearn **HB 248** was deferred.

On motion of Rep. Poulterer **HB 36** had its final reading and was placed before the House for consideration.

**HB 36** - An Act To Amend Part IV, Chapter 41, Title 15 of the Delaware Code, Relating to Elections; and Providing for Maps Showing Representative Districts to be Located at Each Polling Place.

Rep. Poulterer introduced **HA 1** to **HB 36**, which was adopted by voice vote. On motion of Rep. Poulterer roll call on **HB 36** with **HA 1** was taken. Roll call revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Johnson, Jonkiert, Justice, Kirk, Lesh, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 37.

ABSENT: Jarvis, Knox - 2.

**HB 36** with **HA 1** having received a constitutional majority was declared passed the House.

On motion of Rep. Weiss **HB 25** had its final reading and was placed before the House for consideration.

**HB 252** - An Act To Amend Chapter II, Title 16 of the Delaware Code Relating to Sanitoria, Rest Homes, Nursing Homes, Boarding Homes and Related Institutions.

**HA 1** to **HB 252** was introduced by Rep. Hering and adopted by voice vote. On motion of Rep. Weiss roll call was taken on **HB 252** with **HA 1** and revealed:

YEAS: Billingsley, Boulden, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Hearn, Hering, Johnson, Jonkiert, Justice, Kirk, Knox, Little, Matushefske, Miller, Moerschel, Orth, Murphy, Poulterer, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 31.

NAYS: Clendaniel, Harrington, Lesh, Mears, Quillen - 5.

NOT VOTING: Berndt, Heckert - 2.

ABSENT: Jarvis - 1.

**HB 252** with **HA 1** having received a constitutional majority was declared passed by the House.

The House recessed to the call of the Chair at 4:46 P.M., reconvened at 5:10 P.M.



## Committee Reports:

Highways & Transportation: **HB 222-3F, 3M.** Appropriations: **HB 224-6M.** Natural Resources: **HJR 11-5M; SB 294-5M.** Revenue & Finance: **HB 284-3m, 3U; HB 289-1F, 5M.**

The House recessed to the call of the Chair at 5:15 P.M.

May 12, 1971

**33rd LEGISLATIVE DAY**

The Speaker called the House to order at 1:40 P.M. The Majority Leader moved to adjourn at 1:40 P.M., thereby ending the previous legislative day. The House reconvened at 1:41 P.M.

There was a prayer by the Chaplain, Rev. Charles E. Barton, Cheswold Methodist Church, Cheswold, Del.

The Speaker led those present in a salute of the flag.

Members present: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Knox, Leshar, Little, Matushefske, Mears, Miller, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 36.

Absent: Gordy, Kirk, Moerschel (Marked present later) - 3.

The Minutes of the previous legislative day were approved as posted.

Privilege of the floor was granted to Mr. Francis McCann, spokesman for the Delaware Senior Citizens Council.

Letter to Rep. Little from the Youth Council:  
April 28, 1971

Tom,

Jay and I have organized a committee of Youth Council members to study the "over-65" tax situation. What we need now is assistance in contacting the people who can give us the information that we want. I would like, if possible, a list of the individuals and groups from whom we can obtain the necessary information. And, from this, I hope that we can help you with the legislation, as best we are able.

Respectfully,  
Bill Barkley

Rep. Kirk asked to be marked present.

The Senate informed the House that it passed **HB 194, HB 163 with HA 1, HB 160.**

The following prefiled legislation was introduced:

**HB 292** - An Act To Amend Chapter 92, Title 10 of the Delaware Code, Relating to Salaries of Justices of the Peace. Introduced by Rep. Murphy. Assigned to Judiciary Committee.

**HB 293** - An Act To Amend Part III, Chapter 23, Title 30 of the Delaware Code Relating to Occupational and Business Licenses and Taxes. Introduced by Rep. Hearn. Assigned to Revenue & Finance Committee.

**HB 294** - An Act To Amend Subchapter II, Chapter 13, Title 13 of the Delaware Code Relating to the Liability of the Father of an Illegitimate Child for Support, Medical Expenses and Certain Other Expenses Incidental to or Arising From the Birth of Such Child. Introduced by Rep. Hearn. Assigned to Judiciary Committee.

**HB 295** - An Act To Amend Subchapter II of Chapter 81, Title 9, Delaware Code, Relating to the Qualifications on the Amount of Income for Citizens Over Sixty-five (65) Years of Age for Tax Exemption. Introduced by Rep. Connor. Assigned to Revenue & Finance Committee.

**HB 296** - An Act Amending Chapter 527, Volume 57, Laws of Delaware Relating to a Declared Moratorium on Certain Activities Along the Delaware River and Bay. Introduced jointly by Reps. Berndt and Hearn. Assigned to Natural Resources Committee.

**HB 297** - An Act To Provide A Supplementary Appropriation to the De La Warr School District. Introduced by Rep. Matushefske. Assigned to Appropriations Committee.

**HB 298** - An Act To Amend Title 14, Delaware Code, Requiring a Daily Period of Silent Meditation. Introduced by Rep. Connor. Assigned to Education Committee.

**HB 299** - An Act To Amend Section 1703 and Section 1706, Chapter 17, Title 14, Delaware Code, Relating to Units of Pupils and Division II School Appropriations. Introduced by Rep. Hearn. Assigned to Education Committee.

**HB 300** - An Act Creating a New Chapter 70, Title 7, Delaware Code to Provide Statewide Zoning of Coastal Areas of Delaware; to Prohibit or Limit Certain Construction Therein; to Create a State Zoning

Board. Introduced by Rep. Knox. Assigned to Natural Resources Committee.

**HB 301** - An Act Making a Supplementary Appropriation to the Department of Highways and Transportation. Introduced by Rep. Murphy. Assigned to Appropriations Committee.

**HB 302** - An Act To Provide a Supplementary Appropriation to the New Castle County Vocational-Technical High School. Introduced by Rep. Heckert. Assigned to Appropriations Committee.

**HA 1 to HB 241**, introduced by Rep. Matushefske. Placed with bill.

**HA 5 to HB 54**, introduced by Rep. Kirk. Placed with bill.

**HA 1 to HB 216**, introduced by Rep. Little. Placed with bill.

**HA 2 to HB 222**, introduced by Rep. Boulden. Placed with bill.

**HJR 12** - Providing For the Establishment of a Committee to Investigate the Operation of the Wilmington Housing Authority and to Survey the Housing Situation in Greater Wilmington. Introduced by Rep. Miller. Assigned to Community Affairs Committee.

Rep. Hearn moved to suspend the rules to act on **HJR 12** rather than assign to committee. On motion of Rep. Hearn, roll call was taken on motion to suspend the rules. Roll call revealed:

**YEAS:** Boulden, Clendaniel, Cordrey, Gruwell, Harrington, Hearn, Johnson, Jonkiert, Matushefske, Mears, Miller, Orth, Smith, Tribbitt, Wright - 15.

**NAYS:** Berndt, Billingsley, Connor, Derrickson, Dillman, Dobberstein, Harkins, Heckert, Hering, Jarvis, Justice, Kirk, Knox, Leshner, Little, Murphy, Poulterer, Quillen, Riddagh, Seibel, Weiss, Mr. Speaker Frederick - 22.

**ABSENT:** Gordy, Moerschel - 2.

Motion to suspend the rules failed.

**HR 41** - Recognizing the Outstanding Achievement of the Sussex Central Jr. High School Band in Winning First Place in the Winchester, Virginia, Apple Blossom Festival Parade and Expressing Congratulations for Said Honor.

**WHEREAS**, the Sussex Central Junior High School Band, under the direction of Mr. David Shugard, was one of 267 units invited to participate in the 44th Annual Shenandoah Apple Blossom Festival Firemen's Parade in Winchester, Virginia; and

WHEREAS, on Friday, May 7, 1971, during a driving three-hour rainstorm, the Sussex Central Junior High School Band played and marched in grand fashion, thereby gaining the plaudits of the spectators and judges of the competition; and

WHEREAS, the scintillating performance of the Sussex Central Junior High School Band in the Apple Blossom Festival Parade culminated in its being awarded first prize in the Junior High School Band category; and

WHEREAS, the Sussex Central Junior High School Band received added acclaim during its stay in Winchester when the unit was hailed as the "best in the parade" by the Chairman of the event, although the Sussex County youngsters were not eligible to receive an award in any category other than that of Junior High School Bands.

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 126th General Assembly of the State of Delaware that the chief sponsor of this resolution, Representative Richard S. Cordrey of Millsboro, be assigned the happy task of conveying the heartiest of House congratulations to the accomplished young musicians of the Sussex Central Junior High School Band for their outstanding feat in winning the highest honor of the Apple Blossom Festival Parade.

FURTHERMORE, BE IT RESOLVED that the text of this resolution be included in the House Journal and that copies of the resolution be forwarded to Mr. David Shugard, Band Director, and to Mr. Donald Ward, Principal of Sussex Central Junior High School.

Introduced by Rep. Cordrey. On motion of Rep. Cordrey, **HR 41** was adopted by voice vote.

**SB 240** - An Act Authorizing and Making a Supplemental Appropriation to the Department of Justice for the Purpose of Paying the Legal Costs and Expenses of Effecting Reapportionment. Introduced by Sen. duPont. Assigned to Appropriations Committee.

**SB 249** - An Act To Amend An Act Being Chapter 166, Volume 37, Laws of Delaware Entitled "An Act to Reincorporate the Town of Selbyville" as Amended, by Repealing Chapter 165, Volume 41, Laws of Delaware and Adding a New Subsection to Section 4, Chapter 166, Volume 37, Laws of Delaware, Authorizing the Borrowing Against Anticipated Revenue. Introduced

by Sen. Hickman. Assigned to Community Affairs Committee.

**SB 252** - An Act To Amend An Act Entitled: "An Act to Incorporate the Town of Fenwick Island, Delaware" Relating to Assessments and Collection of Taxes. Introduced by Sen. Hickman. Assigned to Community Affairs Committee.

**SB 255** - 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. Introduced by Sen. Cicone. Assigned to Health & Social Services Committee.

**SB 269** - An Act To Amend Chapter 30, Title 30, Delaware Code, Relating to Automobile Dealer Handling Fee and License Fee. Introduced by Sen. duPont. Assigned to Revenue & Finance Committee.

**SB 271 with SA 1** - An Act To Amend Chapter 21, Title 21 of the Delaware Code Authorizing the Director of the Division of Motor Vehicles to Allow Franchised Automotive Dealers to Inspect Vehicles Under Certain Circumstances. Introduced by Sen. duPont. Assigned to Public Safety Committee.

Rep. Tribbitt asked if Legislative Council had reapportionment maps. The reply was they would be ready by Thursday, May 13, 1971.

The House recessed to the call of the Chair at 2:34 P.M., reconvened at 3:46 P.M.

**HA 1 to HB 224**, introduced by Rep. Poulterer. Placed with the bill.

Reps. Moerschel and Gordy asked to be marked present.

On motion of Rep. Heckert, **HB 259** had its final reading and was placed before the House for consideration.

**HB 259** - An Act To Amend Title 14, Section 1318, Delaware Code, Relating to Sick Leave of State Employees in the Public School System.

On motion of Rep. Heckert, roll call was taken on **HB 259**. Roll call revealed:

YEAS: Berndt, Boulden, Clendaniel, Cordrey, Derickson, Dillman, Dobberstein, Gordy, Gruwell, Heckert, Hering, Justice, Knox, Leshner, Matushefske, Mears, Murphy, Poulterer, Riddagh, Seibel, Tribbitt, Mr. Speaker Frederick - 22.

**NAYS:** Connor, Harkins, Hearn, Jonkiert, Kirk, Little, Moerschel, Orth, Smith, Weiss - 10.

**NOT VOTING:** Johnson, Miller, Quillen, Wright - 4.

**ABSENT:** Billingsley, Harrington, Jarvis - 3.

**HB 259** having received a constitutional majority was declared passed the House.

On motion of Rep. Leshner, **SB 42** had its final reading and was placed before the House for consideration.

**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 motion of Rep. Leshner, roll call was taken on **SB 42**. Roll call revealed:

**YEAS:** Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 38.

**ABSENT:** Harrington - 1.

**SB 42** having received a constitutional majority was declared passed the House.

On motion of Rep. Heckert, **HB 251** had its final reading and was placed before the House for consideration.

**HB 251** - An Act To Amend Title 14 of the Delaware Code, Relating to the Public School System and the Establishment of Full-Time Programs.

On motion of Rep. Heckert, roll call was taken on **HB 251**. Roll call revealed:

**YEAS:** Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 38.

**ABSENT:** Harrington - 1.

**HB 251** having received a constitutional majority was declared passed the House.

On motion of Rep. Weiss, **SB 230** had its final

reading and was placed before the House for consideration.

**SB 230** - An Act To Amend Part VII, Title 16 of the Delaware Code Requiring the Use of Safety Glazing Materials in Hazardous Locations in Residential, Industrial, Commercial or Public Buildings as a Means of Protecting the Public Against Death and Injury Caused by Splintered Glass.

Privilege of the floor was granted to Sen. Steele to answer questions regarding **SB 230**. On motion of Rep. Weiss, roll called was taken on **SB 230**. Roll call revealed:

YEAS: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Derrickson, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 37.

NOT VOTING: Hearn - 1.

ABSENT: Harrington - 1.

**SB 230** having received a constitutional majority was declared passed the House.

On motion of Rep. Hering, **HB 174** had its final reading and was placed before the House for consideration.

**HB 174** with **HA 1, 2** - An Act To Amend Chapter 25, Title 29, Delaware Code Concerning the Department of Justice.

**HA 1** to **HB 174** was introduced by Rep. Hering. Rep. Hering moved for its adoption by voice vote. Motion carried.

Rep. Hering introduced **HA 2** to **HB 174** and moved for its adoption by voice vote. Motion carried.

On motion of Rep. Leshner, **HA 3** to **HB 174** was stricken.

Privilege of the floor was granted to Attorney General Laird Stabler, Jr., to answer questions regarding **HB 174**.

On motion of Rep. Hering, roll call was taken on **HB 174** with **HA 1** and **2**. Roll call revealed:

YEAS: Berndt, Billingsley, Boulden, Connor, Derrickson, Dillman, Dobberstein, Gordy, Harkins, Hearn, Heckert, Hering, Jarvis, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Moerschel, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 32.

**NAYS:** Clendaniel, Cordrey, Miller, Smith - 4.

**NOT VOTING:** Johnson - 1.

**ABSENT:** Gruwell, Harrington - 2.

**HB 174** with **HA 1** and **2** having received a constitutional majority was declared passed the House.

On motion of Rep. Murphy, **HB 241** had its final reading and was placed before the House for consideration.

**HB 241** - An Act To Amend Chapter 55, Title 29, Delaware Code Relating to the State Employees' Pension Plan.

Rep. Matushefske introduced **HA 1** to **HB 241**. On motion of Rep. Harkins, roll call was taken on **HA 1** to **HB 241**. Roll call revealed:

**YEAS:** Clendaniel, Cordrey, Gordy, Hearn, Johnson, Jonkiert, Matushefske, Miller, Orth, Smith, Tribbitt, Wright - 12.

**NAYS:** Berndt, Billingsley, Derrickson, Dillman, Dobberstein, Harkins, Heckert, Hering, Jarvis, Justice, Kirk, Knox, Leshner, Little, Moerschel, Murphy, Poulterer, Quillen, Riddagh, Seibel, Weiss, Mr. Speaker Frederick - 22.

**NOT VOTING:** Mears - 1.

**ABSENT:** Boulden, Connor, Gruwell, Harrington - 4.

**HA 1** to **HB 241** not having received a majority was declared defeated.

On motion of Rep. Murphy, roll call was taken on **HB 241**. On motion of Rep. Murphy, roll call on **HB 241** was tabled.

On motion of Rep. Leshner, **SB 98** had its final reading and was placed before the House for consideration.

**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.

On motion of Rep. Leshner, roll call was taken on **SB 98**. Roll call revealed:

**YEAS:** Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Dillman, Dobberstein, Gordy, Harkins, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 35.



**ABSENT:** Derrickson, Gruwell, Harrington, Poulterer - 4.

**SB 98** having received 3/4 vote was declared passed the House.

On motion of Rep. Leshner, **SB 110** had its final reading and was placed before the House for consideration.

**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.

On motion of Rep. Leshner, roll call was taken on **SB 110**. Roll call revealed:

**YEAS:** Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Dillman, Dobberstein, Gordy, Harkins, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Kirk, Knox, Leshner, Little, Matushefske, Mears, Miller, Moerschel, Murphy, Orth, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 34.

**ABSENT:** Derrickson, Gruwell, Harrington, Justice, Poulterer - 5.

**SB 110** having received 3/4 vote was declared passed the House.

The House recessed to the call of the Chair at 4:55 P.M.

May 13, 1971

### **34th LEGISLATIVE DAY**

The Speaker called the House to order at 1:44 P.M. The Majority Leader moved to adjourn at 1:44 P.M., thereby ending the previous legislative day. The House reconvened at 1:45 P.M.

There was a prayer by the Chaplain Rev. Charles E. Barton, Cheswold Methodist Church, Cheswold, Delaware.

The Speaker led those present in a salute of the flag.

Members present: Berndt, Billingsley, Boulden, Clendaniel, Connor, Cordrey, Dillman, Dobberstein, Gordy, Gruwell, Harkins, Harrington, Hearn, Heckert, Hering, Jarvis, Johnson, Jonkiert, Justice, Kirk, Knox, Leshner, Little, Mears, Miller, Murphy, Orth, Poulterer, Quillen, Riddagh, Seibel, Smith, Tribbitt, Weiss, Wright, Mr. Speaker Frederick - 36.

Absent: Derrickson, Matushefske, Moerschel - 3.  
All asked to be marked present later.

The Minutes of the previous legislative day were approved as posted.

The Senate informed the House that it passed HB 192 with HA 1, HB 243.

The following prefiled legislation was introduced:

**HB 303** - An Act To Amend Section 2151, Title 21, Delaware Code, Relating to Motor Vehicle Registration Fees by Reducing the Registration Fee for Certain Motor Vehicles. Introduced by Rep. Tribbitt, by request. Assigned to Public Safety Committee.

**HB 304** - An Act To Amend Chapter 43, Title 21, Delaware Code, Relating to Projections from the Periphery of Tires. Introduced by Rep. Leshner. Assigned to Public Safety Committee.

**HB 305** - An Act Making Supplementary Appropriations to the Department of Health and Social Services and the Department of Public Safety for the Purpose of Funding an Expanded Anti-Drug-Abuse Program. Introduced by Rep. Little. Assigned to Appropriations Committee.

**HB 306** - An Act To Amend Section 1321, Chapter 13, Title 14, Delaware Code, by Permitting Reorganized School Districts to Employ Certain Professional Personnel, Establishing an Employment Formula and Making a Supplementary Appropriation Therefor. Introduced by Reps. Justice & Hearn. Assigned to Appropriations Committee.

**HB 307** - An Act To Amend Chapter 13, Title 14, Delaware Code, Relating to the Salary Schedule and Employment of School Maintenance Mechanics and Providing an Appropriation Therefor. Introduced by Reps. Justice & Hearn. Assigned to Education Committee.

**HB 308** - An Act To Amend Chapter 62, Title 29, Delaware Code, Entitled "The Capital Investment Fund". Introduced by Rep. Connor. Assigned to Revenue & Finance Committee.

**HB 309** - An Act To Amend Chapter 74, Title 29, Delaware Code, Relating to the Limitation on Borrowing Power. Introduced by Rep. Connor. Assigned to Revenue & Finance Committee.

**HS 1 for HB 166** - An Act To Amend Title 3, Delaware Code, Part II, by Adding a Chapter 12, Thereto Relating to the Distribution, Sale, Transportation and Application of Insecticides, Fungicides,