

HA 1 to HB 260 — Introduced by Rep. Dillman. Placed with bill.

House recessed to call of the chair at 3:35 P.M.

The Speaker called the House to order at 1:37 P.M. Mr. Stabler moved to adjourn thereby ending the 37th Legislative Day.

38TH LEGISLATIVE DAY

The House convened at 1:38 P.M., on Thursday, May 29, 1969.

Prayer by the Chaplain Reverend Alvin R. Lee, Holloway Terrace.

The Speaker led those present in a Salute of the Flag.

Roll Call revealed 38 members present, 1 absent.

Members present: Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 38.

Absent: Rawlins — 1.

Minutes of the previous legislative day were approved as posted.

The Senate informed the House it had passed **HB 49**, **HB 85**, **HB 108**, **HB 206**, **HB 154**, and **HS 1** for **HB 149** with **HA 1** and returned same to the House.

Committee Reports: Revenue and Taxation: **HB 246**, 4 favorable, 1 on merits; **HB 247**, 4 favorable, 1 on merits; **HB 249**, 1 favorable, 4 on merits.

The following prefiled bills were introduced:

HB 269 — An Act Making A Supplementary Appropriation to Establish A Revolving Publication Fund for the Delaware Archaeological Board. Introduced by Rep. Quillen. Referred to the Committee on Natural Resources.

HB 270 — An Act to Amend Chapter 1, of Title 8 of the Delaware Code, Entitled "General Corporation Law", By Making Certain Changes in Sections 102, 103, 122, 126, 141, 144, 151, 153, 155, 212, 213, 214, 218, 224, 228, 229, 242, 251, 252, 253, 256, 258, 262, 271, 275, 311, 344, 371 and 379. Introduced by Rep. duPont. Referred to the Committee on Commerce and Labor.

HB 271 — An Act to Amend Chapter 51, Title 30, Delaware Code, Relating to Municipal Street Aid Programs. Introduced by Rep. Seibel. Referred to the Committee on Highways and Public Safety.

HB 272 — An Act to Amend Chapter 7, Title 13, Delaware Code Relating to Minors' Consent to Diagnostic and Lawful Therapeutic Procedures, Care and Treatment for Pregnancy or Contagious Diseases. Introduced by Rep. Seibel. Referred to the Committee on Judiciary.

HB 273 — An Act to Amend Chapter 51, Title 29, Delaware Code, By Providing Hospitalization, Medical and Surgical Benefits for State Employees. Introduced by Rep. Zimmerman. Referred to the Committee on Appropriations.

HR 39 — Expressing the Best Wishes of the House of Representatives of the 125th General Assembly of the State of Delaware Concerning the Birthday of Representative George Jarvis.

WHEREAS, the members of the House of Representatives have learned that today, May 29, 1969, is the birthday of Representative George Jarvis; and

WHEREAS, the members of the House of Representatives wish to take this opportunity to commend Representative George Jarvis for his fearless and courageous representation of his constituents; and

WHEREAS, the members of the House of Representatives wish to further take this opportunity to express their appreciation for the great humor with which Representative George Jarvis has graced this distinguished body; and

WHEREAS, the members of the House of Representatives wish to further take this opportunity to express their hope that the spirit of Representative George Jarvis will forever linger in the halls of the House of Representatives of the State of Delaware; and

WHEREAS, the members of the House of Representatives wish to express their best wishes to Representative Georg Jarvis;

NOW THEREFORE,

BE IT RESOLVED, by the House of Representatives of the 125th General Assembly of the State of Delaware, that the best birthday wishes of the members of the House be and hereby are extended to Representative George Jarvis; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be entered upon the Journal of the House and a copy delivered to Representative George Jarvis.

Introduced by Rep. duPont. Adopted by voice vote.

SB 278 — An Act to Amend Section 501, Chapter 5, Title 7, Delaware Code, Relating to Licenses for Hunting, Fishing and Trapping. Introduced by Senator Isaacs. Referred to the Committee on Natural Resources.

SB 266 — An Act to Amend Chapter 1, Title 23, Delaware Code, Relating to Pilotage Rates, By Increasing the

Rates for the Pilotage of Certain Vessels and Setting A Maximum As To Certain Others and Relating to Classes of Licenses of Pilots, By Increasing the Number of Classes, Changing the Draft Limitations, and Specifying Minimum Experience Requirements. Introduced by Senator Cook. Referred to the Committee on Commerce and Labor.

SJR 8 — Urging Senator John J. Williams to Run for Re-Election to the United States Senate in 1970. Introduced by Senator Grier. Referred to the Committee on Government Operations.

On motion of Rep. Unruh the following was given a final reading and placed before the House for consideration:

HB 64 with **HA 1** — An Act to Amend Subchapter XLVII, Title 11, Delaware Code, Relating to the Penalty for Robbery and Assault With Intent to Commit Robbery.

HA 1 to **HB 64** — Introduced by Rep. Unruh. Adopted by voice vote.

On motion of Rep. Unruh, roll call on **HB 64** was tabled.

On motion of Rep. Murphy the following was given a final reading and placed before the House for consideration:

HB 243 — An Act to Amend Section 4502, Title 21, Delaware Code, Relating to the Size of Vehicles.

Letter from Mr. Russell Whitby, Motor Vehicle Commissioner read as follows:

May 28, 1969

Honorable Rep. Joseph R. Murphy
Legislative Hall
Dover, Delaware

Dear Representative Murphy:

On behalf of House Bill 243, I would like to go on record as in favor of this Bill.

We find that many bus companies are manufacturing buses now that will be wider than the present limit in Delaware, and we would recommend the new buses to be allowed to the width of 102 inches wide. I can see no reason why the height should be beyond our present limit which is 13½ feet.

Since Delaware has several bus companies operating out of this State this legislation will be both beneficial to the State as well as the bus companies.

Very truly yours,
Russell W. Whitby
Motor Vehicle Commissioner

RWW:cdf

Roll Call revealed:

YEAS — Berndt, Billingsley, Boulden, Burt, Dillman, Dodge, duPont, Frederick, Goldfeder, Hearn, Jarvis, Kirk, Leshner, Little, McMahon, Moerschel, Murphy, Riddagh, Seibel, Spence, Mr. Speaker Hering — 21.

NAYS — Benson, Burton, Harrington, Phillips, Sebrell, Stansky, Unruh — 7.

NOT VOTING — Butcher, Fonville, Gray, Mears, Orth, Quillen, Wright, Zimmerman — 8.

ABSENT — Heckert, Rawlins, Stabler — 3.

HB 243 having received a constitutional majority was declared passed by the House.

On motion of Rep. Dodge the following was given a final reading and placed before the House for consideration:

SB 246 — An Act to Incorporate the Town of South Bethany. Introduced by Senator Hickman.

On motion of Rep. Dodge roll call was tabled.

On motion of Rep. duPont the following was given a final reading and placed before the House for consideration:

SB 269 — An Act to Amend Chapter 1, Title 26, Delaware Code, Pertaining to the Composition, Appointment, Term, Qualifications, Vacancies, Quorum, and Chairman of the Public Service Commission. Introduced by Senator duPont.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Murphy, Seibel, Spence, Stansky, Mr. Speaker Hering — 23.

NAYS — Harrington, Mears, Moerschel, Quillen, Riddagh, Sebrell, Zimmerman — 7.

NOT VOTING — Burton, Gray, Phillips, Unruh, Wright — 5.

ABSENT — Boulden, Orth, Rawlins, Stabler — 4.

SB 269 having received a constitutional majority was declared passed by the House.

On motion of Rep. Spence the following was given a final reading and placed before the House for consideration:

HB 209 — An Act to Increase the Amount of Death Benefits Payable By Mutual Benefit Associations.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Dillman, Dodge, duPont, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Riddagh, Sebrell, Seibel, Spence, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 35.

ABSENT — Burton, Fonville, Rawlins, Stabler — 4.

HB 209 having received a constitutional majority was declared passed by the House.

On motion of Rep. Quillen the following was given a final reading and placed before the House for consideration:

SB 275 with SA 1 — An Act to Amend Chapter 15, Title 3, Delaware Code By Regulating the Labeling, Sale, Offering, Exposing or Transporting for Sale of Agricultural, Vegetable, Flower, and Tree and Shrub Seeds; to Prevent Misrepresentation Thereof; and for Other Purposes. Introduced by Senator Elliott.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Harrington, Hearn, Heckert, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Riddagh, Sebrell, Seibel, Spence, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 34.

ABSENT — Butcher, Gray, Jarvis, Rawlins, Stabler — 5.

SB 275 with SA 1 having received a constitutional majority was declared passed by the House.

On motion of Rep. Dillman the following was given a final reading and placed before the House for consideration:

HB 260 with HA 1 — An Act to Deny A Dog or Kennel License to Any Person Convicted of Cruelty to Dogs.

HA 1 — Introduced by Rep. Dillman. Adopted by voice vote.

Privilege of the floor was granted Mr. Norman G. Wilder, Game and Fish Commission to explain the bill.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Moerschel, Murphy, Orth, Phillips, Quillen, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Mr. Speaker Hering — 34.

ABSENT — Butcher, Gray, Mears, Rawlins, Zimmerman — 5.

HB 260 with HA 1 having received a constitutional majority was declared passed by the House.

On motion of Rep. Dodge, roll call on **SB 246** was lifted from the table.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burton, Butcher, Dodge, duPont, Fonville, Goldfeder, Gray, Harrington, Hearn, Heckert, Kirk, Leshner, McMahon, Mears, Moerschel, Orth, Phillips, Quillen, Riddagh, Spence, Stabler, Stansky, Unruh, Wright, Mr. Speaker Hering — 29.

NOT VOTING — Burt, Dillman, Frederick, Jarvis, Little, Murphy, Sebrell, Seibel, Zimmerman — 9.

ABSENT — Rawlins — 1.

SB 246 having received a constitutional majority was declared passed by the House.

On motion of Rep. Riddagh the following was given a final reading and placed before the House for consideration:

HB 263 — An Act Relating to the Inspection of Dog Kennels. Introduced by Rep. Riddagh.

HA 1 to HB 263 — Introduced by Rep. Riddagh, Adopted by voice vote.

Roll Call on **HB 263** with **HA 1** revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 38.

ABSENT — Rawlins — 1.

HB 263 with **HA 1** having received a constitutional majority was declared passed by the House.

The following prefiled bills and resolutions were introduced:

HB 274 — An Act to Amend Title 30, Delaware Code, By Adding A New Chapter 56 Authorizing A Local Government Supplement For New Castle County and Municipalities Therein to the State Income Tax. Introduced by Rep. Hearn. Referred to the Committee on Revenue and Taxation.

HB 275 — An Act Making A Supplementary Appropriation to the City of Wilmington. Introduced by Rep. Hearn. Referred to the Committee on Appropriations.

HR 40 — Relating to Memorial Day. Introduced by Rep. Little and all members of the House. Adopted by voice vote.

HR 41 — Relating to the 1970 Census.

WHEREAS, Article I, Section II of the United States Constitution requires an "Enumeration" of the "Numbers" of people every ten years so that "Representatives and direct taxes shall be apportioned among the several states;" and

WHEREAS, as part of the 1970 census, more than 50 million Americans will be subjected to extensive invasion of privacy never contemplated by the founding fathers; and

WHEREAS, next year, census agents will again enter our homes not only to "enumerate" the populace, as the Constitution provides, but to probe into many areas of our private lives; and

WHEREAS, every American will be given a twenty question form asking such questions as his race, sex, age, whether he has a telephone or flush toilet, the value of his property, how much rent he pays and, his marital status; and

WHEREAS, one in every four Americans will be asked additional questions which probe into additional areas of private life including the following: (1) his occupation; (2)

his salary from income, bonuses, tips, and other sources such as alimony, savings interest, stock dividends, capital gains; (3) number of children ever born in his family not including stillbirths; (4) what he was doing five years ago; (5) his mother tongue; (6) where his parents were born; (7) how he goes to work; (8) whether he owns a clothes drier, dishwasher, food freezer, or second home; and (9) whether he shares a bathroom; and

WHEREAS, refusal to answer the questions on this survey will result in a fine of \$100 and 60 days in jail; and

WHEREAS, HR 4791 has been introduced into the 91st Congress by Jackson E. Betts (R-Ohio), co-sponsored by William V. Roth, Jr. (R-Delaware), the purpose of which is to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the 1970 censuses of population, unemployment, housing, and for other purposes;

NOW THEREFORE,

BE IT RESOLVED, that the House of Representatives of the 125th General Assembly of the State of Delaware endorses the proposal by Congressmen Betts and Roth that the proper alternative to the intended census procedure is to limit mandatory questions to such subjects as name, address, age, sex, head of household, and persons in home at time of survey, and allowing the remaining ones to be answered on a voluntary basis; and

BE IT FURTHER RESOLVED, that the members of the House of Representatives of the State of Delaware urge the Congress of the United States to enact HR 4791 into law; and

BE IT FURTHER RESOLVED, that this Resolution be printed in the Journal of the House, and that a copy of the text of this Resolution be communicated to The Honorable Spiro T. Agnew, President of the Senate of the United States, The Honorable John W. McCormack, Speaker of the House of Representatives of the United States, The Honorable Jackson E. Betts, member of Congress, and The Honorable William V. Roth, Jr., member of Congress.

Introduced by Rep. Moerschel. Adopted by voice vote.
House recessed to call of the chair at 3:36 P.M.

The Speaker called the House to order at 1:52 P.M. Mr. Dodge moved to adjourn thereby ending the 38th Legislative Day.

39TH LEGISLATIVE DAY

The House convened at 1:53 P.M., on Tuesday, June 3, 1969.

Prayer by the Chaplain Reverend Charles E. Covington, Rehoboth.

The Speaker led those present in a Salute of the Flag.

Roll Call revealed 38 members present, 1 absent.

Members present: Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 38.

Absent: Stabler — 1.

Minutes of the previous legislative day were approved as posted.

The Senate informed the House it had passed **SB 242**, **SB 295** and requested the concurrence of the House; also **HB 161**, **HB 167** having passed the Senate; and **HCR 9** having lost and returned same to the House.

In accordance with **SCR 11** (setting up a Joint Committee to study sex education in public schools), Mr. Hering appointed Mrs. Seibel and Mrs. Wright on the committee.

The following prefiled bills were introduced:

HB 276 — An Act to Amend Subchapter V, Chapter 17, Title 24, Delaware Code, Providing for Immunity of Members of Medical Council of Delaware, the Board of Medical Examiners of Delaware, Including Osteopathic Examiners of the Medical Council, the County Medical Censor Committees, the State Osteopathic Censor Committee, and Physicians Who Are Members of Hospital and Medical Review and Utilization Committees From Suit or Liability for Action Taken As Members of Such Organizations and Committees. Introduced by Rep. Sebrell. Referred to the Committee on Health and Welfare.

HB 277 — An Act to Amend Chapter 43, Title 10, Delaware Code, Relating to Payments Made As An Accommodation Upon A Personal Injury Claim and Admissibility Thereof As Evidence. Introduced by Rep. Sebrell. Referred to the Committee on Judiciary.

HB 278 — An Act to Amend Section 8118, Title 10, Delaware Code, Relating to the Limitation of Actions for Personal Injuries. Introduced by Rep. Sebrell. Referred to the Committee on Judiciary.

HB 279 — An Act to Amend Section 811, Title 11, Delaware Code, Relating to Robbery. Introduced by Rep. Benson. Referred to the Committee on Judiciary.

HB 280 — An Act to Amend Section 812, Title 11, Delaware Code, Relating to Assault With Intent to Commit Robbery. Introduced by Rep. Benson. Referred to the Committee on Judiciary.

HB 281 — An Act to Amend Chapter 118, Volume 33, Laws of Delaware, as Amended, Entitled "An Act Providing For A Fireman's Pension Fund For Members of the Bureau of Fire of the Department of Public Safety of the City of Wilmington" to Provide for an Increase in Pension Benefits. Introduced by Rep. Spence. Referred to the Committee on Revised Statutes.

HB 282 — An Act to Amend Chapter 113, Volume 32, Laws of Delaware, Entitled "An Act Providing for A Police Pension Fund: For Members of the Police Force of the City of Wilmington" to Provide for An Increase in Pension Benefits. Introduced by Rep. Spence. Referred to the Committee on Revised Statutes.

HB 283 — An Act to Amend Section 4332, Title 11, Delaware Code, Relating to Sentence Procedures of Children Fourteen Years of Age or Over Who Are Prosecuted As Adults Under 11 Delaware Code, Sections 2711, 2712, Or Any Other Provisions of the Delaware Law. Introduced by Rep. Burt. Referred to the Committee on Judiciary.

HB 284 — An Act to Amend Section 2711, Title 11, Delaware Code, Relating to Prosecution of Children As Adults and Sentencing of Such Children. Introduced by Rep. Burt. Referred to the Committee on Judiciary.

HB 285 — An Act to Amend Chapter 79, Title 3, Delaware Code, Affecting the Authority of the Delaware Society for the Prevention of Cruelty to Animals to Enforce Laws Related to Animals. Introduced by Rep. Dillman. Referred to the Committee on Natural Resources.

HB 286 — An Act to Increase the Rate of Interest for Delinquent Taxes Due the State Tax Department. Introduced by Rep. Billingsley. Referred to the Committee on Revenue and Taxation.

HA 1 to HB 199 — Introduced by Rep. Spence. Placed with bill.

SB 242 — An Act to Amend Title 14, Delaware Code, By Providing for Children With Learning Disabilities. Introduced by Senator Conner. Referred to the Committee on Education.

SB 295 — An Act to Amend Title 14, Delaware Code, By Giving to the State Board of Education Authority for Entering Into Interstate Agreements on Qualification of Educational Personnel and for Related Purposes. Introduced by Senator Hale. Referred to the Committee on Education.

On motion of Rep. Dodge the following was given a final reading and placed before the House for consideration:

SB 290 — An Act to Amend Chapter 441, Volume 56, Laws of Delaware, Relating to the Constitutional Revision Commission. Introduced by Senator Manning.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 36.

ABSENT — Burton, Gray, Stabler — 3.

SB 290 having received a constitutional majority was declared passed by the House.

On motion of Rep. Dodge the following was given a final reading and placed before the House for consideration:

HB 236 — An Act to Amend Section 706, Chapter 7, Title 18, Delaware Code, Relating to the Special Tax on Premiums of Insurance Companies Covering the Risk of Loss By Fire, the Collection of Said Tax, and the Distribution of Revenue Therefrom.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 36.

ABSENT — Burton, Gray, Stabler — 3.

HB 236 having received a three-fourths majority was declared passed by the House.

On motion of Rep. Kirk the following was given a final reading and placed before the House for consideration:

SB 245 — An Act to Amend Chapter 49, Title 10, Delaware Code, Relating to Notice of Public Sale of Real Estate. Introduced by Senator Isaacs.

Roll Call revealed:

YEAS — Berndt, Billingsley, Boulden, Burt, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Harrington, Heckert, Jarvis, Kirk, Little, McMahon, Mears, Moerschel, Murphy, Orth, Riddagh, Seibel, Spence, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 28.

NAYS — Benson, Goldfeder, Hearn, Leshner, Phillips, Quillen, Rawlins — 7.

NOT VOTING — Sebrell — 1.

ABSENT — Burton, Gray, Stabler — 3.

SB 245 having received a constitutional majority was declared passed by the House.

On motion of Rep. Sebrell the following was given a final reading and placed before the House for consideration:

HS 1 for HB 18 — An Act to Provide Supplementary Funds to the State Board of Education for Development of School Building Cost Standards.

The following letter from Dr. Kenneth C. Madden, State Superintendent, Department of Public Instruction, was read as follows:

April 24th, 1969

The Honorable Lorin B. Sebrell
House of Representatives
Legislative Hall
Dover, Delaware
Dear Representative Sebrell:

I wish to support House Bill No. 18, which would make a supplementary appropriation for study of standards of construction and of basic specifications for new school construction or additions which would take into consideration the different education requirements at the various grade levels. Some of the reasons for support of this bill would be as follows:

1. There has been no attempt to standardize school construction requirements and policies in terms of specific specifications for about fifteen (15) years. During this time, there have been many concepts developed in all phases of school construction. The proposed study would establish or revise the minimum standards for school buildings and sites which the State would require and support. It would be expected that these standards would be above average in materials and designs so that there would be no question that school buildings in Delaware would rank with the better school buildings of the nation.

2. At the present time, school construction funds are allocated to school districts on the basis of formula and square foot costs, however, there are no rigid specification standards with respect to such things as materials to be used. Example: copper tubing vs. galvanized pipe in plumbing, structural tile vs. concrete block with spray glaze, etc. In short, it would be hoped that this study would establish a firm base upon which architects would design and plan the buildings.

3. The study would also examine the wisdom of bidding the basic construction of a building under one major contractor or under four or five major contractors. At the present time, Delaware construction is awarded on the basis of one contractor to a general contractor, with sub-contractors in such major areas as mechanical, electrical and plumbing being within the broad general contract. The study should question the wisdom of this procedure and make recommendations relative to it.

4. Another phase of the study would be to provide a base for reimbursement for the costs of school construction to the local school districts. At the present time, a total

amount is estimated for a school district and set up within the budgeting procedures. However, a total amount is not specified in terms of the amount to be used for actual construction, the amount to be used for movable equipment, or an amount to be used for instructional supplies. This study should give consideration to this problem.

5. The problem of reasonable fees for architects, auditing and inspection should be studied also.

The amount of \$25,000 proposed for this bill comes as a result of proposals with the firm of McKee-Berger-Mansueto. They assure us that this appears to be a reasonable budget estimate. (See enclosures). Representatives from the McKee firm state that they would not be in a position to bid on such a proposal since they are professional consultants and as professionals, do not bid their services.

The question concerning the utilization of present standardized specifications emanating from the American Institute of Architects is a possibility, however, these specifications are now being used but do not serve Delaware adequately since they are very generalized and broadly based. It would be the hope of this study that specific Delaware needs and Delaware standards would be considered within the broad framework of standards proposed by the A.I.A.

Very truly yours,
Kenneth C. Madden
State Superintendent

KCM:sg
Enclosures

Roll Call revealed:

YEAS — Burton, Heckert, Jarvis, Quillen, Riddagh, Seibell, Seibel, Unruh, Zimmerman — 9.

NAYS — Berndt, Boulden, Butcher, duPont, Fonville, Frederick, Goldfeder, Harrington, Hearn, Kirk, Leshner, Little, McMahon, Moerschel, Murphy, Orth, Phillips, Rawlins, Spence, Stansky, Wright, Mr. Speaker Hering — 22.

NOT VOTING — Benson, Burt, Dillman, Dodge, Gray, Mears — 6.

ABSENT — Billingsley, Stabler — 2.

HS 1 for HB 18 not having received a constitutional majority was declared lost.

On motion of Rep. Kirk the following was given a final reading and placed before the House for consideration:

HB 184 with HA 1 — An Act to Exempt Busses Operated On A Non-Profit Basis By Religious Organizations From Motor Vehicle Registration Fees.

HA 1 — Introduced by Rep. Kirk. Adopted by voice vote.

Communication from Mr. Russell W. Whitby, Motor Vehicle Commissioner read as follows:

May 13, 1969

Representative Joseph R. Murphy
Legislative Hall
Dover, Delaware

Dear Representative Murphy:

Pertaining to House Bill 184, I have no objections to this Bill and it might be well if legislation could be enacted to allow Buses Operated by non-profit organizations to be exempt or a lessor fee charged.

If you feel this is good legislation, I also will support this House Bill.

Very truly yours,
Russell W. Whitby
Motor Vehicle Department

RWW:cdf

Roll Call revealed:

YEAS — Berndt, Boulden, Butcher, Frederick, Harrington, Kirk, McMahon, Murphy, Orth, Spence, Stansky, Wright — 12.

NAYS — Benson, Billingsley, Burt, Burton, Dillman, Dodge, duPont, Goldfeder, Heckert, Leshner, Little, Mears, Phillips, Quillen, Rawlins, Riddagh, Seibel, Unruh — 18.

NOT VOTING — Fonville, Gray, Hearn, Jarvis, Moerschel, Riddagh, Zimmerman, Mr. Speaker Hering — 8.

ABSENT — Stabler — 1.

HB 184 with **HA 1** not having received a constitutional majority was declared lost.

On motion of Rep. Jarvis the following was given a final reading and placed before the House for consideration:

HB 247 — An Act to Amend Section 1904, Chapter 19, Title 30, Delaware Code, to Increase Rate of Interest on Tax Due on Corporation Income Tax Returns for Which Extension of Time for Filing is Granted.

Roll Call revealed:

YEAS — Benson, Berndt, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Seibrell, Seibel, Spence, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 37.

ABSENT — Billingsley, Stabler — 2.

HB 247 having received a constitutional majority was declared passed by the House.

On motion of Rep. Jarvis the following was given a final reading and placed before the House for consideration:

HB 246 — An Act to Amend Section 1183, Subchapter VI, Chapter 11, Title 30, Delaware Code, To Increase Rate of Interest on Income Tax Refunds.

Roll Call revealed:

YEAS — Benson, Berndt, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Seibell, Seibel, Spence, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 37.

ABSENT — Billingsley, Stabler — 2.

HB 246 having received a constitutional majority was declared passed by the House.

Committee Reports: Highways and Public Safety: **HB 179**, 2 favorable, 4 on merits; **HB 208**, 3 favorable, 3 on merits; **SB 169**, 4 favorable, 2 on merits; **SB 173**, 1 favorable, 5 on merits.

The following amendments were introduced:

HA 2 to **HB 187** — Introduced by Rep. Zimmerman. Placed with bill.

HA 2 to **HB 207** — Introduced by Rep. Benson. Placed with bill.

House adjourned at 3:22 P.M.

40TH LEGISLATIVE DAY

The Speaker called the House to order at 1:43 P.M., on Wednesday, June 4, 1969.

Prayer by the Chaplain Reverend John Irwin, of Selbyville.

The Speaker led those present in a Salute of the Flag.

Roll Call revealed 39 members present, none absent.

Minutes of the previous legislative day were approved as posted.

The Senate informed the House it had passed **HB 122** with **HA 1** and returned same to the House.

Committee Reports: Government Operations: **SJR 8**, 4 favorable; Commerce & Labor: **SB 209**, 3 favorable, 2 on merits; **SB 266**, 5 favorable; Natural Resources: **HB 269**, 1 favorable, 4 on merits; Judiciary: **SB 225**, 4 favorable; **HB 283**, 2 favorable, 2 on merits; **HB 284**, 2 favorable, 2 on merits; **HB 279**, 4 favorable; **HB 280**, 4 favorable; **HS 1** for **HB 148**, 3 favorable, 1 on merits; **HB 250**, 1 favorable, 3 on merits; **HB 218** with **HA 1**, 4 favorable; **HB 199** with **HA 1**, 3 favorable, 1 on merits.

The following were introduced:

HB 287 — An Act Proposing An Amendment to Article III, Section 5 of the Constitution of the State of Delaware,

Relating to the Terms of Office That May Be Served By A Governor. Introduced by Reps. Zimmerman and Phillips. Referred to the Committee on Government Operations.

HA 1 to HB 47 — Introduced by Rep. Dodge. Placed with bill.

HR 42 — Relating to the Introduction of Legislation. Introduced by Rep. Stabler.

Roll Call revealed:

YEAS — Benson, Berndt, Burt, Burton, Dillman, Dodge, duPont, Frederick, Gray, Heckert, Jarvis, Kirk, Leshner, Little, Moerschel, Quillen, Riddagh, Seibell, Spence, Stabler, Unruh, Mr. Speaker Hering — 23.

NAYS — Boulden, Butcher, Fonville, Goldfeder, Harrington, Hearn, McMahon, Mears, Orth, Phillips, Rawlins, Stansky, Zimmerman, Mr. Speaker Hering — 14.

ABSENT — Billingsley, Murphy — 2.

HR 42 having received a majority was declared adopted.

On motion of Rep. Dodge the following was given a final reading and placed before the House for consideration:

HB 47 — An Act to Amend Section 1931, Subchapter II, Title 14, Delaware Code, Relating to the Requirements for the Issuance of A Placement Permit to Mobile Home Park Operator and the Requirements Which Must Be Met Before Such Placement Permit Shall Be Issued; Penalties for Violation Thereof.

HA 1 to HB 47 — Introduced by Rep. Dodge. Adopted by voice vote.

At the request of Rep. Stansky, **HB 47** with **HA 1** was deferred until the next legislative day.

On motion of Rep. Quillen the following was given a final reading and placed before the House for consideration:

SB 235 — An Act to Amend Chapter 9, Title 7, Delaware Code, Permitting the Use of Spearguns and Spears for Fishing in the Delaware River and Bay. Introduced by Senator Hale.

Roll Call revealed:

YEAS — Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Jarvis, Leshner, Little, McMahon, Mears, Quillen, Rawlins, Seibell, Stabler, Stansky, Wright, Zimmerman, Mr. Speaker Hering — 25.

NAYS — Goldfeder, Harrington, Hearn, Kirk, Moerschel, Orth, Riddagh, Spence, Unruh — 9.

NOT VOTING — Heckert, Phillips — 2.

ABSENT — Benson, Gray, Murphy — 3.

SB 235 having received a constitutional majority was declared passed by the House.

On motion of Rep. Burt the following was given a final reading and placed before the House for consideration:

HB 189 — An Act Relating to the Prosecution of Children As Adults.

Roll Call revealed:

YEAS — Berndt, Billingsley, Boulden, Burt, Burton, Dillman, Dodge, duPont, Frederick, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, Moerschel, Quillen, Riddagh, Sebrell, Seibel, Spence, Stabler, Unruh, Mr. Speaker Hering — 25.

NAYS — McMahon, Mears, Orth, Phillips, Rawlins — 5.

NOT VOTING — Butcher, Fonville, Goldfeder, Stansky, Wright, Zimmerman — 6.

ABSENT — Benson, Gray, Murphy — 3.

HB 189 having received a constitutional majority was declared passed by the House.

On motion of Rep. duPont the following was given a final reading and placed before the House for consideration:

HB 238 — An Act to Amend Chapter 11, Title 19, Delaware Code, Relating to Wage Payment and Collection.

Roll Call revealed:

YEAS — Berndt, Billingsley, Boulden, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 36.

ABSENT — Benson, Burt, Murphy — 3.

HB 238 having received a constitutional majority was declared passed by the House.

On motion of Rep. Gray the following was given a final reading and placed before the House for consideration:

HB 12 — An Act to Amend §704 (f) Title 7, Delaware Code, Relating to the Use of Dogs for Hunting Deer in Sussex County.

HA 2 to HB 12 — Introduced by Rep. Sebrell.

Privilege of the floor was granted Dr. Jay Harmic, Assistant Director of the Game and Fish Commission to explain the bill and amendment.

Mr. Gray Moved to table **HA 2 to HB 12**.

Roll Call on the motion revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Burton, Butcher, Dillman, Dodge, Frederick, Gray, Harrington, Kirk, Little, McMahon, Mears, Orth, Phillips, Quillen, Rawlins, Riddagh, Spence, Unruh, Wright — 23.

NAYS — Heckert, Leshner, Moerschel, Sebrell — 4.

NOT VOTING — Boulden, duPont, Fonville, Goldfeder, Hearn, Seibel, Stabler, Stansky, Zimmerman, Mr. Speaker Hering — 10.

ABSENT — Jarvis, Murphy — 2.

HA 2 to **HB 12** was declared tabled.

Rep. Sebrell moved to defer **HB 12** until another amendment could be prepared.

Roll Call on motion revealed:

YEAS — Berndt, Goldfeder, Hearn, Sebrell — 4.

NAYS — Benson, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, Frederick, Gray, Harrington, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Seibel, Spence, Stabler, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 32.

NOT VOTING — duPont, Fonville, Stansky — 3.

Motion to defer **HB 12** was declared lost.

Rep. Sebrell moved to recommit **HB 12**.

Roll Call on the motion revealed:

YEAS — Benson, Berndt, Boulden, duPont, Hearn, Heckert, Sebrell, Zimmerman — 8.

NAYS — Billingsley, Burt, Burton, Butcher, Dodge, Fonville, Frederick, Gray, Harrington, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Phillips, Quillen, Rawlins, Riddagh, Seibel, Spence, Stabler, Unruh, Wright, Mr. Speaker Hering — 27.

NOT VOTING — Dillman, Goldfeder, Stansky — 3.

ABSENT — Orth — 1.

Motion to recommit having failed **HB 12** was now before the House for consideration.

Roll Call revealed:

YEAS — Boulden, Burt, Burton, Butcher, Dillman, Dodge, Fonville, Gray, Harrington, Jarvis, Kirk, Little, McMahon, Murphy, Orth, Phillips, Quillen, Riddagh, Wright, Zimmerman — 20.

NAYS — Benson, Berndt, Billingsley, duPont, Frederick, Goldfeder, Hearn, Heckert, Leshner, Mears, Moerschel, Rawlins, Sebrell, Seibel, Spence, Unruh, Mr. Speaker Hering — 17.

NOT VOTING — Stabler, Stansky — 2.

HB 12 having received a constitutional majority was declared passed by the House.

On motion of Rep. Murphy the following was given a final reading and placed before the House for consideration:

SB 169 — An Act to Amend Title 21, Section 4103 (b), Relating to Obedience to Police Officers. Introduced by Senator Cicione.

Roll Call revealed:

YEAS — Benson, Berndt, Boulden, Burt, Dillman, Dodge, duPont, Fonville, Frederick, Gray, Harrington, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Moerschel, Murphy, Orth, Phillips, Quillen, Riddagh, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Mr. Speaker Hering — 30.

NAYS — Goldfeder, Rawlins — 2.

NOT VOTING — Billingsley, Butcher, Hearn, Mears, Sebrell, Zimmerman — 6.

ABSENT — Burton — 1.

SB 169 having received a constitutional majority was declared passed by the House.

On motion of Rep. Murphy the following was given a final reading and placed before the House for consideration:

SB 173 — An Act to Amend Chapter 27, Section 2709, Title 21, Delaware Code, Relating to Application For Drivers License, By Imposing Fee of Four Dollars. Introduced by Senator Isaacs.

Roll Call revealed:

YEAS — Frederick, Kirk, Murphy, Quillen, Riddagh, Spence, Unruh, Mr. Speaker Hering — 8.

NAYS — Benson, Boulden, Butcher, Harrington, Hearn, Leshner, McMahon, Mears, Orth, Phillips, Rawlins, Sebrell, Stansky, Wright, Zimmerman — 15.

NOT VOTING — Berndt, Billingsley, Burt, Burton, Dillman, Dodge, duPont, Fonville, Goldfeder, Heckert, Jarvis, Little, Moerschel, Seibel, Stabler — 15.

ABSENT — Gray — 1.

SB 173 not having received a constitutional majority was declared lost.

On motion of Rep. Quillen the following was given a final reading and placed before the House for consideration:

HB 179 — An Act to Provide for the Collection of County Taxes by the Suspension of An Individual's Motor Vehicle Operator's License.

At the request of Rep. Quillen roll call on **HB 179** was tabled.

Committee Reports: Government Operations: **HB 268**, 1 favorable, 4 on merits; Commerce and Labor: **HB 270**, 3 favorable, 2 on merits.

House recessed at 3:30 P.M. reconvened at 4:13 P.M.

Committee Reports: Health and Welfare: **HB 178**, 4 on merits, 1 unfavorable; Elections: **HJR 8**, 4 on merits; Revised Statutes: **HB 281**, 1 favorable, 5 on merits; Financial Institutions: **SB 255**, 4 favorable, 1 on merits; **SB 256**, 4 favorable, 1 on merits.

The following prefiled bills and amendments were introduced:

HB 288 — An Act Proposing An Amendment to the Constitution of the State of Delaware, Relating to the Time and Frequency of Sessions and Providing Termination Dates. Introduced by Rep. Hering. Referred to the Committee on House Administration.

HB 289 — An Act to Amend Title 11, Delaware Code, to Add A New Chapter 84 to Provide Mandatory Training and Education for Police Officers of Municipalities and Other Governmental Units of the State of Delaware and Establishing the Delaware Police Training Commission. Introduced by Rep. Spence. Referred to the Committee on Highways and Public Safety.

HB 290 — An Act to Amend Chapter 1, Title 8, Delaware Code, Entitled "General Corporation Law", By Making Certain Changes in Section 243. Introduced by Rep. duPont. Referred to the Committee on Commerce and Labor.

HB 291 — An Act to Amend Title 22, Delaware Code, Relating to Parking Authorities. Introduced by Rep. Hearn. Referred to the Committee on Government Operations.

HB 292 — An Act Making A Supplementary Appropriation to the Chief Justice of the State of Delaware for Additional Salaries for Deputy Clerks of the Justice of the Peace Courts. Introduced by Rep. Spence. Referred to the Committee on Appropriations.

HB 293 — An Act to Amend Chapter 95, Title 10, Delaware Code, to Permit the Deputy Administrator to Determine Whether Any Justice of the Peace Court Shall Hear Criminal Actions, Civil Actions, or Both. Introduced by Rep. Spence. Referred to the Committee on Judiciary.

HB 294 — An Act to Amend Chapter 92, Section 9203, Title 10, Delaware Code, As Amended to Increase the Number of Justices of the Peace in New Castle County. Introduced by Rep. Spence. Referred to the Committee on Judiciary.

HA 1 to HB 270 — Introduced by Rep. duPont. Placed with bill.

HA 1 to HB 249 — Introduced by Rep. duPont. Placed with bill.

HA 1 to SB 193 — Introduced by Rep. Murphy. Placed with bill.

HA 1 to SB 197 — Introduced by Rep. Murphy. Placed with bill.

Committee Reports: Appropriations: **SB 223**, 1 favorable, 5 on merits; **SB 186** (also to Education Committee) 1 favorable, 4 on merits; **SB 281**, 1 favorable, 4 on merits.

House recessed to call of the chair at 4:25 P.M.

The Speaker called the House to order at 2:26 P.M. Mr. Stabler moved to adjourn thereby ending the 40th Legislative Day.

41ST LEGISLATIVE DAY

The House convened at 2:27 P.M., on Thursday, June 5, 1969.

Prayer by the Chaplain Reverend John Irwin, Selbyville.

The Speaker led those present in a Salute of the Flag.

Roll Call revealed 39 memzers present, none absent.

The Senate informed the House it had passed **SB 301** and **SS 1** for **SB 93** and requested concurrence of the House.

Communications:

Rep. Quillen presented the following statement:

May 26, 1969

ON TEACHING HUMAN REPRODUCTION

John R. Stenger

A Teacher of Biology

As a member of the National Science Teachers Association I would like to present what has become the official stand of that organization on the subject of the biology of human reproduction as taught in schools. A public release of the organization's position appeared in it's journal *The Science Teacher* last Fall. I want to outline the statement policy as issued by the NSTA for the benefit of those concerned with legislation or educational matters, school board members, administrators and teachers. At a time when legislation has been proposed which would in effect restrain biology teachers who are presently modernizing their courses to include more human biology as it relates to reproduction of our species, the following statement from an association of science teachers should serve a purpose.

"We are concerned primarily with the biological aspects of human reproduction, which are most often clearly distinct from social or moral issues. Without intending to prescribe or limit, we identify the following topics as being properly part of the biological subject-matter of human reproduction.

- Genetic and endocrine foundations of sexuality
- Anatomy and physiology of male and female reproductive systems
- Nature and development of secondary sex characteristics
- Puberty, menopause, and other sex-related phenomena of the life cycle
- Sperm and egg maturation, including menstrual cycles

- Mating, fertilization, and the events of pregnancy
- Developments of embryo and fetus, including polyembryony
- Birth, lactation, and postnatal development
- Relation of reproduction to population biology and the ecology of man
- Reproductive hygiene and the principal reproductive diseases"

"We regard instruction in the biology of human reproduction to be essential in the education of every person and to represent a legitimate component of any teaching program in the life sciences. We hold that education in this field is feasible at the earliest grade or age level."

"The appropriately qualified teacher is trained to provide instruction in the biology of human reproduction. Therefore he should be free from external restrictions, implied or expressed, that cannot be justified on strictly biological or scientific grounds. We strongly support and encourage all efforts, including particularly those of school boards and school administrators, that aid and facilitate this free exercise of the teacher's educational function."

You may be interested to know the results of a survey of parents of my own biology students. Over 95% of the parents of 95 ninth grade biology students from four classes signed permission slips for their children to see the State Department of Public Instruction film titled HUMAN REPRODUCTION.

After the students viewed the film 95% said the film was "worth seeing." 96% said they "recommend the film to other teenagers." 92% said the film should have been viewed by their class. 79% felt the film was appropriate to be seen at a grade level range between the sixth and ninth grades. Only 73% felt that the film answered the "types of questions that they wanted answered". The students were asked to write the questions they thought should have been discussed in the film on the back of a 4 x 5 card. It is anticipated that these questions will be submitted to a panel of physicians, ministers, teachers counselors, phys. ed. teachers etc. and their responses to those questions printed and returned to the students in booklet form. It was interesting to note that those questions covered nearly all the topics outlined above by the NATIONAL SCIENCE TEACHERS ASSOCIATION.

Legislative Advisory No. 17.

June 5, 1969

TO: Sen. Everette Hale, Sen. Thomas E. Hickman, Jr., Sen. Allen J. Cook, Sen. Reynolds duPont, Rep. John G. S. Billingsley, Rep. George T. Hering, III, Rep. Herbert A.

Leshner, Rep. Clarice U. Heckert, Rep. Jacob W. Zimmerman, Thomas B. Evans, Dr. Kenneth C. Madden, Dr. F. J. Furgele, William C. Torbert, Dr. Harold C. Brown, Eugene Bunting, Sec. of State, Richard H. Caldwell, Asst. Sec. of State, Daniel Ross, Treasurer, George W. Cripps, Auditor, Joseph T. Cashman, Budget Dir., Christopher L. Perry, Daniel Enterline, Gerald Sapienza, Mrs. Arva Jackson, Clerk of the House, Secretary of the Senate, Legislative Reference Bureau, Clifton Morris, Mayor Martin T. Wiegand.

FROM: F. L. Peter Stone, Counsel to the Governor.

On the indicated date the Governor approved the following legislation:

SB 276 — 5-28-69 - authorizing bond funds (\$192,000) for the construction of a dormitory for the Margaret S. Sterck School for the Hearing Impaired.

SS 1 for SB 109 — 5-29-69 - amending the town charter for Bethany Beach permitting expenditure of up to \$20,000 and grants of other powers.

SB 147 — 5-28-69 - relating to prior sewer districts, method of assessment for new districts and payments of sewer district bonds in Kent County.

SB 149 — 5-29-69 - creating an expansion of the duties and powers of the Delaware State Development Department.

SB 238 as amended by **SA 1** — 5-29-69 - adding all members and employees of the Legislative Council to the list of employees excluded from the merit system.

SB 296 — 5-29-69 - increases from 8-1/2% to 9-1/2% the commissions authorized by the Delaware Racing Commission.

HS 1 for HB 62 — 5-29-69 - reduces the minimum required age for sending children to school from 6 to 7 unless best interest of child affected and requires attendance in school district of parents unless excepted.

HB 135 as amended by **HA 1** and **HA 2** — 5-29-69 - deals with amending various portions of the Educational Advancement Act.

HB 146 — 5-29-69 - liberalizes the basic criteria for obtaining Division III funds under the Educational Advancement Act and changes the date of calculation of property from September 30 to July 1.

HB 160 — 5-29-69 - adds interest of 3-1/2% to pension refund received by certain state employees or their estate.

HB 177 as amended by **HA 1** — 5-29-69 - supplemental appropriation of \$5,000 for the Governor's Summer Fellows Program.

HB 198 — 5-29-69 - permits the amendment of the certificate of necessity (from 20 rooms to 14) in the Claymont School District.

HB 241 — 5-29-69 - provides for the supplemental appropriation of \$250,000 to the Social Security Contribution Fund for social security payments.

Committee Report: Commerce and Labor: **HB 290**, 4 favorable.

The following prefiled bills were introduced:

HB 295 — An Act to Amend Chapter 29, Title 7, Delaware Code, Relating to the State Forestry Department by Providing for the Power of Arrest and Providing for Criminal Penalties for Violating State Forest Public Use Rules Adopted By the State Forestry Commission. Introduced by Rep. Quillen. Referred to the Committee on Natural Resources.

HA 2 to **HB 47** — Introduced by Rep. Dodge. Placed with bill.

SS 1 for **SB 93** — An 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 and 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 Senators Foltz and Holloway. Referred to the Committee on Revised Statutes.

SB 116 with **SA 1 & 2** — An Act to Amend Chapter 1, Title 26, Delaware Code, Relating to the Public Service Commission, By Requiring A Certificate of Public Convenience and Necessity Before An Electric Utility Corporation May Begin the Acquisition of Right-of-Way For An Electric Transmission Line, Providing For A Public Hearing With Respect Thereto, Authorizin gCondemnation For the Acquisition of Such Rights-of-Way By An Electric Utility Corporation Issued A Certificate of Public Convenience and Necessity Therefor, and Providing the Procedure for the Determination of Just Compensation In Such Cases. Introduced by Senator Steele. Referred to the Committee on Commerce and Labor.

SB 301 — An Act to Amend Sections 2108(a) and 2112 (b) of Title 5 of the Delaware Code to Permit Mutual Savings Banks to Make Loans in Excess of \$500 Under the Provisions of the Small Loans Act (Chapter 21 of Title 5, of the Delaware Code) and to Amend Section 909(a), (a) (1), (a) (2), and (c) of Title 5 of the Delaware Code to Subject Mutual

Savings Banks to the Same General Loan Limitations As Are Applicable to Other Banking Institutions. Introduced by Senators Foltz and Holloway. Referred to the Committee on Financial Institutions.

Rep. Berndt moved to reconsider **SB 173**. Motion carried. Rep. Berndt moved that **SB 173** be recommitted. Motion carried. **SB 173** was re-assigned to Highways and Public Safety Committee.

On motion of Rep. Dodge the following was given a final reading and placed before the House for consideration:

HB 47 — An Act to Amend Section 1931, Subchapter II, Title 14, Delaware Code, Relating to the Requirements for the Issuance of A Placement Permit to Mobile Home Park Operator and the Requirements Which Must Be Met Before Such Placement Permit Shall Be Issued; Penalties for Violation Thereof.

Rep. Dodge moved that **HB 47** with **HA 1** and **2** be deferred.

On motion of Rep. Leshner the following was given a final reading and placed before the House for consideration:

HB 187 with **HA 1** & **HA 2** — An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1970.

Remarks by Rep. Leshner as follows:

REMARKS RELATING TO HB 187

This Budget Bill lists the appropriations to all the agencies providing services to the people of Delaware as well as the funds needed for the administration of the State government itself. A summary of factors pertaining to the budget follows:

The services provided to the people of Delaware are rendered by

- (a) over 9000 public school employees;
- (b) over 6000 general employees classified under the Merit System; and
- (c) over 700 employees of the courts, police, and others not under the Merit System.

More than \$102,000,00 or 52% of the budget goes to pay the salaries of employees of the State. Other major categories of the budget appropriation are:

		%
Debt Service	\$36,049,400	18.3
Contractual Services	12,397,200	6.3
Special items	9,196,400	4.7
Pensions	8,482,300	4.3
Contingencies	6,477,000	3.3
University of Delaware (non-salary)	5,880,000	3.0
Supplies and Materials	5,544,100	2.8
Capital Outlay	2,320,000	1.2

Personal Services	780,700	0.4
Travel	378,100	0.2

It may be of interest to look at the budget in terms of the program supported. Those which come to mind are:

Public Education	72,600,000	37.
Debt Service	36,049,400	18.3
Health Services	26,900,000	13.7
Higher Education	16,800,000	8.5
Highways and Police	16,300,000	8.3
Rehabilitation	3,900,000	2.0
Judicial and Legal	3,300,000	1.7
Cultural and Recreation	1,070,000	0.6

Let's look at the budget from another point of view. There is a fixed cost in operating the government of the State of Delaware that carries over from year to year. This fixed cost, commonly described as mandated expenses, makes up a sizeable portion of this budget. The Joint Finance Committee or even this Legislature has little option in these areas. Items found in this category are the expenses that are prescribed by existing Delaware laws, such as salaries of the Governor, the other elected officials, including the members of the General Assembly, the Judges of the various courts of the State, and the staffing and operation of the entire public school system according to the unit formula based on the number of children that show up for school each September.

Concerning debt, the General Assembly has pledged the "Integrity and Faith" of the citizens of Delaware to the repayment of bonds and interest applicable to building schools, highways and other public facilities dating backward as much as 20 years. These obligations take precedence over all other commitments.

The State of Delaware also has very specific obligations to pay its pensioners. As an employer, the State has a definite commitment to pay its share of Social Security taxes to the federal government.

These mandated expenses total approximately \$128,000,000 or 65% of the budget. The major items are:

		%
Education	\$68,000,000	34.4
Debt Service	36,000,000	18.3
Pensions and Social Security	10,000,000	5.1
Public Assistance, State share based on federal formula	7,400,000	3.8
Police	2,700,000	1.4
Municipal aid grants	2,000,000	1.0
Courts	1,600,000	0.8
Miscellaneous Code requirements	1,000,000-plus	0.5

Approximate total	128,000,000	65.
-------------------	-------------	-----

From these figures it is apparent that the variable factor over which judgment can be exercised applies to only 35% of the budget.

Let us now place the budget in perspective. In October 1968 each agency of the State prepared, according to custom, detailed estimates of the money needed to operate for next year starting July 1st.

When all the requests were added together, the agencies asked for \$220 million. This represented a \$46 million increase, or 26.4% gain over last year.

The budget proposed in HB 187 is the result of diligent efforts by the members of your Joint Finance Committee to meet the essential needs of the State of Delaware consistent with prudence and concern for the taxpayers who pay the bill.

HB 187 details appropriations to the agencies totalling \$197 million for a gain over last year of about 13%.

Since introduction of HB 187, the agencies and other interested parties have had a chance to look it over carefully. The chairman has received considerable correspondence and a number of visits from agency personnel concerning the appropriations that apply to them. Some have reiterated their need for dollar of their original request, and a few have even asked for more.

Some members of the General Assembly and personnel from a few of the agencies have pointed out minor corrections that should be made.

To this end a bill is now being prepared which will incorporate current thinking. This bill will be introduced in a few days.

This question has been presented to me: In view of known changes, why consider HB 187 now?

There are several good reasons, it seems to me:—

(1) The corrections affect only a few agencies and will involve less than 1% of the budget.

(2) There is precedence in making the corrections by a separate omnibus bill. The most recent was SB 196 used in the 1968 appropriation.

(3) The amendment route is not attractive from the preparation and stenographic point of view inasmuch as a change in one category in the heart of the bill involves agency totals, group totals, sub-totals and grand total.

(4) It would be comforting to most of the agencies to know where they stand on the bulk of their funds for next year. The sooner they know the better they can plan.

(5) Even at this late date, the chairman does not have in hand all of the information pertaining to a few areas where changes seem appropriate. For example, just yesterday re-

calculation of the Social Security obligation for next year indicates the estimate made last October was short by about \$450,000. In addition, the chairman has asked for a new calculation of pension requirements which indicate the October estimate was perhaps \$100,000 too low. Certainly the General Assembly will want the best current estimates before moving forward.

Herbert A. Leshner

Chairman, Joint Finance Committee

HA 1 — Introduced by Rep. Moerschel. Stricken on motion of Rep. Moerschel.

HA 2 — Introduced by Rep. Zimmerman. Mr. Leshner moved to table **HA 2** to **HB 187**. Roll Call on motion revealed:

YEAS — Benson, Berndt, Billingsley, Burton, Dillman, Dodge, duPont, Frederick, Gray, Heckert, Jarvis, Kirk, Leshner, Little, Moerschel, Murphy, Quillen, Riddagh, Sebrell, Seibel, Spence, Stabler, Mr. Speaker Hering — 23.

NAYS — Boulden, Butcher, Fonville, Goldfeder, Harrington, Hearn, McMahon, Mears, Orth, Phillips, Rawlins, Stansky, Wright, Zimmerman — 14.

ABSENT — Burt, Unruh — 2.

HA 2 to **HB 187** was declared tabled.

Roll call on **HB 187** revealed:

— YEAS — Benson, Berndt, Billingsley, Burton, Dillman, Dodge, duPont, Frederick, Gray, Heckert, Jarvis, Kirk, Leshner, Little, Moerschel, Murphy, Quillen, Riddagh, Sebrell, Seibel, Spence, Stabler, Mr. Speaker Hering — 23.

NAYS — Fonville, Goldfeder, Harrington, Hearn, McMahon, Mears, Orth, Phillips, Rawlins, Stansky, Wright, Zimmerman — 12.

NOT VOTING — Boulden, Butcher — 2.

ABSENT — Burt, Unruh — 2.

HB 187 having received a constitutional majority was declared passed by the House.

On motion of Rep. Murphy the following was given a final reading and placed before the House for consideration:

SB 231 — An Act to Amend Subchapter II, Chapter 27, Title 21, Section 2733 (c) Relating to the Penalty of O Non-Resident When Convicted While Driving During Suspension or Revocation. Introduced by Senator Isaacs.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 36.

NOT VOTING — Phillips — 1.

ABSENT — Burt, Jarvis — 2.

SB 231 having received a constitutional majority was declared passed by the House.

On motion of Rep. Murphy the following was given a final reading and placed before the House for consideration:

SB 232 — An Act to Amend Subchapter III, Chapter 27, Title 21, Section 2746, Relating to Driving During Suspension and Revocation of Driving Privileges and the Penalty Therefor. Introduced by Senator Isaacs.

On motion of Rep. Murphy, **SB 232** was deferred until more information could be acquired to determine how to mail suspensions and revocations regarding driving privileges.

On motion of Rep. Riddagh the following was given a final reading and placed before the House for consideration:

SJR 8 — Urging Senator John J. Williams to Run for Re-Election to the United States Senate in 1970. Introduced by Senator Grier.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Burton, Dillman, Dodge, duPont, Frederick, Gray, Hackert, Jarvis, Kirk, Leshner, Little, Moerschel, Murphy, Quillen, Riddagh, Seibell, Seibel, Spence, Stabler, Unruh, Mr. Speaker Hering — 24.

NAYS — Orth, Rawlins — 2.

NOT VOTING — Boulden, Butcher, Fonville, Goldfeder, Harrington, Hearn, McMahon, Mears, Phillips, Stansky, Wright, Zimmerman — 12.

ABSENT — Burt — 1.

SJR 8 having received a majority was declared adopted.

On motion of Rep. duPont the following was given a final reading and placed before the House for consideration:

SB 266 — An Act to Amend Chapter 1, Title 23, Delaware Code, Relating to Pilotage Rates, By Increasing the Rates for the Pilotage of Certain Vessels and Setting A Maximum As To Certain Others and Relating to Classes of Licenses of Pilots, By Increasing the Number of Classes, Changing the Draft Limitations, and Specifying Minimum Experience Requirements. Introduced by Senator Cook.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burton, Butcher, Dillman, Dodge, duPont, Frederick, Goldfeder, Gray, Harrington, Hearn, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Seibell, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 34.

NAYS — Heckert, Riddagh, Seibel — 3.

ABSENT — Burton, Fonville — 2.

SB 266 having received a constitutional majority was declared passed by the House.

House recessed at 3:53 P.M., reconvened at 4:30 P.M.

The following communication was presented by Rep. Zimmerman.

Kent County Teen Democrats

June 5, 1969

Dear Sir:

The Teen Democrats of Kent County are asking you to support the bill to lower Delaware voting age to nineteen. In the past few weeks you have acted upon measures allowing nineteen year olds more freedom than ever before. It is time now to allow us another privilege, for voting in a democratic society is a privilege, not a right.

We believe that the youth of this country are now more responsible than ever before. Those that accuse us of irresponsibility seem to disregard the fact that those dissidents are a mere minority of the youth in America. Since the advent of the 60's the youth have become more active in the political processes of our country. This fact has recently been recognized by both the President and the Governor in their attempts to include youth in the government.

The youth of America are searching, searching for a purpose, as have every generation before them, and as every generation will after them. This search reveals itself in protest. This protest must be, for protest and dissent, as compromise, is an essential element in all forms of government. Yet we want legitimate dissent, dissent in the ballot box, not on the college campus or in the streets.

We urge you to vote for this bill. It will make Delaware stronger; indeed, it will make our country stronger.

Sincerely,

Ken Ollweiler, President
Teen Democrats
Kent County

On motion of Rep. duPont the following was given a final reading and placed before the House for consideration:

SB 209 — An Act to Amend Chapter 87, Title 3, Delaware Code, Relating to Definitions As Used in the Meat and Poultry Products Inspection Act. Introduced by Senator Cicone.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth,

Phillips, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 38.

ABSENT — Quillen — 1.

SB 209 having received a constitutional majority was declared passed by the House.

On motion of Rep. Burt the following was given a final reading and placed before the House for consideration:

HB 283 — An Act to Amend Section 4332, Title 11, Delaware Code, Relating to Sentence Procedure of Children Fourteen Years of Age or Over Who Are Prosecuted As Adults Under 11 Delaware Code, Sections 2711, 2712, Or Any Other Provisions of the Delaware Law.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 38.

ABSENT — Quillen — 1.

HB 283 having received a constitutional majority was declared passed by the House.

On motion of Rep. Burt the following was given a final reading and placed before the House for consideration:

HB 284 — An Act to Amend Section 2711, Title 11, Delaware Code, Relating to Prosecution of Children As Adults and Sentencing of Such Children.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 38.

ABSENT — Quillen — 1.

HB 284 having received a constitutional majority was declared passed by the House.

On motion of Rep. Burt the following was given a final reading and placed before the House for consideration:

SB 225 — An Act to Amend Section 21, Title 12, Delaware Code, Relating to Notice to Creditors of Decedent's Estates to Probate Claims, and Publication Thereof. Introduced by Senator Steele.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 38.

ABSENT — Quillen — 1.

SB 225 having received a constitutional majority was declared passed by the House.

On motion of Rep. Unruh the following was given a final reading and placed before the House for consideration:

HB 250 — An Act to Amend Chapters 93, 95 and 96, Title 10, Delaware Code, By Increasing the Jurisdiction of the Justices of the Peace in Civil Matters to \$1,500.00.

Mr. Unruh moved that the roll call on **HB 250** be tabled. Motion carried.

On motion of Rep. Benson the following was given a final reading and placed before the House for consideration:

HB 279 — An Act to Amend Section 811, Title 11, Delaware Code, Relating to Robbery.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Heckert, Kirk, Leshner, Little, McMahon, Moerschel, Orth, Phillips, Riddagh, Sebrell, Seibel, Spence, Stansky, Unruh, Zimmerman — 30.

Mr. Speaker Hering — 6.

NOT VOTING — Hearn, Mears, Rawlins, Stabler, Wright, Mr. Speaker Hering — 6.

ABSENT — Jarvis, Murphy, Quillen — 3.

HB 279 having received a constitutional majority was declared passed by the House.

On motion of Rep. Benson the following was given a final reading and placed before the House for consideration:

HB 280 — An Act to Amend Section 812, Title 11, Delaware Code, Relating to Assault With Intent to Commit Robbery.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Dillman, Dodge, Fonville, Frederick, Gray, Harrington, Jarvis, Kirk, Leshner, Little, McMahon, Moerschel, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stansky, Unruh, Zimmerman — 30.

NOT VOTING — Butcher, duPont, Goldfeder, Hearn, Mears, Wright, Mr. Speaker Hering — 7.

ABSENT — Murphy, Stabler — 2.

HB 280 having received a constitutional majority was declared passed by the House.

Committee Reports: Natural Resources: **SB 192**, 1 favorable, 5 on merits; Public Buildings and Lands: **HB 262**, 1 favorable, 5 on merits; Revenue and Taxation: **HB 286**, 2 favorable, 2 on merits.

The following prefiled bills were introduced:

HB 296 — An Act to Amend Titles 30, 28, 21 and 4 of the Delaware Code Accomplishing a General Revision of State Taxes By Increasing the Rates of Certain Taxes, Including Additional Subject Matter for Taxation, Including Certain Additional Persons or Operations Subject to Licensing Requirements and Taxation, and Providing for the Administration and Enforcement Thereof, By Augmenting and Amending in Title 30 Certain Provisions of Chapter 19 Relating to Corporation Income Taxes, Chapter 21 Relating to General Provisions, Chapter 23 Relating to Occupational Licenses, Chapter 25 Relating to Contractors' License Tax, Chapter 27 Relating to Manufacturers' License Tax, Chapter 29 Relating to Wholesalers and Retailers' License Tax, Chapter 30 Relating to Motor Vehicle Document, Handling and License Fees, Chapter 43 Relating to Personal Property Leasing Tax, and in Title 28 Certain Provisions Relating to Harness Racing, in Title 21 Provisions Relating to Motor Vehicle Registration, in Title 4 Provisions Relating to Alcoholic Beverages, and By Broadening Certain Criminal Violations Relating to Enforcement of Such Taxes. Introduced by Rep. Jarvis and Others. Referred to the Committee on Revenue and Taxation.

HA 2 to HB 218 — Introduced by Rep. Mears. Placed with bill.

HB 297 — An Act to Amend Chapter 71, Title 29, Delaware Code, Relating to Claims of State Officers and Employees, Excluding Members of Boards or Commissions, For Mileage For Use of Privately Owned Vehicles. Introduced by Rep. Moerschel. Referred to the Committee on Government Operations.

HB 298 — An Act to Amend Chapter 21 and Chapter 45 of Title 21, Delaware Code Relating to Permits for the Operation of Vehicles of Excessive Size and Weight and the Fees for Such Permits. Introduced by Rep. Zimmerman. Referred to the Committee on Highways and Public Safety.

House recessed to call of the chair at 5:13 P.M.

The Speaker called the House to order at 2:24 P.M. Mr. Stabler moved to adjourn thereby ending the 41st Legislative Day.

42ND LEGISLATIVE DAY

The House convened at 2:25 P.M., on Monday June 9, 1969.

Prayer by the Chaplain Reverend Charles E. Covington, Rehoboth.

The Speaker led those present in a Salute of the Flag.

Roll Call revealed 39 members present, none absent.

Communications: Rep. Little read a letter written to him regarding interest rates.

The Senate informed the House it had passed **SB 86**, **SB 87**, **SB 312**, **SB 317** and **SCR 14** and requested concurrence of the House.

Privilege of the floor was granted Mr. William McClafferty, President of the Wilmington City Council who spoke in favor of the surtax bill for the City of Wilmington.

Committee Reports: Judiciary: **HB 231**, 4 on merits; Health and Welfare: **HB 267**, 4 favorable, 1 on merits; Government Operations: **HB 297**, 1 favorable, 4 on merits; **SB 116**, 2 on merits, 3 unfavorable.

The following prefiled bills and amendments were introduced:

HB 299 — An Act to Amend Chapter 29, Title 14, Delaware Code, Imposing Duty on State Board of Education to Adopt Rules and Regulations Requiring Consideration of Pupil Travel Distance to School Consistent With Safety, As Condition to Expenditure of State Funds for Pupil Transportation. Introduced by Rep. Heckert and Others. Referred to the Committee on Education.

HA 1 to **SB 116** — Introduced by Rep. Quillen. Placed with bill.

HA 3 to **HB 218** — Introduced by Rep. duPont. Placed with bill.

HA 1 to **HB 268** — Introduced by Reps. Burton & Dodge. Placed with bill.

HA 1 to **HB 292** — Introduced by Rep. Boulden. Placed with bill.

SB 86 — An Act to Amend § 3701 (b), Title 18, Delaware Code, Relating to the Effective Date of the Delaware Insurance Code. Introduced by Senator Foltz. Referred to the Committee on Financial Institutions.

SB 87 — An Act to Amend § 1741 (b) (2), Title 18, Delaware Code, Relating to the Residence Qualifications for the Issuance of An Adjustor's License. Introduced by Senator Foltz. Referred to the Committee on Financial Institutions.

SB 312 — An Act to Amend Title 18, Chapter 29, Section 2933 (c), Delaware Code, Relating to Insurance By Providing for the Insulation Or Walling-Off of the Assets of Separate Accounts and Providing for the Minimal Valuation of Such Accounts. Introduced by Senator Foltz. Referred to the Committee on Financial Institutions.

SB 317 — An Act to Amend Chapter 62, Title 29, Delaware Code, Relating to Planning By Providing A New Subchapter to Create A Federal Reinsurance Facility Fund to Satisfy the State of Delawares' Obligations Pursuant to Part B, Title XII, of the National Housing Act and Making An Appropriation Therefor From the Capital Investment Fund. Introduced by Senator Foltz. Referred to the Committee on Financial Institutions.

SCR 14 — Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 125th General Assembly. Introduced by Senators Manning and Robbins. Adopted by voice vote.

On motion of Rep. duPont the following was given a final reading and placed before the House for consideration:

HB 270 with HA 1 — An Act to Amend Chapter 1 of Title 8 of the Delaware Code, Entitled "General Corporation Law", By Making Certain Changes in Sections 102, 103, 122, 126, 141, 144, 151, 153, 155, 212, 213, 214, 218, 224, 228, 229, 242, 251, 252, 253, 256, 258, 262, 271, 275, 311, 344, 371 and 379.

At the request of Rep. Zimmerman, Rep. duPont moved to defer **HB 270 with HA 1**. Motion carried.

On motion of Rep. Dodge the following was given a final reading and placed before the House for consideration:

HB 268 with HA 1 — An Act to Amend Chapter 69, Title 9, Delaware Code, By Amending Section 6907 (b) to Extend the Time the Interim Zoning Shall Be Effective for Sussex County.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Murphy, Orth, Phillips, Quillen, Rawlins, Ridgagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 37.

ABSENT — Boulden, Burt — 2.

HB 268 with HA 1 having received a constitutional majority was declared passed by the House.

On motion of Rep. Burton the following was given a final reading and placed before the House for consideration:

SB 99 — An Act to Amend Chapter 61, Title 21, Delaware Code, By Repealing § 6101 Thereof. Introduced by Senator Hart.

Privilege of the floor was granted Oliver V. Suddard, Esq., President of Delaware Trial Lawyers Association and Frank O'Donnell, Esq., representing a national association of insurance companies and answered questions regarding **SB 99**.

Roll Call revealed:

YEAS — Butcher, duPont, Fonville, Frederick, Goldfeder, Hearn, Jarvis, Kirk, McMahon, Moerschel, Orth, Seibel, Stabler — 13.

NAYS — Benson, Berndt, Billingsley, Burton, Dillman, Dodge, Gray, Harrington, Heckert, Leshner, Little, Mears, Murphy, Phillips, Quillen, Rawlins, Riddagh, Seibrell, Spence, Unruh — 20.

NOT VOTING — Burt, Stansky, Wright, Zimmerman, Mr. Speaker Hering — 5.

ABSENT — Boulden — 1.

SB 99 not having received a constitutional majority was declared lost.

On motion of Rep. Spence the following was given a final reading and placed before the House for consideration:

HB 199 with **HA 1** — An Act to Amend Title 10, Delaware Code, By Withdrawing Certain Jurisdiction Relating to Intoxicating Liquors From the Family Court of New Castle County.

HA 1 to **HB 199** — Introduced by Rep. Spence. Adopted by voice vote.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Burton, Dillman, Dodge, duPont, Frederick, Gray, Harrington, Heckert, Jarvis, Kirk, Leshner, Little, Mears, Moerschel, Murphy, Phillips, Quillen, Rawlins, Riddagh, Seibrell, Seibel, Spence, Stabler, Stansky, Unruh, Zimmerman, Mr. Speaker Hering — 31.

NAYS — Butcher, Goldfeder, McMahon, Orth — 4.

NOT VOTING — Fonville, Hearn, Wright — 3.

ABSENT — Boulden — 1.

HB 199 with **HA 1** having received a constitutional majority was declared passed by the House.

Committee Report: Revenue and Taxation: **HB 296**, 4 favorable.

House recessed to call of the chair at 4:25 P.M.

The Speaker called the House to order at 1:37 P.M. Mr. Stabler moved to adjourn thereby ending the 42nd Legislative Day.

43RD LEGISLATIVE DAY

The House convened at 1:38 P.M., on Tuesday, June 10, 1969.

Prayer by the Chaplain Reverend David B. Mulford, Georgetown.

The Speaker led those present in a Salute of the Flag.

Roll Call revealed 39 members present.

Absent: None.

Communications:

Rep. Riddagh requested the following letter addressed to him read as follows:

COORDINATING COMMITTEE FOR FAIR TAXATION
Smyrna, Delaware

June 10, 1969

Rep. Robert Riddagh
Lake Drive
Smyrna, Delaware 19977
Dear Rep. Riddagh:

Here you will find the results of our three-day program to bring to the people of the STATE OF DELAWARE the facts about the Governor's Mercantile Tax Bill.

These coupons, letters, and cards represent Delawareans from Sussex County, Kent County, City of Wilmington, and New Castle County. These are all taxpayers and concerned citizens.

We hope that today you will find it convenient to present these to the House of Representatives and accordingly have them noted on the minutes.

Because time is short and with the speed with which the legislature is about to act, we know that there are still thousands and thousands of letters in the mail destined to our office.

We sincerely thank you for your cooperation in helping in this effort to bring before our Representatives the wishes of the voters.

Sincerely,
P. Brooks Banta
Treasurer
COORDINATING COMMITTEE
FOR FAIR TAXATION

PBB:beb
Enclosures

Letter from Honorable Harry S. Truman read as follows:
June 4, 1969

Dear Mr. Wilgus:

I acknowledge with thanks and appreciation receipt of the Senate Resolution, of the State of Delaware, in which the House of Representatives joined in the Senate Resolution No. 10, on the occasion of my 85th birthday.

I have read with deep satisfaction the kind sentiments and generous comments contained in the Resolution, and wish to convey to each Member of both Houses my warm personal regards.

Sincerely,
Harry S. Truman

Honorable William F. Wilgus, Jr.
Secretary of the Senate
State of Delaware
Dover, Delaware

Letter to all Members of the House of Representatives
as follows:

June 9, 1969

To: Members of the House of Representatives

From: Delaware Concerned Students

Our country was founded upon dissent. Through the years we have learned to express this dissent in a non-violent form at the ballot box.

But today we are faced with the fact that a sizable proportion of the populous is denied the privilege of such dissent. We feel that society demand of us much maturity and responsibility. We feel that due to this greater social activity the youth of today has gained much insight and knowledge into world, national, and local affairs. In the classroom today we find a variety of topics being discussed, from racial ambiguities and Vietnam to selective service and urban problems, we feel that today's youth has received a unique understanding of these problems.

We feel that through the greater involvement of youth in governmental affairs, a more rapidly growing and moving society, and a better education the nineteen year old of today is as mature, informed, and knowledgable, if not more so, as the twenty-one year old of decades past. Why was it right for them to vote but it is not right for us?

Our society has no qualms about asking young people between the ages of nineteen and twenty-one to give their lives in the defense of this nation's policies. But this same society will not grant this sizable segment of the population the privilege of voting. Why?

People between the ages of nineteen and twenty-one are allowed to get married without the parent's consent, own an automobile, and sign contracts in Delaware. This same group of citizens is denied the right of suffrage. Why?

The Delaware Legislature now has pending an amendment which would enable persons between the ages of nineteen and twenty-one to vote. The Delaware Concerned Students emphatically recommends the passage of this amendment. It will help build a better Delaware: indeed, it will help build a better nation. Let us turn from a voice in the streets to a voice at the ballot box.

Ken Ollweiler

Executive Board

Delaware Concerned Students

Rep. Unruh moved to have the roll call on **HB 250** lifted from the table. Motion carried.

Roll Call revealed:

YEAS — Benson, Berndt, Boulden, Burt, Burton, Dodge, duPont, Gray, Harrington, Hearn, Heckert, Leshner, McMahon,

Moerschel, Orth, Riddagh, Sebrell, Spence, Stabler, Stansky, Unruh, Zimmerman — 22.

NAYS — Dillman, Fonville, Goldfeder — 3.

NOT VOTING — Billingsley, Butcher, Frederick, Jarvis, Kirk, Little, Mears, Murphy, Quillen, Rawlins, Seibel, Wright, Mr. Speaker Hering — 13.

ABSENT — Quillen — 1.

HB 250 having received a constitutional majority was declared passed by the House.

Senate informed the House it had passed **SB 82**, **SB 307** and **SB 310** and requested the concurrence of the House; also **HB 164** with **HA 2** and **HA 4**, **HB 246**, **HB 247** and **HB 237** and returned same to the House.

The following prefiled bills were introduced:

HB 300 — Relating to Unpaid Dues of the Department of Public Instruction. Introduced by Rep. Heckert. Referred to the Committee on Education.

HB 301 — An Act Making A Supplementary Appropriation for the Fiscal Year Beginning July 1, 1969, to the State Park Commission for the Construction of A Boat Launching Ramp at Fort Delaware State Park on Pea Patch Island. Introduced by Rep. Kirk. Referred to the Committee on Public Buildings and Lands.

HB 302 — An Act to Amend Subchapter II, Relating to District Libraries and Subchapter III, Relating to Borrowing Money, of Chapter 71, Entitled "Free Public Libraries" of Part IV, Title 14, Delaware Code, to Revise Delaware Law As To Free Public Libraries. Introduced by Rep. Sebrell. Referred to the Committee on Education.

HB 303 — An Act to Amend Section 342, Title 11, Delaware Code, to Increase the Penalties for Violation of Cruelty to Animal Laws. Introduced by Rep. Dillman. Referred to the Committee on Natural Resources.

HB 304 — An Act Relating to the Collection of Taxes Due the State Tax Department. Introduced by Rep. Billingsley. Referred to the Committee on Revenue and Taxation.

HB 305 — An Act Making A Supplementary Appropriation to the State Tax Department. Introduced by Rep. Billingsley. Referred to the Committee on Revenue and Taxation.

HB 306 — Relating to the Taxation of Revocable Trusts. Introduced by Rep. Billingsley. Referred to the Committee on Revenue and Taxation.

HB 307 — An Act to Amend An Act Being Chapter 166, Volume 37, Laws of Delaware, As Amended, Entitled "An Act to Reincorporate the Town of Selbyville" to Increase the Salaries of the Mayor and the Members of the Town Council.

Introduced by Rep. Gray. Referred to the Committee on Government Operations.

HB 308 — An Act to Amend Section 707, Title 17, Delaware Code, Relating to the Entrance Upon Private Lands By the State Highway Department. Introduced by Rep. Moerschel. Referred to the Committee on Highways and Public Safety.

HB 309 — An Act to Amend Chapter 13, Title 14, Delaware Code, Entitled "State Supported Salary Schedules for School Employees" to Re-entitle Said Chapter to Read "Salaries and Working Conditions of School Employees", and to Provide A Duty-Free Period for Grades 1 to 12 Inclusive School Teachers, and to Make A Supplementary Appropriation Therefor. Introduced by Rep. Heckert. Referred to the Committee on Education.

HR 43 — Appropriation for Postage Stamps for the House of Representatives of the 125th General Assembly. Introduced by Rep. Stabler. Adopted by voice vote.

HCR 10 — Providing For A Joint Committee to Investigate Pricing of Alcoholic Liquors in the State of Delaware and Making An Appropriation Therefor. Introduced by Rep. Billingsley. Referred to the Committee and Commerce and Labor.

SB 82 — An Act to Amend Section 3313 (b), Subchapter II, Chapter 33, Title 19, Delaware Code, Relating to Wages and Unemployment Benefits By Increasing the Amount of the Weekly Benefits. Introduced by Senator Slawik. Referred to the Committee on Commerce and Labor.

SB 307 — An Act to Amend Delaware Code, Title 14, Relative to Tuition Charges in Order to Place Computation and Payment of Tuition in the Same Fiscal Year. Introduced by Rep. Hale. Referred to the Committee on Education.

SB 310 — An Act to Amend Sections 4053 (5) and 4066 (b) (1), Subchapter VI, Chapter 40, Title 31, Delaware Code, Relating to the Powers of the Delaware State Housing Authority By Adding Certain Language to Permit the Authority to Rent Low Cost Housing. Introduced by Senator Elliott. Referred to the Committee on Revised Statutes.

On motion of Rep. Jarvis the following was given a final reading and placed before the House for consideration:

HB 296 — An Act to Amend Titles 30, 28, 21 and 4 of the Delaware Code Accomplishing A General Revision of State Business Taxes By Increasing the Rates of Certain Taxes, Including Additional Subject Matter for Taxation, Including Certain Additional Persons or Operations Subject to Licensing Requirements and Taxation, and Providing for the Administration and Enforcement Thereof, By Augmenting and Amending in Title 30 Certain Provisions of Chapter 19 Re-

lating to Corporation Income Taxes, Chapter 21 Relating to General Provisions, Chapter 23 Relating to Occupational Licenses, Chapter 25 Relating to Contractors' License Tax, Chapter 27 Relating to Manufacturers' License Tax, Chapter 29 Relating to Wholesalers and Retailers' License Tax, Chapter 30 Relating to Motor Vehicle Document, Handling and License Fees, Chapter 43 Relating to Personal Property Leasing Tax, and in Title 28 Certain Provisions Relating to Harness Racing, in Title 21 Provisions Relating to Motor Vehicle Registration, in Title 4 Provisions Relating to Alcoholic Beverages, and By Broadening Certain Criminal Violations Relating to Enforcement of Such Taxes.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Burton, Dillman, Dodge, duPont, Fonville, Frederick, Gray, Heckert, Jarvis, Kirk, Leshner, Little, Murphy, Quillen, Seibel, Spence, Stalber, Mr. Speaker Hering — 22.

NAYS — Boulden, Butcher, Goldfeder, Harrington, Hearn, McMahon, Mears, Moerschel, Orth, Phillips, Rawlins, Stansky, Unruh, Wright, Zimmerman — 15.

NOT VOTING — Riddagh, Sebrell — 2.

HB 296 having received a constitutional majority was declared passed by the House.

On motion of Rep. Spence the following was given a final reading and placed before the House for consideration:

HS 1 for HB 148 — An Act Conferring Upon Justices of the Peace Original Jurisdiction for Any Motor Vehicle Violation By A Child Over 16 Years of Age.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Gray, Harrington, Heckert, Jarvis, Kirk, Leshner, Little, Mears, Moerschel, Murphy, Phillips, Quillen, Riddagh, Sebrell, Seibel, Spence, Stalber, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 34.

NAYS — Goldfeder, McMahon — 2.

NOT VOTING — Hearn, Orth, Rawlins — 3.

HS 1 for HB 148 having received a two-thirds majority was declared passed by the House.

On motion of Rep. Heckert the following was given a final reading and placed before the House for consideration:

SB 186 — An Act to Amend Chapter 429, Volume 55, Laws of Delaware, Entitled "An Act Authorizing the State of Delaware to Borrow Money to be Used for Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes Therefor and Appropriating the Money Borrowed to Various Agencies of the

State" By Adding A Supplementary Appropriation to Provide for Escalating Costs of School Construction. Introduced by Senator Elliott.

Roll Call revealed:

YEAS — Berndt, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 36.

NAYS — Billingsley — 1.

NOT VOTING — Frederick — 1.

ABSENT — Benson — 1.

SB 186 having received a three-fourths majority was declared passed by the House.

On motion of Rep. Leshner the following was given a final reading and placed before the House for consideration:

SB 223 — An Act to Create A Pension Study Committee and to Make A Supplementary Appropriation Therefore. Introduced by Senator Steele.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Burton, Dillman, Dodge, duPont, Frederick, Gray, Heckert, Jarvis, Kirk, Leshner, Little, Moerschel, Murphy, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Unruh, Mr. Speaker Hering — 25.

NOT VOTING — Boulden, Butcher, Fonville, Goldfeder, Harrington, Hearn, McMahon, Mears, Orth, Stansky, Wright, Zimmerman — 12.

ABSENT — Phillips, Quillen — 2.

SB 223 having received a constitutional majority was declared passed by the House.

On motion of Rep. Leshner the following was given a final reading and placed before the House for consideration:

SB 281 — An Act to Amend Chapter 429, Volume 55, Laws of Delaware, Entitled "An Act Authorizing the State of Delaware to Borrow Money to Be Used for Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes Therefor and Appropriating \$42,639,992.00 to Various Agencies of the State". Introduced by Senator Steele.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Wright, Zimmerman, Mr. Speaker Hering — 38.

ABSENT — Unruh — 1.

SB 281 having received a three-fourths majority was declared passed by the House.

On motion of Rep. Quillen the following was given a final reading and placed before the House for consideration:

SB 192 with SA 1 & SA 2 — An Act to Amend Chapter 33, Title 24, Delaware Code, Relating to the Practice of Veterinary Medicine. Introduced by Senator Manning.

Roll Call revealed:

YEAS — Benson, Billingsley, Boulden, Burt, Burton, Dillman, Dodge, Fonville, Frederick, Gray, Harrington, Hearn, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 32.

NAYS — Berndt — 1.

NOT VOTING — Butcher, duPont, Goldfeder, Heckert, Jarvis, Sebrell — 6.

SB 192 with SA 1 and SA 2 having received a constitutional majority was declared passed by the House.

On motion of Rep. Quillen **HB 178** was stricken.

On motion of Rep. Moerschel the following was given a final reading and placed before the House for consideration:

HB 297 — An Act to Amend Chapter 71, Title 29, Delaware Code, Relating to Claims of State Officers and Employees, Excluding Members of Boards or Commissions, For Mileage for Use of Privately Owned Vehicles.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Dillman, Dodge, duPont, Fonville, Frederick, Gray, Harrington, Jarvis, Kirk, Leshner, Little, McMahon, Moerschel, Murphy, Orth, Quillen, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Zimmerman, Mr. Speaker Hering — 29.

NAYS — Rawlins — 1.

NOT VOTING — Boulden, Burton, Butcher, Goldfeder, Hearn, Heckert, Mears, Phillips, Wright — 9.

HB 297 having received a constitutional majority was declared passed by the House.

On motion of Rep. Stansky the following was given a final reading and placed before the House for consideration:

HB 231 — An Act to Amend Chapter 59, Title 11, Delaware Code to Enlarge the Jurisdiction of Justices of the Peace in New Castle County to Include Violations of Ordinances, Codes and Regulations of the Government of New Castle County.

Rep. Stansky moved the following letter be made a part of the Journal. Motion carried.

May 14, 1969

The Honorable Edward S. Stansky
Representative in Delaware
420 Delaware Street
New Castle, Delaware

Dear Representative Stansky:

We appreciate very much your interest in the proposed bill which would enable the Magistrates' Courts to take jurisdiction over matters involving enforcement of County codes which now must be brought before the Court of Common Pleas.

The procedures in that Court are more formal than in the Magistrates' system the Judges are still operating on a part-time basis; and the delays add up to a serious impediment to prompt enforcement of County regulations. There will be a saving in time, attorneys fees, and in the patience of the affected members of the public and the County officials involved if this legislation is adopted.

I am sending a copy of this letter to Representative Dillman who I understand is cosponsoring this bill and to Representative Little as chairman of the committee to which it is assigned. We will appreciate anything any of you can do on our behalf.

Cordially yours,
William J. Conner
County Executive
New Castle County

WJC/smp

CC: Representative Dillman
Representative Little

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 38.

NOT VOTING — Hearn — 1.

HB 231 having received a constitutional majority was declared passed by the House.

House recessed at 2:53 P.M., reconvened at 3:49 P.M.

The Senate informed the House it had passed **HB 237** and returned same to the House.

Committee Reports: Natural Resources: **HB 295**, 2 favorable, 4 on merits; Government Operations: **HB 291**, 1 favorable, 5 on merits; **HB 307**, 5 on merits; Revenue & Taxation: **HB 155**, 1 favorable, 5 on merits; **HB 304**, 2 favorable, 4 on

merits; **HB 306**, 2 favorable, 4 on merits; Education: **HB 138**, 1 favorable, 4 on merits; **HB 300**, 1 favorable, 4 on merits; **SB 295**, 4 on merits; House Administration: **HB 288**, 6 favorable; Appropriations: **HB 299**, 2 favorable, 2 on merits (also reported out of Education Committee) **HJR 3**, 2 favorable, 4 on merits; **SB 236**, 1 favorable, 5 on merits.

The following prefiled bills were introduced:

HS 1 for HB 218 — An Act to Amend Chapter 3, Title 11, Delaware Code, Relating to Ingress to and Egress From Public Buildings. Introduced by Rep. duPont. Referred to the Committee on Judiciary.

HB 310 — An Act to Amend Section 1178 (a), Title 10, Delaware Code, Relating to Authority of Family Court of Kent and Sussex Counties to Commit 16-To-18-Year-Old Juveniles to State Board of Corrections in Certain Cases. Introduced by Rep. Sebrell. Referred to the Committee on Judiciary.

HB 311 — An Act to Amend Chapter 60, Title 29, Delaware Code, Relating to the Classification and Compensation of Key Executives of the State Government. Introduced by Rep. Benson. Referred to the Committee on Revised Statutes.

HB 312 — An Act to Amend Title 31, Delaware Code, to Establish A Central Case Registry to Improve State Services to Individuals and Families in the Field of Health, Education and Welfare and to Provide A Supplemental Appropriation for the Operation Thereof. Introduced by Rep. Frederick. Referred to the Committee on Health and Welfare.

HB 313 — An Act Relating to Pension Benefits for Robert A. Saulsbury. Introduced by Rep. Quillen. Referred to the Committee on Appropriations.

HJR 9 — Relating to the Abolition of the Department of Public Welfare and Transfer of its Functions to Other State Agencies and Departments. Introduced by Rep. Quillen. Referred to the Committee on Health and Welfare.

HA 1 to HB 188 — Introduced by Rep. Burt. Placed with bill.

HA 1 to HB 216 — Introduced by Rep. Burt. Placed with bill.

SB 298 with SA 2 — An Act to Amend Chapter 92, Volume 23, Laws of Delaware, As Amended, Being An Act Entitled "An Act to Provide for the Organization and Control of the Public Schools of the City of Wilmington." Introduced by Senator Holloway. Referred to the Committee on Education.

SB 313 — An Act to Amend Section 6521, Title 11, Delaware Code By Placing the Employees of the Division of Field Services, Department of Corrections, Under the State Merit

System of Personnel Administration. Introduced by Senator Manning. Referred to the Committee on Government Operations.

On motion of Rep. Burt, **HB 244** and **HB 248** were stricken.

On motion of Rep. Jarvis, **HB 197** was stricken.

House recessed to call of the chair at 4:01 P.M.

The Speaker called the House to order at 2:25 P.M. Mr. Stabler moved to adjourn thereby ending the 43rd Legislative Day.

44TH LEGISLATIVE DAY

The House convened at 2:26 P.M., on Wednesday, June 11, 1969.

Prayer by the Chaplain Reverend David B. Mulford, Georgetown.

The Speaker led those present in a Salute of the Flag.

Roll call revealed 39 members present. Absent: None.

Announcements: Invitation to members of legislative staff to a cocktail-dinner party on June 17th, extended by the House Members.

Senate informed the House it had passed **SB 321**, **SB 320**, **SB 305** and requested the concurrence of the House; also, **HB 56**, **HB 58**, **HB 236**, **HB 209**, **HB 229**, **HB 93**, **HB 12** and **HB 170** with **HA 1** and **SA 1** and returned same to the House.

Committee Reports: Judiciary: **HB 277**, 1 favorable, 3 on merits; **HB 310**, 4 favorable; **HS 1** for **HB 218**, 4 favorable.

The following prefiled bills were introduced:

HB 314 — An Act to Amend Section 4703 (a), Chapter 47, Title 7, Delaware Code, By Adding Thereto A New Subparagraph Extending the Powers and Duties of the State Park Commission to Include the Leasing of Lands for Park and Recreational Purposes. Introduced by Rep. Frederick. Referred to the Committee on Public Buildings and Lands.

HB 315 — An Act to Increase the Interest Paid By the State Tax Department for Personal Income Tax Refunds and Corporate Income Tax Refunds. Introduced by Rep. Billingsley. Referred to the Committee on Revenue and Taxation.

HG 316 — An Act Making A Supplementary Appropriation for the Fiscal Year Beginning July 1, 1969, to the State Park Commission for the Construction of A Boat Launching Ramp in the Vicinity of Delaware City. Introduced by Rep. Kirk. Referred to the Committee on Public Buildings and Lands.

On motion of Rep. Kirk **HB 301** was stricken.

HB 317 — An Act to Amend Chapter 17, Title 18, Delaware Code, to Prohibit the Use of Mechanical Vending Machines in the Solicitation and Issuance of Travel Accident Insurance Policies. Introduced by Rep. Seibel. Referred to the Committee on Financial Institutions.

HB 318 — An Act to Amend Title 14, Delaware Code, Relating to Procedures for the Termination of Services and to Provide for Long-Term Contracts for Professional Employees. Introduced by Rep. Sebrell and Others. Referred to the Committee on Education.

HA 1 to HB 285 — Introduced by Rep. Dillman. Placed with bill.

HA 1 to HS 1 for HB 218 — Introduced by Rep. Mears. Placed with bill.

HB 170 with **HA 1** and **SA 1** — Rep. Sebrell moved for adoption of **SA 1 to HB 170** with **HA 1**. On further motion of Rep. Sebrell, roll call on the adoption of **SA 1** was tabled.

SB 305 — An Act to Amend Title 15, Delaware Code, Effecting A General Revision of the Election Laws of the State of Delaware By Amending Chapters 1, 3, 11, 13, 15, 17, 20, 21, 31, 41, 45, 47, 49, 50, 51, 55 and 71, Relating to the Departments of Election, State Election Commissioner, Voter Registration, and the Provisions Dealing With General Elections and Providing Criminal Penalties for Certain Election Offenses. Introduced by Senator Castle. Referred to the Committee on Elections.

SB 320 — An Act Appropriating Certain Moneys to Grace Pritchett, Widow of David Pritchett in the Death of Her Husband, While in the Performance of Official Duties in Line of Service of the State of Delaware. Introduced by Senator Cook. Referred to the Committee on Appropriations.

Committee Reports: Commerce and Labor: **HCR 10**, 3 favorable, 1 on merits; Highways and Public Safety: **HB 271**, 6 favorable.

Rep. Quillen motioned the roll call be lifted on **HB 179**. Motion carried.

Roll Call revealed:

YEAS — Benson, Boulden, Burton, Dodge, Gray, Harrington,, Heckert, Kirk, Little, McMahon, Moerschel, Murphy, Quillen, Riddagh, Sebrell, Seibel, Spence, Stansky, Unruh, Zimmerman — 20.

NAYS — Billingsley, Burt, Butcher, Dillman, duPont, Fonville, Goldfeder, Hearn, Jarvis, Leshner, Mears, Phillips, Rawlins, Wright, Mr. Speaker Hering — 15.

NOT VOTING — Berndt, Frederick, Stabler — 3.

ABSENT — Orth — 1.

HB 179 having received a constitutional majority was declared passed by the House.

On motion of Rep. Burt the following was given a final reading and placed before the House for consideration:

HB 188 with HA 1 — An Act to Abolish the Orphans' Court; to Transfer Its Jurisdiction Over Adoptions and Terminations of Parental Rights to the Superior Court; to Transfer Its Jurisdiction Over All Other Cases to the Court of Chancery; and to Abolish the Office of Clerk of the Orphans' Court.

HA 1 to HB 188 — Introduced by Rep. Burt. Adopted by voice vote.

Roll call on **HB 188 with HA 1** revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 38.

NOT VOTING — Butcher — 1.

HB 188 with HA 1 having received a constitutional majority was declared passed by the House.

On motion of Rep. Burt the following was given a final reading and placed before the House for consideration:

HB 216 with HA 1 — An Act to Amend Section 307, Chapter 3, Title 10, Delaware Code, to Provide for One Additional Vice-Chancellor.

HA 1 to HB 216 — Introduced by Rep. Burt. Adopted by voice vote.

Roll Call on **HB 216 with HA 1** revealed:

YEAS — Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Kirk, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 35.

NAYS — Benson — 1.

NOT VOTING — Fonville — 1.

ABSENT — Jarvis, Leshner — 2.

HB 216 with HA 1 having received a constitutional majority was declared passed by the House.

On motion of Rep. duPont the following was given a final reading and placed before the House for consideration:

HB 270 with HA 1 — An Act to Amend Chapter 1 of Title 8 of the Delaware Code, Entitled "General Corporation Law", By Making Certain Changes in Sections 102, 103, 122, 126, 141, 144, 151, 153, 155, 212, 213, 214, 218, 224, 228, 229, 242, 251, 252, 253, 256, 258, 271, 275, 311, 344, 371 and 379.

HA 1 to HB 270 — Introduced by Rep. duPont. Adopted by voice vote.

Roll Call on **HB 270** with **HA 1** revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Seibell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 39.

HB 270 with **HA 1** having received a two-thirds majority was declared passed by the House.

On motion of Rep. duPont the following was given a final reading and placed before the House for consideration:

HB 290 — An Act to Amend Chapter 1, Title 8, Delaware Code, Entitled "General Corporation Law", By Making Certain Changes in Section 243.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Seibell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 39.

HB 290 having received a two-thirds majority was declared passed by the House.

On motion of Rep. Billingsley the following was given a final reading and placed before the House for consideration:

HB 286 — An Act to Increase the Rate of Interest for Delinquent Taxes Due the State Tax Department.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Seibell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 39.

HB 286 having received a constitutional majority was declared passed by the House.

On motion of Rep. Heckert the following was given a final reading and placed before the House for consideration:

SB 295 — An Act to Amend Title 14, Delaware Code, By Giving to the State Board of Education Authority for Entering Into Interstate Agreements on Qualification of Educational Personnel and for Related Purposes. Introduced by Senator Hale.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 38.

ABSENT — Harrington — 1.

SB 295 having received a constitutional majority was declared passed by the House.

Mr. Stabler took the Chair as Acting Speaker.

On motion of Rep. Heckert the following was given a final reading and placed before the House for consideration:

HB 300 — Relating to Unpaid Dues of the Department of Public Instruction.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman — 38.

ABSENT — Mr. Speaker Hering — 1.

HB 300 having received a constitutional majority was declared passed by the House.

Mr. Hering returned to the Chair.

On motion of Rep. Moerschel the following was given a final reading and placed before the House for consideration:

HB 138 — An Act to Amend Chapter 34, Title 14, Delaware Code, Relating to "Education" By Providing Scholarships for Students Pursuing Courses of Higher Education Not Available in State Institutions.

Roll Call revealed:

YEAS — Berndt, Boulden, Burt, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Mr. Speaker Hering — 34.

NOT VOTING — Benson, Burton, Rawlins, Zimmerman — 4.

ABSENT — Billingsley — 1.

HB 138 having received a constitutional majority was declared passed by the House.

On motion of Rep. Hearn the following was given a final reading and placed before the House for consideration:

HB 155 — An Act to Amend Title 22, Delaware Code, Entitled "Municipalities" By Adding Thereto A New Chapter Relating to Exemptions From Taxation On Real Property of Resident of Municipalities, With A Population In Excess of \$3,000 Per Year.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 38.

ABSENT — Heckert — 1.

HB 155 having received a constitutional majority was declared passed by the House.

House recessed at 4:13 P.M., reconvened at 4:50 P.M.

Committee Reports: Judiciary: **HB 272**, 1 favorable, 4 on merits; **SB 98**, 1 favorable, 5 on merits; Revised Statutes: **HB 311**, 5 favorable, 1 on merits; Natural Resources: **HB 303**, 1 favorable, 5 on merits; **HB 285**, 1 favorable, 5 on merits; Health and Welfare: **HB 276**, 3 favorable, 2 on merits; **HB 111**, 2 favorable, 2 on merits; Elections: **SB 305**, 4 favorable; Education: **HB 309**, 5 on merits; **HB 318**, 5 on merits; **SB 298**, 5 on merits.

The following prefiled bills were introduced:

HB 319 — An Act to Reincorporate the City of Delaware City. Introduced by Rep. Kirk. Referred to the Committee on Government Operations.

HB 320 — An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to Salary Schedules for School Employees. Introduced by Rep. Heckert. Referred to the Committee on Education.

HB 321 — An Act Making a Supplementary Appropriation to the Delaware State Development Department for Program Development for the State of Delaware's Participation in the Bicentennial Celebrations Attendant to the Independence of the United States As Proposed for the Philadelphia Region in 1976. Introduced by Rep. Little. Referred to the Committee on Commerce and Labor.

HB 322 — An Act Making An Appropriation to the Historical Society of Delaware. Introduced by Rep. Stabler. Referred to the Committee on Appropriations.

HB 323 — An Act to Amend Title 10, Section 522 of the Delaware Code as to Superior Court Bailiffs, Criers and Pages. Introduced by Rep. Stabler. Referred to the Committee on Judiciary.

HB 324 — An Act Making A Supplementary Appropriation to the Delaware Archaeological Board. Introduced by Rep. Quillen. Referred to the Committee on Natural Resources.

HB 325 — An Act to Amend Section 464, Title 11, Delaware Code, Relating to Spearguns. Introduced by Rep. Unruh. Referred to the Committee on Judiciary.

HA 1 to HB 272 — Introduced by Rep. Seibel. Placed with bill.

HA 1 to HB 288 — Introduced by Rep. Hering. Placed with bill.

HA 1 to HB 295 — Introduced by Rep. Quillen. Placed with bill.

HJR 10 — Relating to Working Hours of Full-time State Employees. Introduced by Rep. Billingsley. Referred to the Committee on Government Operations.

HR 44 — Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 125th General Assembly. Introduced by Rep. Stabler. Adopted by voice vote.

House recessed to call of the chair at 5:02 P.M.

The Speaker called the House to order at 2:05 P.M. Mr. Dodge moved to adjourn thereby ending the 44th Legislative Day.

45TH LEGISLATIVE DAY

The House convened at 2:06 P.M., on Thursday, June 12, 1969.

Prayer by the Chaplain Reverend David B. Mulford, Georgetown.

The Speaker led those present in a Salute of the Flag.

Roll Call revealed 38 members present, 1 absent.

Members present: Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 38.

Absent: Stabler — 1.

Minutes of the previous day were approved as posted.

Communications: Legislative Advisory from the Governor's Office No. 18.

June 11, 1969

TO: Sen. Everette Hale, Sen. J. Donald Isaacs, Rep. Herbert A. Leshner, Rep. W. Laird Stabler, Jr., Rep. George C. Hering, III, Rep. John A. Dillman, Rep. Clarice U. Heckert, Rep. William L. Frederick, Rep. Ernest S.

Spence, Jr., Rep. Louis W. Burton, Rep. George Edward Gray, Christopher L. Perry, Daniel Enterline, Gerald Sapienza, Mrs. Arva Jackson, Legislative Reference Bureau, Clerk of the House, Secretary of the Senate, Russell W. Whitby, Capt. John Downey, Col. Charles G. Lamb, Hon. David P. Buckson, Victor F. Battaglia, Esq., Ernest O. Davidson, H. James Conaway, Jr., Esq., Edward J. Hurley, Hon. Harold G. Haskell, Mrs. Rosalie O'Bara, Mr. John L. Briggs, Robert L. Fisher, Brig. Gen. Clarence E. Atkinson, E. Hobson Davis, Oscar Vickers, Mrs. Elizabeth F. McFadden, Allen Olsen.

FROM: F. L. Peter Stone, Counsel to the Governor.

The Governor approved the following legislation on the indicated dates:

SB 84 — 5-14-69 - exempting the University Drama Group, Inc. from county real estate taxation.

HB 44 — 6-6-69 - relating to payment of court costs and receipts therefor.

HB 100 as amended by **HA 1** — 6-6-69 - providing \$1,000 for sidewalks in New Castle.

HB 159 — 6-6-69 - making a supplemental appropriation to the Delaware National Guard to pay engineering and surveying fees.

HB 161 — 6-6-69 - relating to the manner of recording fines collected by magistrates for violations of provision dealing with unattended motor vehicles.

HB 210 — 6-6-69 - making a supplemental appropriation to the State Tax Department for office moving expenses.

SB 195 — 6-7-69 - relating to driving during the period of license suspension.

SB 196 — 6-7-69 - adding the phrase "and/or driving privileges" to certain motor vehicle statutes in order to embrace persons who have never possessed a Delaware operator's license.

HB 106 — 6-7-69 - permitting the formation of professional service corporations.

HB 108 — 6-7-69 - transferring funds from Millsboro School District Debt Service Account to Minor Capital Improvements Account.

HS 1 for **HB 149** as amended by **HA 1** — 6-7-69 - giving the respective Clerks of the Peace the power to perform marriage ceremonies.

HB 154 — 6-7-69 - relating to pensions for three specific former Sussex County employees.

HB 194 — 6-7-69 - permitting transfer of funds from Marshallton School District Local Debt Service to its Minor Capital Improvements Program.

HB 206 — 6-7-69 - providing for pension for a former New Castle County employee.

HB 85 — 6-9-69 - providing a right of appeal by the State in criminal cases in certain situations.

The Senate informed the House it had passed **SJR 9**, **SB 311**, **SS 1** for **SB 16** with **SA 1**, **SS 1** for **SB 297** and **SB 105** with **SA 1** and requested the concurrence of the House; also, **HB 252** and **HB 238** and returned same to the House.

Committee Report: Appropriations: **HB 305**, 2 favorable, 3 on merits.

The following prefiled bills were introduced:

HB 326 — An Act Authorizing the State of Delaware to Borrow Money to Be Used for Local Park Development and Park Land Acquisition Assistance and to Issue Bonds and Notes Therefor and Appropriating the Money Borrowed to the State Park Commission of Delaware. Introduced by Rep. Zimmerman. Referred to the Committee on Public Buildings and Lands.

HB 327 — An Act to Amend Title 11, Delaware Code, Relating to Lotteries. Introduced by Rep. Benson. Referred to the Committee on Revised Statutes.

HB 328 — An Act Relating to Residency of Race Track Employees. Introduced by Rep. Burton. Referred to the Committee on Commerce and Labor.

HB 329 — An Act to Incorporate the Town of Dewey Beach. Introduced by Rep. Dodge. Referred to the Committee on Government Operations.

HB 330 — An Act to Amend Sections 906, 2707, 2903, 3304 and 3317 of Delaware Code, Entitled "Insurance". Introduced by Rep. Dodge. Referred to the Committee on Financial Institutions.

HB 331 — An Act to Amend Section 7502, Chapter 75, Title 16, Delaware Code, Relating to the Inspection of Fire Escapes. Introduced by Rep. Zimmerman. Referred to the Committee on Revised Statutes.

HB 332 — An Act to Provide A Supplementary Appropriation to the Vocational-Technical School Districts for Adult Vocational-Technical Education Programs. Introduced by Rep. Little. Referred to the Committee on Education.

HB 333 — An Act Making A Supplementary Appropriation to the State Park Commission for the Construction of a Boat Launching Ramp in the Vicinity of Delaware City. Introduced by Rep. Kirk. Referred to the Committee on Public Buildings and Lands.

HA 2 to **HB 292** — Introduced by Rep. Boulden. Placed with bill.

HA 1 to **HB 311** — Introduced by Rep. Benson. Placed with bill.

HA 1 to **SB 98** — Introduced by Rep. Benson. Placed with bill.

HA 1 to SB 298 — Introduced by Reps. Hering and McMahon. Placed with bill.

SS 1 for SB 16 with SA 1 — An Act to Amend Title 19, Chapter 31, Delaware Code, Permitting the taking of An Appeal to the Courts By An Aggrieved Party From An Adverse Decision By the Employment Security Commission in A Proceeding Pursuant to Title 19, Section 3155, Delaware Code and to Provide for Payment of the Costs Thereof From the General Funds of the State of Delaware Not Otherwise Appropriated. Introduced by Senator Steele. Referred to the Committee on Judiciary.

SB 105 with SA 1 — An Act to Amend § 1908, Title 7, Delaware Code, Relating to Leasing Acreage Under the Jurisdiction of Delaware Commission of Shell Fisheries. Introduced by Senator Isaacs. Referred to the Committee on Natural Resources.

SS 1 for SB 297 — An Act to Amend Title 15, Delaware Code, Relating to Primary Elections and Nominations of Candidates by Parties. Introduced by Senator Manning. Referred to the Committee on Elections.

SB 311 — An Act Making An Appropriation to the New Castle-Gunning Bedford Reorganized School District for the Purpose of Constructing A Pedestrian Overpass Over U.S. 13 in Wilmington Manor and Acquiring the Rights-of-Way Therefor. Introduced by Senator Slawik. Referred to the Committee on Education.

SJR 9 — Providing for a Joint Committee of the General Assembly to Assist in the Reorganization of the Executive Branch and Providing for Payment of Expenses Incurred by Said Committee. Introduced by Senator duPont. Referred to the Committee on House Administration.

On motion of Rep. Quillen the following was given a final reading and placed before the House for consideration:

HB 295 with HA 1 — An Act to Amend Chapter 29, Title 7, Delaware Code, Relating to the State Forestry Department By Providing for the Power of Arrest and Providing for Criminal Penalties for Violating State Forest Public Use Rules Adopted By the State Forestry Commission.

HA 1 to HB 295 — Introduced by Rep. Quillen. Adopted by voice vote.

On motion of Rep. Quillen, roll call on **HB 295 with HA 1** was tabled.

On motion of Rep. Quillen the following was given a final reading and placed before the House for consideration:

HB 269 — An Act Making A Supplementary Appropriation to Establish A Revolving Publication Fund for the Delaware Archaeological Board.

Rep. Leshner moved to table **HB 269**. Roll call on the motion revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Butcher, Fonville, Frederick, Harrington, Leshar, Mears, Orth, Phillips — 13.

NAYS — Burton, Dillman, Dodge, duPont, Gray, Hearn, Heckert, Jarvis, Kirk, Little, McMahon, Moerschel, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 23.

ABSENT — Goldfeder, Murphy, Stabler — 3.

Motion to table **HB 269** lost.

Rep. Quillen requested roll call on **HB 269**. Roll Call revealed:

YEAS — Burton, Dodge, duPont, Gray, Hearn, Heckert, Kirk, Little, McMahon, Moerschel, Murphy, Orth, Quillen, Riddagh, Sebrell, Seibel, Spence, Stansky, Unruh, Zimmerman, Mr. Speaker Hering — 21.

NAYS — Benson, Berndt, Billingsley, Burt, Dillman, Frederick, Harrington, Jarvis, Leshar, Mears — 10.

NOT VOTING — Boulden, Butcher, Fonville, Phillips, Rawlins, Wright — 6.

ABSENT — Goldfeder, Stabler — 2.

HB 269 having received a constitutional majority was declared passed by the House.

On motion of Rep. Burton, the following was given a final reading and placed before the House for consideration:

SB 255 — An Act to Amend Chapter 29, Title 5, Delaware Code, Relating to Financing the Sale of Motor Vehicles, to Permit Disclosure of Terms of Retail Installment Contracts in Conformance With the Federal Truth In Lending Act. Introduced by Senator Castle.

Privilege of the floor was granted Mr. George Coverdale to answer questions regarding the bill.

Roll Call revealed:

YEAS — Benson, Berndt, Boulden, Burt, Burton, Butcher, Dodge, duPont, Fonville, Frederick, Gray, Harrington, Heckert, Jarvis, Kirk, Leshar, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Spence, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 33.

NOT VOTING — Billingsley — 1.

ABSENT — Dillman, Goldfeder, Hearn, Seibel, Stabler — 5.

SB 255 having received a constitutional majority was declared passed by the House.

On motion of Rep. Burton the following was given a final reading and placed before the House for consideration:

SB 256 — An Act to Amend Chapter 43, Title 6, Delaware Code, Relating to Retail Installment Sales, to Permit Disclosure of Terms of Retail Installment Contracts and Re-

tail Installment Accounts in Conformance With the Federal Truth in Lending Act. Introduced by Senator Castle.

Roll Call revealed:

YEAS — Benson, Berndt, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Gray, Harrington, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 34.

NOT VOTING — Billingsley — 1.

ABSENT — Goldfeder, Hearn, Stabler, Stansky — 4.

SB 256 having received a constitutional majority was declared passed by the House.

On motion of Rep. Billingsley the following was given a final reading and placed before the House for consideration:

HB 304 — An Act Relating to the Collection of Taxes Due the State Tax Department.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 37.

ABSENT — Quillen, Stabler — 2.

HB 304 having received a constitutional majority was declared passed by the House.

On motion of Rep. Sebrell the following was given a final reading and placed before the House for consideration:

HB 310 — An Act to Amend Section 1178 (a), Title 10, Delaware Code, Relating to Authority of Family Court of Kent and Sussex Counties to Commit 16-To-18-Year-Old Juveniles to State Board of Corrections in Certain Cases.

Roll Call revealed:

YEAS — Benson, Berndt, Burt, Dillman, Dodge, duPont, Frederick, Heckert, Kirk, Leshner, Little, Moerschel, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Unruh, Mr. Speaker Hering — 20.

NAYS — Butcher, Goldfeder, Hearn, McMahon, Orth, Wright — 6.

NOT VOTING — Billingsley, Boulden, Burton, Fonville, Gray, Harrington, Jarvis, Mears, Phillips, Stansky, Zimmerman — 11.

ABSENT — Murphy, Stabler — 2.

HB 310 having received a constitutional majority was declared passed by the House.

On motion of Rep. Spence the following was given a final reading and placed before the House for consideration:

HB 208 — An Act to Amend Section 4338, Subchapter II, Chapter 43, Title 21, Delaware Code, Relating to Additional Equipment Required On Slow-Moving Vehicles.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Seibrel, Seibel, Spence, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 36.

NAYS — Kirk — 1.

ABSENT — Jarvis, Stabler — 2.

HB 208 having received a constitutional majority was declared passed by the House.

House recessed at 3:13 P.M., reconvened at 4:00 P.M.

Committee Reports: Government Operations: **HB 319**, 5 on merits; **HB 329**, 1 favorable, 4 on merits; Public Buildings and Lands: **HB 333**, 4 favorable, 2 on merits; Education: **HB 320**, 3 favorable, 3 on merits; Health and Welfare: **HB 312**, 2 favorable, 3 on merits.

The following prefiled bills were introduced:

HB 334 — An Act Making An Appropriation to Delaware Adolescent Program, Inc. Introduced by Reps. Seibel and duPont. Referred to the Committee on Health and Welfare.

HB 335 — An Act to Amend Title 18, Delaware Code Relating to Insurance By Providing For Ownership and Operation. Introduced by Reps. Burton and Dodge. Referred to the Committee on Financial Institutions.

HB 336 — An Act to Amend Part II, Title 9, Delaware Code, Providing for the Reorganization of the County Council of New Castle County, Changing the Salaries of the Councilmen and Changing the Number of Councilmanic Districts and Boundaries. Introduced by Reps. Burt and Billingsley. Referred to the Committee on Government Operations.

HB 337 — An Act to Amend Chapter 1, § 104, Title 18, Delaware Code, Relating to the Application of the Insurance Code to Certain Life Insurance and Annuity Companies. Introduced by Reps. Burton and Dodge. Referred to the Committee on Financial Institutions.

HB 338 — An Act to Amend Title 18, Delaware Code Relating to Insurance By Providing For An Act to Establish An Equitable System of Automobile Insurance and Accident Benefits By Providing for Minimum Medical and Disability Benefits Under Automobile Liability Insurance Policies; Creating A Mandatory Small Claims Arbitration System for Cases Under \$3,000; Adopting A Comparative Negligence Law; Adopting Standards for Measuring Damages

for Pain and Suffering; Adopting Measures to Promote Advance Payments in Meritorious Cases and to Promote Immediate Settlement of Property Damage Liability Claims; Defining Damages Recoverable for Loss of Income in Liability Cases; And Imposing Penalties for Fraudulent Claims and Improperly Withholding Information Necessary for Fair Settlement of Claims. Introduced by Reps. Burton and Dodge. Referred to the Committee on Financial Institutions.

HB 339 — An Act Relating to a Pension for Marie G. Ryan, a Former Employee of the Board of Public Education in Wilmington. Introduced by Rep. Hearn. Referred to the Committee on Appropriations.

HB 340 — An Act to Amend Subchapter III, Chapter 41, Title 21, Delaware Code, Relating to Toll Evasion on the Delaware Turnpike; Penalty; Right of Appeal; Jurisdiction of Justice of the Peace. Introduced by Rep. Murphy (by request). Referred to the Committee on Highways and Public Safety.

HB 341 — An Act to Amend Chapter 10, Title 14, Delaware Code, Entitled "Reorganization of School Districts". Introduced by Rep. Heckert. Referred to the Committee on Education.

HB 342 — An Act to Amend Chapter 5, Title 31, Delaware Code, Relating to the Furnishing of Medical Care to the Indigent and Medically Indigent. Introduced by Boulden and Others. Referred to the Committee on Health and Welfare.

HB 343 — An Act to Amend Chapter 7, Title 24, Delaware Code, Relating to the Eligibility of Chiropractic Physicians for Compensation From Insurance, Group Hospital Services and Related Plans. Introduced by Rep. Boulden. Referred to the Committee on Health and Welfare.

HB 344 — An Act to Provide for Penalties for Placing Foreign Objects in Food. Introduced by Rep. Spence. Referred to the Committee on Revised Statutes.

HB 345 — An Act to Amend Section 3302, Title 19, Delaware Code, Relating to Unemployment Compensation. Introduced by Rep. Stansky. Referred to the Committee on Commerce and Labor.

HB 346 — An Act Relating to "Fair Trade Laws". Introduced by Reps. Billingsley and Jarvis. Referred to the Committee on Commerce and Labor.

HJR 11 — Relating to Compulsory Automobile Insurance. Introduced by Rep. Quillen and Others. Referred to the Committee on Financial Institutions.

HJR 12 — Relating to the Unpaid Taxes of General Motors Corporation. Introduced by Reps. Billingsley and Jarvis. Referred to the Committee on Appropriations.

Mr. Frederick took the Chair as Acting Speaker.

HR 45 — Authorizing Payment for Services Rendered By the Legislative Staff of the House of Representatives of the 125th General Assembly. Introduced by Rep. Dodge. Adopted by voice vote.

HA 2 to HB 311 — Introduced by Rep. Benson. Placed with bill.

On motion of Rep. Heckert the following was given a final reading and placed before the House for consideration:

SB 298 with SA 2 — An Act to Amend Chapter 92, Volume 23, Laws of Delaware, As Amended, Being An Act Entitled "An Act to Provide for the Organization and Control of the Public Schools of the City of Wilmington." Introduced by Senator Holloway.

HA 1 to SB 298 with SA 2 — Introduced by Reps. Hering and McMahon. Adopted by voice vote.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshar, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Seibel, Spence, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 37.

NOT VOTING — Sebrell — 1.

ABSENT — Stabler — 1.

SB 298 with SA 2 and HA 1 having received a two-thirds majority was declared passed by the House.

On motion of Rep. Burt the following was given a final reading and placed before the House for consideration:

SB 98 with HA 1 — An Act Agreeing To A Proposed Amendment to Section 29, Article IV, of the Constitution of the State of Delaware, Relating to Justices of the Peace. Introduced by Senator Hart.

HA 1 to SB 98 — Introduced by Rep. Benson. Adopted by voice vote.

Rep. Burt moved to table the roll call on **SB 98 with HA 1**. Motion carried.

On motion of Rep. Benson the following was given a final reading and placed before the House for consideration:

HB 311 — An Act to Amend Chapter 60, Title 29, Delaware Code, Relating to the Classification and Compensation of Key Executives of the State Government.

HA 1 to HB 311 — Introduced by Rep. Benson. Rep. Benson moved for adoption.

Roll Call revealed:

YEAS — Benson, Boulden, Burton, Butcher, Dodge, Fonville, Goldfeder, Gray, Harrington, Hearn, Heckert, Leshar, McMahon, Orth, Phillips, Sebrell, Stansky, Wright, Zimmerman — 19.

NAYS — Berndt, Little, Riddagh, Unruh, Mr. Speaker Hering — 5.

NOT VOTING — Burt, Dillman, duPont, Frederick, Kirk, Mears, Moerschel, Murphy, Quillen, Seibel, Spence — 11.

ABSENT — Billingsley, Jarvis, Rawlins, Stabler — 4.

HA 1 to HB 311 not having received a majority was declared lost.

HA 2 to HB 311 — Introduced by Rep. Benson. Adopted by voice vote.

Rep. Benson moved that roll call on **HB 311** with **HA 2** be tabled. Motion carried.

Rep. Murphy moved to reconsider **SB 99** and place on the agenda for the next legislative day.

Roll call on the motion revealed:

YEAS — Berndt, Boulden, Butcher, Dillman, duPont, Fonville, Frederick, Goldfeder, Gray, Hearn, Kirk, Little, McMahon, Moerschel, Murphy, Orth, Quillen, Riddagh, Seibel, Spence, Stansky, Wright, Zimmerman, Mr. Speaker Hering — 24.

NAYS — Benson, Burt, Burton, Dodge, Harrington, Heckert, Leshner, Mears, Sebrell, Unruh — 10.

NOT VOTING — Phillips — 1.

ABSENT — Billingsley, Jarvis, Rawlins, Stabler — 4.

The motion having received a majority was declared adopted. **SB 99** was placed on the agenda for the next legislative day.

On motion of Rep. Leshner the following was given a final reading and placed before the House for consideration:

SB 236 — An Act Making A Supplementary Appropriation to the Delaware Commission for the Blind. Introduced by Senator Hale.

Privilege of the floor was granted Mr. Howard T. Jones, Executive Secretary for the Delaware Commission of the Blind, to explain the bill.

Mr. Hering returned to the Chair.

Roll Call revealed:

YEAS — Berndt, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Riddagh, Sebrell, Spence, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 32.

NOT VOTING — Benson — 1.

ABSENT — Billingsley, Jarvis, Kirk, Rawlins, Seibel, Stansky — 6.

SB 236 having received a constitutional majority was declared passed by the House.

House recessed at 5:17 P.M., reconvened at 5:51 P.M.

The Senate informed the House it had passed **HB 187**, **HB 134** and **HB 296** and returned same to the House.

HB 347 — An Act to Amend Chapter 31, Title 25, Delaware Code, Relating to Federal Tax Lien By Enacting the Revised Uniform Federal Tax Lien Registration Act. Introduced by Rep. Zimmerman. Referred to the Committee on Judiciary.

HB 348 — An Act to Amend Chapter 5, Title 7, Relating to the Sale or Possession of Hard Shell Crabs Taken From Certain Waters of this State. Introduced by Rep. Rawlins. Referred to the Committee on Natural Resources.

HB 349 — An Act to Increase the Interest Paid By the State Tax Department for Personal Income Tax Refunds and Corporate Income Tax Refunds. Introduced by Rep. Billingsley. Referred to the Committee on Revenue and Taxation.

HB 350 — An Act to Amend Title 14, Delaware Code, By Enacting A New Chapter Relating to Private Business Schools. Introduced by Rep. Little. Referred to the Committee on Education.

HB 351 — An Act to Amend Section 5521, Title 29, Delaware Code, Relating to Discretionary Termination of Employment After Covered Employee Attains the Age of Sixty-Five Years. Introduced by Rep. Quillen. Referred to the Committee on Revised Statutes.

HB 352 — An Act to Amend Section 4332, Title 11, Delaware Code, Relating to Sentence and Modification. Introduced by Rep. Unruh. Referred to the Committee on Judiciary.

HB 353 — An Act Making A Supplementary Appropriation to the Budget Commission for the Purpose of Continuing to Aid Private, Non-Profit Facilities for Child Day Care Centers. Introduced by Rep. Frederick. Referred to the Committee on Health and Welfare.

HB 354 — An Act to Amend the State Pension Law with Respect to Justices of the Peace. Introduced by Rep. Moerschel. Referred to the Committee on Revised Statutes.

HB 355 — An Act to Amend Section 464, Title 11, Delaware Code, With Respect to Spring and Air Weapons. Introduced by Rep. Burt. Referred to the Committee on Judiciary.

HB 356 — An Act to Amend Chapter 27, Title 30, Delaware Code, Relating to Manufacturer's License Requirements and Taxes. Introduced by Rep. Moerschel. Referred to the Committee on Revenue and Taxation.

Committee Reports: Government Operations: **HB 336**, 3 favorable, 1 on merits; Revised Statutes: **HB 327**, 1 favorable, 5 on merits; **HB 344**, 6 on merits.

House recessed to call of the chair at 6:04 P.M.

The Speaker called the House to order at 1:57 P.M. Mr. Stabler moved to adjourn thereby ending the 45th Legislative Day.

46TH LEGISLATIVE DAY

The House convened at 1:58 P.M., on Tuesday, June 17, 1969.

Prayer by the Chaplain Reverend John Irwin, Selbyville.

The Speaker led those present in a Salute of the Flag.

Roll call revealed 39 members present, Absent: None.

Minutes of the previous legislative day approved as posted.

Communications:

Legislative Advisory from the Office of the Governor
No. 19.

June 16, 1969

TO: Representative Thomas L. Little, Mrs. Rosalie O'Bara, Mrs. Elizabeth F. McFadden, Mr. Oscar Vickers, Clerk of the House, Secretary of the Senate, Legislative Reference Bureau, Eugene Bunting, Sec. of State, Richard H. Caldwell, Asst. Sec. of State, George W. Cripps, Auditor, Daniel P. Ross, Treasurer, Joseph T. Cashman, Budget Dir., Christopher L. Perry, Gerald Sapienza, Daniel Enterline, Mrs. Arva Jackson.

FROM: F. L. Peter Stone, Counsel to the Governor.

The Governor approved the following piece of legislation on the indicated date:

HB 122 as amended by **HA 1** — 6-12-69 - providing that all minors, both male and female, shall have the ability to marry without parental consent on and after the age of 19 years.

Legislative Advisory from the Office of the Governor
No. 20.

June 17, 1969

TO: Eugene Bunting, Sec. of State, Richard H. Caldwell, Asst. Sec. of State, George W. Cripps, Auditor, Daniel P. Ross, Treasurer, Joseph T. Cashman, Budget Dir., Rep. John G. S. Billingsley, Rep. George Jarvis, Rep. Pierre S. duPont, IV, Sen. Dean C. Steele, Christopher L. Perry, Gerald Sapienza, Daniel Enterline, Mrs. Arva Jackson, Clerk of the House, Secretary of the Senate, Legislative Reference Bureau.

FROM: Jerome O. Herlihy, Counsel to the Governor.

The Governor approved the following pieces of legislation on the indicated date:

HB 187 — 6-12-69 - Annual Budget Appropriations Act for fiscal year ending June 30, 1970.

HB 296 — 6-12-69 - Mercantile tax, manufacturers, retailers, wholesalers, etc., taxes, occupational licenses, motor vehicle fee, etc.

Legislative Advisory from the Office of the Governor
No. 21.

June 17, 1969

TO: Rep. Thomas L. Little, Rep. Louis W. Burton, Rep. Warren B. Burt, Sen. Reynolds duPont, Sen. J. Donald Isaacs, Sen. Thomas E. Hickman, Jr., Sen. Margaret R. Manning, Sen. Louise T. Conner, Sen. Everette Hale, Sen. David H. Elliott, Clerk of the House, Secretary of the Senate, Legislative Reference Bureau, Hon. John J. McNeilly, Hon. David P. Buckson, Dr. Floyd I. Hudson, Dr. Eugene R. McNinch, Dr. Charles M. Moyer, Sheriff John J. Smith, Sheriff Herschel N. Poore, Sheriff Edward Conaway, Thomas B. Evans, Christopher L. Perry, Gerald Sapienza, Daniel Enterline, Mrs. Arva Jackson, Norman G. Wilder, Wallace G. Caulk.

FROM: Jerome O. Herlihy, Counsel to the Governor.

The Governor approved the following legislation on the indicated dates:

HB 167 — 6-12-69 - removing the 6% ceiling on interest on loans to which an employee may agree and sign away part of his salary.

HB 134 — 6-12-69 - appropriating \$2,000 to the State Development Department to be used by the Delaware Jaycees to promote the State at their annual convention.

SB 269 — 6-13-69 - expanding the Public Service Commission.

SB 44 as amended by **SA 2** — 6-14-69 - provides for the taking over of the functions of the Office of Coroner by State Medical Examiner and his staff as of 7-1-70.

SB 169 — 6-14-69 - relating to changes in the law on failure to obey signals from police officers and to various penalties for violating this law.

SB 245 — 6-14-69 - amending the law pertaining to the type of newspaper notice required for sheriffs' sales.

SB 246 — 6-14-69 - providing for the incorporation of the town of South Bethany.

SB 290 — 6-14-69 - allowing the Constitutional Revision Commission to continue functioning financially.

HS 1 for **HB 200** as amended by **HA's 2, 7, 9** — 6-17-69 - legalizing the termination of pregnancies in certain specified instances.

SB 235 — 6-17-69 - permitting fishing in the Delaware Bay as far north Liston Point with spearguns and spears and changing the dates permissible for rock fishing.

SB 275 as amended by **SA 1** — 6-17-69 - relating to changes in the law governing the sale and advertising of various kinds of seeds.

The Senate informed the House it had passed **SB 306** and requested the concurrence of the House; also, **HB 200** with **HA 2, 7, 9** and **HB 243** and returned same to the House.

Committee Reports: Judiciary: **HB 325**, 3 favorable, 1 on merits; **HB 278**, 1 favorable, 3 on merits; Health and Welfare: **HB 251**, 4 favorable; **HB 353**, 2 favorable, 3 on merits; Natural Resources: **HB 325**, 1 favorable, 5 on merits.

The following prefilled bills were introduced:

HS 1 for **HB 271** — An Act to Amend Subchapter IV, Title 30, Delaware Code, Titled "State Aid to Municipalities for Streets", to Authorize Incorporated Municipalities to Make Short Term Investments of Municipal Street Aid Program Funds Received From the State Pending Expenditure. Introduced by Rep. Seibel. Referred to the Committee on Highways and Public Safety.

HB 357 — An Act to Amend Title 13 of the Delaware Code Relating to Adoption and Termination of Parental Rights to Define "Abandoned" in the Adoption Statute Consistently With the Definition in the Termination of Parental Rights Statute, to Define "Authorized Agency" to Include Out-of-State Agencies, to Establish Jurisdiction Over Adoptions When the Authorized Agency is Located Within Delaware, to Permit Adoptions Based on Consent of Out-of-State Agencies, and to Permit Transfer of Parental Rights From A Delaware Agency to an Out-of-State Agency. Introduced by Rep. Stabler. Referred to the Committee on Health and Welfare.

HB 358 — An Act to Amend An Act Entitled "An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1970", Being House Bill No. 187 of the 125th General Assembly and Also Known As the 1970 Budget Appropriation Bill. Introduced by Rep. Leshner. Referred to the Committee on Appropriations.

HB 359 — An Act Relating to Education of the Citizens of Delaware By Making An Appropriation to WHY, Inc. Engaged in Educating the People of This State. Introduced by Reps. Stabler and Zimmerman. Referred to the Committee on Appropriations.

HB 360 — An Act to Amend Title 14 Entitled "Education" By Adding Thereto A New Part Entitled "Delaware Institute of Medical Education and Research". Introduced by Rep. Hering. Referred to the Committee on Health and Welfare.

HB 361 — An Act Making A Supplementary Appropriation to the Governor for the Delaware State Arts Council to

Enable the Council to Carry Out Its Purposes. Introduced by Rep. Stabler. Referred to the Committee on Appropriations.

HB 362 — An Act Amending Chapters 9, 11, 13, 15, 25, and 68, Title 29; Chapter 1, Title 1; Chapters 19 and 20, Title 10; and Chapter 51, Title 16; By Abolishing the Legislative Reference Bureau and Transferring Its Functions, Duties and Responsibilities to Legislative Council and to the State Department of Justice. Introduced by Rep. Hering. Referred to the Committee on House Administration.

HB 363 — An Act Authorizing the Incumbent State Treasurer to Transfer Certain Balances in the Accounts of Former State Treasurer Belle Everett. Introduced by Rep. Leshner. Referred to the Committee on Government Operations.

HB 364 — An Act to Aid Certain Civic Organizations Which Maintain Emergency Vehicles By Making Appropriations Therefor. Introduced by Rep. Leshner. Referred to the Committee on Appropriations.

HB 365 — An Act Relating to Education of the Citizens of Delaware By Making An Appropriation to Delaware Safety Council, Inc. Engaged in Educating the People of This State. Introduced by Rep. Leshner. Referred to the Committee on Appropriations.

HB 366 — An Act Making A Supplementary Appropriation to the Public Archives Commission. Introduced by Rep. Leshner. Referred to the Committee on Appropriations.

HB 367 — An Act to Amend Title 18, Chapter 65, Delaware Code, Relating to Insurance By Providing for Insurance for the Protection of the State of Delaware. Introduced by Reps. Dodge and Burton. Referred to the Committee on Financial Institutions.

HB 368 — An Act to Aid Certain Fire Companies Which Are Organized to Extinguish Fires or Maintain Ambulances or Rescue Trucks, By Making Appropriations for Them. Introduced by Reps. Leshner and Unruh. Referred to the Committee on Appropriations.

HB 369 — An Act to Amend Chapter 27, Title 21, Delaware Code By Adding A New Section 2721 and Section 2722 Relating to a Medical Advisory Board for the Motor Vehicle Department. Introduced by Rep. Murphy. Referred to the Committee on Highways and Public Safety.

HB 370 — An Act to Amend Title 29, Delaware Code, By Adding A New Chapter Thereto Establishing A State Central Data Processing Division; Naming the Governing Authority of Such Division and Establishing Their Powers and Duties; Providing for the Employment of a Director of Such Division and Establishing His Powers and Duties; Providing for the Employment of Personnel of the Division, In-

cluding Technical Employees, and for Other Related Purposes. Introduced by Reps. Leshner and Berndt. Referred to the Committee on Government Operations.

HB 371 — An Act to Aid Veterans' Organizations By Making An Appropriation Therefor. Introduced by Reps. Leshner and Berndt. Referred to the Committee on Appropriations.

HB 372 — An Act to Aid Organizations Maintaining Residential Facilities By Making Appropriations Thereto. Introduced by Reps. Leshner and Berndt. Referred to the Committee on Appropriations.

HB 373 — An Act Making An Appropriation to the Historical Society of Delaware. Introduced by Reps. Leshner and Berndt. Referred to the Committee on Public Buildings and Lands.

HB 374 — An Act Appropriating Moneys For Education and Training of Children of Military Veterans Who Died While in the Armed Services of the United States or Who Died From Disease, Wounds or Disabilities Resulting From Such Services. Introduced by Reps. Leshner and Berndt. Referred to the Committee on Revised Statutes.

HB 375 — An Act Relating to Education of the Citizens of Delaware By Making An Appropriation to the "Delaware State Fair, Inc." Introduced by Reps. Leshner and Berndt. Referred to the Committee on Appropriations.

HB 376 — An Act to Amend Subchapter 1, Chapter 21, Title 21 Relating to the Requirement of Insurance Before the Registration or Issuance of a Temporary Registration Permit For Any Vehicle in This State and Providing A Penalty for Violation Thereof. Introduced by Rep. Dillman. Referred to the Committee on Highways and Public Safety.

HB 377 — An Act to Provide State Financial Assistance For An Urban Renewal Project to the City of Wilmington Acting By Its Redevelopment Agency, the Wilmington Housing Authority. Introduced by Reps. Hearn and Hering. Referred to the Committee on Appropriations.

HB 378 — An Act Amending Chapter 30 of Title 31, Delaware Code of 1953, By Creating the Position of Director of the State Human Relations Commission, Specifying the Duties and Responsibilities of Such Director, and Making A Supplemental Appropriation Therefor to Said Commission. Introduced by Rep. Frederick. Referred to the Committee on Health and Welfare.

HB 379 — An Act to Amend Delaware Code, Title 14, By Providing for Educational Diagnostic and Evaluation Centers for Public School Pupils, Establishing A Pilot Program, and Appropriating Funds. Introduced by Rep. Moerschel. Referred to the Committee on Education.

HB 380 — An Act to Amend Title 4, Delaware Code, Relating to the Interstate Transportation of Alcoholic Liquors. Introduced by Rep. Moerschel. Referred to the Committee on Revised Statutes.

HB 381 — An Act to Amend Section 2103, Title 30, Delaware Code, Relating to the Duties of the State Tax Department. Introduced by Rep. Moerschel. Referred to the Committee on Revenue and Taxation.

HB 382 — An Act to Amend Section 2108, Title 30, Delaware Code, Relating to Claims for Refunds. Introduced by Rep. Moerschel. Referred to the Committee on Revenue and Taxation.

HB 383 — An Act to Amend Section 2120, Title 30, Delaware Code, Relating to the Computation of Gross Receipts. Introduced by Rep. Moerschel. Referred to the Committee on Revenue and Taxation.

HB 384 — An Act to Allow Payment of Interest Upon Local School Funds on Deposit. Introduced by Rep. Murphy and Others. Referred to the Committee on Education.

HB 385 — An Act Making A Supplementary Appropriation to the State Highway Department for Administration of the Motor Carrier Fuel Purchase Law. Introduced by Rep. Berndt. Referred to the Committee on Highways and Public Safety.

HB 386 — An Act Proposing An Amendment to Section 17 of Article II of the Constitution of the State of Delaware Relating to Games of Chance. Introduced by Reps. Murphy and Riddagh. Referred to the Committee on Revised Statutes.

HB 387 — An Act to Amend Chapters 25 and 11, Title 29, Delaware Code, Relating to the Duties of the Delaware Code Revision Commission. Introduced by Rep. Stabler. Referred to the Committee on Judiciary.

HB 388 — An Act to Amend House Bill No. 187, "An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1970, "By Providing for Salary Increases for Employees in the Classified Service, and Making A Supplemental Appropriation in the Amount of \$1,260,000.00 for the Proposed Amendment. Introduced by Rep. Leshner. On motion of Rep. Leshner, **HB 388** was stricken.

HCR 11 — Providing For A Joint House-Senate Constitution Revision Committee. Introduced by Rep. Stabler. Referred to the Committee on House Administration.

HCR 12 — Requesting the Delaware River and Bay Authority to Construct A Pedestrian Overpass Over the Delaware Memorial Bridge Approach Road Near the Community of Swanwyck Estates. Introduced by Rep. Boulden. Referred to the Committee on Highways and Public Safety.

HCR 13 — Requesting the Delaware River and Bay Authority to Develop the Tract of Land Known As the Garrett E. Lyons Memorial Park Into A Park or Recreation Area for Public Use. Introduced by Rep. Boulden. Referred to the Committee on Public Buildings and Lands.

HA 1 to HB 336 — Introduced by Rep. Burt. Placed with bill.

HA 1 to HB 152 — Introduced by Rep. Heckert. Placed with bill.

HA 1 to HB 325 — Introduced by Rep. Burt. Placed with bill.

HA 1 to SB 288 — Introduced by Rep. Burt. Placed with bill.

HA 1 to SB 305 — Introduced by Rep. Zimmerman. Placed with bill.

HA 2 to SB 305 — Introduced by Rep. Zimmerman. Placed with bill.

HA 3 to SB 305 — Introduced by Rep. Zimmerman. Placed with bill.

HA 4 to SB 305 — Introduced by Rep. Zimmerman. Placed with bill.

SB 306 — An Act to Amend Title 15, Delaware Code, By Providing for the Conducting of Presidential Primary Elections in Presidential Election Years, to Amend Said Title 15 Insofar As Inconsistent Herewith, and to Repeal Title 15, Delaware Code, Section 3114. Introduced by Senators Slawik and Castle. Referred to the Committee on Elections.

Mr. Speaker welcomed the Chairman and Director of this year's Boys' State, Dr. Park W. Huntington.

The following telegram was read at the request of Rep. Zimmerman.

Representative Jacob W. Zimmerman
Legislative Hall, Dover, Delaware

Our organization urges immediate restoration of funds for educational television.

J. P. Monigle, President

Delaware Education Television Association

On motion of Rep. Zimmerman the following was given a final reading and placed before the House for consideration:

HB 288 with HA 1 — An Act Proposing An Amendment to the Constitution of the State of Delaware, Relating to the Time and Frequency of Sessions and Providing Termination Dates.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth,

Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 39.

HB 288 with **HA 1** having received a two-thirds majority was declared passed by the House.

On motion of Rep. Hearn the following was given a final reading and placed before the House for consideration:

HB 291 — An Act to Amend Title 22, Delaware Code, Relating to Parking Authorities.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Mr. Speaker Hering — 37.

ABSENT — Little, Zimmerman — 2.

HB 291 having received a constitutional majority was declared passed by the House.

On motion of Rep. Burt the following was given a final reading and placed before the House for consideration:

HB 336 — An Act to Amend Part II, Title 9, Delaware Code, Providing for the Reorganization of the County Council of New Castle County, Changing the Salaries of the Councilmen and Changing the Number of Councilmanic Districts and Boundaries.

HA 1 to **HB 336** — Introduced by Rep. Burt. Adopted by voice vote.

HA 2 to **HB 336** — Introduced by Rep. Burt. Adopted by voice vote.

HA 3 to **HB 336** — Introduced by Rep. Little. At the request of Rep. Little, **HA 3** was withdrawn.

On motion of Rep. Burt, roll call on **HB 336**, as amended, was tabled.

On motion of Rep. Billingsley the following was given a final reading and placed before the House for consideration:

HCR 10 — Providing for a Joint Committee to Investigate Pricing of Alcoholic Liquors in the State of Delaware and Making An Appropriation Therefor.

At the request of Rep. Billingsley the roll call was tabled.

On motion of Rep. Burt, roll call on **HB 336** as amended, was lifted from the table.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Burton, Dillman, Dodge, duPont, Frederick, Gray, Heckert, Jarvis, Kirk, Leshner, Little, Moerschel, Murphy, Quillen, Riddagh, Sebrell, Seibel, Spence, Stabler, Unruh, Mr. Speaker Hering — 25.

NAYS — Boulden, Butcher, Fonville, Goldfeder, Harrington, Hearn, McMahon, Mears, Orth, Phillips, Rawlins, Stansky, Wright, Zimmerman — 14.

HB 336 with HA 1 and HA 2 having received a constitutional majority was declared passed by the House.

On motion of Rep. duPont the following was given a final reading and placed before the House for consideration:

HS 1 for HB 218 with HA 1 — An Act to Amend Chapter 3, Title 11, Delaware Code, Relating to Ingress To and Egress From Public Buildings.

HA 1 to HS 1 for HB 218 — Introduced by Rep. Mears. Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Burton, Dillman, Dodge, duPont, Frederick, Goldfeder, Gray, Harrington, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Unruh, Mr. Speaker Hering — 32.

NOT VOTING — Butcher, Fonville, Hearn, Stansky, Wright, Zimmerman — 6.

ABSENT — Boulden — 1.

HA 1 to HS 1 for HB 218 having received a majority was declared adopted.

Roll Call on **HS 1 for HB 218 with HA 1** revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Burton, Dillman, Dodge, duPont, Frederick, Gray, Harrington, Heckert, Jarvis, Kirk, Leshner, Little, Mears, Moerschel, Murphy, Quillen, Riddagh, Sebrell, Seibel, Spence, Stabler, Unruh, Mr. Speaker Hering — 27.

NAYS — Butcher — 1.

NOT VOTING — Goldfeder, Hearn, McMahon, Orth, Phillips, Stansky, Wright, Zimmerman — 8.

HS 1 for HB 218 with HA 1 having received a constitutional majority was declared passed by the House.

On motion of Rep. Sebrell the following was given a final reading and placed before the House for consideration:

HB 318 — An Act to Amend Title 14, Delaware Code, Relating to Procedures for the Termination of Services and to Provide for Long-Term Contracts for Professional Employees.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Burton, Dillman, Dodge, duPont, Frederick, Goldfeder, Gray, Harrington, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 35.

NOT VOTING — Hearn — 1.

ABSENT — Boulden, Butcher, Fonville — 3.

HB 318 having received a constitutional majority was declared passed by the House.

Rep. Benson moved that the roll call on **HB 311** with **HA 2** be lifted. Motion carried.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Heckert, Jarvis, Kirk, Leshner, Little, Moerschel, Murphy, Sebrell, Seibel, Spence, Stabler, Mr. Speaker Hering — 22.

NAYS — Burton, Goldfeder, Harrington, Hearn, McMahon, Mears, Orth, Phillips, Quillen, Riddagh, Stansky, Unruh, Zimmerman — 13.

NOT VOTING — Boulden, Gray, Wright — 3.

ABSENT — Rawlins — 1.

HB 311 with **HA 2** having received a constitutional majority was declared passed by the House.

House recessed at 3:41 P.M., reconvened at 4:38 P.M.

Committee Reports: Judiciary: **SB 288**, 2 favorable, 2 on merits; Government Operations: **HB 370**, 2 favorable, 3 on merits; **HB 363**, 1 favorable, 4 on merits; Appropriations: **HB 320**, 1 favorable, 3 on merits (also considered by Education Committee), **HB 368**, 5 favorable, 1 on merits; **HB 371**, 5 favorable, 1 on merits; **HB 365**, 1 favorable, 5 on merits; **HB 309**, 1 favorable, 2 on merits, 2 unfavorable; **HB 375**, 6 favorable; **HB 372**, 6 favorable; **HB 359**, 6 favorable; **HB 366**, 2 favorable, 4 on merits; **HB 364**, 4 favorable, 2 on merits; **HB 358**, 3 favorable, 3 on merits; **SB 271**, 1 favorable, 5 on merits; **SB 171**, 3 on merits, 3 unfavorable; **SB 30**, 2 favorable, 2 on merits, 1 unfavorable; Highways and Public Safety: **SB 277**, 2 favorable, 2 on merits; **HS 1** for **HB 271**, 2 favorable, 2 on merits; **HB 152**, 4 on merits; Revised Statutes: **HB 351**, 5 on merits; **SB 310**, 5 on merits; Education: **SB 85**, 4 favorable, 1 on merits; **SB 311**, 4 on merits; **SB 307**, 4 on merits; House Administration: **HCR 11**, 4 favorable, 2 on merits; **SJR 9**, 4 favorable, 2 on merits.

The Senate informed the House it had passed **HB 201** and returned same to the House.

The following prefilled bills were introduced:

HB 389 — An Act to Amend Title 9, Delaware Code Relating to Annual Appropriations to Fire Companies and Certain Organizations for Ambulance and Rescue Service. Introduced by Rep. Zimmerman. Referred to the Committee on Appropriations.

HB 390 — An Act Making A Supplementary Appropriation to the Delaware State Police for the Purpose of Establishing and Maintaining Security for the Capitol Complex.

Introduced by Rep. Spence. Referred to the Committee on Public Buildings and Lands.

HB 391 — An Act to Amend Subchapter II of Chapter 19, Title 14, Delaware Code, Relating to Tax on Mobile Homes. Introduced by Rep. Kirk. Referred to the Committee on Revenue and Taxation.

HB 392 — An Act Making A Supplemental Appropriation to the Delaware Commission of Shell Fisheries for Boat Rental. Introduced by Rep. Quillen. Referred to the Committee on Natural Resources.

HB 393 — An Act to Amend Title 30, Delaware Code, Relating to Commodity Taxes By Adding A New Chapter to Be Designated As Chapter 52, Relating to A Fuel Purchase Law Upon Certain Motor Carriers, Providing for the Collection and Administration Thereof, Establishing Penalties, and Making An Appropriation to the State Highway Department. Introduced by Rep. Berndt. Referred to the Committee on Revenue and Taxation.

HB 394 — An Act to Amend Chapter 81, Title 10, of the Delaware Code, By Adding A New Section Relating to Limitation of Actions Growing Out of Alleged Deficiencies in the Construction or Manner of Construction of Improvements to Real Property or in the Designing, Planning, Supervision or Observation of Such Construction or Manner of Construction. Introduced by Rep. Little. Referred to the Committee on Commerce and Labor.

HB 395 — An Act to Amend Subchapter 2, Chapter 3, Title 11, Delaware Code, Relating to the Crime of Arson and Burning of Property. Introduced by Rep. Benson. Referred to the Committee on Judiciary.

HB 396 — An Act to Amend Chapter 27, Subchapter I, Title 6, Section 2704 of the Delaware Code, By Striking Certain Language From Said Section and Inserting in Lieu Thereof, New Language to Make Such Section Applicable to Contracts and Agreements Relative to the Construction, Alteration, Repair or Maintenance of Roads, Highways, Drive-ways, Streets, Bridges and Entrances or Walkways of Any Type Constructed Thereon. Introduced by Rep. Little. Referred to the Committee on Highways and Public Safety.

HB 397 — An Act to Revise the Income Tax Law Relating to Individuals, Trusts, Estates and Certain Corporations; to Incorporate By Reference Certain of the Federal Income Tax Statutes, Rules and Regulations; and to Provide for Improved Administration and Enforcement. Introduced by Rep. Hering. Referred to the Committee on Revenue and Taxation.

HB 398 — An Act to Permit the Board of Education of the Milford Special School District to Transfer Certain Funds From Its Local Debt Service Account to Its Capital Improve-

ment Account. Introduced by Rep. Harrington. Referred to the Committee on Education.

HB 399 — An Act to Abolish the Public Building Commission for the City of Wilmington and for New Castle County and to Provide for the Administration and Use of the Public Building Heretofore Under Its Jurisdiction and to Provide for Payment Therefor. Introduced by Rep. Hering. Referred to the Committee on Public Buildings and Lands.

HB 400 — An Act to Amend Chapter 41, Title 11, Delaware Code, Relating to the Imposition and Collection of Fines and Costs, Providing for Remittance of Fines to Victims of Crimes, Prohibiting Imprisonment in Default of Fines, and Providing for Work Assignments for the Discharge of Fines. Introduced by Rep. Stabler. Referred to the Committee on Judiciary.

HB 401 — An Act to Amend Title 31, Delaware Code, Relating to the Department of Public Welfare. Introduced by Rep. Frederick. Referred to the Committee on Health and Welfare.

HB 402 — An Act to Amend Title 31, Delaware Code, Relating to the Department of Public Welfare. Introduced by Rep. Frederick. Referred to the Committee on Health and Welfare.

HB 403 — An Act to Amend Section 504, Title 31, Delaware Code, Relating to Eligibility for Welfare Assistance. Introduced by Rep. Frederick. Referred to the Committee on Health and Welfare.

HB 404 — An Act to Amend Chapter 5, Title 31, Delaware Code, Relating to the Payment to the Department of Public Welfare of Sums Collected for Support Under Court Order. Introduced by Rep. duPont. Referred to the Committee on Health and Welfare.

HB 405 — An Act to Amend Section 503, (a) of Title 31, Delaware Code, to Provide An Incentive System for Welfare Recipients. Introduced by Rep. Frederick. Referred to the Committee on Health and Welfare.

HB 406 — An Act to Amend Title 31, Delaware Code, Relating to the Department of Public Welfare. Introduced by Rep. duPont. Referred to the Committee on Health and Welfare.

HB 407 — An Act to Amend Titles 10 and 30, Delaware Code, to Provide for Income Tax Refunds to Be Applied to Delinquent Support Payment. Introduced by Rep. duPont. Referred to the Committee on Health and Welfare.

HB 408 — An Act to Change the Criteria for Determining Representative and Senatorial District Boundaries. Introduced by Rep. Dodge. Referred to the Committee on Revised Statutes.

HB 409 — An Act to Amend Chapter 94, Volume 38, Laws of Delaware and Chapter 7, Title 5 of the Delaware Code, to Provide for the Amending of their Charters and Certificates of Incorporation By Savings Banks. Introduced by Rep. Quillen. Referred to the Committee on Financial Institutions.

HB 410 — An Act Making A Supplementary Appropriation to Boys Home of Delaware, Inc. Introduced by Rep. Murphy. Referred to the Committee on Appropriations.

HB 411 — An Act to Amend Chapter 7, Title 13, Delaware Code, Relating to Consent of A Minor Living Separate and Apart From His or Her Parents or Legal Guardian to Diagnostic and Lawful Therapeutic Procedures, Medical or Surgical Care and Treatment Including X-Ray Examination and Anesthesia By A Physician, Dentist, Hospital and Public Clinic. Introduced by Rep. Seibel. Referred to the Committee on Judiciary.

HB 412 — An Act Making A Supplementary Appropriation to Delaware Water and Air Resources Commission. Introduced by Rep. Zimmerman. Referred to the Committee on Appropriations.

HB 413 — An Act Amending Chapter I, Title 26, Delaware Code By Adding A Subchapter VI to Provide for the Continuation of Electric Service in Areas Included in Municipalities By Incorporation, Annexation or Otherwise. Introduced by Rep. Gray. Referred to the Committee on Commerce and Labor.

HB 414 — An Act to Amend Section 507, Title 13, Delaware Code Relating to Attachment of Salary or Wages in Child Support Cases. Introduced by Rep. duPont. Referred to the Committee on Health and Welfare.

HB 415 — An Act to Amend Section 342, Title 31, Delaware Code, Relating to the Powers of the Welfare Department With Respect to Boarding Homes for Children. Introduced by Rep. Sebrell. Referred to the Committee on Health and Welfare.

HB 416 — An Act to Amend Chapter 60, Title 7, Delaware Code, With Respect to Several Sections Relating to the Water and Air Resources Department. Introduced by Rep. Gray. Referred to the Committee on Natural Resources.

HB 417 — An Act to Amend Chapter 64, Title 7, Delaware Code, Relating to Underwater Lands. Introduced by Rep. Gray. Referred to the Committee on Natural Resources.

HB 418 — An Act to Amend Section 6603, Title 16, Delaware Code, Relating to Enforcement of Regulations By the State Fire Prevention Commission. Introduced by Rep. Quillen. Referred to the Committee on Revised Statutes.

HB 419 — An Act to Amend Section 555, Title 28, Delaware Code, Relating to "Breakage" As to Harness Racing.

Introduced by Rep. Murphy. Referred to the Committee on Revenue and Taxation.

HB 420 — An Act to Transfer to the State From the Several Counties Responsibility For and Payment Of: (1) Certain Expenses of the Indigent Sick Incurred in Certain Hospitals Within the State, At Governor Bacon Health Center and At Delaware State Hospital, Including Expenses of Criminally Insane Adults and Criminally Inclined Juveniles Committed on Court Order; (2) Certain Expenses for State Public Assistance or Welfare; and (3) Certain Expenses Relating to the Administration of Justice; and Making Supplementary Appropriations Therefor; And Transferring Receipts of Certain Fees, Fines and Costs Relating to the Administration of Justice to the State; And Provision for Employment By the State of Court Employees, Their Compensation and Pension Benefits, With Related Amendments of State Police and State Employees' Pension Plans. Introduced by Rep. Benson. Referred to the Committee on Revised Statutes.

HB 421 — An Act to Amend Subchapter IV, Chapter 17, Title 24, Delaware Code, Relating to Certificates and State Licenses Issued to Osteopathic Physicians. Introduced by Rep. Quillen. Referred to the Committee on Health and Welfare.

HB 422 — An Act to Amend Section 503, Title 31, Delaware Code Relating to Eligibility for Welfare Assistance. Introduced by Rep. Frederick. Referred to the Committee on Health and Welfare.

HA 1 to **HB 262** — Introduced by Rep. Leshner. Placed with bill.

HJR 13 — Directing the State Board of Education to Make a Public Enrollment Projection for the Five Years Ending 1974 and An Estimate of School Needs for Such Period. Introduced by Rep. Stansky. Referred to the Committee on Education.

HJR 14 — Relating to the Increase in Interest on Debt Obligations. Introduced by Rep. Little. Referred to the Committee on Financial Institutions.

HCR 14 — Relating to New Castle County Building Permits. Introduced by Rep. duPont. Deferred until next legislative day.

HCR 15 — Relating to A Committee to Study Taxes for Schools in Wilmington. Introduced by Rep. Hering. Deferred until next legislative day.

HR 46 — Relating to Compensation Rates for Officers of the House. Introduced by Rep. Dodge. Laid on the table for consideration next legislative day.

HR 47 — Relative to the Illness of Mrs. Olive Boulden, Wife of Representative Kenneth W. Boulden.

WHEREAS, the House of Representatives of the 125th General Assembly of the State of Delaware has learned with deep regret of the illness of Mrs. Olive Boulden, wife of Representative Kenneth W. Boulden; and

WHEREAS, the members of the House desire to express in this public manner their best wishes for her speedy and complete recovery.

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 125th General Assembly of the State of Delaware that the members thereof extend their sincere best wishes for a speedy and complete recovery to Mrs. Olive Boulden, wife of State Representative Kenneth W. Boulden, from her illness; and

BE IT FURTHER RESOLVED that this expression be conveyed to Representative and Mrs. Kenneth W. Boulden and a copy of this Resolution be forwarded to them at their home in Swanwyck Estates; and

BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the Journal of the House of Representatives of the 125th General Assembly of the State of Delaware.

Introduced by Rep. Zimmerman. Adopted by voice vote.

HR 48 — Relative to the Illness of Former State Representative Monroe B. Hudson.

WHEREAS, the House of Representatives of the 125th General Assembly of the State of Delaware has learned with deep regret of the illness of former State Representative Monroe B. Hudson;

WHEREAS, the members of the House desire to express in this public manner their best wishes for his speedy recovery.

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 125th General Assembly of the State of Delaware that the members thereof extend their sincere best wishes for a speedy recovery to former State Representative Monroe B. Hudson from his illness; and

BE IT FURTHER RESOLVED that this expression be conveyed to former State Representative Monroe B. Hudson and a copy of this Resolution be forwarded to him at his home in Selbyville; and

BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the Journal of the House of Representatives of the 125th General Assembly of the State of Delaware.

Introduced by Rep. Zimmerman. Adopted by voice vote.

House recessed to call of the chair at 5:24 P.M.

The Speaker called the House to order at 2:31 P.M. Mr. Stabler moved to adjourn thereby ending the 46th Legislative Day.

47TH LEGISLATIVE DAY

The House convened at 2:32 P.M., on Wednesday, June 18, 1969.

Prayer by the Chaplain Reverend John A. Irwin, Selbyville.

The Speaker led those present in a Salute of the Flag.

Roll Call revealed 39 members present, none absent.

Minutes of the previous legislative day were approved as posted.

The Senate informed the House it had passed **HB 291** and returned same to the House.

Committee Reports: Commerce and Labor: **HB 234**, 1 favorable, 3 on merits; **HB 321**, 1 favorable, 3 on merits; Judiciary: **HB 293**, 4 on merits; **HB 294**, 4 on merits; Financial Institutions: **SB 312**, 5 favorable.

The following prefiled bills were introduced:

HS 1 for HB 276 — An Act to Amend Subchapter V, Chapter 17, Title 24, Delaware Code, Providing for Immunity of Members of Medical Council of Delaware, the Board of Medical Examiners of Delaware, the County Medical Censor Committees, the State Osteopathic Censor Committee, and Physicians Who Are Members of Hospital Committees Whose Function Is the Review of Medical Records and of Physicians' Work With A View to Quality of Care and Utilization of Hospital Facilities From Suit or Liability for Action Taken As Members of Such Organizations and Committees. Introduced by Rep. Sebrell. Referred to the Committee on Health and Welfare.

HS 1 for HB 240 — An Act to Abolish the New Castle County Department of Police and to Transfer the Functions, Records, Equipment and Such Qualified Personnel Thereof As Meet the Standards of the Delaware State Police to the Delaware State Police and to Make A Supplementary Appropriation Therefor. Introduced by Rep. Leshner. Referred to the Committee on Highways and Public Safety.

HB 423 — An Act to Amend Section 2905, Title 30, Delaware Code, Relating to the Retail License Fee. Introduced by Rep. Moerschel. Referred to the Committee on Revenue and Taxation.

HB 424 — An Act to Amend Section 309 and Section 304 (2), Title 4, Delaware Code, Relating to Scope of Regulations Made By the Delaware Liquor Commission; Amendment of the Delaware Liquor Commission Regulations By the General Assembly; and More Particularly Imposing Restriction

tions Upon the Delaware Liquor Commission As to Regulation of Pool Tables, Pinball Machines, and Shuffleboards In Business Places Selling Alcoholic Liquors. Introduced by Rep. Quillen. Referred to the Committee on Revised Statutes.

HB 425 — An Act to Amend Chapter 53, Title 11, Delaware Code, By Excluding Persons Who Violate the Motor Vehicle Code and Certain Misdemeanors From the Provisions Relating to the Transfer of Cases to the Superior Court. Introduced by Rep. Burt. Referred to the Committee on Judiciary.

HB 426 — An Act Amending Titles 30 and 21, Delaware Code, Providing for Omnibus Amendments and Corrections to the Revised Business Tax Provisions of HB 296 of the 125th General Assembly. Introduced by Rep. Billingsley. Referred to the Committee on Revenue and Taxation.

HB 427 — An Act Making A Supplemental Appropriation to the Budget Director for the Development of Federal Program Reimbursement Plans. Introduced by Rep. Leshner. Referred to the Committee on Appropriations.

HB 428 — An Act to Amend Title 11, Delaware Code, By Adding Chapter 84 to Provide Mandatory Training and Education for Police Officers of Municipalities and Other Governmental Units of the State of Delaware and Establishing the Delaware Police Training Commission, and Making A Supplementary Appropriation Therefor. Introduced by Rep. Burt. Referred to the Committee on Highways and Public Safety.

HB 429 — An Act Creating A Chief Counsel for the Chief Justice of the Supreme Court, Defining His Duties With Respect to the Justices of the Peace, and to Amend the Duties of the Deputy Administrator, and to Create Deputy Counsels. Introduced by Rep. Moerschel. Referred to the Committee on Judiciary.

HCR 16 — Providing For A Joint Committee to Investigate Complaints Pertaining to the Operation of Facilities of the Delaware River and Bay Authority and Providing Funds Therefor. Introduced by Rep. Kirk. Referred to the Committee on Commerce and Labor.

HR 49 — Relating to Reconsideration of Senate Bill No. 99. Introduced by Rep. Murphy. Laid on Table.

HA 2 to HB 262 — Introduced by Rep. Leshner. Placed with bill.

SB 61 — An Act to Amend § 936, Title 7, Delaware Code, Pertaining to Trout or Weak Fishing. Introduced by Senator Isaacs. Referred to the Committee on Natural Resources.

SB 303 — An Act Making A Supplementary Appropriation to the Delaware State Development Department for Flags. Introduced by Senator Cicone. Referred to the Committee on Appropriations.

SB 308 — An Act to Amend Chapter 27, Subchapter I, Section 2713, Title 21, Delaware Code, Relating to Driver's License By Providing for the Issuance Thereof Every Four Years and the Taking Of A Photograph. Introduced by Senator Isaacs. Referred to the Committee on Highways and Public Safety.

SB 309 — An Act to Amend Chapter 27, Subchapter I, Title 21, Section 2702, Delaware Code, Relating to Driver's Licenses and the Classification Thereof. Introduced by Senator Isaacs. Referred to the Committee on Highways and Public Safety.

SB 316 — An Act to Amend Section 1708, Title 14, Delaware Code, Relating to Form of Appropriation By Adding New Subsections (d) and (e). Introduced by Senator Steele. Referred to the Committee on Education.

SS 1 for SB 324 — An Act to Amend Delaware Code, Title 14, Chapter 41, By Adding A New Section Relating to Privileged Communication and Confidential Records. Introduced by Senator Hale. Referred to the Committee on Education.

SB 326 — An Act to Create the Office of Controller General and to Make A Supplementary Appropriation Therefor. Introduced by Senator Steele. Referred to the Committee on Appropriations.

SB 327 — An Act to Amend Title 7, Delaware Code, § 2133, Relating to the Taking of Oysters From Certain Rivers and Their Tributaries. Introduced by Senator Hickman. Referred to the Committee on Natural Resources.

SB 331 — An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pension Plan. Introduced by Senator Castle. Referred to the Committee on Appropriations.

SB 332 — An Act to Amend Chapter 74, Title 29, Delaware Code, Relating to the Limitation on the Amount of Bonded Indebtedness. Introduced by Senator Steele. Referred to the Committee on Appropriations.

SB 333 — An Act to Amend Chapter 1, Title 16, Delaware Code, Relating to Deputy State Health Officers. Introduced by Senator Steele. Referred to the Committee on Health and Welfare.

SB 346 — An Act to Amend Title 14, Delaware Code, By Providing for Children With Learning Disabilities and Making A Supplementary Appropriation Therefor. Introduced by Senator Conner. Referred to the Committee on Education.

HA 1 to SCR 15 — Introduced by Rep. Hering. Placed with bill.

HA 1 to HB 320 — Introduced by Rep. Zimmerman. Placed with bill.

HA 1 to HB 234 — Introduced by Rep. Riddagh. Placed with bill.

HA 1 to HB 278 — Introduced by Rep. Sebrell. Placed with bill.

HA 1 to HB 371 — Introduced by Rep. Riddagh. Placed with bill.

SA 1 to SS 1 for SB 16 — Introduced by Senator Steele. Placed with bill. Replaces previous amendment erroneously delivered from Senate.

On motion of Rep. Murphy the following was given a final reading and placed before the House for consideration:

HR 49 — Relating to Reconsideration of Senate Bill No. 99.

Rep. Benson moved to table **HR 49**. Motion lost. Rep. Murphy moved to adopt **HR 49**. Rep. Murphy moved to table the roll call. Motion to table lost. Rep. Murphy moved to reconsider **HR 49**. Motion lost.

On motion of Rep. Riddagh the following was given a final reading and placed before the House for consideration:

HB 111 — An Act to Amend Title 31, Delaware Code, By Providing for the Payment of One Dollar By All Welfare Recipients Toward the Cost of Each Prescription Received.

HA 1 to HB 111 — Introduced by Rep. Frederick. Adopted by voice vote.

The Senate informed the House it had passed **SS 1** for **SB 167** and requested concurrence of the House.

On motion of Rep. Gray the following was given a final reading and placed before the House for consideration:

HB 307 — An Act to Amend An Act Being Chapter 166, Volume 37, Laws of Delaware, As Amended, Entitled "An Act to Reincorporate the Town of Selbyville" to Increase the Salaries of the Mayor and the Members of the Town Council.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 38.

ABSENT — Murphy — 1.

HB 307 having received a two-thirds majority was declared passed by the House.

On motion of Rep. Billingsley the following was given a final reading and placed before the House for consideration:

HB 305 — An Act Making A Supplementary Appropriation to the State Tax Department.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 38.

ABSENT — Murphy — 1.

HB 305 having received a constitutional majority was declared passed by the House.

On motion of Rep. Kirk the following was given a final reading and placed before the House for consideration:

HB 319 — An Act to Reincorporate the City of Delaware City.

The following letter was read from the Delaware City Council:

May 29, 1969

Honorable John F. Kirk, Jr.
State Representative
State of Delaware
Delaware City, Delaware 19706
Dear Mr. Kirk:

The following resolution was adopted unanimously by the Mayor and Council of Delaware City at their last regular meeting on Monday, May 12, 1969:

"The Mayor and Council of Delaware City, Delaware respectfully request that the attached revised Charter for the City of Delaware City be placed before the State Legislature by Representative John F. Kirk, Jr."

Thank you for attention to this matter.

Very truly yours,
MAYOR & COUNCIL OF DELAWARE CITY
Carol L. Boyer, Secretary

MC:clb

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 38.

ABSENT — Murphy — 1.

HB 319 having received a two-thirds majority was declared passed by the House.

On motion of Rep. Kirk the following was given a final reading and placed before the House for consideration:

HB 262 — An Act Making A Supplementary Appropriation to the State Park Commission for Purposes of Refunding and Administering the Recreation Assistance Fund Established by Title 7, Section 4730, Delaware Code.

HA 1 to **HB 262** — Introduced by Rep. Leshner. Stricken on motion of Rep. Leshner.

HA 2 to **HB 262** — Introduced by Rep. Leshner. Adopted by voice vote.

Roll Call on **HB 262** with **HA 2** revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 39.

HB 262 with **HA 2** having received a constitutional majority was declared passed by the House.

On motion of Rep. Kirk the following was given a final reading and placed before the House for consideration:

HB 333 — An Act Making A Supplementary Appropriation to the State Park Commission for the Construction of A Boat Launching Ramp in the Vicinity of Delaware City.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 37.

ABSENT — Goldfeder, Murphy — 2.

HB 333 having received a constitutional majority was declared passed by the House.

On motion of Rep. Leshner the following was given a final reading and placed before the House for consideration:

SB 30 — An Act Making A Supplementary Appropriation to the Secretary of Transportation for Certain Initial Capital Requirements for and On Behalf of the Greater Wilmington Transportation Authority. Introduced by Senator Castle.

Privilege of the floor was granted Mr. Howard Handelman, Attorney for Greater Wilmington Transportation Authority to answer questions.

Roll Call revealed:

YEAS — Benson, Berndt, Boulden, Burt, Butcher, Dillman, duPont, Fonville, Frederick, Goldfeder, Harrington, Hearn, Heckert, Jarvis, Leshner, Little, McMahon, Mears, Murphy, Orth, Phillips, Rawlins, Seibel, Spence, Stabler, Stansky, Wright, Zimmerman, Mr. Speaker Hering — 29.

NAYS — Billingsley, Burton, Quillen, Riddagh, Sebrell, Unruh — 6.

NOT VOTING — Dodge, Gray, Kirk, Moerschel — 4.

SB 30 having received a constitutional majority was declared passed by the House.

On motion of Rep. Benson the following was given a final reading and placed before the House for consideration:

HB 327 — An Act to Amend Title 11, Delaware Code, Relating to Lotteries.

On motion of Rep. Benson, roll call on **HB 327** was tabled.

On motion of Rep. Heckert the following was given a final reading and placed before the House for consideration:

HB 320 — An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to Salary Schedules for School Employees.

HA 1 to **HB 320** — Introduced by Rep. Zimmerman. Roll Call on **HA 1** revealed:

YEAS — Billingsley, Boulden, Butcher, Fonville, Goldfeder, Harrington, Hearn, McMahon, Mears, Moerschel, Orth, Phillips, Rawlins, Stansky, Unruh, Wright, Zimmerman — 17.

NAYS — Benson, Berndt, Burt, Burton, Dillman, Dodge, duPont, Frederick, Gray, Heckert, Jarvis, Leshner, Little, Quillen, Riddagh, Sebrell, Seibel, Spence, Stabler, Mr. Speaker Hering — 20.

NOT VOTING — Kirk — 1.

ABSENT — Murphy — 1.

HA 1 to **HB 320** not having received a majority was declared lost.

HA 2 to **HB 320** — Introduced by Rep. Wright. Mrs. Heckert moved to table **HA 2**. Roll Call on tabling motion revealed:

YEAS — Benson, Dodge, duPont, Frederick, Heckert, Jarvis, Quillen, Riddagh, Sebrell, Seibel, Stabler — 11.

NAYS — Berndt, Boulden, Burton, Butcher, Fonville, Goldfeder, Gray, Harrington, Hearn, Leshner, McMahon, Mears, Moerschel, Orth, Phillips, Rawlins, Spence, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 22.

NOT VOTING — Burt, Dillman, Kirk, Little — 4.

ABSENT — Billingsley, Murphy — 2.

The tabling motion not having received a majority was declared lost.

House recessed at 5:25 P.M., reconvened at 5:44 P.M.

On motion of Rep. Wright, **HA 2** to **HB 320** was before the House for consideration. Roll Call revealed:

YEAS — Boulden, Butcher, Fonville, Goldfeder, Harrington, Hearn, McMahon, Mears, Orth, Phillips, Rawlins, Stansky, Wright, Zimmerman — 14.

NAYS — Benson, duPont, Frederick, Heckert, Jarvis, Quillen, Riddagh, Sebrell — 8.

NOT VOTING — Berndt, Billingsley, Burt, Burton, Dillman, Dodge, Kirk, Leshner, Little, Moerschel, Seibel, Spence, Stabler, Unruh, Mr. Speaker Hering — 15.

ABSENT — Gray, Murphy — 2.

HA 2 to HB 320 not having received a majority was declared lost.

HA 3 to HB 320 — Introduced by Rep. Hearn. Roll Call revealed:

YEAS — Boulden, Butcher, Fonville, Goldfeder, Harrington, Hearn, McMahon, Mears, Orth, Phillips, Rawlins, Stansky, Wright, Zimmerman — 14.

NAYS — Benson, Berndt, Billingsley, duPont, Frederick, Heckert, Jarvis, Leshner, Little, Quillen, Riddagh — 11.

NOT VOTING — Burt, Burton, Dillman, Dodge, Kirk, Moerschel, Sebrell, Seibel, Spence, Stabler, Unruh, Mr. Speaker Hering — 12.

ABSENT — Gray, Murphy — 2.

HA 3 to HB 320 not having received a majority was declared lost.

Roll Call on **HB 320** revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 37.

ABSENT — Gray, Murphy — 2.

HB 320 having received a constitutional majority was declared passed by the House.

On motion of Rep. Little the following was given a final reading and placed before the House for consideration:

SB 305 — An Act to Amend Title 15, Delaware Code, Effecting A General Revision of the Election Laws of the State of Delaware By Amending Chapters 1, 3, 11, 13, 15, 17, 20, 21, 31, 41, 45, 47, 49, 50, 51, 55 and 71, Relating to the Departments of Election, State Election Commissioner, Voter Registration, and the Provisions Dealing With General Elections and Providing Criminal Penalties for Certain Election Offenses. Introduced by Senator Castle.

The following letter was read from the Department of Elections of New Castle County:

June 3, 1969

Representative Thomas L. Little, Co-Chairman
Election Study Committee
Legislative Hall
Dover, Delaware
Dear Representative Little:

I want to express my gratitude to you for inviting me to participate in the weekly discussions directed toward improving the Election Laws of this State. I also wish to commend you, and of course the other members of the committee, for the successful effort to keep partisan politics out of the many deliberations.

I am fully aware of the many hours spent (sometimes the frustrations) in writing and rewriting the numerous sections in Senate Bill 95, and I'm confident that in some measure it will add to the excellent election laws presently on our statute books. However, I'm concerned that the three proposed sections, rather than solving problems, will create some very serious ones.

Therefor, for the record, listed below are the three sections to which I am opposed. My objections are already recorded in the minutes of our meetings.

Section 1712

Section 1722

Section 4940 & 5002-A (all relate to same subject)

While the objections noted above are few in number they are, in my opinion, of such a serious nature that I must oppose these and any other legislation which would make it more difficult for a person to register, stay registered and cast a ballot.

I have enjoyed working with you and the committee and if at any time I can be of any further service, please do not hesitate to call on me.

Sincerely yours,
Sigmund Schorr, President
Department of Elections
For New Castle County

SS/p

cc: Senator Castle

HA 1 to SB 305 — Introduced by Rep. Zimmerman. Lost by voice vote.

HA 2 to SB 305 — Introduced by Rep. Zimmerman. Lost by voice vote.

HA 3 to SB 305 — Introduced by Rep. Zimmerman. Lost by voice vote.

HA 4 to SB 305 — Introduced by Rep. Zimmerman. Lost by voice vote.

Roll Call on **SB 305** revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Burton, Dillman, Dodge, duPont, Frederick, Gray, Heckert, Jarvis, Kirk, Leshner, Little, Moerschel, Murphy, Quillen, Riddagh, Sebrell, Seibel, Spence, Stabler, Unruh, Mr. Speaker Hering — 25.

NAYS — Boulden, Butcher, Fonville, Goldfeder, Harrington, Hearn, McMahon, Mears, Orth, Phillips, Rawlins, Stanisky, Wright, Zimmerman — 14.

SB 305 having received a constitutional majority was declared passed by the House.

Committee Reports: Revised Statutes: **HB 354**, 4 on merits, 2 unfavorable; **HB 380**, 6 on merits; **HB 408**, 6 on merits; **HB 418**, 1 favorable, 5 on merits; **HB 374**, 6 on merits; **HB 420**, 1 favorable, 5 on merits; Elections: **SS 1** for **SB 297**, 3 favorable, 1 on merits; **SB 306**, 3 favorable, 1 on merits; Health and Welfare: **HB 334**, 1 favorable, 5 on merits; **HB 402**, 1 favorable, 4 on merits; **HB 405**, 1 favorable, 2 on merits, 2 unfavorable; **HB 401**, 1 favorable, 4 on merits; **HB 407**, 1 favorable, 4 on merits; **HB 414**, 1 favorable, 4 on merits; **HB 406**, 1 favorable, 4 on merits; **HB 378**, 2 favorable, 1 on merits, 2 unfavorable; **HB 404**, 1 favorable, 4 on merits; **HB 357**, 2 favorable, 3 on merits; **HB 403**, 1 favorable, 4 on merits; **HB 360**, 2 favorable, 3 on merits; **HB 422**, 1 favorable, 2 on merits, 2 unfavorable.

The following prefiled bills were introduced:

HB 430 — An Act to Amend Chapter 69, Title 29, Delaware Code, Relating to the Procurement of Material and Award of Contracts for Public Works By State Agencies. Introduced by Rep. Billingsley. Referred to the Committee on Commerce and Labor.

HB 431 — An Act to Amend Section 2521, Title 12, Delaware Code, to Transfer to the State From the Several Counties Tax Receipts of the Registers of Wills, for the "1% Fee" for Settling Decedents' Estates. Introduced by Rep. Jarvis. Referred to the Committee on Revenue and Taxation.

HB 432 — An Act to Amend Chapter 53, Title 11, Delaware Code, Relating to Criminal Procedures in the Court of Common Pleas for New Castle County. Introduced by Rep. Burt. Referred to the Committee on Judiciary.

HB 433 — An Act to Remove the Tax Exemption of Municipalities for the Production of Steam, Gas or Electricity. Introduced by Rep. Billingsley. Referred to the Committee on Revised Statutes.

HB 434 — An Act to Amend "An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1970", Being House Bill No. 187 of the 125th General Assembly and Also Known as the 1970 Budget Appropriation Bill With Respect to the Department of Corrections. Introduced by Rep. Leshner. Referred to the Committee on Appropriations.

HB 435 — An Act to Amend Chapter 113, Volume 32, Laws of Delaware, Entitled "An Act Providing For A Police Pension Fund: For Members of the Police Force of the City of Wilmington." Introduced by Rep. Burt. Referred to the Committee on Revised Statutes.

HB 436 — An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to Salary Schedules for School Nurses. Introduced by Rep. Burt. Referred to the Committee on Education.

HB 437 — An Act to Amend "An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1970", Being House Bill No. 187 of the 125th General Assembly and Also Known As the 1970 Budget Appropriation Bill With Respect to the Department of Corrections. Introduced by Rep. Spence. Referred to the Committee on Appropriations.

HB 438 — An Act to Amend Title 28, Delaware Code to Authorize Residents of This State to Purchase Rifles and Shotguns in States Contiguous to This State. Introduced by Rep. Benson. Referred to the Committee on Revised Statutes.

HB 439 — An Act to Amend Chapter 337, Volume 56, Delaware Laws, Entitled "An Act Making Appropriations for the Expense of State Government for the Fiscal Year Ending June 30, 1969" to Allow the Budget Director to Pay State Employees According to Their Merit System Salary Schedule Rather Than Their Line Item Salary Appropriation. Introduced by Rep. Murphy. Referred to the Committee on Appropriations.

HA 2 to HB 371 — Introduced by Rep. Riddagh. Placed with bill.

HA 1 to HB 358 — Introduced by Rep. Spence. Placed with bill.

HA 2 to HB 325 — Introduced by Rep. Benson. Placed with bill.

HA 1 to HB 426 — Introduced by Rep. Spence. Placed with bill.

SS 1 for SB 167 — An Act to Amend Title 14, Delaware Code, Relating to Sick Leave Provisions for School Employees By Providing Terminal Pay for Unused Sick Leave Time. Introduced by Senator Conner. Referred to the Committee on Education.

House recessed to call of the chair at 6:33 P.M.

The Speaker called the House to order at 2:24 P.M. Mr. Stabler moved to adjourn thereby ending the 47th Legislative Day.

48TH LEGISLATIVE DAY

The House convened at 2:25 P.M., on Thursday, June 19, 1969.

Prayer by the Chaplain Reverend John Irwin, Selbyville.

The Speaker led those present in a Salute of the Flag.

Roll call revealed 33 members present, 1 absent.

Members present: Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 38.

Absent: Fonville — 1.

Minutes of the previous legislative day were approved as posted.

The Senate informed the House it had passed **SB 244**, **SB 329**, **SB 339**, **SB 322** with **SA 1**, **SS 1** for **SB 318**, **SB 336**, **SB 346**, **SB 347**, **SB 80** with **SA 1** and **SA 2** and requested the concurrence of the House; also, **HB 260** with **HA 1**, **HB 290**, **HB 304**, **HB 233**, **HB 300**, **HB 286**, **HB 270** with **HA 1**, **HB 165** with **SA 1**, **HS 2** for **HB 131** with **HA 1** and **SA 1**, **HB 175** and returned same to the House.

Committee Reports: Appropriations: **HB 265**, 1 favorable, 4 on merits, 1 unfavorable; Education: **SB 346**, 4 on merits; **HB 398**, 4 on merits; **HB 384**, 1 favorable, 3 on merits; **HJR 13**, 4 on merits; **SS 1** for **SB 167**, 4 on merits; Judiciary: **HB 387**, 1 favorable, 3 on merits; **HB 400**, 4 on merits; **SS 1** for **SB 16**, 2 favorable, 2 on merits; Revenue and Taxation: **HB 433**, 1 favorable, 4 on merits; **HB 424**, 1 favorable, 4 on merits; **HB 331**, 5 on merits; **HB 438**, 1 favorable, 4 on merits.

The following prefiled amendments and bills were introduced:

HA 1 to **HB 367** — Introduced by Rep. Dodge. Placed with bill.

HA 1 to **HB 205** — Introduced by Rep. Zimmerman. Placed with bill.

HA 1 to **HB 261** — Introduced by Rep. Billingsley. Placed with bill.

HA 2 to **HB 285** — Introduced by Rep. Dillman. Placed with bill.

HA 1 to **HB 326** — Introduced by Rep. Billingsley. Placed with bill.

HA 1 to **HB 415** — Introduced by Rep. Sebrell. Placed with bill.

HS 2 for **HB 131** with **SA 1** — On motion of Rep. Jarvis, **SA 1** introduced by Senator Steele was adopted by roll call as follows:

YEAS — Berndt, Billingsley, Burt, Butcher, Dillman, Dodge, duPont, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 34.

NOT VOTING — Benson, Boulden, Mears — 3.

ABSENT — Burton, Fonville — 2.

SA 1 to HS 2 for HB 131 having received a majority was declared adopted.

HB 165 with SA 1 — On motion of Rep. Hearn, **SA 1** introduced by Senator Castle, was adopted by roll call as follows:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 37.

ABSENT — Fonville, Sebrell — 2.

HB 165 with SA 1 having received a majority was declared adopted.

HR 50 — Relating to the Return of Senate Bill No. 116 as Amended to the Senate for Reconsideration. Introduced by Rep. Burt. Adopted by voice vote.

SB 80 — An Act to Amend Section 717 (d), Chapter 7, Title 4, Delaware Code, Relating to the Prohibition of Sales of Alcoholic Beverages at Certain Times by Empowering the Alcoholic Beverage Control Commission to Grant Extension Permits to License Holders Who Sell Alcoholic Beverages In A Hotel, Restaurant, Club or Tavern Up to Two O'Clock in the Morning on Certain Conditions. Introduced by Senator Holloway. Referred to the Committee on Commerce and Labor.

SB 244 — An Act to Amend Title 7, Delaware Code, By Repealing Part II Relating to the Shell Fisheries Commission and Its Jurisdiction, and Revising Part I in Order That the Board of Game and Fish Commissioners Hereafter Assume Certain Functions Formerly the Responsibility of the Shell Fisheries Commission and Accomplishing Certain Other Additions to, Revisions and Codification of the Authority of the Board of Game and Fish Commissioners by Further Amendment of Title 7 and Title 23 Relating to Navigation and Waters, and Authorizing the Acquisition of A New Watch Boats for the Expanded Water Patrol Duties of the Board and Making An Appropriation Therefor. Introduced by Senator Isaacs. Referred to the Committee on Natural Resources.

SS 1 for SB 318 — An Act to Amend Chapter 17, Title 10, Delaware Code, Relating to the Municipal Court for the City of Wilmington and Providing for A Chief Judge Therefor. Introduced by Senator Castle and Others. Referred to the Committee on Judiciary.

SB 322 with SA 1 — An Act to Amend An Act Entitled "An Act to Amend Chapter 17 of Title 24, Delaware Code,

Relating to Licensure to Practice Medicine and Surgery, the Termination of Human Pregnancy, and Penalties for Violation of the Said Chapter." Introduced by Senator Conner. Referred to the Committee on Judiciary.

SB 329 — An Act to Change the Name of the "Delaware Institute of Technology" to "Diamond State Community College." Introduced by Senators Foltz and Manning. Referred to the Committee on Education.

SB 336 — An Act to Amend Section 15, Chapter 429, Volume 55, Laws of Delaware, Relating to Money Borrowed By the State for Capital Improvements and to the Issuance of Bonds and Notes Therefor and Appropriating \$42,639,992.00 to Various State Agencies, By Extending the Date for Expenditure of the Moneys Appropriated to July 1, 1970. Introduced by Senator Isaacs. Referred to the Committee on Appropriations.

SB 339 — An Act to Amend Chapter 74, Title 29, Delaware Code, Relating to Bonds of the State By Providing for the Replacement of Lost, Destroyed or Defaced Bonds. Introduced by Senator Steele. Referred to the Committee on Appropriations.

SB 347 — An Act to Amend Chapter 21, Title 14, Delaware Code, Relating to Local School Bonds By Providing for the Replacement of Lost, Destroyed or Defaced Bonds. Introduced by Senator Steele. Referred to the Committee on Appropriations.

HA 1 to SB 171 — Introduced by Rep. Boulden. Placed with bill.

On motion of Rep. Quillen the following was given a final reading and placed before the House for consideration:

HB 295 with HA 1 — An Act to Amend Chapter 29, Title 7, Delaware Code, Relating to the State Forestry Department By Providing for the Power of Arrest and Providing for Criminal Penalties for Violating State Forest Public Use Rules Adopted by the State Forestry Commission.

Roll Call revealed:

YEAS — Benson, Berndt, Burt, Burton, Butcher, Dillman, Dodge, duPont, Frederick, Gray, Heckert, Jarvis, Kirk, Leshner, Little, Moerschel, Murphy, Quillen, Rawlins, Riddagh, Seibrell, Seibel, Spence, Stabler, Unruh, Mr. Speaker Hering — 26.

NAYS — Billingsley, Boulden, Fonville, Harrington, McMahon, Mears, Orth, Phillips, Stansky, Wright, Zimmerman — 11.

ABSENT — Goldfeder, Hearn — 2.

HB 295 with HA 1 having received a two-thirds majority was declared passed by the House.

On motion of Rep. duPont the following was given a final reading and placed before the House for consideration:

HCR 14 — Relating to New Castle County Building Permits.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Burton, Dillman, Dodge, duPont, Frederick, Gray, Harrington, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Unruh, Mr. Speaker Hering — 29.

NAYS — Boulden, Goldfeder — 2.

NOT VOTING — Butcher, Hearn, Phillips, Stansky, Wright, Zimmerman — 6.

ABSENT — Fonville, Stabler — 2.

HCR 14 having received a majority was declared adopted.

On motion of Rep. Riddagh the following was given a final reading and placed before the House for consideration:

HB 234 with **HA 1** — An Act to Amend Chapter 9, Title 26, Delaware Code, Relating to Electric Lines or Wires Near Airports.

HA 1 to **HB 234** — Introduced by Rep. Riddagh. Adopted by voice vote.

Roll Call on **HB 234** with **HA 1** revealed:

YEAS — Benson, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, Harrington, Heckert, Kirk, Leshner, Mears, Moerschel, Phillips, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stansky, Unruh, Wright, Zimmerman — 24.

NOT VOTING — Berndt, duPont, Frederick, Goldfeder, Gray, Hearn, Jarvis, Little, McMahon, Murphy, Orth, Quillen, Stabler, Mr. Speaker Hering — 14.

ABSENT — Fonville — 1.

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

On motion of Rep. Heckert the following was given a final reading and placed before the House for consideration:

SB 171 — An Act Making A Supplementary Appropriation From the General Fund of \$1,500,000 to the State Board of Education for an Experimental Program in Certain Public Schools Where A Significant Proportion of the Student Population Have Been Found to be Two or More Years Below National Grade Achievement Levels. Introduced by Senator Castle.

HA 1 to **SB 171** — Introduced by Rep. Boulden. Lost by voice vote.

Roll Call revealed:

YEAS — Berndt, Burt, Butcher, Dodge, duPont, Frederick, Goldfeder, Gray, Hearn, Heckert, Little, McMahon, Mears, Moerschel, Orth, Rawlins, Seibel, Spence, Stabler, Wright, Mr. Speaker Hering — 21.

NAYS — Billingsley, Kirk, Leshner, Quillen, Sebrell — 5.

NOT VOTING — Benson, Burton, Dillman, Harrington, Murphy, Phillips, Riddagh, Stansky, Unruh, Zimmerman — 10.

ABSENT — Boulden, Fonville, Jarvis — 3.

SB 171 having received a constitutional majority was declared passed by the House.

House recessed at 4:22 P.M., reconvened at 4:42 P.M.

On motion of Rep. Seibel the following was given a final reading and placed before the House for consideration:

HB 272 with **HA 1** — An Act to Amend Chapter 7, Title 13, Delaware Code Relating to Minors' Consent to Diagnostic and Lawful Therapeutic Procedures, Care and Treatment for Pregnancy or Contagious Diseases.

HA 1 to **HB 272** — Introduced by Rep. Seibel. Adopted by voice vote.

Privilege of the floor was granted Dr. Catherine Middleton, State Board of Health.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Goldfeder, Gray, Heckert, Kirk, Leshner, Little, Mears, Moerschel, Murphy, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Unruh, Mr. Speaker Hering — 28.

NAYS — Wright, Zimmerman — 2.

NOT VOTING — Boulden, Harrington, Hearn, Jarvis, McMahon, Orth, Phillips, Stansky — 8.

ABSENT — Frederick — 1.

HB 272 with **HA 1** having received a constitutional majority was declared passed by the House.

On motion of Rep. Murphy the following was given a final reading and placed before the House for consideration:

SB 277 — An Act to Amend Section 4401, Chapter 44, Title 21 of the Delaware Code, Relating to Abandoned Vehicles By, Including Disabled Vehicles. Introduced by Senator Elliott.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Dillman, Dodge, duPont, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 37.

ABSENT — Butcher, Fonville — 2.

SB 277 having received a constitutional majority was declared passed by the House.

On motion of Rep. Sebrell the following was given a final reading and placed before the House for consideration:

HB 277 — An Act to Amend Chapter 43, Title 10, Delaware Code, Relating to Payments Made As An Accommodation Upon A Personal Injury Claim and Admissibility Thereof As Evidence.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 38.

ABSENT — Fonville — 1.

HB 277 having received a constitutional majority was declared passed by the House.

On motion of Rep. Sebrell the following was given a final reading and placed before the House for consideration:

HB 278 — An Act to Amend Section 8118, Title 10, Delaware Code, Relating to the Limitation of Actions for Personal Injuries.

HA 1 to HB 278 — Introduced by Rep. Sebrell. Adopted by voice vote.

Roll Call on **HB 278** with **HA 1** revealed:

YEAS — Berndt, Billingsley, Boulden, Burt, Butcher, Dillman, Dodge, duPont, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 35.

NOT VOTING — Benson, Burton — 2.

ABSENT — Fonville, Seibel — 2.

HB 278 with **HA 1** having received a constitutional majority was declared passed by the House.

On motion of Rep. Heckert the following was given a final reading and placed before the House for consideration:

HB 309 — An Act to Amend Chapter 13, Title 14, Delaware Code, Entitled "State Supported Salary Schedules for School Employees" to Re-Entitle Said Chapter to Read "Salaries and Working Conditions of School Employees", and to Provide A Duty-Free Period for Grades 1 to 12 Inclusive School Teachers, and to Make A Supplementary Appropriation Therefor.

Roll Call revealed:

YEAS — Berndt, Billingsley, Boulden, Burt, Butcher, Dillman, Dodge, Goldfeder, Gray, Hearn, Heckert, Kirk, Little, McMahon, Moerschel, Murphy, Orth, Phillips, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 29.

NAYS — Burton, Leshner, Mears — 3.

NOT VOTING — Benson, duPont, Frederick, Harrington, Jarvis, Quillen — 6.

ABSENT — Fonville — 1.

HB 309 having received a constitutional majority was declared passed by the House.

On motion of Rep. Jarvis the following was given a final reading and placed before the House for consideration:

SB 170 — An Act to Amend Section 1, Article VIII of the Constitution of the State of Delaware, Relating to the Exemption From Taxation of Real Property. Introduced by Senator Slawik.

HA 1 to SB 170 — Introduced by Rep. Hering. On motion of Rep. Stabler, **HA 1** was adopted by voice vote.

Roll Call on **SB 170** with **HA 1** revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 38.

ABSENT — Fonville — 1.

SB 170 with **HA 1** having received a two-thirds majority was declared passed by the House.

On motion of Rep. Seibel the following was given a final reading and placed before the House for consideration:

HS 1 for HB 271 — An Act to Amend Chapter 51, Title 30, Delaware Code, Relating to Municipal Street Aid Programs.

Roll Call revealed:

YEAS — Benson, Berndt, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 36.

ABSENT — Billingsley, Fonville, Stansky — 3.

HS 1 for HB 271 having received a constitutional majority was declared passed by the House.

On motion of Rep. Burt the following was given a final reading and placed before the House for consideration:

SB 288 with SA 1 & HA 1 — An Act to Amend Section 9525, Title 10, Delaware Code, Pertaining to the Prosecution of Civil Actions in Justice of the Peace Courts. Introduced by Senator Elliott.

HA 1 to SB 288 — Introduced by Rep. Burt. Adopted by voice vote.

Roll Call on **SB 288** with **SA 1** and **HA 1** revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 36.

ABSENT — Fonville, Orth, Stansky — 3.

SB 288 with **SA 1** and **HA 1** having received a constitutional majority was declared passed by the House.

Mr. Stabler took the chair as Acting Speaker.

On motion of Rep. Burt the following was given a final reading and placed before the House for consideration:

HB 325 with **HA 1** & **HA 2** — An Act to Amend Section 464, Title 11, Delaware Code, Relating to Spearguns.

HA 1 to **HB 325** — Introduced by Rep. Burt. Adopted by voice vote.

HA 2 to **HB 325** — Introduced by Rep. Benson. Adopted by voice vote.

Roll Call on **HB 325** with **HA 1** and **HA 2** revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 36.

ABSENT — Fonville, Jarvis, Stansky — 3.

HB 325 with **HA 1** and **HA 2** having received a constitutional majority was declared passed by the House.

On motion of Rep. Benson the following was given a final reading and placed before the House for consideration:

SB 310 — An Act to Amend Sections 4053 (5) and 4066 (b) (1), Subchapter VI, Chapter 40, Title 31, Delaware Code, Relating to the Powers of the Delaware State Housing Authority By Adding Certain Language to Permit the Authority to Rent Low Cost Housing. Introduced by Senator Elliott.

Privilege of the floor was granted Mr. George Cunningham, Secretary of the State Department of Housing to answer questions concerning the bill.

Roll Call revealed:

YEAS — Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, duPont, Frederick, Goldfeder, Gray, Harrington, Hearn, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Murphy, Orth, Phillips, Seibel, Stabler, Wright, Zimmerman, Mr. Speaker Hering — 27.

NAYS — Benson, Heckert, Moerschel, Quillen, Riddagh, Unruh — 6.

NOT VOTING — Dodge, Sebrell, Spence — 3.

ABSENT — Fonville, Rawlins, Stansky — 3.

SB 310 having received a constitutional majority was declared passed by the House.

On motion of Rep. Hering the following was given a final reading and placed before the House for consideration:

HCR 15 with **HA 1** — Relating to Wilmington Public Schools.

HA 1 to **HCR 15** — Introduced by Rep. Hering. Adopted by voice vote.

HCR 15 with **HA 1**, on motion of Rep. Hering, was adopted by voice vote.

On motion of Rep. Hering the following was given a final reading and placed before the House for consideration:

SJR 9 — Providing for a Joint Committee of the General Assembly to Assist in the Reorganization of the Executive Branch and Providing for Payment of Expenses Incurred By Said Committee. Introduced by Senator duPont.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Riddagh, Sebrell, Seibel, Spence, Stabler, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 36.

ABSENT — Fonville, Rawlins, Stansky — 3.

SJR 9 having received a majority was declared adopted by the House.

Mr. Hering returned to the chair as Speaker.

On motion of Rep. Burt, **SB 151** was recommitted.

Committee Reports: Commerce and Labor: **SB 80**, 2 favorable, 3 on merits; **HCR 16**, 6 on merits; **HB 430**, 6 on merits; Government Operations: **SB 313**, 1 favorable, 4 on merits; Public Buildings and Lands: **HB 373**, 3 favorable, 2 on merits; Appropriations: **SB 320**, 4 favorable, 2 on merits; **SB 321**, 6 favorable; **HB 334**, 1 favorable, 5 on merits (also reported out of Health and Welfare); **HB 261**, 5 on merits, 1 unfavorable; **HB 361**, 2 favorable, 3 on merits; **HB 434**, 2 favorable, 4 on merits; Natural Resources: **HB 417**, 1 favorable, 4 on merits; **HB 416**, 1 favorable, 4 on merits; **HB 392**, 4 favorable, 1 on merits; **SB 61**, 1 favorable, 5 on merits; **SB 65**, 1 favorable, 5 on merits; **SB 327**, 1 favorable, 4 on merits, 1 unfavorable; Highways and Public Safety: **SB 308**, 6 on merits; **SB 309**, 6 on merits; **HB 289**, 6 favorable; **HB 308**, 5 on merits; **HB 376**, 5 on merits; **HB 396**, 4 on merits; **HB 385**, 5 on merits; **HB 369**, 4 favorable, 1 on merits; Judiciary: **SB 322**, 4 favorable.

The following amendments were introduced:

HA 2 to HB 358 — Introduced by Rep. Unruh. Placed with bill.

HA 3 to HB 358 — Introduced by Rep. Leshner. Placed with bill.

HA 4 to HB 358 — Introduced by Rep. Frederick. Placed with bill.

HA 1 to HB 397 — Introduced by Rep. Little. Placed with bill.

HA 2 to HB 426 — Introduced by Rep. Unruh. Placed with bill.

HA 3 to HB 426 — Introduced by Rep. Billingsley. Placed with bill.

HA 3 to HB 285 — Introduced by Rep. Dillman. Placed with bill.

HA 1 to HB 393 — Introduced by Rep. Berndt. Placed with bill.

HA 1 to HB 423 — Introduced by Rep. Moerschel. Placed with bill.

House recessed to call of the chair at 6:25 P.M.

The Speaker called the House to order at 2:23 P.M. Mr. Stabler moved to adjourn thereby ending the 48th Legislative Day.

49TH LEGISLATIVE DAY

The House convened at 2:24 P.M., on Monday, June 23, 1969.

Prayer by the Chaplain Reverend Charles Covington, Rehoboth.

The Speaker led those present in a Salute of the Flag.

Roll Call revealed 39 members present, none absent.

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

Committee Reports: Public Buildings and Lands: **HB 314**, 6 on merits; Appropriations: **HB 339**, 1 favorable, 4 on merits; Revised Statutes: **HB 139**, 2 favorable, 4 on merits; Commerce and Labor: **HB 394**, 6 on merits; **HB 413**, 5 on merits, 1 unfavorable; Health and Welfare: **HS 1** for **HB 276**, 5 on merits; **HB 415**, 5 on merits; Highways and Public Safety: **HB 340**, 5 favorable.

The following prefiled bills and amendments were introduced:

HB 440 — An Act to Amend Title 22, Delaware Code, Relating to Municipal Zoning Regulations. Introduced by Rep. Billingsley. Referred to the Committee on Government Operations.

HS 1 for **SB 198** — An Act to Amend Section 2714, Chapter 27, Title 21, Delaware Code, Relating to Fees for

Permanent Drivers License, By Increasing the Fee to Fifteen Dollars and Imposing A Fee of One Dollar Every Four Years for Identification Photographs. Introduced by Rep. Hering. On motion of Rep. Hering, **HS 1** for **SB 198** was stricken.

HA 1 to **HB 339** — Introduced by Reps. Leshner and Hearn. Placed with bill.

HA 1 to **HB 346** — Introduced by Rep. Billingsley. Placed with bill.

HA 2 to **HB 397** — Introduced by Rep. Hering. Placed with bill.

HA 4 to **HB 426** — Introduced by Rep. Moerschel and Others. Placed with bill.

The Senate informed the House it had passed **Senate Bills 62, 350, 360, 365, 371** with **SA 1, 375, 376** and requested the concurrence of the House; also, **House Bills 155, 250, 166, 336** with **HA 1** and **2** and returned same to the House.

The following Senate Bills were introduced and assigned to committee:

SB 62 — An Act to Amend § 910, Title 7, Delaware Code, Relating to Anchored or Staked Net Regulations, Violations and Penalty. Introduced by Senator Isaacs. Referred to the Committee on Natural Resources.

SB 350 — An Act Making A Supplemental Appropriation to the State Employees' Retirement Fund From the Capital Investment Fund. Introduced by Senator Steele. Referred to the Committee on Appropriations.

SB 360 — An Act to Permit Municipalities to Adopt County Assessments for Purposes of Municipal Taxation and Providing for the Implementation Thereof. Introduced by Senator Steele and Others. Referred to the Committee on Revenue and Taxation.

SB 365 — An Act to Amend An Act Being Chapter 42, Volume 53, Laws of Delaware, As Amended, Entitled "An Act Amending, Revising and Consolidating the Charter of the City of Seaford" to Provide A Registration System for Voters in the Annual Municipal Election. Introduced by Senator Elliott. Referred to the Committee on Government Operations.

SB 371 with **SA 1** — An Act to Amend Subchapter II, Section 522 (c), Title 29, Delaware Code, Relating to Licenses to Conduct Harness Racing Meets. Introduced by Senator Hickman and Others. Referred to the Committee on Commerce & Labor.

SB 375 — An Act to Amend Chapter 65, Title 11, Delaware Code, In Order to Adopt the Interstate Corrections Compact. Introduced by Senators Manning and Cook. Referred to the Committee on Judiciary.

SB 376 — An Act to Amend Chapter 1, Title 26, Delaware Code, Pertaining to the Composition, Appointment, Term, Qualifications, Vacancies, Quorum, and Chairman of the Public Service Commission. Introduced by Senator duPont. Referred to the Committee on Commerce and Labor.

On motion of Rep. Murphy the following was given a final reading and placed before the House for consideration:

SB 193 — An Act to Amend Chapter 27, Subchapter III, Title 21, Delaware Code, By Adding A New Section Thereto Relating to Driving During A Period of License Denial and Providing Penalties Therefor. Introduced by Senator Isaacs.

Roll Call revealed:

YEAS — Berndt, Billingsley, Boulden, Burt, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Unruh, Mr. Speaker Hering — 33.

NOT VOTING — Benson, Burton, Hearn, Stansky, Wright, Zimmerman — 6.

SB 193 with **SA 1** and **SA 2** and **HA 1** having received a constitutional majority was declared passed by the House.

On motion of Rep. Murphy the following was given a final reading and placed before the House for consideration:

SB 309 — An Act to Amend Chapter 27, Subchapter I, Title 21, Section 2702, Delaware Code, Relating to Driver's Licenses and the Classification Thereof. Introduced by Senator Isaacs.

On motion of Rep. Murphy roll call was tabled on **SB 309**.

On motion of Rep. Murphy the following was given a final reading and placed before the House for consideration:

Mr. Murphy moved to lift the roll call on **SB 197** with **SA 1** from the table. Motion prevailed.

Roll Call revealed:

YEAS — Berndt, Boulden, Gray, Harrington, Heckert, Kirk, Leshner, Little, Mears, Moerschel, Quillen, Riddagh, Spence, Unruh, Mr. Speaker Hering — 15.

NAYS — Frederick, Murphy — 2.

NOT VOTING — Benson, Billingsley, Burt, Butcher, Dillman, Dodge, duPont, Fonville, Goldfeder, Hearn, Jarvis, McMahon, Orth, Sebrell, Seibel, Stabler, Stansky, Wright, Zimmerman — 19.

ABSENT — Burton, Orth, Rawlins — 3.

SB 197 with **SA 1** not having received a constitutional majority was declared lost.

Mr. Murphy moved to restore **SB 197** with **SA 1** to the calendar. Motion prevailed.

HA 1 to SB 197 — Introduced by Rep. Murphy. Adopted by voice vote.

Roll Call on **SB 197** with **SA 1** and **HA 1** revealed:

YEAS — Berndt, Burt, Dillman, Dodge, duPont, Frederick, Harrington, Jarvis, Kirk, Little, Moerschel, Murphy, Quillen, Riddagh, Sebrell, Seibel, Spence, Stabler, Unruh, Mr. Speaker Hering — 20.

NAYS — Phillips, Rawlins — 2.

NOT VOTING — Benson, Billingsley, Boulden, Burton, Butcher, Fonville, Goldfeder, Hearn, Heckert, Leshner, McMahon, Mears, Orth, Stansky, Wright, Zimmerman — 16.

ABSENT — Gray — 1.

SB 197 with **SA 1** and **HA 1** having received a constitutional majority was declared passed by the House.

On motion of Rep. Murphy the following was given a final reading and placed before the House for consideration:

SB 198 with **SA 1** — An Act to Amend Section 2714, Chapter 27, Title 21, Delaware Code, Relating to Fees for Permanent Drivers License, By Increasing the Fee to Twenty-Five Dollars and Imposing A Fee of One Dollar Every Four Years for Identification Photographs. Introduced by Senator Isaacs.

On motion of Rep. Murphy roll call on **SB 198** with **SA 1** was tabled.

On motion of Rep. Murphy the following was given a final reading and placed before the House for consideration:

SB 232 — An Act to Amend Subchapter III, Chapter 27, Title 21, Section 2746, Relating to Driving During Suspension and Revocation of Driving Privileges and the Penalty Therefor. Introduced by Senator Isaacs.

On motion of Rep. Murphy roll call on **SB 232** was tabled.

The Speaker welcomed the family of Rep. Jarvis.

On motion of Rep. Murphy the following was given a final reading and placed before the House for consideration:

SB 308 — An Act to Amend Chapter 27, Subchapter I, Section 2713, Title 21, Delaware Code, Relating to Driver's License By Providing for the Issuance Thereof Every Four Years and the Taking of A Photograph. Introduced by Senator Isaacs.

Roll Call revealed:

YEAS — Berndt, Burt, Burton, Dillman, Dodge, duPont, Frederick, Gray, Jarvis, Kirk, Leshner, Little, Moerschel, Murphy, Quillen, Riddagh, Sebrell, Seibel, Spence, Stabler, Unruh, Mr. Speaker Hering — 22.

NAYS — Benson, Billingsley, Harrington, Hearn, McMahon, Orth, Phillips, Wright, Zimmerman — 9.

NOT VOTING — Boulden, Butcher, Fonville, Goldfeder, Heckert, Mears, Rawlins, Stansky — 8.

SB 308 having received a constitutional majority was declared passed by the House.

On motion of Rep. Frederick the following was given a final reading and placed before the House for consideration:

HB 403 — An Act to Amend Section 504, Title 31, Delaware Code, Relating to Eligibility for Welfare Assistance.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Sebrell, Seibel, Stabler, Stansky, Wright, Zimmerman, Mr. Speaker Hering — 33.

NAYS — Riddagh — 1.

NOT VOTING — Dodge, Quillen, Rawlins, Spence, Unruh — 5.

HB 403 having received a constitutional majority was declared passed by the House.

Rep. Benson moved to lift the roll call on **HB 327**. Motion lost by voice vote.

On motion of Rep. Leshner the following was given a final reading and placed before the House for consideration:

HB 358 — An Act to Amend An Act Entitled "An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1970", Being House Bill No. 187 of the 125th General Assembly and Also Known As the 1970 Budget Appropriation Bill.

Rep. Leshner moved to table **HA 2** to **HB 358** by voice vote. Mr. Speaker ruled that the "yeas" had it and that **HA 2** was tabled. Mr. Unruh asked for a roll call on the tabling motion. Mr. Speaker ruled that the roll call request was too late and therefore out of order. Mr. Unruh moved to overrule the chair by roll call on its ruling **HA 2** tabled. Roll Call revealed:

YEAS — Benson, Burton, Dodge, duPont, Gray, Kirk, Moerschel, Quillen, Riddagh, Sebrell, Spence, Unruh — 12.

NAYS — Berndt, Billingsley, Boulden, Burt, Butcher, Dillman, Fonville, Harrington, Hearn, Heckert, Jarvis, Leshner, McMahon, Mears, Orth, Phillips, Rawlins, Seibel, Stabler, Stansky, Wright, Zimmerman — 22.

NOT VOTING — Frederick, Little, Mr. Speaker Hering — 3.

ABSENT — Goldfeder, Murphy — 2.

The motion not having received a majority was lost; thereby upholding the Chair and tabling **HA 2** to **HB 358**.

Mr. Unruh moved to lift **HA 2** to **HB 358** from the table. Roll Call revealed:

YEAS — Benson, Burt, Burton, Dodge, duPont, Frederick, Gray, Jarvis, Kirk, Moerschel, Murphy, Quillen, Riddagh, Sebrell, Seibel, Spence, Unruh — 17.

NAYS — Berndt, Billingsley, Boulden, Butcher, Fonville, Goldfeder, Harrington, Hearn, Heckert, Leshner, Little, McMahon, Mears, Orth, Phillips, Rawlins, Stabler, Stansky, Wright, Zimmerman — 20.

NOT VOTING — Dillman, Mr. Speaker Hering — 2.
Motion to lift from table lost.

On motion of Rep. Leshner, **HA 3** to **HB 358** was adopted by voice vote.

On motion of Rep. Frederick, **HA 4** to **HB 358** was stricken.

On motion of Rep. Frederick, **HA 5** was adopted by roll call as follows:

YEAS — Berndt, Billingsley, Boulden, Burt, Butcher, duPont, Fonville, Frederick, Goldfeder, Hearn, Heckert, Jarvis, Leshner, Little, McMahon, Mears, Orth, Phillips, Seibel, Stabler, Wright, Zimmerman, Mr. Speaker Hering — 23.

NAYS — Benson, Burton, Dillman, Dodge, Gray, Harrington, Kirk, Moerschel, Quillen, Riddagh, Sebrell, Spence, Unruh — 13.

NOT VOTING — Murphy, Rawlins, Stansky — 3.

HA 5 having received a majority was declared adopted.

Roll Call on **HB 358** with **HA 3** and **HA 5** revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Seibel, Spence, Stabler, Stansky, Wright, Zimmerman, Mr. Speaker Hering — 37.

NOT VOTING — Sebrell, Unruh — 2.

HB 358 with **HA 3** and **HA 5** having received a constitutional majority was declared passed by the House.

On motion of Rep. Stabler the following was given a final reading and placed before the House for consideration:

HB 359 — An Act Relating to Education of the Citizens of Delaware By Making An Appropriation to WHYY, Inc. Engaged in Educating the People of This State.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 39.

HB 359 having received a three-fourths majority was declared passed by the House.

Mr. Stabler took the Chair as Acting Speaker.

On motion of Rep. Leshner the following was given a final reading and placed before the House for consideration:

HB 364 — An Act to Aid Certain Civic Organizations Which Maintain Emergency Vehicles By Making Appropriations Therefor.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 39.

HB 364 having received a three-fourths majority was declared passed by the House.

On motion of Rep. Leshner the following was given a final reading and placed before the House for consideration:

HB 365 — An Act Relating to Education of the Citizens of Delaware By Making An Appropriation to Delaware Safety Council, Inc. Engaged in Educating the People of This State.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman — 37.

ABSENT — Burton, Mr. Speaker Hering — 2.

HB 365 having received a three-fourths majority was declared passed by the House.

On motion of Rep. Leshner the following was given a final reading and placed before the House for consideration:

HB 366 — An Act Making A Supplementary Appropriation to the Public Archives Commission.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, Fonville, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman — 36.

NOT VOTING — duPont, Frederick — 2.

ABSENT — Mr. Speaker Hering — 1.

HB 366 having received a constitutional majority was declared passed by the House.

On motion of Rep. Leshner the following was given a final reading and placed before the House for consideration:

HB 368 — An Act to Aid Certain Fire Companies Which Are Organized to Extinguish Fires or Maintain Ambulances or Rescue Trucks, By Making Appropriations For Them.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Seibell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 39.

HB 368 having received a three-fourths majority was declared passed by the House.

Mr. Hering returned to the Chair.

On motion of Rep. Leshner the following was given a final reading and placed before the House for consideration:

HB 370 — An Act to Amend Title 29, Delaware Code, By Adding A New Chapter Thereto Establishing A State Central Data Processing Division; Naming the Governing Authority of Such Division and Establishing Their Powers and Duties; Providing for the Employment of A Director of Such Division and Establishing His Powers and Duties; Providing for the Employment of Personnel of the Division, Including Technical Employees, and for Other Related Purposes.

Privilege of the floor was granted Mr. Jack Malarkey of the Budget Director's Office to explain the bill.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Orth, Quillen, Rawlins, Riddagh, Seibell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 37.

ABSENT — Murphy, Phillips — 2.

HB 370 having received a constitutional majority was declared passed by the House.

On motion of Rep. Leshner the following was given a final reading and placed before the House for consideration:

HB 371 with **HA 1 & 2** — An Act to Aid Veterans' Organizations By Making An Appropriation Therefor.

HA 1 to **HB 371** — Introduced by Rep. Riddagh. Adopted by voice vote.

HA 2 to **HB 371** — Introduced by Rep. Riddagh (by request). Adopted by voice vote.

Roll Call on **HB 371** with **HA 1** and **HA 2** revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 38.

ABSENT — Phillips — 1.

HB 371 with **HA 1** and **HA 2** having received a constitutional majority was declared passed by the House.

On motion of Rep. Leshner the following was given a final reading and placed before the House for consideration:

HB 375 — An Act Relating to Education of the Citizens of Delaware By Making An Appropriation to the "Delaware State Fair, Inc."

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 37.

ABSENT — Phillips, Riddagh — 2.

HB 375 having received a constitutional majority was declared passed by the House.

House recessed at 4:22 P.M., reconvened at 5:12 P.M.

House recessed to call of the chair at 5:13 P.M., reconvened at 8:17 P.M.

Mr. Stabler took the Chair as Acting Speaker.

On motion of Rep. Hering the following was given a final reading and placed before the House for consideration:

HB 397 — An Act to Revise the Income Tax Law Relating to Individuals, Trusts, Estates and Certain Corporations; to Incorporate By Reference Certain of the Federal Income Tax Statutes, Rules and Regulations; and to Provide for Improved Administration and Enforcement.

HA 1 to **HB 397** — Introduced by Rep. Little. On motion of Rep. Little **HA 1** was stricken.

HA 2 to **HB 397** — Introduced by Rep. Hering. Adopted by voice vote.

Mr. Zimmerman requested the sponsor to defer until further study could be made on the bill. Mr. Hering moved to defer until the next legislative day. Motion carried.

On motion of Rep. Quillen the following was given a final reading and placed before the House for consideration:

HB 324 — An Act Making A Supplementary Appropriation to the Delaware Archaeological Board.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Kirk, Little, Mears, Moerschel, Murphy, Quillen, Rawlins, Riddagh, Seibrel, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 34.

NAYS — Jarvis, Leshner — 2.

ABSENT — McMahon, Orth, Phillips — 3.

HB 324 having received a constitutional majority was declared passed by the House.

On motion of Rep. Heckert the following was given a final reading and placed before the House for consideration:

SB 307 — An Act to Amend Delaware Code, Title 14, Relative to Tuition Charges in Order to Place Computation and Payment of Tuition in the Same Fiscal Year. Introduced by Senator Hale.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, Mears, Moerschel, Murphy, Quillen, Rawlins, Riddagh, Seibrel, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 36.

ABSENT — McMahon, Orth, Phillips — 3.

SB 307 having received a constitutional majority was declared passed by the House.

On motion of Rep. Heckert the following was given a final reading and placed before the House for consideration:

SB 311 — An Act Making An Appropriation to the New Castle-Gunning Bedford Reorganized School District for the Purpose of Constructing A Pedestrian Overpass Over U. S. 13 in Wilmington Manor and Acquiring the Necessary Rights-of-Way Therefor. Introduced by Senator McCullough.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, Mears, Moerschel, Murphy, Quillen, Rawlins, Riddagh, Seibrel, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 36.

ABSENT — McMahon, Orth, Phillips — 3.

SB 311 having received a constitutional majority was declared passed by the House.

On motion of Rep. Burton the following was given a final reading and placed before the House for consideration:

SB 312 — An Act to Amend Title 18, Chapter 29, Section 2933 (c), Delaware Code, Relating to Insurance By Providing for the Insulation or Walling-Off of the Assets of Separate Accounts and Providing for the Minimal Valuation of Such Accounts. Introduced by Senator Foltz.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, Mears, Moerschel, Murphy, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 36.

ABSENT — McMahon, Orth, Phillips — 3.

SB 312 having received a constitutional majority was declared passed by the House.

On motion of Rep. Riddagh the following was given a final reading and placed before the House for consideration:

HB 111 with **HA 1** — An Act to Amend Title 31, Delaware Code, By Providing for the Payment of One Dollar By All Welfare Recipients Toward the Cost of Each Prescription Received.

On motion of Rep. Riddagh roll call on **HB 111** with **HA 1** was tabled.

On motion of Rep. Dillman the following was given a final reading and placed before the House for consideration:

HB 303 — An Act to Amend Section 342, Title 11, Delaware Code, to Increase the Penalties for Violation of Cruelty to Animal Laws.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, Mears, Moerschel, Murphy, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 35.

ABSENT — Burton, McMahon, Orth, Phillips — 4

HB 303 having received a constitutional majority was declared passed by the House.

On motion of Rep. Little the following was given a final reading and placed before the House for consideration:

HB 321 — An Act Making A Supplementary Appropriation to the Delaware State Development Department for Program Development for the State of Delaware's Participation in the Bicentennial Celebrations Attendant to the Independence of the United States As Proposed for the Philadelphia Region in 1976.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Kirk, Little, Mears, Moerschel, Murphy, Quillen, Rawlins, Riddagh, Seibrel, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 34.

NAYS — Jarvis, Leshner — 2.

ABSENT — McMahon, Orth, Phillips — 3.

HB 321 having received a constitutional majority was declared passed by the House.

On motion of Rep. Dillman the following was given a final reading and placed before the House for consideration:

HB 285 with **HA 1, 2 & 3** — An Act to Amend Chapter 79, Title 3, Delaware Code, Affecting the Authority of the Delaware Society for the Prevention of Cruelty to Animals to Enforce Laws Related to Animals.

HA 1 to **HB 285** — Introduced by Rep. Dillman. Adopted by voice vote.

HA 2 to **HB 285** — Introduced by Rep. Dillman. Adopted by voice vote.

HA 3 to **HB 285** — Introduced by Rep. Dillman. Adopted by voice vote.

Roll Call on **HB 285** with **HA 1, 2 and 3** revealed:

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, Mears, Moerschel, Murphy, Quillen, Rawlins, Riddagh, Seibrel, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 36.

ABSENT — McMahon, Orth, Phillips — 3.

HB 285 with **HA 1, 2 and 3** having received a constitutional majority was declared passed by the House.

On motion of Rep. Billingsley the following was given a final reading and placed before the House for consideration:

HB 433 — An Act to Remove the Tax Exemption of Municipalities for the Production of Steam, Gas or Electricity.

At the request of Rep. Zimmerman, Mr. Billingsley deferred **HB 433** until the next legislative day.

On motion of Rep. duPont the following was given a final reading and placed before the House for consideration:

HB 414 — An Act to Amend Section 507, Title 13, Delaware Code Relating to Attachment of Salary or Wages in Child Support Cases.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, Mears, Moerschel, Murphy, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 36.

ABSENT — McMahon, Orth, Phillips — 3.

HB 414 having received a constitutional majority was declared passed by the House.

On motion of Rep. Zimmerman the following was given a final reading and placed before the House for consideration:

HB 331 — An Act to Amend Section 7502, Chapter 75, Title 16, Delaware Code, Relating to the Inspection of Fire Escapes.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, Mears, Moerschel, Murphy, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 36.

ABSENT — McMahon, Orth, Phillips — 3.

HB 331 having received a constitutional majority was declared passed by the House.

On motion of Rep. duPont the following was given a final reading and placed before the House for consideration:

HB 407 — An Act to Amend Titles 10 and 30, Delaware Code, to Provide for Income Tax Refunds to be Applied to Delinquent Support Payment.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, Mears, Moerschel, Murphy, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 36.

ABSENT — McMahon, Orth, Phillips — 3.

HB 407 having received a constitutional majority was declared passed by the House.

Rep. Harrington moved to recommit **HB 398**. Motion carried.

Committee Reports: Government Operations: **HJR 10**, 1 favorable, 4 on merits, 1 unfavorable; Revenue and Taxation: **HB 391**, 5 on merits; **HB 419**, 4 on merits; **HB 393**, 2 favorable, 3 on merits; Financial Institutions: **SB 86**, 4 favorable; **SB 87**, 2 favorable, 2 on merits; **SB 317**, 2 favorable, 2 on merits; Commerce & Labor: **SB 376**, 4 on merits; Education: **SB 89**, 1 favorable, 3 on merits; Appropriations: **HB 439**, 1

favorable, 4 on merits; **HB 385**, 2 favorable, 2 on merits; Judiciary: **HB 432**, 1 favorable, 4 on merits; **SS 1** for **SB 318**, 2 favorable, 3 on merits.

The following prefiled bills and amendments were introduced:

HS 1 for **HB 261** — An Act to Amend Title 14, Delaware Code, By Assigning the Responsibility for Public Educational Broadcasting to the State Board of Education, Creating A Committee to Review and Evaluate the Program, and Making A Supplementary Appropriation Therefor. Introduced by Rep. Leshner. Referred to the Committee on Appropriations.

HB 441 — An Act Relating to Salary Schedules for School Lunch Employees. Introduced by Rep. Burton. Referred to the Committee on Education.

HS 1 for **HB 353** — An Act Making A Supplementary Appropriation to the Budget Commission for the Purpose of Continuing to Aid Facilities for Child Day Care Centers and to Amend Subchapter VII, Chapter 3, Title 31, Delaware Code, By Providing for Assistance to All Centers. Introduced by Rep. Frederick. Referred to the Committee on Health & Welfare.

HA 1 to **HB 420** — Introduced by Rep. Leshner. Placed with bill.

HA 1 to **HB 314** — Introduced by Rep. Kirk. Placed with bill.

HA 2 to **HB 393** — Introduced by Rep. Berndt. Placed with bill.

HA 1 to **HB 387** — Introduced by Rep. Stabler. Placed with bill.

HA 1 to **HB 372** — Introduced by Rep. Stabler. Placed with bill.

HA 5 to **HB 426** — Introduced by Rep. Billingsley. Placed with bill.

House adjourned at 9:35 P.M.

50TH LEGISLATIVE DAY

The Speaker called the House to order at 2:21 P.M.

Prayer by the Chaplain Reverend Charles Covington, Rehoboth.

The Speaker led those present in a Salute of the Flag.

Roll Call revealed 39 members present, none absent.

Minutes of the previous legislative day were approved as posted.

The Senate informed the House it had passed **SS 1** for **SB 228** with **SA 2**, **6**, **8**, **9**, **SJR 10**, **SB 377**, **SB 378**, **SB 328**, **SB 384**, **SB 352** and **SB 289** with **SA 1** and requested concurrence of the House.

Committee Reports: Judiciary: **SB 375**, 2 favorable, 2 on merits; Highways and Public Safety: **HB 205**, 6 on merits; Appropriations: **HB 420**, 2 favorable, 2 on merits; (2nd report); **HB 427**, 2 favorable, 3 on merits; **HS 1** for **HB 26**, 2 favorable, 2 on merits; **SB 326**, 1 favorable, 3 on merits; **SB 347**, 2 favorable, 2 on merits (2nd report); **SB 336**, 5 on merits; **SB 339**, 2 favorable, 2 on merits; Revised Statutes: **HB 386**, 3 on merits, 2 unfavorable; **HB 435**, 1 favorable, 3 on merits, 1 unfavorable; Financial Institutions: **HB 367**, 2 favorable, 2 on merits; Appropriations: **HS 1** for **HB 353**, 1 favorable, 3 on merits (2nd report).

The following prefiled bills and amendments were introduced:

HB 442 — An Act to Amend Subchapter II, Chapter 11, Title 30, Delaware Code, As Amended, Relating to the Taxation of Long-Term Capital Gains. Introduced by Reps. Little and Heckert. Referred to the Committee on Revenue and Taxation.

HS 1 for **HB 422** — An Act to Amend Section 503, Title 31, Delaware Code Relating to Eligibility for Welfare Assistance and to Provide A Supplementary Appropriation to Cover the Costs Therefor. Introduced by Reps. Frederick and duPont. Referred to the Committee on Health and Welfare.

HR 51 — Authorizing the House Administration Committee to Act Upon Any Matters Relating to the Construction, Furnishing and Equipping of the Offices in the New House Office Addition. Introduced by Rep. Stabler. Adopted by voice vote.

HR 52 — Authorizing the Purchase and Installation of A Bronze Plaque for the House of Representatives of the General Assembly. Introduced by Rep. Dodge. Adopted by voice vote.

HA 2 to **HB 346** — Introduced by Rep. Billingsley. Placed with bill.

HA 1 to **HB 385** — Introduced by Reps. Berndt and Harrington. Placed with bill.

HA 1 to **HB 401** — Introduced by Rep. Frederick. Placed with bill.

HA 1 to **HB 402** — Introduced by Rep. Frederick. Placed with bill.

HA 1 to **HB 406** — Introduced by Rep. Frederick. Placed with bill.

HA 1 to **HB 416** — Introduced by Rep. Hearn. Placed with bill.

HA 1 to **HS 1** for **HB 422** — Introduced by Rep. Heckert. Placed with bill.

HA 1 to HB 426 — Introduced by Rep. Billingsley. Placed with bill.

HA 7 to HB 426 — Introduced by Rep. Moerschel and Others. Placed with bill.

HA 8 to HB 426 — Introduced by Rep. Moerschel. Placed with bill.

HA 1 for HB 430 — Introduced by Rep. Billingsley. Placed with bill.

HA 1 to SS 1 for SB 228 — Introduced by Rep. Dodge and Others. Placed with bill.

HA 1 to SS 1 for SB 297 — Introduced by Rep. Billingsley and Others. Placed with bill.

HA 1 to SB 384 — Introduced by Rep. Quillen. Placed with bill.

SS 1 for SB 228 with HA 2, 6, 8, 9 — An Act to Amend Title 14, Delaware Code, Relating to Education By Providing for Negotiations and Relations Between Boards of Education and Organizations of Public School Employees. Introduced by Senator Hale. Referred to the Committee on Education.

SB 377 — An Act to Amend Chapter 4, Title 28, Delaware Code, Relating to Horse Racing in Kent County. Introduced by Senator Isaacs. Referred to the Committee on Revenue and Taxation.

SB 378 — An Act to Amend Chapter 5, Title 4, Delaware Code, Relating to An Alcoholic Liquor License Issued to A Food Concessionaire At A Horse Racing Track. Introduced by Senator Isaacs. Referred to the Committee on Revenue and Taxation.

SB 289 with SA 1 — An Act to Amend Chapter 1, Title 22, Delaware Code, Relating to Municipalities. Introduced by Senator Elliott. Referred to the Committee on Government Operations.

SB 328 — An Act Relating to Pension Benefits for Edward J. Sullivan, A Former Employee of the Laurel Special School District. Introduced by Senator Elliott. Referred to the Committee on Appropriations.

SB 352 — An Act Making A Supplementary Appropriation to the State Development Department of \$21,000 to Purchase 10.5 Acres of Land and Authorizing the Lease of Said Land to the United States Air Force. Introduced by Senator duPont and Others. Referred to the Committee on Government Operations.

SB 384 — An Act to Amend Subchapter II, Section 522 (c), Title 28, Delaware Code, Relating to Licenses to Conduct Harness Racing Meets. Introduced by Senator Hickman. Referred to the Committee on Commerce and Labor.

SJR 10 — Providing for A Joint Committee of the General Assembly to Process the Report of the Constitution

Revision Commission. Introduced by Senator Manning. Referred to the Committee on House Administration.

On motion of Mr. Benson, roll call on **HB 327** was lifted from the table. The roll call to lift the roll call from the table was tabled.

On motion of Rep. Burt **HB 425** was stricken.

The Speaker welcomed the families of Reps. Berndt and Mears.

On motion of Rep. Stabler the following was given a final reading and placed before the House for consideration:

HB 361 — An Act Making A Supplementary Appropriation to the Governor for the Delaware State Arts Council to Enable the Council to Carry Out Its Purposes.

Privilege of the floor was granted Mrs. Polly Buck, Chairman of the Delaware State's Art Council to explain the bill.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 39.

HB 361 having received a constitutional majority was declared passed by the House.

On motion of Rep. Benson the following was given a final reading and placed before the House for consideration:

HB 420 with **HA 1** — An Act to Transfer to the State From the Several Counties Responsibility For and Payment of: (1) Certain Expenses of the Indigent Sick Incurred in Certain Hospitals Within the State, at Governor Bacon Health Center and at Delaware State Hospital, Including Expenses of Criminally Insane and Criminally Inclined Juveniles Committed on Court Order; (2) Certain Expenses for State Public Assistance or Welfare; and (3) Certain Expenses Relating to the Administration of Justice; and Making Supplementary Appropriations Therefor; and Transferring Receipts of Certain Fees, Fines and Costs Relating to the Administration of Justice to the State; and Provision for Employment By the State of Court Employees, Their Compensation and Pension Benefits, With Related Amendments of State Police and State Employees' Pension Plans.

HA 1 to **HB 420** — Introduced by Rep. Leshner. Adopted by voice vote.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk,

Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 39.

HB 420 with **HA 1** having received a constitutional majority was declared passed by the House.

On motion of Rep. Quillen the following was given a final reading and placed before the House for consideration:

HB 418 — An Act to Amend Section 6603, Title 16, Delaware Code, Relating to Enforcement of Regulations By the State Fire Prevention Commission.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 39.

HB 418 having received a constitutional majority was declared passed by the House.

On motion of Rep. Frederick the following was given a final reading and placed before the House for consideration:

HB 378 — An Act Amending Chapter 30 of Title 31, Delaware Code of 1953, By Creating the Position of Director of the State Human Relations Commission, Specifying the Duties and Responsibilities of Such Director, and Making A Supplemental Appropriation Therefor to Said Commission.

Privilege of the floor was granted Mr. Max Bell, Chairman of the State Human Relations Commission to answer questions concerning the bill.

Roll Call revealed:

YEAS — Berndt, Boulden, Burt, Burton, Butcher, Dillman, Fonville, Frederick, Goldfeder, Harrington, Hearn, Jarvis, Kirk, Leshner, McMahon, Mears, Orth, Seibel, Stabler, Stansky, Wright, Zimmerman, Mr. Speaker Hering — 23.

NAYS — Benson, Billingsley, Dodge, duPont, Little, Moerschel, Quillen, Riddagh, Sebrell, Unruh — 10.

NOT VOTING — Gray, Murphy, Phillips, Rawlins — 4.

ABSENT — Heckert, Spence — 2.

HB 378 having received a constitutional majority was declared passed by the House.

On motion of Rep. Frederick the following was given a final reading and placed before the House for consideration:

HB 401 — An Act to Amend Title 31, Delaware Code, Relating to the Department of Public Welfare.

HA 1 to **HB 401** — Introduced by Rep. Frederick. Adopted by voice vote.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Seibell, Seibel, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 37.

ABSENT — Heckert, Spence — 2.

HB 401 with **HA 1** having received a constitutional majority was declared passed by the House.

On motion of Rep. Frederick the following was given a final reading and placed before the House for consideration:

HB 402 — An Act to Amend Title 31, Delaware Code, Relating to the Department of Public Welfare.

HA 1 to **HB 402** — Introduced by Rep. Frederick. Adopted by voice vote.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Seibell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 37.

ABSENT — Burton, Heckert — 2.

HB 402 with **HA 1** having received a constitutional majority was declared passed by the House.

Mr. Stabler took the Chair as Acting Speaker.

On motion of Rep. Little the following was given a final reading and placed before the House for consideration:

SS 1 for **SB 297** — An Act to Amend Title 15, Delaware Code, Relating to Primary Elections and Nominations of Candidates By Parties. Introduced by Senator Manning.

Privilege of the floor was granted Senator Manning to explain the bill.

HA 1 to **SS 1** for **SB 297** — Introduced by Rep. Billingsley and Others.

Roll Call on the adoption of **HA 1** to **SS 1** for **SB 297** revealed:

YEAS — Billingsley, Boulden, duPont, Fonville, Harrington, Jarvis, Kirk, Little, McMahon, Moerschel, Murphy, Orth, Rawlins, Riddagh, Seibel, Spence, Stabler, Stansky, Wright, Zimmerman — 20.

NAYS — Berndt, Burt, Burton, Dillman, Dodge, Gray, Leshner, Quillen, Seibell, Mr. Speaker Hering — 10.

NOT VOTING — Benson, Butcher, Frederick, Goldfeder, Hearn, Mears, Phillips, Unruh — 8.

ABSENT — Heckert — 1.

HA 1 to SS 1 for SB 297 having received a majority was declared adopted.

HA 2 to SS 1 for SB 297 — Introduced by Rep. Hering. Adopted by voice vote.

Roll Call on **SS 1 for SB 297** with **HA 1** and **HA 2** revealed:

YEAS — Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Jarvis, Kirk, Little, McMahon, Murphy, Orth, Quillen, Rawlins, Riddagh, Seibrel, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 33.

NAYS — Mears — 1.

NOT VOTING — Benson, Leshner, Phillips — 3.

ABSENT — Heckert, Moerschel — 2.

SS 1 for SB 297 with **HA 1** and **HA 2** having received a constitutional majority was declared passed by the House.

Mr. Hering returned to the Chair.

On motion of Rep. Seibel the following was given a final reading and placed before the House for consideration:

HB 334 — An Act Making An Appropriation To Delaware Adolescent Program, Inc.

On motion of Rep. Seibel roll call on **HB 334** was tabled.

On motion of Rep. Frederick the following was given a final reading and placed before the House for consideration:

HB 405 with **HA 1** — An Act to Amend Section 503, (a) of Title 31, Delaware Code, to Provide An Incentive System for Welfare Recipients.

HA 1 to HB 405 — Introduced by Rep. Frederick. Adopted by voice vote.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Butcher, Dillman, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Phillips, Rawlins, Seibrel, Seibel, Stabler, Stansky, Wright, Zimmerman — 30.

NAYS — Burton, Dodge, Kirk, Quillen, Riddagh, Unruh — 6.

NOT VOTING — Spence, Mr. Speaker Hering — 2.

ABSENT — Orth — 1.

HB 405 with **HA 1** having received a constitutional majority was declared passed by the House.

On motion of Rep. duPont the following was given a final reading and placed before the House for consideration:

HB 265 — An Act Making An Appropriation to Big Brothers Association of Northern Delaware, Inc.

Privilege of the floor was granted Mr. Daniel Daudon, President of the Big Brothers of New Castle County, Inc., to explain the bill.

On motion of Rep. duPont roll call on **HB 265** was tabled.

On motion of Rep. Billingsley the following was given a final reading and placed before the House for consideration:

HB 430 — An Act to Amend Chapter 69, Title 29, Delaware Code, Relating to the Procurement of Material and Award of Contracts for Public Works By State Agencies.

HA 1 to HB 430 — Introduced by Rep. Billingsley. Adopted by voice vote.

Privilege of the floor was granted Mr. Joe Robinson, Chief Engineer of the State Highway Department to explain the bill and amendment.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Gray, Harrington, Heckert, Jarvis, Kirk, Leshner, Mears, Moerschel, Murphy, Orth, Phillips, Rawlins, Riddagh, Sebrell, Seibel, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Burton, Goldfeder, Hearn, Little, McMahon, Quillen, Spence — 7.

HB 430 with **HA 1** having received a constitutional majority was declared passed by the House.

House recessed at 5:11 P.M., reconvened at 8:00 P.M.

Committee Reports: Appropriations: **SS 1** for **SB 167**, 2 favorable, 3 on merits; **SB 346**, 4 on merits.

On motion of Rep. Heckert the following was given a final reading and placed before the House for consideration:

SS 1 for **SB 167** — An Act to Amend Title 14, Delaware Code, Relating to Sick Leave Provisions for School Employees By Providing Terminal Pay for Unused Sick Leave Time. Introduced by Senator Connor.

HA 1 to **SS 1** for **SB 167** — Introduced by Rep. Heckert. Adopted by voice vote.

Roll Call on **SS 1** for **SB 167** with **HA 1** revealed:

YEAS — Berndt, Boulden, Burton, Butcher, Dillman, Dodge, Fonville, Gray, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Riddagh, Seibel, Spence, Stabler, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 29.

NAYS — Benson — 1.

NOT VOTING — Billingsley, Burt, duPont, Frederick, Harrington, Rawlins, Sebrell, Stansky — 8.

ABSENT — Goldfeder — 1.

SS 1 for **SB 167** with **HA 1** having received a constitutional majority was declared passed by the House.

Rep. Little moved to lift the roll call on **SB 11** from the table. Motion carried.

Roll Call on **SB 11** revealed:

YEAS — Billingsley, Burt, Burton, Butcher, Dillman, duPont, Fonville, Frederick, Goldfeder, Jarvis, Kirk, Little, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Seibel, Spence, Stabler, Stansky, Wright, Zimmerman — 26.

NAYS — Benson, Berndt, Boulden, Dodge, Gray, Harrington, Hearn, Heckert, Leshar, McMahon, Sebrell, Unruh, Mr. Speaker Hering — 13.

SB 11 having received a two-thirds majority was declared passed by the House.

On motion of Rep. Murphy the following was given a final reading and placed before the House for consideration:

HB 384 — An Act to Allow Payment of Interest Upon Local School Funds on Deposit.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Harrington, Hearn, Heckert, Jarvis, Kirk, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 36.

NOT VOTING — Leshar — 1.

ABSENT — Goldfeder, Gray — 2.

HB 384 having received a constitutional majority was declared passed by the House.

On motion of Rep. Heckert the following was given a final reading and placed before the House for consideration:

SB 346 — An Act to Amend Title 14, Delaware Code, By Providing for Children With Learning Disabilities and Making A Supplementary Appropriation Therefor. Introduced by Senator Connor.

HA 1 to SB 346 — Introduced by Rep. Hering. Adopted by voice vote.

HA 2 to SB 346 — Introduced by Rep. Wright. Adopted by voice vote.

Roll Call on **SB 346** with **HA 1** and **HA 2** revealed:

YEAS — Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshar, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 36.

NOT VOTING — Benson, Rawlins — 2.

ABSENT — Goldfeder — 1.

SB 346 with **HA 1** and **HA 2** having received a constitutional majority was declared passed by the House.

On motion of Rep. Heckert the following was given a final reading and placed before the House for consideration:

SB 85 — An Act to Amend Chapters 63 and 65, Title 29, Delaware Code, Relating to the Authority of the Budget Director With Respect to Local School District Revenue Affairs. Introduced by Senator Hart.

Roll Call revealed:

YEAS — Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 35.

NOT VOTING — Benson, Leshar, Sebrell — 3.

ABSENT — Goldfeder — 1.

SB 85 having received a constitutional majority was declared passed by the House.

On motion of Rep. Frederick the following was given a final reading and placed before the House for consideration:

SB 26 with **HA 2** & **HA 3** — An Act to Amend Section 503, Title 31, Delaware Code, Relating to Eligibility for Welfare Assistance. Introduced by Senator Slawik.

HA 2 to **SB 26** — Introduced by Rep. Benson. Adopted by voice vote.

HA 3 to **SB 26** — Introduced by Rep. Heckert. Adopted by voice vote.

Roll Call on **SB 26** with **HA 2** and **HA 3** revealed:

YEAS — Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshar, Little, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 36.

NOT VOTING — Benson — 1.

ABSENT — Goldfeder, McMahon — 2.

SB 26 with **HA 2** and **HA 3** having received a constitutional majority was declared passed by the House.

On motion of Rep. Berndt, the following was given a final reading and placed before the House for consideration:

HB 393 — An Act to Amend Title 30, Delaware Code, Relating to Commodity Taxes By Adding A New Chapter to be Designated as Chapter 52, Relating to A Fuel Purchase Law Upon Certain Motor Carriers, Providing for the Collection and Administration Thereof, Establishing Penalties, and Making An Appropriation to the State Highway Department.

HA 1 to HB 393 — Introduced by Rep. Berndt. Adopted by voice vote.

HA 2 to HB 393 — Introduced by Rep. Berndt. Adopted by voice vote.

Letter read from the Sico Co., Mt. Joy, Pennsylvania.

February 17, 1969

Our 83rd Year of Service

Mr. Tom Hickman
Hickman & Willey
Selbyville, Del. 19975

Dear Tom:

Congratulations on your election to the State Senate of Delaware!

We are sure that you will be an asset to the area you are representing.

I would like to take this opportunity to call to your attention an area where the State of Delaware is possibly losing a certain amount of revenue on gasoline tax because Delaware laws do not coincide with laws that are in effect on Road Use Tax in Pennsylvania and Maryland.

The fact that Delaware does not have this law forces our company to purchase most of the running gas we need for our fleet in Pennsylvania to avoid double taxation.

As an example, if we would fuel one of our transports at Wilmington where our cost for product is the least, and this truck would travel through Delaware into Pennsylvania to make a delivery, we would be required to pay the State of Pennsylvania gasoline tax on the miles run on Pennsylvania roads. Making this purchase at Wilmington would require us to pay the State of Delaware the full tax on the gasoline. To avoid this situation, we gas our equipment in Pennsylvania except if we are going to make long runs in Delaware, then the gas is purchased at Wilmington.

I have no idea of how many gallons of gasoline your State may be losing in taxes because of the difference in laws.

Delaware could be assured of receiving its fair share of gasoline taxes if it would enact a similar Road Use Tax as Pennsylvania and Maryland now have.

If I can provide you with any additional information concerning this matter, please feel free to get in touch with me.

Sincerely yours,
The SICO Company
Robert P. McGinley
Vice President
General Sales Manager

Mr. Benson moved to defer **HB 393**. Roll call on the motion revealed:

YEAS — Benson, duPont, Fonville, Heckert, Moerschel, Rawlins, Sebrell, Seibel, Spence, Stansky, Unruh — 11.

NAYS — Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, Frederick, Gray, Harrington, Hearn, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Orth, Quillen, Riddagh, Stabler, Wright, Zimmerman, Mr. Speaker Hering — 25.

NOT VOTING — Murphy — 1.

ABSENT — Goldfeder, Phillips — 2.

Motion to defer **HB 393** with **HA 1** and **2** lost.

Mr. Berndt moved to defer **HB 393** with **HA 1** and **2** until the next legislative day. Motion carried.

On motion of Rep. Leshner the following was given a final reading and placed before the House for consideration:

HB 372 — An Act to Aid Organizations Maintaining Residential Facilities By Making Appropriations Thereto.

HA 1 to **HB 372** — Introduced by Rep. Stabler. Adopted by voice vote.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 37.

ABSENT — Goldfeder, Phillips — 2.

HB 372 with **HA 1** having received a constitutional majority was declared passed by the House.

Rep. Seibel moved to lift the roll call on **HB 334** from the table. Motion carried. On further motion of Rep. Seibel, roll call on **HB 334** was again tabled.

On motion of Rep. Benson the following was given a final reading and placed before the House for consideration:

HB 438 — An Act to Amend Title 28, Delaware Code to Authorize Residents of This State to Purchase Rifles and Shotguns in States Contiguous to This State.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Spence, Stabler, Stansky, Unruh, Mr. Speaker Hering — 34.

NOT VOTING — Wright, Zimmerman — 2.

ABSENT — Goldfeder, Phillips, Seibel — 3.

HB 438 having received a constitutional majority was declared passed by the House.

On motion of Rep. Riddagh the following was given a final reading and placed before the House for consideration:

SB 218 — An Act to Amend Chapter 1, Title 26, Delaware Code, Relating to the Public Service Commission. Introduced by Senator Conner.

Roll Call revealed:

YEAS — Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Frederick, Gray, Harrington, Hearn, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Murphy, Quillen, Riddagh, Seibel, Stabler, Stansky, Wright, Zimmerman, Mr. Speaker Hering — 28.

NAYS — Benson, Sebrell, Unruh — 3.

NOT VOTING — Heckert, Moerschel, Orth, Rawlins, Spence — 5.

ABSENT — Fonville, Goldfeder, Phillips — 3.

SB 218 having received a constitutional majority was declared passed by the House.

On motion of Rep. Murphy the following was given a final reading and placed before the House for consideration:

HB 369 — An Act to Amend Chapter 27, Title 21, Delaware Code By Adding A New Section 2721 and Section 2722 Relating to A Medical Advisory Board for the Motor Vehicle Department.

Roll Call revealed:

YEAS — Berndt, Boulden, Burton, Dodge, duPont, Frederick, Gray, Harrington, Heckert, Jarvis, Kirk, Leshner, Little, Mears, Murphy, Seibel, Spence, Stabler, Stansky, Wright, Zimmerman, Mr. Speaker Hering — 22.

NAYS — Billingsley, Hearn, Quillen, Riddagh, Sebrell — 5.

NOT VOTING — Burt, Butcher, Dillman, McMahon, Orth, Rawlins, Unruh — 7.

ABSENT — Benson, Fonville, Goldfeder, Moerschel, Phillips — 5.

HB 369 having received a constitutional majority was declared passed by the House.

On motion of Rep. Riddagh the following was given a final reading and placed before the House for consideration:

SB 313 — An Act to Amend Section 6521, Title 11, Delaware Code By Placing the Employees of the Division of Field Services, Department of Corrections, Under the State Merit System of Personnel Administration. Introduced by Senator Manning.

Roll Call revealed:

YEAS — Berndt, Billingsley, Burt, Burton, Dillman, Dodge, duPont, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, McMahon, Moerschel, Murphy, Orth, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 29.

NOT VOTING — Butcher, Frederick, Little, Quillen — 4.

ABSENT — Benson, Boulden, Fonville, Goldfeder, Mears, Phillips — 6.

SB 313 having received a constitutional majority was declared passed by the House.

On motion of Rep. Stansky the following was given a final reading and placed before the House for consideration:

HJR 13 — Directing the State Board of Education to Make A Public School Enrollment Projection for the Five Years Ending 1974 and An Estimate of School Needs for Such Period.

WHEREAS, a certain number of parochial schools in this State have closed as a result of financial difficulties;

WHEREAS, the closing of such schools will result in an enrollment increase in the public schools;

WHEREAS, it is imperative that the State be prepared to meet any emergency situation created by large scale closings of the parochial schools in this State;

WHEREAS, there is a present need for the State Board of Education to make a public school enrollment projection for the five years ending 1974 and an estimate of school needs for such period.

NOW, THEREFORE,

BE IT RESOLVED by the House of Representatives of the 125th General Assembly of the State of Delaware, the Senate concurring therein, that the State Board of Education is directed to make a public school enrollment projection for the five years ending 1974 and an estimate of school needs for such period, and is further directed to submit a final report to the Governor and General Assembly of the State of Delaware containing said enrollment projection and estimate of school needs not later than March 1, 1970.

BE IT FURTHER RESOLVED that the text of this resolution be made a part of the Journal of the proceedings of the House of Representatives of the 125th General Assembly of the State of Delaware and that a copy of this resolution be forwarded to the members of the State Board of Education.

Introduced by Rep. Stansky.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Frederick, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, McMahon,

Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 34.

NOT VOTING — Little, Sebrell — 2.

ABSENT — Fonville, Goldfeder, Phillips — 3.

HJR 13 having received a constitutional majority was declared passed by the House.

On motion of Rep. Murphy the following was given a final reading and placed before the House for consideration:

HB 439 — An Act to Amend Chapter 337, Volume 56, Delaware Laws, Entitled "An Act Making Appropriations for the Expense of State Government for the Fiscal Year Ending June 30, 1969" to Allow the Budget Director to Pay State Employees According to Their Merit System Salary Schedule Rather Than Their Line Item Salary Appropriation.

Roll Call revealed:

YEAS — Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Frederick, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 35.

NAYS — Benson — 1.

ABSENT — Fonville, Goldfeder, Phillips — 3.

HB 439 having received a constitutional majority was declared passed by the House.

Committee Reports: Government Operations: **SB 352**, 4 on merits; **SB 289**, 4 on merits; House Administration: **SJR 10**, 4 favorable, 2 on merits; **HB 362**, 2 favorable, 2 on merits; Education: **HB 332**, 5 on merits.

The following prefiled bill and amendments were introduced:

HS 1 for **HB 404** — An Act to Amend Chapter 5, Title 31, Delaware Code, Relating to the Payment to the Department of Public Welfare of Sums Collected for Support Under Court Order. Introduced by Rep. duPont. Referred to the Committee on Health and Welfare.

HA 1 to **HB 332** — Introduced by Rep. Little. Placed with bill.

HA 2 to **HS 1** for **HB 422** — Introduced by Rep. Frederick. Placed with bill.

HA 9 to **HB 426** — Introduced by Rep. Billingsley. Placed with bill.

HA 10 to **HB 426** — Introduced by Rep. Unruh. Placed with bill.

House adjourned at 10:14 P.M.

51ST LEGISLATIVE DAY

The Speaker called the House to order at 2:25 P.M. on Wednesday, June 25, 1969.

Prayer by the Chaplain Reverend David Mulford, Georgetown.

The Speaker led those present in a Salute of the Flag.

Roll Call revealed 38 members present, 1 absent:

Members present: Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 38.

Absent: Fonville — 1.

Minutes of the previous legislative day were approved as posted.

Communications: Legislative Advisory from the Office of the Governor No. 22.

June 24, 1969

TO: Sen. Anthony J. Cicione, Sen. George F. Schlor, Sen. Herman M. Holloway, Sen. Dean C. Steele, Sen. Michael N. Castle, Sen. J. Donald Isaacs, Sen. Everette Hale, Sen. David H. Elliott, Sen. Allen J. Cook, Sen. Thomas E. Hickman, Jr., Rep. John G. S. Billingsley, Rep. George Jarvis, Rep. George C. Hering, III, Rep. Robert M. Dodge, Rep. W. Laird Stabler, Jr., Rep. Warren B. Burt, Rep. Ernest S. Spence, Jr., Rep. Pierre S. duPont, IV, Mrs. Arva Jackson, Robert W. Lawrence, Lawrence M. Sullivan, Esq., Richard M. Clendaniel, Raymond F. Book, E. Hobson Davis, Hon. David P. Buckson, Robert Short, H. James Conaway, Esq., Eugene Bunting, Sec. of State, Richard H. Caldwell, Asst. Sec. of State, Daniel P. Ross, Treasurer, George W. Cripps, Auditor, Joseph T. Cashman, Budget Dir., Christopher L. Perry, Jerry Sapienza, Daniel Enterline, Clerk of the House, Secretary of the Senate, Legislative Reference Bureau.

FROM: Jerome O. Herlihy, Counsel to the Governor.

The Governor approved the following legislation on the indicated dates:

HB 270 — 6-23-69 - making a number of changes in the Corporation Code.

HB 290 — 6-23-69 - removing the words "preferred or special" before the word "stock" in two subsections of Section 243 of the Corporation Code.

HB 252 — 6-23-69 - changing the rates of various corporation fees.

HB 164 as amended by **HA 2** and **HA 4** — 6-23-69 - setting up a new Real Estate Commission with increased regulatory powers and functions.

HB 238 — 6-23-69 - amending the wage collection law so as to allow employers to credit employee checking accounts, etc.

HB 236 — 6-23-69 - eliminating the counties as middlemen in payment by fire insurance companies of their special tax to local fire departments and companies.

HB 209 — 6-23-69 - increasing from \$7,500 to \$20,000 in maximum allowable death benefits available from membership in the mutual benefit association.

SB 295 — 6-23-69 - providing a new subchapter in the Education Code covering the interstate agreement on qualification of educational personnel.

SB 255 and **SB 256** — 6-23-69 - amending the motor vehicle installment sales law and the general installment sales law to put Delaware in conformity with the federal truth in lending law.

SB 266 — 6-23-69 - amending the law to provide for increased fees for the Delaware River and Bay pilots.

SB 186 — 6-20-69 - providing an additional sum of \$568,000 for the Laurel Special School District to complete some school construction.

SB 281 — 6-19-69 - extending the date by which various school districts must enter into contract and commerce construction.

HB 201 — 6-19-69 - repealing the present criminal law dealing with abortions so that all violations will now come under the new abortion law.

HB 93 — 6-19-69 - prohibiting proprietors of public accommodations from refusing service to blind persons accompanied by seeing eye dogs.

HB 229 — 6-19-69 - eliminating the one year residency requirement for blind persons seeking aid.

SB 236 — 6-19-69 - appropriating \$60,000 to the Blind Commission for remodeling and construction work.

SB 209 — 6-19-69 - amending the Meat Inspection Act so as to include definitions erroneously omitted at the time of the previous amendment of this Act.

SB 223 — 6-19-69 - providing for the setup of the Governor's Pension Study Committee.

SB 231 — 6-19-69 - amending 21 Del. C. §2733(c) so as to cite the proper section dealing with the suspension or revocation of drivers' licenses.

SB 30 — 6-19-69 - appropriating \$1,350,000 to the Secretary of Transportation to be used by the Greater Wilmington Transportation Authority.

HB 58 — 6-19-69 - placing the Governor and Lt. Governor in the same position so that they must be elected jointly rather than separately as in the last election.

HB 237 — 6-19-69 - reincorporating the City of Lewes.

HB 246 and **247** — 6-19-69 - changing the interest rates payable on overpayments of individual income tax and late payments of the corporation income tax.

SB 225 — 6-19-69 - providing that the registers of wills shall inform the State Treasurer of each and every estate entered for probate.

SJR 8 — 6-19-69 - calling for the renomination of Senator John J. Williams in 1970.

SB 298 amended by **SA 2** and **HA 1** — 6-17-69 - changing the tax rate allowable for the Wilmington Board of Education.

Letter from the Governor dated June 23, 1969.

June 23, 1969

To the House of Representatives of the
125th General Assembly of the
State of Delaware:

On June 12, 1969, I received House Bill No. 12 entitled:

"An Act to Amend §704(f), Title 7, Delaware Code, Relating to the Use of Dogs for Hunting Deer in Sussex County."

I return this bill without my approval for the following reasons:

1. The text of this bill is too broad, even if the basic purpose of this amendment to the Conservation Code were acceptable. The way the bill is drafted, it extends the special exception for Sussex County to an entire statute which sets forth the prohibited devices and methods of hunting and trapping. This goes far beyond pursuing deer with dogs. By saying that "The provisions of this section" are inapplicable to hunting deer with dogs in Sussex County, it extends the ambit of the bill to practices other than the use of dogs to hunt deer. The bill would appear to legalize in Sussex County a number of other unsportsman-like hunting practices presently prohibited including:

(a) spotlighting or "jacking" deer by use of artificial lights [§704(e)];

(b) use of salt licks, baited areas, etc., and other such devices to lure deer [§704(a)];

(c) use of deadfalls, traps, snares, nets, etc. [§704(a)];

(d) use of a poison, chemicals or any weapon not fired from the shoulder [§704(a) and (c)].

2. This bill is plainly discriminatory in that it would allow individuals hunting in Sussex County to pursue hunting methods which are considered criminal conduct in the other two counties and for which a fine is provided. For example, differing hunting seasons in different parts of the State may be justified; but the kind of disparity this bill would create does not appear warranted solely on the basis of geography.

3. As a matter of conservation practice this bill would be a step backward for Delaware. I have been informed that a majority of the Board of Game and Fish Commissioners are opposed to this legislation (eight opposed; one for). Norman G. Wilder, Director of the Board of Game and Fish Commissioners, is firmly opposed and states that such is the opinion of his entire staff. He has stated to me that "At a public hearing conducted by the Commission on April 15, 1969, deer hunting with dogs was supported by only three persons in an audience of nearly 100." The sportsmen's clubs in Delaware appear to be opposed to the bill as well. These organizations include DP&L Sportsmen's Club, Inc., The Nanticoke Sportsman Club, Inc., Rehoboth Sportsman Club, Duck Creek Sportsman's Club, Delaware Wildlife Federation. The SPCA is unalterably opposed to the concept of this bill.

In short, those best informed on matters of sport hunting and conservation urge that this bill be vetoed.

4. I have been informed that enactment of this legislation may cause widespread closing of Sussex County farmland to deer hunting in any form. Such, for example, is the position taken by Delaware Wild Lands, Inc., which owns substantial hunting acreage within the county.

Because of the above-listed factors, I find I have no reasonable alternative other than vetoing House Bill No. 12, and I therefore return it herewith unsigned.

Respectfully submitted,

Russell W. Peterson
Governor

The Senate informed the House it had passed **Senate Bills 338** with **SA 1, 370, 368, 253, 315, 369, 314** with **SA 1 & 2** and requested the concurrence of the House; also, **House Bills 319, 127** with **HA 1, 309** and **HS 1** for **HB 148** with **SA 1** and returned same to the House.

Committee Reports: Appropriations: **SB 350**, 4 favorable; **SB 303**, 4 favorable; Health and Welfare: **HS 1** for **HB 404**, 2 favorable, 2 on merits; Public Buildings and Lands: **HB 326**, 5 on merits; Commerce and Labor: **SB 384**, 1 favorable, 4 on merits; **SB 49**, 1 favorable, 4 on merits; **HB 345**, 5 on merits; **HB 328**, 5 on merits.

The following amendments and resolutions were introduced:

HA 2 to HS 1 for HB 261 — Introduced by Rep. Billingsley. Placed with bill.

HA 1 to HB 289 — Introduced by Rep. Spence. Placed with bill.

HA 2 to HB 289 — Introduced by Rep. Benson. Placed with bill.

HA 2 to HB 332 — Introduced by Reps. Hearn and Little. Placed with bill.

HA 1 to HB 354 — Introduced by Rep. Moerschel. Placed with bill.

HA 3 to HB 393 — Introduced by Rep. Berndt. Placed with bill.

HA 1 to HB 410 — Introduced by Rep. Leshner. Placed with bill.

HA 11 to HB 426 — Introduced by Rep. Quillen and Others. Placed with bill.

HR 53 — Making An Appropriation to Reginald D. Knipes & Associates, for Payment of Expenses of Hearings By Judiciary Committee of the House of Representatives. Introduced by Rep. Burt. Adopted by voice vote.

Mr. Dodge moved to adopt **SA 1 to HB 268** with **HA 1**.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Burton, Dillman, Dodge, duPont, Frederick, Gray, Heckert, Jarvis, Kirk, Leshner, Little, Moerschel, Murphy, Quillen, Riddagh, Sebrell, Seibel, Spence, Stabler, Unruh, Mr. Speaker Hering — 25.

NAYS — Rawlins — 1.

NOT VOTING — Boulden, Butcher, Goldfeder, Harrington, Hearn, McMahon, Mears, Orth, Phillips, Stansky, Wright, Zimmerman — 12.

ABSENT — Fonville — 1.

SA 1 to HB 268 with **HA 1** having received a majority was declared adopted.

Mr. Spence moved to adopt **SA 1 to HB 148**.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Leshner, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 38.

ABSENT — Fonville — 1.

SA 1 to HB 148 having received a two-thirds majority was declared adopted.

SB 253 — An Act to Amend Chapter 57, Title 25, Delaware Code, Relating to Replevin Bonds. Introduced by Senators Hale and Hart. Referred to the Committee on Judiciary.

SB 314 with SA 1 and SA 2 — An Act to Amend Section 543, Title 4, Delaware Code Relating to Grounds for Refusal of Alcoholic Liquors License. Introduced by Senator Isaacs. Referred to the Committee on Commerce and Labor.

SB 315 — An Act to Amend Chapter 21, Title 21, Delaware Code, Relating to Registration of Certain Vehicles. Introduced by Senator Hart. Referred to the Committee on Highways and Public Safety.

SB 323 with SA 1 — An Act to Amend Chapter 5, Title 28, Delaware Code, Relating to the Composition of the Harness Racing Commission. Introduced by Senator Hickman. Referred to the Committee on Revenue and Taxation.

SB 338 with SA 1 — An Act to Amend Chapter 11, Title 17, Delaware Code, Relating to Outdoor Advertising and the Control Thereof in Areas Adjacent to the Public Highways and Public Lands of this State. Introduced by Senator Hart. Referred to the Committee on Highways and Public Safety.

SB 344 — An Act Relating to A Pension for Marie G. Ryan, A Former Employee of the State of Delaware. Introduced by Senator Castle. Referred to the Committee on Appropriations.

SB 353 — An Act to Amend House Bill No. 187, "An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1970," By Providing for Salary Increases for Employees in the Classified Service and Making A Supplemental Appropriation in the Amount of \$1,260,000.00 for the Proposed Amendment. Introduced by Senator Cicone and Others. Referred to the Committee on Appropriations.

SB 366 — An Act Making A Supplementary Appropriation to the Department of Correction for the Purpose of Granting Salary Increases to Certain Employees. Introduced by Senator Foltz and Others. Referred to the Committee on Appropriations.

SB 368 — An Act to Amend Section 5508, Title 29, Delaware Code, Relating to Employment of Pension Beneficiaries By the State; Exceptions. Introduced by Senator Cook. Referred to the Committee on Appropriations.

SB 369 — An Act to Amend Title 9, Delaware Code, Sections 309 (b), 8205 (2) and (3), 8405 (2) and (3), 9306, 9402 (2) and (3), 9602 (2) and (3), and Title 10, Delaware Code, Sections 2101 (2) and (3), 2302 (2) and (3), and 2502 (2) and (3), and Title 12, Delaware Code, Section 2505 (2) and (3), Increasing the Salaries of Certain County Officials in Kent and Sussex Counties. Introduced by Senator Cook. Referred to the Committee on Government Operations.