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1969

STATE OF DELAWARE



JOURNAL OF THE STATE SENATE

AT A SESSION OF THE GENERAL ASSEMBLY

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

1969

MILFORD CHRONICLE PUBLISHING CO., MILFORD, DELAWARE

OFFICERS AND MEMBERS

OF THE

STATE SENATE

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EUGENE D. BOOKHAMMER

President Pro Tem

REYNOLDS du PONT

Secretary of the Senate

WILLIAM F. WILGUS, JR.

Assistant Secretary of the Senate

BARBARA KONOPIK

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REV. RUDOLPH W. COLEMAN

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LUCY P. SLADER

LEANNE S. STELL

LEVI STREET

EVELYN D. THOROUGHGOOD

SAM TYNDALL

NEW CASTLE COUNTY

District

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

KENT COUNTY

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

SUSSEX COUNTY

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

**125TH GENERAL ASSEMBLY
1st LEGISLATIVE DAY
DOVER, DELAWARE
JANUARY 7, 1969**

Pursuant to section 4, Article 2, of the Constitution of the State of Delaware, the Senate met at Legislative Hall, Dover, Delaware, at 1:30 P.M. with Lt. Gov. Sherman Tribbett presiding.

**PRAYER BY THE CHAPLAIN
REV. DONALD O. CLENDANIEL**

O God of Our Fathers in ages past and our help in these tumultuous and testing days, we come to Thee in all reverence and contrition of heart beseeching Thy Divine guidance. In this hour of solemn convocation of another General Assembly of the beloved State of Delaware, bless these assembled public servants to weigh the vast issues and face the tangled problems of the State with an assurance in Thy Holy Wisdom. Sustain our Governor, our Senators, our Representatives and all other public officials with Thy Grace and Mercy. May they all be counted by the future as the builders of a redeemed State with laws pungent with justice and with conduct becoming to honorable men.

In the name of Christ we pray. Amen.

FLAG SALUTE

Lt. Gov. Tribbett welcomed the senators-elect with a brief address.

**Illustration of Sussex County
Certificate of Elections
THE STATE OF DELAWARE,
SUSSEX COUNTY, ss.**

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord one thousand nine hundred and sixty-eight, for Sussex County, according to the Constitution and Laws of the State of Delaware, DAVID H. ELLIOTT was duly elected Senator for Senatorial District Number Nineteen (19) in said County in General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the county, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, WE, John J. McNeilly and James B. Messick, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said county, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said county on this seventh day of November, A.D., 1968.

JAMES B. MESSICK,
Associate Judge.

JOHN J. MCNEILLY,
Resident Associate Judge

**Illustration of Kent County
Certificate of Elections
THE STATE OF DELAWARE,
KENT COUNTY, ss.**

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and sixty-eight for Kent County, according to the Constitution and Laws of the State of Delaware, ALLEN J. COOK was duly elected Senator for the Fourteenth Senatorial District for said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, William Duffy and William J. Storey, constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 7th day of November, A.D. 1968.

WILLIAM DUFFY,
Chancellor

WILLIAM J. STOREY,
Resident Associate Judge

**Illustration of New Castle County
Certificate of Elections
THE STATE OF DELAWARE
NEW CASTLE COUNTY, ss**

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen Hundred and Sixty-eight, for New Castle County, according to the Constitution and Laws of the State of Delaware, MICHAEL N. CASTLE was duly elected Senator for Senatorial District Number One in said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, the undersigned Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this 8th day of November, A.D. 1968.

ALBERT J. STIFTEL,
President Judge.

ANDREW D. CHRISTIE,
Resident Associate Judge.

Illustration of Oath of Senator

OATH OF OFFICE OF MEMBER OF GENERAL ASSEMBLY

The State of Delaware,

ss.

County of Kent

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

MARGARET R. MANNING

Sworn to and subscribed to this seventh day of January A.D. 1969 before me.

SHERMAN W. TRIBBITT

Senator Grier moved that William F. Wilgus Jr. serve as temporary Secretary of Senate.

Motion prevailed.

William F. Wilgus Jr., Temporary Secretary of Senate, read the certificate of election for each of the senators-elect.

PRIOR CERTIFICATIONS—

The senators-elect were sworn in by Lt. Gov. Tribbitt.

By roll call, there were 19 members present.

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

Senator Grier introduced SR 1—"In Reference to The Roll of Members of the Senate."

BE IT RESOLVED by the Senate of the 125th General Assembly of the State of Delaware that the following constitute the permanent roll of the Senate of the 125th General Assembly: Michael N. Castle, Anthony J. Cicione, Louise Conner, Allen J. Cook, Reynolds duPont, David H. Elliott, Andy Foltz, Frank R. Grier, Everette Hale, William F. Hart, Thomas E. Hickman, Jr., Herman M. Holloway, Sr., J. Donald Isaacs, Margaret R. Manning, Calvin R. McCullough, George A. Robbins, George F. Schlör, Melvin A. Slawik, Dean C. Steele.

Motion prevailed by voice vote.

Senator duPont announced the following committees and ordered that they be made a part of the Journal. Motion prevailed.

SENATE COMMITTEES**125TH GENERAL ASSEMBLY****Agriculture &
Natural Resources**

Elliott
Hickman
Isaacs
Robbins
McCullough

Education

Conner
Elliott
Hale
Steele
Holloway
Robbins

Finance

Steele
Hale
Hickman
Isaacs
Holloway
Robbins

Health & Welfare

Conner
Foltz
Hart
Isaacs
Holloway
McCullough

**Labor &
Industrial Relations**

Cicione
Hart
Foltz
Steele
Cook
Schlor

**Banking &
Insurance**

Foltz
Castle
Hickman
McCullough
Schlor

Elections

Castle
Elliott
Foltz
Manning
Holloway
Slawik

**Fish, Oyster
& Game**

Isaacs
Cicione
Hickman
Robbins
Slawik

**Highways &
Public Safety**

Hart
Elliott
Foltz
Hale
Slawik
Schlor

Miscellaneous

Isaacs
Castle
Cicione
McCullough
Slawik

**Commerce &
Corporations**

Hart
Elliott
Foltz
Cook
Schlor

Executive

duPont
Grier
Manning
Cook
Slawik

**Government
Operations**

Cicione
Steele
Conner
Holloway
McCullough

Judiciary

Foltz
Castle
Conner
Hale
Robbins
Schlor

**Public Buildings
& Lands**

Hickman
Cicione
Conner
Holloway
Robbins

Revised Statutes

Castle
Foltz
Elliott
Steele
Cook
Slawik

Senate Administration

Hale
Hart
Manning
Cook
Schlor

Senator Grier introduced **SR 2**—"In Reference to Temporary Rules of the Senate."

Senator Grier moved that **SR 2** be adopted.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Slawik, Steele—17.

NOT VOTING—Messrs. McCullough, Schlor—2.

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

SENATE RESOLUTION NO. 2
IN REFERENCE TO TEMPORARY RULES OF THE SENATE

BE IT RESOLVED by the Senate of the 125th General Assembly that the following Temporary Rules of the Senate be and they hereby are adopted for the governing of the present session, until further action of the Senate.

Rule 1. Order of Business

1. Calling of the Senate to Order.
2. Prayer by Chaplain.
3. Salute to Flag.
4. Roll Call.
5. Reading of Journal.
6. Presentation of petitions, memorials or communications.
7. Reports from Standing and Special Committees.
8. Reporting by the Secretary of prior filed bills and resolutions.
9. Introduction of all other bills and resolutions by members.
10. Agenda for the day.
11. Miscellaneous business.

Rule 2. Convening of Senate

Unless otherwise ordered by a majority of its members, the Senate will convene every day, except Friday, Saturday and Sunday, at 1:30 P.M.

Rule 3. Attendance of Members

(a) Every member shall be in his place at the time to which the Senate stands adjourned.

(b) No Senator shall absent himself from the service of the Senate without leave.

Rule 4. Roll Call; Reading of Journal

Each legislative day and before the Senate proceeds to the consideration of any business, the Secretary shall call the names of the members in alphabetical order, and shall then read the Journal of the preceding legislative day, which shall be approved or corrected by order of the Senate.

Rule 5. Contents of Journal

The proceedings of the Senate shall be briefly and accurately stated on the Journal; messages to the Governor in full; the titles of all bills and resolutions; every motion with the name of the member making the same, except motions for adjournment; the names of the members voting in the affirmative or negative on all roll calls.

Rule 6. Presentation of Petitions, Memorials, or Communications to the Senate.

(a) After the Journal is read, the Presiding Officer shall lay before the Senate communications or messages from the Governor, reports and communications from Departments, Commissions, or State Boards and other communications addressed to the Senate, and such bills, joint resolutions and other messages from the House of Representatives as may be upon his table, undisposed of.

(b) When petitions, memorials and other papers addressed to the Senate are presented by the President, or a member, the contents thereof shall be briefly stated.

(c) The Presiding Officer may at any time lay, and it shall be in order at any time for a Senator to move to lay, before the Senate, any bill or other matter sent to the Senate by the Governor or the House of Representatives and any question pending at the time shall be suspended for this purpose. Any motion so made shall be determined without debate.

(d) Messages from the Governor or from the House of Representatives may be received at any stage or proceedings, except while the Journal is being read, or while a question of order or a motion to adjourn is pending.

(e) When a message is brought to the Senate by a member of the House of Representatives or any officer thereof, the members of the Senate shall rise upon their feet, if so directed by the Presiding Officer.

Rule 7. Delivery of Messages from the Senate; Duties of Secretary

Messages shall be delivered to the House of Representatives by the Secretary, or by a Senator or other officer of the Senate directed by the Presiding Officer. The Secretary shall certify previous to delivery the determination of the Senate upon all bills, joint resolutions, and other resolutions which may be communicated to the House, or in which its concurrence may be requested; and the Secretary shall also certify and deliver to the Governor all resolutions and other communications which may be directed to him by the Senate.

Rule 8. Preparation of Bills and Resolutions

(a) No bill or Joint resolution shall be received by the Senate unless it be prefaced by a brief statement of the purpose of the bill or resolution,

which shall be known as the title, and shall also contain the text of the bill or resolution in full. The original of all bills and resolutions shall be printed or stenciled on permanent rag content bond paper, be properly backed, contain no erasures or inter-lineations and shall be produced in such a manner as shall be approved by the State Archivist and Director of the Legislative Reference Bureau.

(b) Every bill and resolution to which the concurrence of both Houses of the General Assembly may be necessary, shall be introduced with one original and at least thirteen backed copies. The original shall at all times remain in the custody of the Chairman of the Committee to which it was referred, or of the Secretary of the Senate; one copy shall at all times be under the general supervision of the Bill Clerk of the Senate; one copy shall be delivered to Presiding Officer of the Senate; one copy to the President Pro Tem; one copy shall be delivered upon introduction to the Majority Leader of the Senate; one copy upon introduction shall be delivered to the Minority Leader of the Senate; one copy shall be delivered to the member introducing the bill or resolution; one copy shall be delivered to the Legislative Reference Bureau; and one copy shall be delivered to each accredited representative of the Press who may be present upon the introduction of the bill or resolution. In addition, every Senator shall be provided with an unbacked copy of the text of the bill or resolution.

(c) The stencil used to produce the bill or resolution (except in the case of printed bills or resolutions), together with 160 true copies of the bill or resolution, shall be made available to the Legislative Reference Bureau immediately after the introduction of a bill.

(d) All bills for the amendment of any statutes contained in the Delaware Code of 1953 shall be made with reference to the statutes or parts of statutes contained in said Code, and shall conform to the arrangement of said Code.

Rule 9. Procedure Applicable to Bills and Joint Resolutions

(a) Every bill and joint resolution when introduced shall be read one time by title only, after which it shall be assigned to the proper committee.

(b) No bill or joint resolution shall be put upon its passage on the same day it is reported out of committee, nor in the absence of the member who introduced it, unless by his written consent.

(c) When put upon its passage, each bill or joint resolution shall be given its final reading by title only unless any member requests a reading in full.

(d) An agenda of bills to be put upon their passage on the succeeding day shall be kept by the Secretary of the Senate and published each day and a copy thereof distributed to each member, and any bill placed upon the agenda by any member of the Senate no later than 3:00 P.M. of the preceding day shall, without otherwise limiting the right of any member to put a bill upon its passage, stand in the same order of preference for consideration by the Senate unless otherwise ordered by it.

(e) Every bill or resolution shall be introduced by a member or group of members or by order of the Senate or by report of a committee. Introduction may be by either of two methods:

- A. Filing of bills and resolutions with the Secretary of the Senate.
 - 1. A bill or resolution may be introduced by being filed with the Secretary of the Senate at any time while the General Assembly is meeting.
 - 2. A bill or resolution that is filed with the Secretary of the Senate while the Senate stands in recess, in adjournment, or is not otherwise meeting, shall be given a number, entered upon a docket kept for that purpose, and shall be assigned to an appropriate committee by the Presiding Officer.
 - 3. At the beginning of the succeeding day's session of the Senate following the filing of a bill with the Secretary, the Secretary shall read the bill or resolution number, title and committee assignment of all bills filed with the Secretary and entered upon the docket prior to the convening of the Senate for that day's session and not previously read.
 - 4. Such reading of the bill or resolution by the Secretary shall constitute the first reading of such bill or resolution.
 - 5. Upon such first reading, copies of the bill or resolution shall be distributed as is provided in Rule 8.
- B. Other methods of introduction
 - 1. A bill or resolution may also be introduced from the floor while the Senate is in session if it is deemed necessary.

Rule 10. Motions

(a) All motions shall be reduced to writing, if desired by the Presiding Officer or by any Senator, and shall be read before the same shall be debated.

(b) Any motion or resolution may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the yeas and nays.

(c) A motion shall be in order at any time to amend or substitute a title to any bill or resolution only in order to correct typographical errors.

(d) When a question is pending, no motion shall be received but:

To adjourn;

To adjourn to a certain day, or that when the Senate adjourn it shall be a certain day;

To take a recess;

To proceed to the consideration of executive business;

To lay on the table;

To postpone indefinitely;

To postpone to a certain day;

To commit;

To amend.

Which several motions shall have precedence as they stand arranged; and the motion to adjourn, to take recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

Rule 11. Voting

Every bill, joint resolution, concurrent resolution, or simple resolution shall be decided by a roll call vote and shall require not less than a majority vote of all members elected to the Senate for adoption. The names of the Senators shall be called alphabetically and each Senator shall

without debate answer "Yes" or "No" or "Not Voting;" and no Senator shall be permitted to vote after the decision shall have been announced by the Presiding Officer, but may change or withdraw his vote prior to said announcement.

Rule 12. Reconsideration

When a question has been decided by the Senate, any Senator may on the same day or on either of the next two days of actual session thereafter, move a reconsideration. Every motion to reconsider shall be decided by a majority of all members elected to the Senate, and may be laid on the table without affecting the question in reference to which the same is made, which shall be a final disposition of the motion.

Rule 13. Procedure when Bill or Other Matter Sought to be Reconsidered has been sent to the House of Representatives

When a bill, resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the Senate and been communicated to the House of Representatives, the motion to reconsider shall be accompanied by a motion to request the House to return the same; which last motion shall be acted upon immediately, and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

Rule 14. Question of Order

A question of order may be raised at any stage of the proceedings, and, unless submitted to the Senate, shall be decided by the Presiding Officer without debate, subject to an appeal to the Senate. When an appeal is taken, any subsequent question of order which may arise before the decision of such appeal shall be decided by the Presiding Officer without debate; and any appeal may be laid on the table without prejudice to the pending proposition, and thereupon shall be held as affirming the decision of the Presiding Officer. The Presiding Officer may submit any question of order for the decision of the Senate.

Rule 15. Special Order of Business

Any subject may, by a vote of the majority of the members elected to the Senate, be made a special order: and when the time so fixed for its consideration arrives, the Presiding Officer shall lay it before the Senate.

Rule 16. Petition Out of Committee

Upon the written request signed by the majority of the members elected to the Senate and directed to the Presiding Officer, any bill, joint resolution or other business, which shall have been referred to a committee, shall be reported to the Senate.

Rule 17. Conduct

(a) When a Senator desires to speak, he shall rise and address the Presiding Officer, and shall not proceed until he is recognized, and the Presiding Officer shall recognize the Senator who shall first address him.

(b) No Senator shall interrupt another in debate without his consent, and to obtain such consent he shall first address the Presiding Officer; and

no Senator shall speak more than twice upon any one question in debate on the same day without leave of the Senate which shall be determined without debate.

(c) No Senator in debate shall, directly, or indirectly by any form of words, impute to any Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

(d) If any Senator, in speaking or otherwise, transgresses the rules of the Senate, the Presiding Officer shall, or any Senator may, call him to order; and when a Senator shall be called to order, he shall sit down and not proceed without leave of the Senate, which, if granted, shall be upon motion that he be allowed to proceed in order, which motion shall be determined without debate.

Rule 18. Appointment of Committees

The President Pro Tempore shall appoint all committees, unless the Senate shall otherwise direct.

Rule 19. Standing Committees

The following standing committees shall be appointed, to whom business appropriate to them shall be referred:

- Committee on Agriculture & Natural Resources
- Committee on Banking & Insurance
- Committee on Commerce & Corporations
- Committee on Education
- Committee on Elections
- Committee on Executive
- Committee on Finance
- Committee on Fish, Oyster & Game
- Committee on Government Operations
- Committee on Health & Welfare
- Committee on Highways & Public Safety
- Committee on Judiciary
- Committee on Labor & Industrial Relations
- Committee on Miscellaneous
- Committee on Public Buildings & Lands
- Committee on Revised Statutes
- Committee on Senate Administration

Rule 20. Motions to Print

Every motion or resolution to print documents, reports, bills, or any other matter shall, unless the Senate otherwise orders, be referred to the Committee on Senate Administration. When a motion is made to commit with instructions, it shall be in order to add thereto a motion to print.

Rule 21. Committee on Elections; Contests

Any contest for a seat in this body shall be referred to the Committee on Elections without debate.

Rule 22. Committee on Senate Administration; Supervision of Attaches

The officers, attaches and employees of the Senate shall be under the supervision of the Committee on Senate Administration in the

performance of the duties of their respective offices.

Rule 23. Privilege of the Floor

(a) No person who is not a member of the Senate shall be granted the privilege of the floor, or be seated or stand in front of the rear line of the last row of members seats from the rostrum, while the Senate is in session except:

- The Governor of the State
- The Secretary of the State
- Ex-Governors of the State
- Ex-Lieutenant Governors of the State
- Ex-Members of the General Assembly
- Members of the Congress of the United States
- Ex-Members of the Congress of the United States
- Members of the House of Representatives of the State
- Attorneys, Officers and Employees of the Senate
- Attorneys, Officers and Employees of the House of Representatives of the State

Official representatives of the Press, or the Executive Director of the Legislative Reference Bureau.

(b) Notwithstanding anything contained in sub-section (a) of this Rule, any other person or persons may be granted the privilege of the floor, or of being seated or to stand in front of the rear line of the last row of member seats aforesaid, by and with the consent of this body.

Rule 24. Change or Suspension of Rules

Any rule of the Senate may be changed or suspended by approval of a majority of all members elected to the Senate.

Rule 25. Rules of Order

All questions of parliamentary procedure not covered or provided for by the Rules of the Senate or the Constitution of the State of Delaware shall be decided in accordance with Mason's Manual of Legislative Procedure.

SENATE RESOLUTION NO. 3

Senator Grier introduced **SR 3** entitled "In Reference to Election of President Pro Tempore."

BE IT RESOLVED by the Senate of the 125th General Assembly of the State of Delaware that Reynolds duPont be and he is hereby elected to the Office of President Pro Tempore of the Senate for the duration of the 125th General Assembly of the State of Delaware.

Senator Grier moved that **SR 3** be adopted.

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

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

NOT VOTING—Mr. McCullough—1.

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

SENATE RESOLUTION NO. 4

Senator Grier introduced **SR 4**.

Senator Grier moved that **SR 4** be adopted.

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

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

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

SENATE RESOLUTION NO. 5

Senator Grier introduced **SR 5** entitled "Appointing a Committee to Notify the Governor that the Senate is Organized."

BE IT RESOLVED by the Senate of the 125th General Assembly of the State of Delaware, that the Presiding Officer of the Senate appoint a committee of two members on the part of the Senate to notify the Governor of the State of Delaware, of the convening of the Senate of the 125th General Assembly, and to inform him that the Senate is ready to receive any communications that he may desire to present.

Senator Grier moved that **SR 5** be adopted.

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

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

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

In conformity with **SR 5** Lt. Gov. Tribbitt appointed the following members: Senator Grier, Majority Floor Leader, and Senator Cook, Minority Floor Leader.

SENATE RESOLUTION NO. 6

Senator Grier introduced **SR 6** entitled "Appointing a Committee to Notify the House of Representatives that the Senate is Organized."

BE IT RESOLVED by the Senate of the 125th General Assembly of the State of Delaware that the Presiding Officer of the Senate appoint a committee of two members on the part of the Senate to notify the members of the House of Representatives of the 125th General Assembly of the State of Delaware, of the convening of the Senate of the 125th General Assembly, and to inform them that it is ready to receive business.

Senator Grier moved that **SR 6** be adopted.

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

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

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

In conformity with **SR 6** the following members were appointed:

Senator Manning, Majority Whip, and Senator Schlör, Minority Whip.

Senator Grier moved the Senate recess for 10 minutes. Hearing no objections motion prevailed.

Senate reconvened at 3:30 P.M.

SENATE BILL NO. 1

Senator duPont introduced **SB 1** entitled "An Act Making a Supplementary Appropriation to the Delaware State Development Department," which was given its first reading by title only.

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

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

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

NAYS—Mr. Slawik—1.

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

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

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

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

NAYS—Mr. Robbins—1.

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

Senator duPont, President Pro Tem., announced the names of the following senators to be members of the Legislative Council: Senator Cook, Minority Floor leader, Senator Foltz, Senator Holloway.

A messenger from the House was admitted to the Senate who informed the Senate that the House was organized and ready to do business.

SENATE RESOLUTION NO. 7

Senator Foltz introduced **SR 7**.

Senator Foltz moved that **SR 7** be adopted.

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

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

ABSENT—Mrs. Conner—1.

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

Senator Grier moved that the Senate adjourn until January 8, 1969 at 1:30 P.M. Motion prevailed, voice vote.

2nd LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on January 8, 1969, President Pro Tem du Pont presiding.

Prayer by the Chaplain, Rev. Donald O. Clendaniel.

Flag salute.

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

The Secretary proceeded to read the Journal of the previous days session when Sen. Grier moved that so much be considered the reading of the Journal and the Journal be approved as read.

The Chairman announced that the House wishes to inform the Senate that it has passed, **HCR 1** and requests the concurrence of the Senate and **SB 1** and is returning same to the Senate.

On motion of Senator Grier **HCR 1** with title as follows was taken up for consideration in order to pass the Senate.

HCR 1—That the two Houses meet in Joint Session to hear the Message of the Governor.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Issacs, (Mrs.) Manning, Robbins, Schlor, Steele—17.

ABSENT—Messrs. McCullough, Slawik—2.

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

Senator Steele introduced **SB 2**, entitled "An Act to Amend Section 1118, Title 30, Delaware Code, Relating to Deductions Allowed in Computing Net Income," which was given its first reading by title only, and assigned to committee on Revised Statutes.

Senator Steele introduced **SB 3**, entitled "An Act to Amend Title 1, Delaware Code, Pertaining to the Designation of Legal Holidays," which was given its first reading by title only, and assigned to committee on Miscellaneous.

Senator Cicione introduced **SB 4**, co-sponsored by Senator Slawik, entitled "An Act to Amend Title 11, Subchapter XVI, Delaware Code, Relating to the Purchase or Possession of Deadly Weapons and Firearms by Certain Persons, Providing a Penalty for Violation Thereof and Granting a Right of Appeal," which was given its first reading by title only, and assigned to committee on Revised Statutes.

Senator Manning moved the Senate recess for 10 minutes. Motion prevailed.

Senate reconvened at 3:40 P.M.

Senator Steele introduced **SB 5**, entitled "An Act to Amend Chapter 11, Title 30, Delaware Code, to Provide that Certain Expenses of Higher Education Shall Be Deductible," which was given its first reading by title only, and assigned to committee on Revised Statutes.

Senator Slawik introduced **SB 6**, co-sponsored by Senators Cicione, Holloway, Isaacs and Castle, entitled "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 Inconsistent Herewith, and to Repeal Title 15, Delaware Code, Section 3114," which was given its first reading by title only, and assigned to committee on Elections.

Senator Cicione introduced **SB 7**, co-sponsored by Senators Isaacs and Castle, entitled "An Act to Amend Title 14, Chapter 29, Delaware Code, Relating to Transportation of Pupils in Non-Public, Non-Profit Elementary and High Schools," which was given its first reading by title only, and assigned to committee on Revised Statutes.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 1**, and requests the concurrence of the Senate.

The Chair presented the following House Bill, which was given first reading and referred to committee as follows:

HB 1—"An Act Making a Supplementary Appropriation to the Secretary of State."

Senator Grier asked for the privilege of the floor for Secretary of State Elishia C. Dukes to explain **HB 1**.

Hearing no objection the privilege was granted.

Senator Grier moved that Rule 9 be suspended for the purpose of considering **HB 1**." the yeas and nays were ordered, which being taken, were as follows:

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

Members Absent—Messr. McCullough—1.

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

On motion of Senator Grier, **HB 1**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

HB 11—"An Act Making a Supplementary Appropriation to the Secretary of State."

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

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

Members Absent—Messr. McCullough—1.

So the question was decided in the affirmative and the Bill having received the required constitutional majority, passed the Senate and was ordered to the House. Other Supplies," which was given its first reading by title only, and ordered stricken by its sponsor.

Senator Hale introduced **SR 8**, entitled "Authorizing the Legislative Reference Bureau to Furnish Stationery and Other Supplies," which was given its first reading by title only and ordered stricken by its sponsor.

Senator Manning introduced **SB 8**, co-sponsored by Senator duPont, entitled "An Act Agreeing to a Proposed Amendment to Article II, Section 4 of the Constitution of the State of Delaware, Relating to the Time and Frequency of Sessions and Providing Termination Dates," which was given its first reading by title only, and assigned to committee on Revised Statutes.

Lt. Gov. Tribbitts now presiding.

Senator Manning introduced **SB 9**, entitled "An Act to Amend Chapter 189, Volume 56, Laws of Delaware, by Extending the Time When the Constitutional Revision Commission shall Submit Its Report and Providing for Additional Services of Said Commission," which was given its first reading by title only.

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

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

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

Members Absent—Messr. McCullough—1.

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

On motion of Senator Manning, **SB 9**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 9—"An Act to Amend Chapter 189, Volume 56, Laws of Delaware, by Extending the Time When the Constitutional Revision Commission Shall Submit Its Report and Providing for Additional Services of Said Commission."

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

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

Members Absent—Messr. McCullough—1.

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

Mr. Barrett from the Governor's office delivered the following message, which was read and referred to the Chairman of the Executive Committee:

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

C. Wardon Gass, 2715 Duncan Road, Brandywine Springs, Wilmington, Delaware, to be a member of the State Highway Department for a term of three years to expire June 5, 1971. (Reappointment)

Frank H. Mackie, Jr., 1303 Delaware Avenue, Wilmington, Delaware, to be a member of the State Highway Department for a term of three years to expire June 5, 1971. (Reappointment)

Respectfully submitted,
Charles L. Terry, Jr.
Governor

Senator Grier moved the Senate recess to the call of the President Pro tem. Motion prevailed.

Senate reconvened at 1:45 P.M., January 14, 1969.

Senator Grier moved the Senate adjourn until 1:50 P.M., January 14, 1969. Motion prevailed.

3rd LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:50 P.M. on Tuesday, January 14, 1969, Lt. Gov. Bookhammer presiding.

Flag salute.

Prayer by the Chaplain, Rev. Clendaniel.

By roll call the following Senators were present:

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

Members Absent—McCullough—1.

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

The following communications were read:

Senator Grier—Invitation from National Guard in Wilmington for February 8, 1969, 10:00 A.M.

Senator Steele's report in accordance with SR 29 which was passed by the 124th General Assembly.

INTERIM REPORT OF THE JOINT COMMITTEE TO INVESTIGATE NONESSENTIAL STATE EXPENDITURES

Representative Herbert A. Leshner
Representative David S. Benson
Representative Mary Etta Gooding

Senator Russell D. F. Dineen
Senator Dean C. Steele, Chairman

December 31, 1968

TO THE MEMBERS OF THE 125th GENERAL ASSEMBLY:

This report is submitted in compliance with Senate Concurrent Resolution No. 29 adopted by the 124th General Assembly, copy attached.

It was agreed by the committee that, the timing and minimum funding were not conducive to, nor intended to, providing for an in-depth investigation. It was therefore resolved that this interim report should spotlight or pinpoint areas in which the General Assembly and its Committees, particularly the Joint Finance Committee, might well take a second hard look in its never-ending difficult task of balancing the budget. The committee took cognizance to some extent of reports on agency performance, since performance involves taxpayers money, as well as low-priority and nonessential expenditures.

The Committee comments and recommends as follows:

1. The General Assembly should carefully restrict appropriations until it is satisfied that reduced expenditures plus increased revenues will produce a currently balanced budget.

2. The General Assembly, through its duly constituted committees, should satisfy itself that all State agencies have made a more determined effort to eliminate waste, extravagance and low-priority activities so that the taxpayer shall be assured of value received for his tax dollar.

3. State agencies should be put on notice that payrolls padded with non-productive political appointees and incompetents will not be tolerated and where discovered the agencies shall be subjected to severe budget penalties. There are far too many citizen complaints as well as agency employee observations that many employees are guilty of "loafing", "malingering", "having little to do", "absenteeism", "drinking too much", etc. The merit system is intended to build a competent corps of career civil servants and to protect them from the ravages of political patronage, not to "freeze-in" drones.

4. State agencies should subject themselves to more intensive self-evaluation. Are programs discontinued when they are no longer necessary or proven unsatisfactory, or are they continued to perserve jobs? Continued expansion and empire-building is not an appropriate objective per se. The lure of Federal grants should be resisted, since many are eventually eliminated, leaving the State with the entire burden.

5. Since (I) Debt Service, (II) Education, (III) Health & Welfare and (IV) Highways & Police, etc. together take over 80% of the State's total budget, the remaining activities do not provide the large opportunity for savings that the layman might suppose. This report will nevertheless comment on certain of these remaining areas:

I. (a) Debt Service is, of course, a mandatory expense obligation. It behooves the General Assembly to exercise restraint in its initial bond authorizations for capital improvements. Each proposal should be subjected to the questions — Is it necessary now? Is it necessary at all? Is the proposal grandiose? Can the need be met by a lesser expenditure?

(b) Far too much public criticism is constantly heard about poor construction planning and scheduling, unnecessary and costly delays, high bids, high labor rates and boondoggling, insiders buying properties for subsequent profitable sales to the State, etc. Further investigation of such criticism seems warranted.

(c) Bond ratings have dropped because the State's fiscal policies have deteriorated. This must be corrected by a balanced budget and adherence to a reasonable debt ceiling. We may be rapidly reaching the point where total new debt authorizations must be limited to the total of current debt redemptions.

II. (a) Education is Delaware's most important responsibility. Since increasingly large sums will be needed, to implement the Educational Advancement Act, for kindergartens; for teachers salaries; for pensions; and for normal school population growth, it behooves the General Assembly for the present, to resist the proliferation of unevaluated new programs and to eliminate existing programs which have minimal value in relation to the overall requirements.

(b) The entire staffing structure of the State Department of Public Instruction should be scrutinized, with a view toward further decentralization in harmony with the objectives of the Educational Advancement Act.

(c) The entire Educational Television Program should be reviewed in

depth. There is considerable doubt that the results are worth the cost. Experience in other localities has resulted in abandonment. Could the expenditure involved be better used elsewhere?

Typical comments are:

Teachers use TV as a substitute for teaching, not as a teaching aid.

TV watching ("Little Beaver") is used as a reward for good behavior.

Many science shows are of such elementary content as to be a waste of class time.

Seldom does the TV subject matter coincide with or supplement the material in the curriculum.

The planning and scheduling to fit the school programs in point of time and content is poor.

Teachers and administrators embellish TV use reports to get more TV sets.

Creation of programs at the State level is costly, second-rate and amateurish. Enough nationally developed programs are available to satisfy a small State such as Delaware. The cost and value of the recently approved plans for the development of eight new program series should be investigated.

(d) Vocational Training and Adult Education —

There is an urgent need to determine and to understand the scope, cost and value of the myriad vocational training and adult education programs now functioning throughout the State, under the Jurisdiction of various State agencies as well as private organizations. Divided responsibility, overlapping, small enrollments, top-heavy administration, all serve to increase costs.

III. (a) It is in the area of Health & Welfare that costs are currently increasing at an alarming rate. The General Assembly should heed the warnings embodied in the report of the Senate committee investigating the State Department of Welfare, dated September 30, 1968.

(b) There is sufficient in the report, of poor management of the Department of Public Welfare, to warrant a complete overhauling of the entire agency.

The only thing they surely know how to do well is to ask for more money.

Indications are that requests for significant amounts of additional funds are planned, part of which would be used to hire 34 more social workers and seven social service supervisors, as well as 30 clerical and other personnel and a deputy director for the department. Why hire 72 more people to do nothing but look around for more people to put on the welfare rolls?

As long as the "give away with no questions asked" philosophy prevails, we need hire no more people but should use all available funds to improve direct benefits to the poor.

(c) The General Assembly should reject the philosophy that "Welfare is Our Right", it is pure and simple "public charity" and should be confined to the necessities of life; namely, food, shelter, clothing, hospitalization and medication. The cash that goes for liquor and TV sets while depriving children of milk, constitutes embezzlement of the taxpayers dollar.

(d) Compulsory sterilization should in no way be considered, but voluntary sterilization, which would be welcomed by many, should be

made available. In any event, the taxpayer is fed up with subsidizing repetitive promiscuity.

(e) The recent Federal proposal to abolish state investigations of prospective welfare recipients and to grant relief payments on a mere declaration of need should be forcefully resisted. The alleged objective of bringing greater efficiency and economy to the operation of public welfare agencies and greater dignity for the client, is delusory. We are fostering generations of idlers and deadbeats with no incentive to become productive citizens. This is just another scheme to hand out more money faster, and lead us further down the road to Socialism. The Welfare Department does precious little investigating now, because its hierarchy says "Don't make waves". Mendicancy and dignity were never compatible. Work and dignity are inseparable.

Government has practically institutionalized poverty. Had politicians set out to devise a system to discourage work, they could hardly have done much better. Relief spending has become the ward-healer's dream and the taxpayer's nightmare. Emphasis on personal rights instead of personal responsibility and preaching "something-for-nothing" long enough will ensure a permanent hard core of loafers. "If you teach him how to fish, he will eat all his life." — Kuan-tzu.

In America, work is a cardinal virtue and sloth a mortal sin. Welfare programs that reward idleness and fail to penalize promiscuity take on the strain of blasphemy. They constitute a gross indecency and a crime against a stable society.

IV. (a) Highways and Police, etc. — The State of Delaware can take justifiable pride in its first class State Police organization; composed of a dedicated body of men who are shorthanded and work many hours of overtime without compensation. The 124th General Assembly quite properly established a much improved State Police salary schedule and authorized a sorely needed increase from 250 to 400 men, all of which will require larger appropriations. It is therefore elsewhere that we must look for savings in this department.

(b) There is reason to believe that some kind of merger arrangement between the Safety Responsibility Division and the office of the Federal-State Highway Safety Coordinator could eliminate duplication of effort and result in savings as well as improved performance. This year's Delaware Safety Council message emphasized "in safety . . . it is performance that counts . . .".

(c) Results of programs should be measured as to effectiveness. The cost and accomplishments of the Mosquito Control Division should be carefully analyzed.

(d) The Motor Vehicle Division's performance at some peripheral locations leaves much to be desired in the eyes of many complaining citizens. While it may be justifiably claimed that service has improved of late, this division has in recent years been subjected to much local political patronage pressure, with a resulting second rate staff, many of whom have been criticized as uncooperative, incompetent, lazy, slow, uninterested, rude and inconsiderate. The public is deserving of better. The General Assembly should concern itself with the cost vs. quality of service of this division.

(e) The larger part of the Highway Department's operating budget

involves the Engineering Division and the Office of the Controller. Whether justified or not, more publicity attaches to citizens' criticisms in this area than any other. In the public mind, this activity is "the hot-bed" of political patronage, mistakes, delays, featherbedding, extravagance and waste, which is not necessarily directed toward the operating budget alone but also to the funded appropriations under the annual Capital Improvement Act, and of necessity, includes the performance of highway building contractors and labor.

Over-runs still plague us. They substantially increase the initial contract funding. Changes and extras added to a contract are always much higher than if they were an original part of the contract since they are not subject to bid. One might well wonder if original specifications are sometimes vague or omitted to enable subsequent additions of extras or changes.

The General Assembly should insist on whatever changes in modus operandi, philosophy, attitude and performance are necessary to recreate the public's confidence in this department.

One minor, though obviously, unnecessary and wasteful expenditure is the purely politically created post of administrative Assistant in Charge of Personnel in Sussex County, which should be eliminated promptly.

6. Comments on Other Agencies – Legislative Reference Bureau

The general sentiment the Legislature indicates that the performance of this agency has been less than satisfactory. State Election Commission
Department of Elections – Three Counties

The State's election laws need to be modernized immediately. Due in part to present statutes and in part to archaic procedures, the effectiveness of this activity leaves much to be desired. Governor's Office.

The appropriation for a Management Analyst was diverted to pay the salary of a Federal-State Coordinator whose performance was practically nil. This post should be abolished. Family Courts

Justified or not, the operation of the Family Courts has come in for considerable public criticism. The large number of employees and total cost of this operation, when compared with the ever increasing incidence of juvenile crime, leaves much to be desired. Further investigation seems warranted. Budget Director

This office seems to have indulged in some empire building and has wound itself and other State agencies in a mass of detail and red tape. It should be streamlined and oriented toward helping and guiding State agencies, instead of harassing them.

The Central Accounting system operated by the Budget Director has a tendency to increase its bookkeeping demands on the agencies. This will operate to create a bigger administrative workload with the attending requirements for additional personnel and equipment. Procedures used in investing State funds both temporary and long-term should be studied. The average return on state funds is low, indicating the need for better cash management.

The cost of Data Processing Equipment keeps mounting. Only the larger agencies with sufficient volume of work should support separate installations. Smaller agencies should use consolidated centralized installations.

Auditor of Accounts

Recent progress in this activity should be accelerated. The entire

audit program for all State agencies should be reviewed to ensure earlier audit starts and earlier completion of agency reports in order that all reports for the fiscal year ending be made available to the General Assembly before December 31 of the same year. State reports are of little value. Comments and recommendations in the State Auditor's excellent annual report dated July 3, 1968 should be carefully considered and implemented.

Further audit emphasis on agency efficiency is recommended. Probing questions are in order, for example – Should a temporary clerk be paid at the rate of \$400 per week, for two weeks?

The statutory requirements and resulting practices with respect to the outside auditing of school construction funds have resulted in a considerable waste of money. The audit performance, results and costs have been shameful.

State Tax Department

This department has been historically burdened by the patronage system. It will never meet high standards of performance with a low paid, second rate staff. It needs qualified auditors, not paper shufflers. A thorough review should be made of State policies and statutes on tax exemptions with a view toward a more sensible and rational system.

Water and Air Resources Commission

Delaware State Development Department

State Planning Office

State Personnel Commission

Public Defender

The General Assembly must curb the empire building direction in which these agencies are prone to go. The number of employees in an Agency is not necessarily a reliable measure of their capacity to render service.

The State Planning Office has had substantial growth. It currently has plans to occupy over 9,000 sq. ft. in the proposed Thomas Collins Annex.

The Water and Air Resources Board started out realistically, however it develops that they have plans to build a 42,500 sq. ft. building and then fill it up with personnel and equipment, including an elaborate data processing system.

The Board of Post Mortem Examiners

This agency must be completely removed from politics. The County Coroner System is a racket and should be abolished and the costs thereof should be used to develop a first class Medical Examiner's Office.

Justices of Peace

The statutes should be further improved to remove the last vestige of politics from this activity. The success of this activity depends entirely on the caliber of the personnel. It would seem advisable to raise the standards and have the personnel appointed by the Chief Justice rather than the Governor.

Professional and Occupational Boards

The clerical functions of these Boards should be consolidated to cut expense.

State Bingo Control Commission

The clerical functions of this commission should be transferred to the State Tax Department.

Public Service Commission

The political complexion of this Commission has served to make its effectiveness minimal.

Department of Civil Defense

This is an expensive activity of questionable value, although imposed by and largely supported by the Federal Government, it should be further examined with a jaundiced eye.

State Department of Labor and Industrial Relations

This department is fraught with political motivation. A proper question might be – What in heavens name do all these people do?

Industrial Accident Board

The performance of this Agency warrants a second hard look. Some of its decisions are alleged to border on the ridiculous.

State Distribution Agency

“Central Purchasing” if carried to extremes can become a costly, uncontrollable monster. Its value and effectiveness lies only in the contracting for bulk purchases of large volumes of commodities by experts in the field. For much of the minor item purchasing, the using agencies can do just as good a job while eliminating the duplicate paper shuffling inherent in a centralized bureaucracy. The rapidly increasing cost of maintaining the State Distribution Agency could soon exceed any savings resulting from centralized purchasing.

One area which should be investigated promptly is the acceptance of commodities which do not meet contract specifications.

The over-all cost of motor vehicles should also be carefully examined. The State owns over 1,000 passenger vehicles and over 1,500 other types of motor vehicles. One group has a motor vehicle for all but 2 its 27 employees. Cars are observed sitting idle much of the time. State cars are used for “to and from work” transportation.

Commission on Children and Youth

This separate agency has probably outlived its usefulness and its activity could be easily absorbed by other agencies.

Interagency Committee on Mental Retardation

This agency should be abolished. It has accomplished little, if anything. It is another example of the lure of initial Federal funding. The Department of Mental Health should do the job intended here.

This is a good place to start eliminating “Coordinators”. We seem to have a multitude of coordinators, directors, supervisors and assistants permeating all our State agencies, crawling all over each other, each pushing a miniscule favorite program which may or may not be worthwhile, but costs money.

Delaware Commission of Shell Fisheries

This activity has become a mockery. Here we have high cost and poor performance. The agency should be abolished and its duties absorbed by the Game and Fish Commission. The General Assembly should again heed the report of the Joint Investigating Committee of the House and Senate dated November 3, 1967 and reconsider the legislation embodied in the vetoed **HB 533** enacted by the 124th General Assembly.

Department of Justice

The objectives of the new Department of Justice should be implemented promptly to minimize the high cost of private legal services.

Reorganization of State Government

There is no doubt that the existence of approximately 135 separate

agencies and commissions is unnecessary and that consolidation into from 12 to 20 executive departments is a goal toward which to work. However, the General Assembly should be alert to the dangers of inherently greater cost possibilities. For example, the proposal to merge the Department of Corrections and the Youth Services Commission embodied in **SB 400** introduced in the 124th General Assembly, accomplished nothing except an estimated additional expenditure of \$60,000 per year for the cost of a new post (including staff) responsible to the Governor (in lieu of the two present Commissions) called a Secretary of the Department of Correctional Rehabilitation.

Conclusion

To paraphrase Woodrow Wilson . . .

Delaware has been sauntering through her resources and through the mazes of her politics with easy nonchalance; she now finds herself with a rapidly growing, strained and perplexed population, obliged to fall back upon her inherent conservatism, obliged to pull herself together, adopt a new regimen of life, husband her resources, concentrate her strength, steady her methods, sober her views, restrict her vagaries, trust her best and not her average numbers.

Since this interim report is a summary of observations gathered from various sources, it does not necessarily represent the view of each member of the Committee on each subject covered.

For the Committee

Dean C. Steele, Chairman

SCR 29 —“Establish a Joint Committee of the Senate and of the House of Representatives of the 124th General Assembly to Investigate Nonessential State Expenditures and to Make an Appropriation for the Expenses of the Committee..”

WHEREAS, the Governor of the State of Delaware has indicated that the surplus in the General Fund will be largely dissipated by the end of the next fiscal year and that the 125th General Assembly may be required to enact substantial tax increases to balance future budgets.

BE IT RESOLVED, that there is hereby established a joint committee of five legislators to investigate nonessential state expenditures, to be composed of one Senator to be appointed by each of the Floor Leaders of the Senate, one Representative to be appointed by the Majority Leader and one representative to be appointed by the Minority Leader of the House of Representatives, plus the Chairman of the Joint Finance Committee of the House and Senate. The Committee shall select its own Chairman.

BE IT FURTHER RESOLVED, that:

(a) It shall be the duty of the committee to make a full and complete study and investigation of all expenditures of the State Government with a view to recommending the elimination or reduction of all such expenditures deemed by the committee to be nonessential. The committee shall report to the General Assembly the results of its study, together with its recommendations, at the earliest practicable date, but no later than December 31, 1968.

(b) The committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places, to employ such experts and such clerical and other assistants, to require by

subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The provisions of Title 29, Section 705, Delaware Code shall apply in case of any failure of any witness to comply with any subpena, or to testify when summoned under the authority of this resolution.

(c) The committee is authorized to utilize the services, information, facilities, and personnel of the departments and agencies of the Government.

(d) There is hereby appropriated, the sum of \$10,000, or so much thereof as may be necessary, to carry out the provisions of this resolution.

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

JOINT SESSION

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

Senator Grier moved that the President of the Senate preside over the Joint Session. Motion prevailed.

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

The President appointed the following committee of four to escort the Governor to the Senate Chamber: Senator Robbins, Senator Isaacs, Representative Unruh, Representative Stansky.

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

GOVERNOR'S MESSAGE

Mr. President, Mr. President Pro Tem, Mr. Speaker, Members of the 125th General Assembly, Fellow Citizens:

By reason of your invitation I am here to speak in depth about a proposed budget which in a very real sense is also a picture of the state of the State, for it is in our budget . . . the collection and expenditure of money . . . that we reflect the wisdom and prudence of government.

Upon this, my final speech of this nature, it is of course, tempting to review once more the accomplishments brought about through four years of intense effort not only on my part, but through the dedicated contribution of many others working in a spirit of compromise and discussion to achieve noble and beneficial ends. I shall resist the temptation, trusting confidently to history to judge the record of the Terry Administration. I have been the Governor and have done my best and will abide by the verdict of the future.

A primary duty of a State's Chief Executive is to assure the exercise of fiscal responsibility in all areas, from taxation to appropriations. Certainly fiscal responsibility has constantly had priority attention in all the considerations and recommendations made by me. This fiscal responsibility means supplying needed and desirable services with a

maximum of efficiency, the establishment of clear procedures to make the agencies responsible to the Governor and the implementation of programs within the available revenue.

Let me say that in my view a balanced budget means financing the operation of government within the limits of all available revenue, including uncommitted cash balances and money collected through fees and taxation. The proposed budget I am presenting today for the fiscal year to begin in July is a balanced one.

It will make use of the uncommitted \$16 million surplus with which we will end the current fiscal year, provide for orderly growth during the next year and permit the state government to operate effectively through June, 1970, without borrowing funds or raising the State's income by means of additional taxation.

With this budget and those enacted before during my term of office we have vastly improved programs that existed before, initiated far-reaching new programs of proven merit and have established the Chief Officer of the State.

I stand here today having made no promises to any pressure group or special interest for preferred consideration of any nature. My only specific obligation is that of continuing and general concern for the People of this State, and this budget, accordingly, is in the tradition of progressive, realistic budgets that my party has proposed for eight consecutive years. It provides for new and expanded services without inefficient crash programs; it proposes to live within available revenue without new taxes. It is the very budget I would have presented to you if I were to be your Chief Executive for the next four years.

The total recommendations are for appropriations of \$195.2 million, leaving a cash balance 18 months from now of over half a million dollars. Since there is little executive control that can be exercised over automatic appropriations . . . mostly revenue refunds, routine grants-in-aid and reversions which will amount to about \$4.5 million of the total budget, I shall limit my discussion to portions of the balance of \$190.7 million herein recommended to be spent.

The budget as proposed contains increases of one half million dollars for debt service and one half million dollars for State Employees' Pensions. As you know, a Pension Study Committee authorized by the Legislature and named by me has completed its study. Its report will be in your hands in the near future.

Education, as it has in the past four years, continues to receive a top priority in this budget proposal. Appropriations for higher education were doubled during the years 1965-69, placing Delaware among the top States in the Nation for increased aid to higher education for that period. Next year's budget proposes another increase of \$1.8 million or nearly 14 per cent.

One of the most dramatic advances in higher education in Delaware has been the creation of the technical and community colleges with two branches already initiated. The proposed budget will provide for expansion to full, two-year programs at each branch.

During the years 1965-69 State appropriations for education below the college level were increased by 50 per cent while the pupil increase was only 22 per cent. Annual teacher salaries were increased by a minimum of \$1,200; additional administrators and clerks were provided in excess of

those required for increases numbers of pupils; educational television for a statewide program was funded in its entirety; non-salary appropriations to the districts were increased on the average by \$275 per pupil unit or 31 per cent; pupil transportation requirements were liberalized for public school pupils and funds were provided for private school transportation; driver education programs were expanded and more than 100 public kindergarten units were initiated.

By far the single largest increase in next year's budget recommendation—\$6.5 million—is for improvements in the educational program below the college level. The main elements in this improved program, other than provision for increased numbers of pupils in the elementary and secondary grades, are significant:

(1) Complete implementation of the kindergarten program started on only a piecemeal basis by the General Assembly during the current school year;

(2) A \$400 salary increase for teachers and all other professional personnel employed for ten months and a \$480 increase for those administrators employed on a twelve month basis. Incidentally, I should like to comment on a recent irresponsible statement by an educational association leader to the effect that while teachers had been reasonably treated over the years that administrators had sometimes been forgotten. The truth of the matter is that there has not been a single state salary increase since at least 1948 for teachers that did not include an equal or larger increase for administrators. During these same years there have been additional increases for administrators that did not include teachers;

(3) The removal of all elementary school principals from the pupil unit formula, which means that local school districts will be able to employ, on state funds, extra teachers equal to the number of elementary principals in the districts.

During the past year much deserved attention was given to our State police. The strength of the uniformed division is being increased from 250 to 310 men during the current year and salary schedules have been raised substantially. For next year I have recommended funding to further increase this strength by 50 to a total of 360 in the uniformed division. I have also recommended funds for the continuation of the new Delaware Law Enforcement Planning Agency and the programming for the State Police Criminal File.

Years ago, when few people understood the nature of mental illness our state was a leader among the states in programs of enlightened rehabilitation. I have always believed that there is no higher priority among our government functions than that of helping to transform confused, ill citizens . . . children and adults alike . . . into self-sustaining, productive members of our society. Since 1965 the state appropriated operating budget of the department of mental health has been increased by nearly \$3.5 million or 53%. This increase has been aimed primarily at providing additional nurses, aides and attendants in all programs and in providing an adequate salary for these employees.

Included in this recommendation is the initial staffing for the new children's hospital that is now nearly complete. On the surface it would appear that the budgetary increase for this department was one and one-quarter million dollars or about 12½%. Unfortunately, some part of this sum, perhaps as much as \$250,000 will be required just to implement

the new merit system salary schedule started July 1, 1968, and to be paid this year from a special contingency fund. On the brighter side, however, is that this recommended appropriation will provide for 58 new positions and allow a number of additional positions which were authorized for the current year but unfilled for part of the year to be filled in their entirety next year. My point, again, is that purely monetary budget comparisons for such programs are difficult.

Further, any superficial comparison of the funds appropriated to a particular agency can be misleading in some cases because of a special, one year project or a special item of capital outlay that may have been a part of the current budget and need not be repeated next year.

For example, four years ago the combined general fund budget of the water and air pollution agencies was \$79,000 and federal matching funds amounted to only \$57,000. I have given this vital area of pollution control a high priority during my administration and the current general fund appropriation is \$455,000 with at least \$350,000 more anticipated in federal matching funds. In the current year's general fund appropriation, however, is the sum of \$100,000 for air pollution monitoring stations. When combined with the stations purchased last year this particular program of capital outlay will be virtually complete. As a result, it will be possible to expand the state supported staff of this agency from the present 41 positions to 47 next year for an increase of 16% with a slight decrease in the overall state appropriation. A comparable situation obtains in the state distribution agency and several others.

It is my recommendation, for the sake of efficiency that the department of correction not make a partial transfer to the incomplete facility at Smyrna. Such a move at this time would cause unnecessary duplication of personnel and other expense. During the present year appropriations have been made to implement 100% of the probation and parole program requested by the department. It is my understanding that many of the authorized positions for this program are vacant, not because of a lack of funds, but because the qualifications are too stringent. For next year I have again recommended 100% funding for the probation and parole program as requested by the department but I respectfully suggest to the General Assembly that it revise the statutory requirements for these positions to a more reasonable level in order that this program may become a reality.

The final significant budgetary increase recommended for next year is for the department of public welfare. In 1965 this department expended \$2,972,000 of State appropriations. This year, just four years later, this department has a State appropriation of \$5,574,000. This is an increase of \$2.6 million or nearly 88% in just four years, and does not include most of the cost of the new medical care program that has been funded by other means. Because of the prosperity of our State and the currently low unemployment rate this is an especially disturbing trend. My recommendation for next year will increase this appropriation by \$865,000 or more than 15%. This is a serious problem area which cannot continue along present patterns without causing perpetual monetary problems.

Finally, I would call attention to three experimental programs that were initiated during the past year . . . the summer youth employment program, the day care centers, and the recreation program. None of the

agencies involved requested funds to continue these programs next year. I am reasonably sure that this was not because these programs were considered to be failures but because there has not been time to properly evaluate them, especially in terms of possible alternatives. For instance, the day care centers have really just commenced. I am calling your attention to these programs because they have not been funded in the budget recommended for next year. By the time the finance committee of the assembly acts on my recommendations it is entirely possible that it will be able to better evaluate these programs, the actual cost of each, and the cost of alternatives. You will note that with this budget recommendation I have estimated a cash balance of \$500,000 on June 30, 1970. This surplus which could be more if economic conditions improve further, can certainly be allocated in such amounts and to such of these programs as the assembly determines to be most productive in terms of our State's goals.

During the past four years we have financed vital program improvements and new programs in every area of state government and especially in education with no major tax increases . . . no increase in corporation or personal income taxes and no sales tax. I have recommended a budget that can continue this improvement of important programs during the next eighteen months with no tax increase. I believe the citizens and taxpayers of Delaware are entitled to this consideration.

Before closing I want to speak briefly about the 1970 proposed capital budget of \$44,448,000, approximately \$11,000,000 less than the capital budget of 1969. On the other hand, the projected capital improvements program for 1970-1975 is \$337,832,000 versus \$272,408,000 for 1969-1974.

This year's capital budget incorporates several innovations for previous capital budgets. One of these innovations includes the funding of design in the first fiscal year, and the funding for construction in the following fiscal year. This method was utilized on large projects which require well over a 12 month design period. This principal, however, was not utilized for smaller projects which could be placed under construction within the first year of funding.

Another change in the capital budget includes two new accounts in the Department of Highways. The first being the preliminary engineering account which provides for \$750,000 to be appropriated to the Department of Highways for preliminary engineering of specific major corridor projects. In previous years, funds were line itemed by project, as a result, if a particular road was delayed in design the funds appropriated to that road were not expended. By providing flexibility to the Department of Highways in this program, it is my feeling that funds will be available for more expeditious road construction. It should be noted that I am requesting that the Department of Highways account for the expenditure of these funds on a line item basis.

This second account which I am proposing for the Department of Highways is the right-of-way acquisition account. This fund will be utilized to require rights-of-way for certain designated projects and will consist of \$1,000,000 initially. This fund will also be accounted for on a line item basis.

Last year the Legislature authorized a statewide kindergarten program. This year I am recommending \$2,870,000 to construct 170

classrooms at eleven school districts in the State. These districts require the classrooms in order to implement the program. I am also recommending this year the construction of a new State Police Troop Station to be located on State owned lands in the vicinity of Lums Pond State Park. This station is intended to provide Police protection to southern New Castle County. I am recommending the design of a new Medical-Surgical Building for the State of Delaware to be constructed at Delaware State Hospital. This building was recommended by the Health Planning Council, Incorporated, the Department of Mental Health, and the Delaware State Planning Office, in an effort to provide medical-surgical needs to patients who are institutionalized in the various State hospitals and institutions of Delaware. \$500,000 is recommended to provide 50% grants to Counties and municipalities of the State for acquisition and development of park and recreation areas. These funds will be administered by the State Budget Commission with recommendations by the State Planning Office. The Wilmington State Office Building Commission has a signed agreement on sale for a tract of land in the Civic Center area of downtown Wilmington. I am recommending \$500,000 for the design of the Wilmington State Office Building. The seven programs which I have outlined are basically new programs for our State, which have been initiated either through Legislative action or Executive policy. I believe these are good programs and should be funded.

I want to impress once more that we will have an uncommitted cash surplus from taxes paid of \$16 million as of July 1, 1969. Without question, that money should be used to balance expenditures. This is no time to create savings accounts at the cost of additional taxes to our citizens.

Taxes should not be raised to further burden the people of Delaware when a substantial cash surplus of \$16 million is in existence. To raise taxes under such circumstances would be an unwarranted and unjustified imposition upon the taxpayers.

I leave Office on the 21st with the knowledge that my administration has made a substantial contribution to the welfare of our State, and in this respect, I want to express my appreciation for the cooperation I have received from the members of the 123rd and 124th General Assemblies. I have found during my term as Governor that when matters of real importance and substance were at stake, the cooperation of the Legislature has been forthcoming.

I am turning over to the Governor-elect the Governor's House which is a priceless token representing the dignity of our State and reflecting its Heritage and History in the forefront of Patriotism and Liberty. I hope that he will find within its walls the contentment and happiness that has been mine.

I hope that each of you will find that depth of individual happiness that I have found which is most meaningful to a human being when he concludes some phase of his career with the absolute knowledge that he has done his very best in the service of his fellow man.

I wish for Governor-Elect Peterson much success and happiness, and may God shower his blessings upon each of you.

The previously named committee escorted the Governor from the Chamber.

Senator Grier moved that the Secretary of the Senate and the Chief

Clerk of the House compare their respective Journals.

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

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

The Senate reconvened in regular session at 3:10 p.m.

The Secretary of State, acting as messenger from the Governor delivered the following two letters of appointments which were read and referred to Executive Committee.

MESSAGES FROM THE GOVERNOR

January 14, 1969

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

Hugh R. Sharp, Jr., Greenville, Delaware, to be a Trustee of the Board of Trustees of the University of Delaware, for a term of six-years from date of confirmation, succeeding H. Rodney Sharp, deceased.

Respectfully submitted,

Charles L. Terry, Jr.

Governor

January 14, 1969

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

In conformity with the Constitution and Laws of the State of Delaware. I hereby submit for the consent and confirmation of the State the following elected by the Board of Trustees of the University of Delaware to be members of that Board:

J. Bruce Bredin, Greenville, Wilmington, Delaware, for a six-year term from June 1, 1969, to expire June 1, 1975. (Reappointment)

Elbert N. Carvel, Clayton Avenue, Laurel, Delaware, for a six-year term from June 10, 1969, to expire June 10, 1975. (Reappointment)

Harold W. Horsey, West 706 South State Street, Dover, Delaware, for a six-year term from December 10, 1968, to expire December 10, 1974. (Reappointment)

(Mrs.) Madalin W. James, The Plaza Apartment 805, 1303 Delaware Ave., Wilmington, Delaware, for a six-year term from June 1, 1969, to expire June 1, 1975. (Reappointment)

Samuel Lenher, 1900 Woodlawn Avenue, Wilmington, Delaware, for a six-year term from June 1, 1969, to expire June 1, 1975. (Reappointment)

Warren C. Newton, Priestley Farm, Bridgeville, Delaware, for a six-year term from May 31, 1969, to expire May 31, 1975. (Reappointment)

G. Burton Pearson, Jr., Montchanin, Wilmington, Delaware, for a six-year from June 2, 1969, to expire June 2, 1975. (Reappointment)

Respectfully submitted,

Charles L. Terry, Jr.

Governor

Senator Isaacs introduced **SB 10**, entitled "An Act to Amend

Sections 396, 631, and 632, Title 11, Delaware Code, Relating to Penalties for the Offences of Unlawful Entry, Grand Larceny and Petit Larceny", which was given its first reading by title only and assigned to committee on Judiciary.

Senator Isaacs introduced **SCR 1** entitled "Providing for the Establishment of a Committee of the General Assembly for the Purpose of Investigating Complaints Relating to Administrative and Elective Agencies of this State.

Senator Isaacs moved that **SCR 1** be adopted.

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

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

NAYS—Messr. McCullough—1.

NOT VOTING—Messr. Schlor—1.

ABSENT—Messr. Elliott—1.

So the question was decided in the affirmative and the resolution having received the required Constitutional Majority was adopted and ordered to the House for Concurrence.

Senator Manning introduced **SB 11**, co-sponsored by Senators Holloway, Slawik, Conner, and Cicione, entitled "An Act Proposing an Amendment to Section 2, Article V, of the Constitution of the State of Delaware, Relating to Qualifications for Voting", which was given its first reading by title only and assigned to committee on Elections.

Senator Holloway introduced **SB 12**, entitled "An Act to Amend Section 4940 and 5002, Title 15, Delaware Code, Relating to Elections by Doing Away with Voting for all the Candidates of a Political Party by One Operation", which was given its first reading by title only and assigned to committee on Elections.

Senator Holloway introduced **SB 13** entitled "An Act to Amend Section 4101, Title 15, Delaware Code, Relating to the Definition of Political Parties", which was given its first reading by title only and assigned to committee on Elections.

Senator Hale introduced **SB 14**, co-sponsored by Senator Conner, entitled "An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees Pensions", which was given its first reading by title only and assigned to committee on Elections.

Senator Steele introduced **SB 15**, co-sponsored by Senators Robbins, and Isaacs, entitled "An Act to Amend Chapter 11, Title 14, Delaware Code, Relating to Change in Boundaries of Special School Districts and School Districts", which was given its first reading by title only and assigned to committee on Education.

Senator Steele introduced **SB 16**, entitled "An Act to Amend Title 19, Chapter 31, Delaware Code, Permitting the Taking of an Appeal to the Superior Court by an Aggrieved Party from an Adverse Decision by the Employment Security Commission in a Proceeding Pursuant to Title 19, Section 3155, Delaware Code", which was given its first reading by title only and assigned to committee on Labor and Industrial Relations.

Senator Slawik introduced **SB 17**, entitled "An Act to Amend Section III, Title 17, Delaware Code, Relating to the Composition of the State Highway Department", which was given its first reading by title only

and assigned to committee on Highways and Public Safety.

Senator Cicone introduced **SB 18**, co-sponsored by Senators Slawik, Conner, Isaacs, Hart, Holloway, and Manning, entitled "An Act to Amend Title 11, Delaware Code, Relating to the Sale of LSD and other Hallucinogenic Drugs and Providing a Penalty for Violation Thereof", which was given its first reading by title only and assigned to committee on Judiciary.

Senator Isaacs introduced **SB 19**, co-sponsored by Senator Manning, entitled "An Act to Amend Title 15, Delaware Code, Relating to Primary Elections and Nominations of Candidates by Parties", which was given its first reading by title only and assigned to committee on Elections.

Senator Foltz was given personal privilege of floor to speak in regard to Magistrate System.

Senator Foltz introduced **SR 9**, entitled "Expressing the Best Wishes of the Seneate of the 125th General Assembly to Harry C. McSherry on the Occasion of his Birthday".

WHEREAS, the Members of the Senate of the 125th General Assembly realize that on January 1, seventy- five years ago, there was born a male child later named Harry C. McSherry, and

WHEREAS, Harry C. McSherry, in addition, served his State faithfully and well by serving as Director of Publicity with the State Highway Department, and Clerk of the Criminal Section of the Kent County Court of General Sessions and Clerk of the Superior Court for twenty-two, and

WHEREAS, the Members of the Senate wish to express their best wishes to Harry C. McSherry,

NOW, THEREFORE:

BE IT RESOLVED by the Senate of the 125th General Assembly of the State of Delaware:

THAT the best wishes of its Members for the continued good health and happiness of Harry C. McSherry for many more years are hereby extended to Harry C. McSherry.

BE IT FURTHER RESOLVED, that a copy of this resolution be entered on the Journal of the Senate and a copy delivered to Harry C. McSherry.

On the question "Shall the Resolution be Adopted?"

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

YEAS—Messrs. Castle, Cicone, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele—17.

ABSENT—Messr. Elliott, (Mrs.) Manning—2.

So the Question was decided in the affirmative and the Resolution having received the required Constitutional Majority was adopted.

Senator Grier moved that the Senate adjourn until January 15, 1969, at 1:30 P.M. Motion prevailed, voice vote.

4th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Wednesday, January 15, 1969, Lt. Gov. Tribbitt presiding.

Prayer by the Chaplain, Rev. Clendaniel.

Flag Salute.

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

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

The following communication was read:

Senator du Pont — telegram from Congressman Roth — invitations to his office during National Inauguration.

Senator Conner on behalf of the committee on Education to whom had been referred **SB 15**

Reported the same back to the Senate— 4 favorable, 1 on merits.

The Chair informed the Senate that the House has passed **SCR 2**, and is returning same to the Senate.

Senator Hale introduced **SR 10**, entitled "In Reference to Election of Officers."

Senator Hale moved that **SR 12** be adopted.

On the question "Shall the Resolution be Adopted?"

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning McCullough, Robbins, Schlör, Steele—17.

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

Senator Grier introduced **SB 20** entitled: "An act Relating to a Pension for Thomas N. Stayton, a Former Employee of the State of Delaware," which was given its first reading by title only and assigned to committee Miscellaneous.

Senator Steele introduced **SB 21** entitled: "An Act to Amend Chapter 29, Title 29, Delaware Code Relating to the Duties of the Auditor of Accounts and Auditing Expenses Related Thereto," which was given its first reading by title only and assigned to committee on Revised Statutes.

Senator Cicione introduced **SA 1 to SB 7**.

Senator Cicione moved that **SA 1 to SB 7** be placed with the bill.

Senator Steele moved that rule 9 be suspended for the purpose of considering **SB 15**.

On the question, "Shall the Motion Pass the Senate?" The Yeas and Nays were ordered which being taken were as follows:

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

NAYS—None

ABSENT—Mr. Elliott—1.

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

On motion of Senator Steele **SB 15** titled: "An Act to Amend Chapter 11, Title 14, Delaware Code Relating to Change in Boundaries of Special School Districts and School Districts," was taken up for consideration and read a second time by title in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Mr. Elliott—1.

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

Senator Manning and all other Senators introduced **SR 11** entitled: "Expressing the Appreciation of the Senate of the 125th General Assembly to Lt. Governor Sherman W. Tribbitt for his Capable and Competent Leadership of the Senate for the Past Four Years."

WHEREAS, Lt. Governor Sherman W. Tribbitt has been presiding over the Senate for the past four years, and

WHEREAS, Lt. Governor Sherman W. Tribbitt has presided over the Senate during said period in a very capable and competent manner, and

WHEREAS, Lt. Governor Sherman W. Tribbitt has, in addition to the aforesaid, served his State in an exemplary manner, and

WHEREAS, the Members of the Senate wish to thank Lt. Governor Sherman W. Tribbitt for all his past service to the State of Delaware and express their best wishes to him.

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 125th General Assembly of the State of Delaware, that the Senate extends its appreciation and gratitude to Lt. Governor Sherman W. Tribbitt for the capable and competent manner in which he presided over the Senate during the past four years and for all his past service to the State of Delaware.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journal of the Senate of the 125th General Assembly of the State of Delaware and a copy be forwarded to the family of Lt. Governor Sherman W. Tribbitt.

Senator Manning moved that **SR 11** be adopted.

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

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

NAYS—None

ABSENT—Mr. Elliott—1.

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

Senator duPont moved the Senate recess from Regular Session to Executive Session. Motion prevailed voice vote.

Senate reconvened to Regular Session at 2:50 P.M.

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

Senate reconvened at 3:10 P.M.

Senator duPont introduced **SCR 2** entitled: "Providing for a Joint Session of the Senate and the House of Representatives for the Purpose of Publishing the Returns of the Election for Governor."

Senator duPont introduced **SCR 2** be adopted.

On the question, "Shall the Resolution be Adopted?" the yeas and

nays were ordered which being taken were as follows:

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

NAYS—None

ABSENT—Mr. Robbins—1.

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

The Chair announced that the House wishes to inform the Senate that it has passed **HB 2 with HA 1, HB 9 with HA 1, HB 10** and requests the concurrence of the Senate.

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

HB 9 with HA 1, “An Act to Amend Chapter 13, Title 29, Delaware Code, Relating to Reorganization of the Legislative Bureau”—To committee on Revised Statutes.

HB 2 with HA 1, “An Act to Amend Title 14 of the Delaware Code to Provide for the Establishment of Interim Boards of Education for Proposed School Districts”—To committee on Education.

HB 10 “An Act Making a Supplementary Appropriation to the Governor of the State of Delaware for the Purpose of Employing a Legal Advisor and the Necessary Secretarial Help”—To committee on Finance.

Senator Cicione introduced **SB 22**, co-sponsored by Senators Slawik, and Hart, entitled “An Act to Amend Title 21, Section 4103 (b). Relating to Obedience to Police Officers,” which was given its first reading by title only and assigned to committee on Revised Statutes.

Senator Grier moved that the Senate adjourn until 11:15 P.M., January 21, 1969. Motion prevailed.

5th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 11:15 A.M. on Tuesday, January 21, 1969, Lt. Gov. Tribbitt presiding.

Prayer by the Chaplain, Rev. Clendaniel.

Flag Salute.

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

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

Motion by Senator Grier that in accordance with **SCR 2**, we proceed to a Joint Session. Motion prevailed.

Senator Grier moved that the Senate recess for 10 minutes. Motion prevailed.

Senate reconvened.

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

JOINT SESSION

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

Senator Grier moved that the President of the Senate preside over the Joint Session. Motion Prevailed.

Senator Grier moved that the Secretary of the Senate and Chief Clerk of the House act as Secretaries of the Joint Session.

Illustration of New Castle County Certificate of Elections

THE STATE OF DELAWARE NEW CASTLE COUNTY, ss.

BE IT REMEMBERED, That of the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and Sixty-eight, for New Castle County, according to the Constitution and Laws of the State of Delaware, seventy-four thousand three hundred twenty-three (74,323) votes were given for CHARLES L. TERRY, JR., for Governor; seventy-seven thousand two hundred nine (77,209) votes were given for RUSSELL W. PETERSON for Governor; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Albert J. Stiftel and Andrew D. Christie, the Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this Eighth day of November, A.D. 1968.

ALBERT J. STIFTEL
President Judge

ANDREW D. CHRISTIE
Resident Associate Judge

Illustration of Kent County Certificate of Elections

THE STATE OF DELAWARE KENT COUNTY, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday on November, in the year of our Lord one thousand nine hundred and sixty-eight for Kent County, according to the Constitution and Laws of the State of Delaware, thirteen thousand, four hundred seventy-one (13,471) votes were given for CHARLES L. TERRY, JR., for Governor; ten thousand three hundred forty-eight (10,348) votes were given for RUSSELL W. PETERSON, for Governor; which is manifest by calculating and ascertaining the aggregate amount of

all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Wm. Duffy and William J. Storey, constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court in said County, on this Seventh day of November, A.D. 1968.

**Illustration of Sussex County
Certificate of Elections**

**THE STATE OF DELAWARE
SUSSEX COUNTY, ss.**

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord one thousand nine hundred and sixty-eight, for Sussex County, according to the Constitution and Laws of the State of Delaware, sixteen thousand nine hundred seventeen (16,917) votes were given for RUSSELL W. PETERSON, for Governor; fourteen thousand five hundred sixty-six (14,566) votes were given for CHARLES L. TERRY, JR., for Governor; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the county, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, John J. McNeilly and James B. Messick, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the State of the election throughout the said county, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said county on this Seventh day of November, A.D. 1968.

JAMES B. MESSICK
Associate Judge

**Illustration of New Castle County
Certificate of Elections**

**THE STATE OF DELAWARE
NEW CASTLE COUNTY, ss.**

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and Sixty-eight, for New Castle County, according to the Constitution and Laws of the State of Delaware, seventy-three thousand two hundred twenty-eight (73,228) votes were given for SHERMAN W. TRIBBITT for Lieutenant Governor; seventy-three thousand seven hundred twenty (73,720) votes were given for EUGENE D. BOOKHAMMER, for Lieutenant Governor; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the

County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Albert J. Stiftel and Andrew D. Christie, the Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this Eighth day of November, A.D. 1968.

ALBERT J. STIFTEL
President Judge

ANDREW D. CHRISTIE
Resident Associate Judge

**Illustration of Kent County
Certificate of Elections**

**THE STATE OF DELAWARE
KENT COUNTY, ss.**

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the First Monday in November, in the year of our Lord one thousand nine hundred and Sixty-eight, for Kent County, according to the Constitution and Laws of the State of Delaware, twelve thousand five hundred seventy-three (12,573) votes were given for SHERMAN W. TRIBBITT, for Lieutenant-Governor; ten thousand six hundred forty-seven (10,647) votes were given for EUGENE D. BOOKHAMMER, for Lieutenant-Governor; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Wm. Duffy and William J. Storey, constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this Seventh day of November, A.D. 1968.

WM. DUFFY
Chancellor

WILLIAM J. STOREY
Resident Associate Judge

**Illustration of Sussex County
Certificate of Elections**

**THE STATE OF DELAWARE
SUSSEX COUNTY, ss.**

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

thousand four hundred seventy-two (17,472) votes were given for EUGENE D. BOOKHAMMER, for Lieutenant Governor; thirteen thousand six hundred twenty (13,620) votes were given for SHERMAN W. TRIBBITT, for Lieutenant Governor; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the county, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, John J. McNeilly and James B. Messick, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the State of the election throughout the said county, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said county on this Seventh day of November, A.D. 1968.

JAMES B. MESSICK
Associate Judge

Senator Grier moved the Senate recess until 2:00 P.M. Motion prevailed voice vote.

The Senate reconvened at 2:18 P.M., with President Pro Tem duPont presiding, who offered congratulations to Senator Manning and Senator Holloway on the successful arrangements made for the Inauguration of Governor Peterson and Lt. Governor Bookhammer.

The following message was received from the Governor's office, read, and referred to Executive Committee.

January 21, 1969

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

Eugene Bunting, duPont Highway, Selbyville, Delaware, 19975, to be Secretary of State of the State of Delaware, from date of confirmation, to serve During the Pleasure of the Governor, succeeding Elisha C. Dukes.

Respectfully submitted,
RUSSELL W. PETERSON
Governor

January 21, 1969

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

Joseph T. Cashman, 8 Stabler Court, Stockton, New Castle, Delaware, to be Budget Director of the State of Delaware, to serve During the Pleasure of the Governor.

Respectfully submitted,
 Russell W. Peterson
 Governor

January 21, 1969

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

Clarence E. Atkinson, 107 Wallasey Road, Wilmington, Delaware, 19808, to be Adjutant General of the State of Delaware, from date of confirmation, to serve During the Pleasure of the Governor, succeeding Joseph J. Scannell.

Respectfully submitted,
 Russell W. Peterson
 Governor

Senator Grier moved that the Senate go into Executive Session for the purpose of confirming appointments.

Senate reconvened in regular session at 2:28.

Senator Cook introduced **SB 23**, entitled "An Act Making a Supplementary Appropriation to Kenton School No. 9," which was given its first reading by title only.

Senator Cook moved that Rule 9 be suspended for the purpose of considering **SB 23**.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, Robbins, Schlör, Slawik, Steele—17.

Not Voting—(Mrs.) Manning—1.

Members Absent—Messr. McCullough—1.

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

On motion of Senator Cook **SB 23** was taken up for consideration and read a second time by title in order to pass the Senate.

SB 23—"An Act Making a Supplementary Appropriation to Kenton School No. 9."

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

YEAS—Messrs. (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Issacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele—16.

Nays—Messrs. Castle, Cicione—2.

Members Absent—Messr. McCullough—1.

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

Senator Schlör introduced **SB 24**, entitled "An Act to Amend

Section 3904 of Chapter I of Title 18, Delaware Code, by Striking Section 3904, and Inserting a New Section 3904 Providing Reasons for Cancellation of a Casualty Insurance Policy," which was given its first reading by title only, and assigned to committee on Banking and Insurance.

Senator Isaacs, on behalf of the committee of Miscellaneous, to whom had been referred **SB 20**, reported the same back to the Senate: 3 favorable, 1 on merits.

Senator Steele, on behalf on the committee on Finance, to whom had been referred **HB 10**, reported the same back to the Senate: 4 favorable, 1 on merits.

Senator Castle, on behalf of the committee on Revised Statutes, to whom had been referred **HB 9 with HA 1**, reported the same back to the Senate: 3 favorable, 3 on merits.

Senator Connor, on behalf of the committee on Education, to whom had been referred **HB 2 with HA 1**, reported the same back to the Senate: 4 favorable, 2 on merits.

Senator Isaacs introduced **SB 25**, co-sponsored by Senators Elliott and Hickman, entitled "An Act to Amend Chapter 51, Title 14, Delaware Code, Pertaining to the Composition of the Board of Trustees of the University of Delaware," which was given its first reading by title only and assigned to committee on Education.

Senator Slawik introduced **SB 26**, co-sponsored by Senators Hart, McCullough, Cicione, Castle, Schlör, Holloway, and Conner, entitled "An Act to Amend Section 503, Title 31, Delaware Code, Relating to Eligibility for Welfare Assistance," which was given its first reading by title only and assigned to committee on Health and Welfare.

Senator Elliott introduced **SB 27**, entitled "An Act to Amend Section 122, Title 16, Delaware Code Relating to the Powers and Duties of the State Board of Health," which was given its first reading by title only and assigned to committee on Health and Welfare.

Senator Holloway introduced **SB 28**, entitled "An Act Amending Title 31, Delaware Code of 1953, by Protecting the Public Welfare, Creating a State Housing Code, Establishing the Offices of State Health Inspector and State Building Inspector, Creating Minimum Standards for Sanitary Facilities, Empowering the State Health Inspector and State Building Inspector and State Board of Health to Administer Effectuation Thereof and Providing Criminal Penalties for the Violations Thereof," which was given its first reading by title only and assigned to committee on Health and Welfare.

Senator Holloway introduced **SB 29**, entitled "An Act to Amend Section 1160(a), Title 9, Delaware Code Relating to the Use of Revenues by the New Castle County Government by Striking the Unrestricted Right to Use Real Property Taxes," which was given its first reading by title only and assigned to committee on Government Operations.

Senator Robbins introduced **SR 12**, co-sponsored by Senator Isaacs, entitled "Requesting the Senate to Appropriate Additional Funds to the Senate Committee Investigating the Department of Public Welfare."

Senator Robbins moved that **SR 12** be adopted.

On the question "Shall **SR 12** be adopted?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott,

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

ABSENT—McCullough—1.

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

Senator Castle introduced **SB 30**, entitled "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," which was given its first reading by title only and assigned to committee on Finance.

Senator Elliott introduced **SB 31**, entitled "An Act to Amend Subchapter IV, Chapter 11, Title 10, Delaware Code, Relating to the Family Court of Kent and Sussex Counties," which was given its first reading by title only and assigned to committee on Judiciary.

Senator Elliott introduced **SB 32**, entitled "An Act to Amend Subchapter IV, Chapter 11, Title 10, Delaware Code, Relating to the Family Court of Kent and Sussex Counties," which was given its first reading by title only and assigned to committee on Judiciary.

Senator Cook introduced **SB 33**, entitled "An Act to Amend Title 31, Delaware Code, Relating to Amount of Liability and Persons Liable for Inmates of the Delaware Home and Hospital for the Chronically Ill at Smyrna," which was given its first reading by title only and assigned to committee on Health and Welfare.

Senator Grier moved that the Senate adjourn until Wednesday, January 22, 1969 at 1:30 P.M. Motion prevailed.

6th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on January 22, 1969, Lt. Gov. Bookhammer presiding.

The prayer was given by the Chaplain Rev. Clendaniel.

Flag Salute.

By roll call the following Senators were present:

Messrs. Castle, Cicione, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, Robbins, Schlör, Slawik, Steele—16.

ABSENT: Messrs. (Mrs.) Conner, (Mrs.) Manning, McCullough—3.

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

Remarks by Lt. Governor Bookhammer.

Senator Grier moved for 30 minute recess. Motion prevailed.

Senate reconvened at 3:50 P.M.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 43** and requests the concurrence of the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 7** and requests the concurrence of the Senate; **SB 9**, **SB 15**, **SB 20**, **SCR 1**, and is returning same to the Senate.

Senator Cook introduced **SB 34**, entitled "An Act to Amend Chapter 171, Volume 54, Laws of Delaware, entitled "An Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for Said Purpose; Authorizing the Financing of Such Enlargement and Improvement by the Issuance of

Bonds and Bond Anticipation Notes of the State and By Contributions From Certain School Districts, and the City of Wilmington, Defining School Districts; Authorizing the Issuance of Bonds of Certain School Districts and the City of Wilmington for the Purpose of Raising Money to Make Such Contributions; and Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions By Reducing the Amounts of Moneys Appropriated and Authorized to be Borrowed," which was given its first reading by title only and assigned to committee on Finance.

Senator Cook introduced **SB 35**, entitled "An Act to Amend Chapter 429, Volume 55, Laws of Delaware, entitled "An Act Authorizing the State of Delaware to Borrow Money to be Used for Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes Therefor and Appropriating \$42,639,992.00 to Various Agencies of the State By Reducing the Amount of Moneys Appropriated and Authorized to be Borrowed," which was given its first reading by title only and assigned to committee on Finance.

Senator Cook introduced **SB 36**, entitled "An Act to Amend Chapter 121, Volume 56, Laws of Delaware, entitled "An Act Authorizing the State of Delaware to Borrow Money to be Used for Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes Therefor and Appropriating the Moneys to Various Agencies of the State by Reducing the Amount of Moneys Appropriated and Authorized to be Borrowed," which was given its first reading by title only and assigned to committee on Finance.

Senator Cook introduced **SB 40** entitled: "An Act to Amend Section 4910, Title 29, Delaware Code, Relating to Preparation of the Capital Budget by Providing a Specific Time for Submission of Capital Improvement Program Requests," which was given its first reading by title only. Assigned to committee on Finance.

Senator Cook introduced **SB 41**, entitled "An Act to Amend Chapter 313, Volume 53, Laws of Delaware entitled "An Act Appropriating Certain Moneys to the Delaware Commission of Shell Fisheries for the Purpose of Having an Aerial Survey Made of the Oyster Beds in Belaware Bay and Having the Beds Staked," which was given its first reading by title only and assigned to committee on Finance.

On motion of Senator Grier **SB 20** entitled: "An Act Relating to a Pension for Thomas N. Stayton, a Former Employee of the State of Delaware" was taken up for consideration and read a second time by title in order to pass the Senate.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, Robbins, Schlor, Slawik, Steele—17.

NAYS—None

NOT VOTING—Mr. Isaacs—1.

ABSENT—Mr. McCullough—1.

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

Senator Steele introduced **SB 42** entitled: "An Act Proposing an

Amendment to Articles III and XV of the Constitution of the State of Delaware to Abolish the Office of Coroner," which was given its first reading by title only. Assigned to committee on Revised Statutes.

Senator Steele on behalf of the committee on Finance to whom had been referred **SB 30** reported the same back to the Senate, 3 favorable, 1 unfavorable 1 on merits.

Senator Steele introduced **SB 43** entitled: "An Act to Amend Section 702, Chapter 7, Title 16, Delaware Code, Relating to the Report of Venereal Disease Cases," which was given its first reading by title only. Assigned to committee on Health and Welfare.

Messenger from the Governor delivered the following letters which were read and referred to Executive Committee.

MESSAGES FROM GOVERNOR

January 22, 1969

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

Thomas E. Evans, Jr., 1111 Brandon Lane, Westover Hills, Wilmington, Delaware, to be Director of the Delaware State Development Department, from date of confirmation, to serve During the Pleasure of the Governor, succeeding Samuel L. Shipley.

Respectfully submitted,
RUSSELL W. PETRSON
Governor

January 22, 1969

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

In conformity with the Constitution and Laws of the State of Delaware and the Delaware-New Jersey Compact relating to the Delaware River and Bay, I hereby nominate and appoint with the consent and confirmation of the Senate, the following:

Walton H. Simpson, Camden, Delaware, to be a Commissioner of the Delaware River and Bay Authority, succeeding James G. Smith, Jr., to serve until July 1, 1973.

Respectfully submitted,
RUSSELL W. PETERSON
Governor

January 22, 1969

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

James P. Muir, Bradford and William Streets, Dover, Delaware, to be Executive Secretary of the Delaware Commission of Shell Fisheries, from date of confirmation, to serve During the Pleasure of the Governor, succeeding Samuel J. Fox.

Respectfully submitted,
RUSSELL W. PETERSON
 Governor

January 22, 1969

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint with the consent and confirmation of the Senate, the following:

Christian F. Grampp, Rustic Lane, Dover, Delaware 19901, to be Custodian of the State House for a term of four years from February 11, 1969.

Respectfully submitted,
RUSSELL W. PETERSON
 Governor

January 22, 1969

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint with the consent and confirmation of the Senate the following:

Roger D. Kelsey, 715 West Street, Dover, Delaware, to be Judge of the Family Court of Kent County to serve the remainder of the unexpired term of Judge W. Marion Stevenson, deceased.

Respectfully submitted,
RUSSELL W. PETERSON
 Governor

Senator Steele introduced **SB 44** entitled, "An Act to amend, Chapter 47, Title 29, Delaware Code Relating to the Board of Post-Mortem Examiners and the Post of Chief State Medical Examiner and to Repeal Chapter 95, Title 9, Delaware Code, Relating to Cornors," which was given its first reading by title only. Assigned to committee on Revised Statutes.

Senator Steele introduced **SA 1 to SB 30**.

Senator Steele moved that **SA 1 to SB 30** be placed with bill. Motion prevailed.

On motion of Senator Conner **HB 2 with HA 1** entitled: "An Act to Amend Title 14 of the Delaware Code to Provide for the Establishment of Interim Boards of Education for Proposed School Districts" was taken up for consideration and read a second time by title in order to pass the Senate.

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

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hickman, Holloway, Robbins, Slawik, Steele—12;

NAYS—None

NOT VOTING—Messrs. Cicione, Hart, Isaacs, (Mrs.) Manning, Schlor—5.

ABSENT—Messrs. Grier, McCullough—2.

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

On motion of Senator Castle **HB 9 with HA 1** entitled: "An Act to Amend Chapter 13, Title 29, Delaware Code, Relating to Reorganization of the Legislative Reference Bureau" was taken up for consideration and read a second time by title in order to pass the Senate.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele—17.

NAYS—None

ABSENT—Messrs. Grier, McCullough—2.

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

On motion of Senator Steele **HB 10** entitled: "An Act Making a Supplementary Appropriation to the Governor of the State of Delaware for the Purpose of Employing a Legal Advisor and the Necessary Secretarial Help" was taken up for consideration and read a second time by title in order to pass the Senate.

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

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

ABSENT—Mr. McCullough—1.

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

The Chair presented **HB 43** entitled: "Relating to Pension for Norman Eskridge, a Former Member of the General Assembly of the State of Delaware," which was given first reading.

Senator Manning moved that Rule 9 be suspended for the purpose of considering **HB 43**.

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

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

NAYS—None

ABSENT—Mr. McCullough—1.

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

On motion of Senator Manning **HB 43** entitled: "An Act Relating to a Pension for Norman A. Eskridge, a Former Member of the General Assembly of the State of Delaware" was taken up for consideration and read a second time by title in order to pass the Senate.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott,

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

NAYS—None

ABSENT—Mr. McCullough—1.

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

Senator Hart introduced **SR 13**, co-sponsored by Senator Isaacs, entitled "Providing for the Health and Welfare Committee of the Senate to Hold Hearings and Conduct a Full Investigation of the Suppliers of the Drinking Water Furnished to the Citizens of the State of Delaware."

Senator Hart moved that **SR 13** be adopted.

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

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

NAYS—None

ABSENT—Mr. McCullough—1.

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

Senator Holloway introduced **SB 45** entitled: "An Act Making a Supplementary Appropriation to Delaware State College", which was given its first reading by title only and assigned to committee on Finance.

Senator Holloway introduced **SB 46**, co-sponsored by Senators Conner, and Manning, entitled "An Act to Amend Title 29, Delaware Code by Adding a New Chapter Thereto Providing for the Creation of an Office of Public Protection Headed by the State Ombudsman" which was given its first reading by title only and assigned to committee on Revised Statutes.

Senator Grier moved Senate go into Executive Session. Motion prevailed.

Senate reconvened in regular session at 5:15 P.M.

Senator Slawik introduced **SB 47** entitled: "An act Proposing an Amendment to Article 4, Section 30, of the Constitution of the State of Delaware, Relating to Justices of the Peace and Judges of Legislative Courts; Appointment by Governor; Terms of Office by Providing for Appointment of Justices of the Peace by the Chief Justice of the Delaware Supreme Court" which was given its first reading by title only. Assigned to committee on Judiciary.

Senator Slawik introduced **SB 48** entitled: "An Act to Amend Sub-Chapter 1, Chapter 33, Title 29, Delaware Code, by Adding a New Section 3310 to Create the Position of State Historian and Establish His Duties" which was given its first reading by title only. Assigned to committee on Revised Statutes.

Senator Hale introduced **SR 14** entitled: "Authorizing Payments for Services Rendered by the Staff of the Senate for the 125th General Assembly."

Senator Hale moved that **SR 14** be adopted.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott,

Foltz, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlor, Slawik, Steele—17.

NAYS—None

ABSENT—Messrs. Grier, McCullough—2.

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

Senator Isaacs introduced **SB 49**, co-sponsored by Senators Cicione, and Slawik, entitled "An Act to Amend Sections 2334, 2325, 2326 (h), Title 19, Delaware Code, Relating to Benefits Received in Compensation for Injuries" which was given its first reading by title only and assigned to committee on Labor and Industrial Relations.

The Chair presented **HB 7** entitled: "An Act to Permit the Board of Trustees of the John Dickinson School District No. 133 to Transfer Certain Funds From its Local Debt Service Account to Its School Construction Account" which was given first reading and referred to committee on Education.

Senator Conner introduced **SB 50**, co-sponsored by Senators Robbins, Isaacs, and Hale, entitled "An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Diamond State Grange From Assessment and Taxation" which was given its first reading by title only and assigned to committee on Revised Statutes.

Senator Conner on behalf of the committee on Education to whom had been referred **SB 25** reported the same back to the Senate, 5 favorable, 1 on merits.

Senators Cicione and Manning introduced **SA 1 to SB 22**.

Senator Cicione moved that **SA 1 to SB 22** be placed with bill. Motion prevailed by voice vote.

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

Senate convened March 4, 1969, at 1:30 P.M.

Senator Grier moved that the Senate adjourn until March 4, 1969 at 1:37 P.M. Motion prevailed, voice vote.

7th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:37 P.M. on Tuesday, March 4, 1969, Lt. Gov. Bookhammer presiding.

Prayer by the Chaplain, Rev. Clendaniel.

Flag salute.

Members Present—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Schlor, Slawik, Steele—17.

Members Absent—Messrs. McCullough, Robbins—2.

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

Senator duPont announced a film on alcohol and drinking to be shown on March 12, 1969, at 1:00 P.M. in the Senate Chamber.

Senator Holloway introduced **SB 51**, entitled "An Act Amending Title 6, Delaware Code of 1953, by Protecting the Public Welfare.

Entitling All Persons to Full and Equal Rights and Access to Real Property Offered to the Public for for Sale, Lease, or Rent, Making it Unlawful for Any Person to Deny or Refuse the Same to Any Person on Account of Race, Creed, Color or National Origin or to Publish Any Communication to that Effect, Empowering and Directing the State Human Relations Commission to Administer Effectuation Thereof and Providing Criminal Penalties for the Violations Thereof," which was given its first reading by title only and assigned to committee on Revised Statutes.

Senator Hale introduced **SB 52**, entitled "An Act to Amend Section 1301 (3) (b), Chapter 13, Title 19, Delaware Code, Relating to the Exemption of Certain Employees from the Definition of Public Employees," which was given its first reading by title only and assigned to committee on Labor and Industrial Relations.

Senator Manning introduced **SB 53**, entitled "An Act to Amend Chapter 171, Volume 54, Laws of Delaware, Entitled an Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money and Improvement by the Issuance of Bonds and Bond Anticipation Notes of the State and by Contributions from Certain School Districts; Authorizing the Issuance of Bonds of Certain School Districts and the City of Wilmington for the Purpose of Raising Money to Make such Contributions; and Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions," which was given its first reading by title only and assigned to committee on Finance.

Senator Manning introduced **SB 54**, entitled "An Act to Amend Section 4101, Title 15, Delaware Code, Relating to the Definition of Political Parties," which was given its first reading by title only and assigned to committee on Elections.

Senator Manning introduced **SB 55**, entitled "An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power by Exempting Lands and Improvements of the Lamborn Library Association from Assessment and and Taxation," which was given its first reading by title only and assigned to committee on Government Operations.

Senator Isaacs introduced **SB 56**, entitled "An Act Authorizing the State of Delaware to Borrow Money to be Used for Capital Improvements and Expenditures and to Issue Bonds and Notes Therefore and Appropriating the Monies to the State Board of Education," which was given its first reading by title only and assigned to committee on Finance.

Senator Issacs introduced **SB 57**, entitled "An Act Repealing Title 7, Delaware Code, Section 1901 and Section 1904 (a) and Providing for the Creation of the Delaware Commission of Shell Fisheries and the Appointment of an Executive Secretary," which was given its first reading by title only and assigned to committee on Fish, Oyster, and Game.

Senator Isaacs introduced **SB 58**, entitled "An Act to Amend Chapter 9, Title 7, Delaware Code, Regulating the Catching and Selling of Edible or Food Fish by Providing for the Issuance of a License and Payment of a Fee, and Providing Penalties for Violations," which was given its first reading by title only and assigned to committee on Fish, Oyster, and Game.

Senator Isaacs introduced **SB 59**, entitled "An Act to Amend Chapter 9, Title 7, Delaware Code, Regulating the Use of Certain Types of

Fishing Nets, by Providing for the Issuance of a License and Payment of a License Fee, and Providing Penalties for Violations," which was given its first reading by title only and assigned to committee on Fish, Oyster, and Game.

Senator Isaacs introduced **SB 60**, entitled "An Act Making a Supplementary Appropriation to the Shell Fisheries Commission," which was given its first reading by title only and assigned to committee on Finance.

Senator Isaacs introduced **SB 61**, entitled "An Act to Amend Section 936, Title 7, Delaware Code, Pertaining to Trout or Weak Fishing," which was given its first reading by title only and assigned to committee on Fish, Oyster, and Game.

Senator Isaacs introduced **SB 62**, entitled "An Act to Amend Section 910, Title 7, Delaware Code, Relating to Anchored or Staked Net Regulations, Violations and Penalty," which was given its first reading by title only and assigned to committee on Fish, Oyster and Game.

Senator Isaacs introduced **SB 63**, entitled "An Act to Amend Section 1115, Title 7, Delaware Code, Relating to the Use of Fishing Nets in Certain Tidal Waters," which was given its first reading by title only and assigned to committee on Fish, Oyster and Game.

Senator Isaacs introduced **SB 64**, entitled "An Act to Amend Section 934, Title 7, Delaware Code, Pertaining to Shad Fishing," which was given its first reading by title only and assigned to committee on Fish, Oyster and Game.

Senator Isaacs introduced **SB 65**, entitled "An Act to Amend Section 933, Title 7, Delaware Code, Pertaining to Rock Fishing," which was given its first reading by title only and assigned to committee on Fish, Oyster and Game.

Senator Isaacs introduced **SB 66**, entitled "An Act to Amend Section 913, Title 7, Delaware Code, Relating to Regulation of Fishing with Nets in Delaware Tidal Waters," which was given its first reading by title only and assigned to committee on Fish, Oyster and Game.

Senator Isaacs introduced **SA 1 to SB 199**, co-sponsored by Senator Manning.

Senator Isaacs moved that **SA 1 to SB 19** be adopted.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hart, Hickman, Isaacs, (Mrs.) Manning, Slawik, Steele—13.

NOT VOTING—Messrs. Cook, Schlör—2.

ABSENT—Messrs. Hale, Holloway, McCullough, Robbins—4.

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

OFFICE OF THE GOVERNOR

January 24, 1969

LEGISLATIVE ADVISORY NO. 1

The Governor signed the following legislation on the indicated dates:
January 22, 1969—**HB 1**—providing a supplemental appropriation to

the Office of the Secretary of State.

January 23, 1969—**HB 43**—providing an exception to the pension laws for the benefit of Norman A. Eskridge.

January 23, 1969—**HB 10**—providing a supplemental appropriation in order that the Governor can appoint to his staff a legal advisor and secretary.

LEGISLATIVE ADVISORY NO. 2

The Governor signed the following legislation on the indicated date:

January 24, 1969—**HB 9 with HA 1**—divorcing the Governor from the Legislative Reference Bureau, thereby making such agency responsible only to the General Assembly.

LEGISLATIVE ADVISORY NO. 3

The Governor signed the following legislation on the indicated dates:

HB 2 with HA 1—February 3, 1969—Providing interim Boards of Education until the Educational Advancement Act becomes effective July 1, 1969.

SB 9—January 31, 1969—Extending the life of the Constitutional Revision Commission to April 10, 1969, and providing for further assistance by the Commission for one year subsequent thereto.

SB 15—January 31, 1969—Providing procedure for changing irregular school district boundaries until procedure of the Educational Advancement Act comes into effect.

SB 20—January 31, 1969—Providing pension for Thomas N. Stayton.

Mr. Christopher Perry, Messenger from the Governor, delivered the following letters of appointment, which were read and referred to the Executive Committee.

March 4, 1969

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

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

Mrs. Frances De Dominicus, 911 Darley Road, Indian Field, Claymont, Delaware, to be a member of the State Highway Department to serve a term of three years, from June 5, 1968 to June 5, 1971.

Your early consideration of this nomination will be appreciated.

Respectfully submitted
RUSSELL W. PETERSON
Governor

March 4, 1969

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

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

Ernest E. Killen, Harrington, Delaware, to be a member of the State Highway Department to serve a term of three years, from June 5, 1968 to June 5, 1971.

Your early consideration of this nomination will be appreciated.

Respectfully submitted,
 RUSSELL W. PETERSON
 Governor

March 4, 1969

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint with the consent and confirmation of the Senate, the following:

Thomas Herlihy, III, 11 Aldrich Way, Westhaven, Wilmington, Delaware, to be Chairman of the Delaware Alcoholic Beverage Control Commission to serve during the pleasure of the Governor.

Respectfully submitted,
 RUSSELL W. PETERSON
 Governor

March 4, 1969

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint with the consent and confirmation of the Senate, the following:

Charles S. Eller, 204 Cheltenham Road, Oakland, Newark, Delaware, to be Chairman of the State Highway Department to serve during the pleasure of the Governor.

Respectfully submitted,
 RUSSELL W. PETERSON
 Governor

March 4, 1969

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint with the consent and confirmation of the Senate, the following:

William L. David, Red Lion, Delaware, to be a member of the State Board of Agriculture to serve a term of three years, from March 1, 1967, to March 1, 1970.

Respectfully submitted,
 RUSSELL W. PETERSON
 Governor

March 4, 1969

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint with the consent and confirmation of the Senate, the following:

W. Cecil Carpenter, Ellendale, Delaware, to be a member of the State Board of Agriculture to serve a term of three years, from March 1, 1969, to March 1, 1972.

Respectfully submitted,
RUSSELL W. PETERSON
 Governor

March 4, 1969

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint with the consent and confirmation of the Senate, the following:

John F. Walton, Woodside, Delaware, to be a member of the State Board of Agriculture to serve a term of three years, from March 1, 1968, to March 1, 1971.

Respectfully submitted,
RUSSELL W. PETERSON
 Governor

March 4, 1969

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

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

Harry M. Thompson, 529 Clayton Road, Smyrna, Delaware, to be a Justice of the Peace to complete the term of George E. Wooten, expiring February 9, 1970.

Your early consideration of this nomination will be appreciated.

Respectfully submitted,
RUSSELL W. PETERSON
 Governor

Senator Foltz, on behalf of the committee on Judiciary, to whom had been referred **SB 10**, reported the same back to the Senate: 1 favorable, 4 on merits.

Senator Conner introduced **SB 67**, entitled "An Act Amending Title 6, Delaware Code of 1953, by Protecting the Public Welfare, Effectuating the Rights of All Persons to Full and Equal Access to Housing Offered to the Public for Sale or Rent, Defining Unlawful Practices Involving Discrimination on Account of Race, Color, Religion, or National Origin, Empowering and Directing the State Human Relations Commission to Administer the Law and Providing Criminal Penalties for Violations," which was given its first reading by title only and assigned to committee on Revised Statutes.

Senator Holloway introduced **SB 68**, entitled "An Act to Amend Subchapter 1, Title 10, Delaware Code, Relating to the Requirement of Justices of Peace to Wear Judicial Robes While Acting in Their Official Capacity and Making a Supplementary Appropriation Therefor," which was given its first reading by title only and assigned to committee on Finance.

Senator Holloway introduced **SB 69**, entitled "An Act to Amend Title 11 of the Delaware Code Entitled "Crimes and Criminal Procedure" by Abolishing Capital Punishment," which was given its first reading by title only and assigned to committee on Judiciary.

Senator Schlor introduced **SB 70**, entitled "An Act to Amend Title 28, Delaware Code, Relating to Horse and Dog Racing in the State of

Delaware," which was given its first reading by title only and assigned to committee on Miscellaneous.

Senator Schlor introduced **SB 71**, entitled "An Act Agreeing to a Proposed Amendment to Article 2, Section 17, of the Constitution of the State of Delaware Relating to Lotteries and Other Gambling, by Eliminating the Requirement that Betting on Races may only be Done at Race Tracks," which was given its first reading by title only and assigned to committee on Miscellaneous.

Senator Cicione introduced **SJR 1**, entitled "To Direct that a Copy of the Agenda for All Stated Meetings of the State Highway Department be Sent to the Members of the General Assembly," which was given its first reading by title only and assigned to committee on Miscellaneous.

Senator Cicione introduced **SB 72**, entitled "An Act to Amend Section 389 (3), Chapter 3, Title 31, Delaware Code, Relating to the Leasing of Buildings for Child Day Care Centers by the Department of Welfare when the Private Organization Does Not Own the Facilities," which was given its first reading by title only and assigned to committee on Health and Welfare.

Senator Cicione introduced **SB 73**, co-sponsored by Senator Hart, entitled "An Act to Amend Section 1004 (b), Title 14, Delaware Code, to Provide that the Decision of the State Board of Education with Respect to the Plan of Reorganization May Be Reviewed by the Superior Court of the State of Delaware," which was given its first reading by title only, and assigned to committee on Education.

The Chair announced that the House wishes to inform the Senate that it has passed **HCR 3**, and requests the concurrence of the Senate.

Senator Cicione introduced **SB 74**, co-sponsored by Senator Hart, entitled "An Act to Amend Section 2905, Chapter 29, Title 14, Delaware Code, Relating to the Transportation of Pupils in Nonpublic, Nonprofit Elementary and High Schools Across Public School District Lines," which was given its first reading by title only and assigned to committee on Education.

The Chair presented the following House Concurrent Resolution, which was given first reading:

HCR 3—"Providing for a Joint Session of the Senate and the House of Representatives."

Senator Grier moved that **HCR 3** be adopted.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Schlor, Slawik, Steele—17.

ABSENT—Messrs. McCullough, Robbins—2.

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

Senator duPont introduced **SB 75**, co-sponsored by Senator Cook, entitled "An Act to Amend Title 29, Delaware Code, Concerning Historical Buildings, Sites and Objects," which was given its first reading by title only and assigned to committee on Revised Statutes.

Senator duPont introduced **SCR 2**, co-sponsored by Senators Cook, Grier, Foltz, and Holloway, entitled "Expressing Consent of the Senate

and the House of Representatives of the 125th General Assembly to Appointment of George L. Frick as Director of REsearch of the Legislative Council Pursuant to Section 1106 (a), Title 29, Delaware Code."

Senator duPont moved that **SCR 3** be adopted.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Schlör, Slawik, Steele—17.

ABSENT—Messrs. McCullough, Robbins—2.

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

Senator Slawik introduced **SB 76**, entitled "An Act to Amend Title 30, Delaware Code, Relating to a Tax on Hotel, Motel and Tourist Home Accommodations," which was given its first reading by title only and assigned to committee on Finance.

Senator Slawik introduced **SB 77**, entitled "An Act to Amend Section 9203, Title 10, Delaware Code, Relating to Political Affiliation of Justices of the Peace," which was given its first reading by title only and assigned to committee on Judiciary.

Senator Slawik introduced **SB 78**, entitled "An Act to Amend Section 1160(a), Title 9, Delaware Code Relating to the Use of Revenues by the New Castle County Government by Striking the Unrestricted Right to Use Real Property Taxes," which was given its first reading by title only and assigned to committee on Government Operations.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 3, 4, 11, 14, and 20** and requests the concurrence of the Senate.

On motion of Senator Isaacs, **SB 25**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 25—"An Act to Amend Chapter 51, Title 14, Delaware Code, Pertaining to the Composition of the Board of Trustees of the University of Delaware."

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

YEAS—Messrs. Cicione, Cook, Elliott, Foltz, Grier, Hart, Hickman, Isaacs, (Mrs.) Manning, Slawik, Steele—11.

NAYS—Messrs. Castle, duPont, Hale—3.

NOT VOTING—Messrs. (Mrs.) Conner, Holloway, Schlör—3.

ABSENT—McCullough, Robbins—2.

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

Senator Isaacs, on behalf of the committee on Miscellaneous, to whom had been referred **SB 3**, reported the same back to the Senate: 2 favorable, 1 on merits.

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

HB 20—"An Act Agreeing to a Proposed Amendment to Article 4 of the Constitution of the State of Delaware Relating to the Creation of a

Court on the Judiciary"; to Judiciary.

HB 14—"An Act to Amend Section 9222, Subchapter II, Chapter 92, Title 10, Delaware Code, Relating to Bonds for Clerks in Justice of Peace Courts"; to Judiciary.

HB 11—"An Act to Amend Section 9207, Subchapter I, Chapter 92, Title 10, Delaware Code, Relating to Bonds for Justice of the Peace"; to Judiciary.

HB 4—"An Act to Amend Section 9605, Title 9, Delaware Code, Relating to the Recordation of Instruments in Kent County by Providing for Recordation by Microfilming Methods"; to Government Operations.

HB 3—"An Act to Amend Sections 356 and 357, Title 30, Delaware Code, Relating to the Printing and Distribution of Tax Return Forms by the Tax Commissioner"; to Revised Statutes.

Senator Conner, on behalf of the committee on Education, to whom had been referred **HB 7**, reported the same back to the Senate: 3 favorable, 2 on merits.

Senator Manning moved that rule 9 be suspended for the purpose of considering **HB 7**, which being taken, were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Steele—15.

NOT VOTING—Messrs. Schlör, Slawik—2.

ABSENT—Messrs. McCullough, Robbins—2.

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

On motion of Senator Manning, **HB 7**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

HB 7—"An Act to Permit the Board of Trustees of the John Dickinson School District No. 133 to Transfer Certain Funds from its Local Debt Service Account to its School Construction Account."

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Schlör, Slawik, Steele—17.

ABSENT—Messrs. McCullough, Robbins—2.

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

Senator Schlör introduced **SB 79**, entitled "An Act to Amend Title 21, Delaware Code, Relating to Suspension of License and/or Registration for Failure to File Proof of Financial Responsibility," which was given its first reading by title only and assigned to committee on Highway and Public Safety.

Senator Holloway introduced **SB 80**, entitled "An Act to Amend Section 717 (d), Chapter 7, Title 4, Delaware Code, Relating to the Prohibition of Sales of Alcoholic Beverages at Certain Times by Empowering the Alcoholic Beverage 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," which was given its first reading by title only and assigned to

committee on Miscellaneous.

Senator Grier moved that the Senate adjourn until Wednesday, March 5, 1969 at 1:30 P.M. Motion prevailed, voice vote.

8th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:55 P.M. on Wednesday, March 5, 1969, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain Rev. Clendaniel.

Flag salute.

By roll call the following Senators were present:

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

Members Absent—Messrs. Robbins, Schlör, Slawik—3.

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

Joint Session

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

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

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

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

The appointed the following committee to escort the Governor to the House Chamber—Representative Dodge, Representative Zimmerman, Senator Grier, Senator Cook.

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

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

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

FIRST MESSAGE

by

THE HONORABLE RUSSELL W. PETERSON

Governor of Delaware

to a

JOINT SESSION

of the

ONE HUNDRED TWENTY-FIFTH GENERAL ASSEMBLY

of the

STATE OF DELAWARE

GOVERNOR'S MESSAGE

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

Six weeks ago, I became your Governor. Today, I come before you for the first time to propose specific actions that we together can take to make Delaware a model state.

We face a new course, a difficult one, and I would not presume to chart it alone. The proposals I offer today did not all originate with the new administration. Some have come from you, our Legislators, as reflections of the desires of your constituents, and others have sprung from the work of interested citizens' groups and both public and private agencies.

But all of these proposals have a common denominator. They are dictated by the accumulated needs of a state and a people whose growth for too long has been stunted.

I spoke in my inaugural of the basic philosophy and long-term goals of my administration. I spoke of Delaware as a microcosm of America . . . a State that can and should show the Nation how to solve many of its critical problems.

Today I will discuss programs which I firmly believe are needed to help bring Delawareans the quality of government and the quality of life they want and deserve to truly make Delaware a model State.

I will not discuss details of revenue or budget at this time. That will come in a separate message I will deliver next month before this Joint Body.

But some conclusions already are obvious. We will need more revenue, especially for the vital areas of education and training. The time has come when Delaware must pull its fiscal head out of the sand. That is why I will refuse to sign a budget unless it is accompanied by a revenue message telling the source of the funds.

It is also clear that the budget so callously thrust upon the State by the outgoing Terry Administration was politically inspired and completely inadequate to meet Delaware's needs.

For instance, the first three years of the Terry Administration recorded a sharply rising trend in the general fund expenditures . . . an 11 million dollar increase the first year, 17 million dollars the second, more than 24 million dollars the third year. But the Terry Administration proposes that in this coming year the new administration should slash the increase to less than half that of this year.

This was done by ignoring at least one mandated program . . . School Equalization . . . and by suspending a number of on-going projects, such as summer recreation and work programs and day care centers.

Another measure of the Terry Administration's budget proposal is a comparison of how agency funding requests were handled in preceding years. The first year, the administration cut agency appropriations by 6 per cent, the second year by 6½ per cent, the third by only 2½ per cent. But in the budget offered for next year, agency requests are chopped

nearly 10 per cent, the highest cut in any single year since 1962.

Now let me discuss my program proposals.

CRIME AND UNREST

I said earlier that the programs I will propose are dictated by needs. And the trends of recent years and concerns of our citizens leave little doubt as to one of our greatest needs . . . to reduce crime and unrest and hate and fear.

We cannot tolerate a situation where in some areas people are literally afraid to go out in the daytime. We cannot tolerate a situation where suspicion and hate create tinderboxes of tension.

I have long espoused the need for a two-pronged attack, one aimed at maintaining law and order with justice, and the other directed at the causes of crime and unrest. This administration will initiate or support a number of bills tailored to that approach.

Bills involving law with justice are:

1. To provide State aid to local police. The State would provide one million dollars in matching funds as an incentive and means for communities to improve their police forces by adding more men, increasing pay, providing better training and equipment, or opening neighborhood police centers.

The Law Enforcement Planning Agency would be designated as the body to evaluate the requests for State aid and to disburse the funds. I plan to expand and strengthen the agency, which has membership from police, corrections, the courts and the community. It can be a potent weapon war against crime.

2. To make our Probation and Parole System work. This calls for broadening qualifications and improving pay scales so that the State can for the first time provide proper supervision and control over offenders who have been released from custody. This not only better protects the public but is the best way to help prevent offenders by removing them from the community.

3. To tighten our Drug Law. This will make illegal a new category of "Dangerous Drugs," including the hallucinatory drugs. The Bill also will provide stiffer penalties for the purveyor or "pusher" than for the possessor or user. I have called a special one-day conference for March 15 at Wilmington High School to develop methods of educating teenagers on the dangers of drug use.

4. To compensate innocent victims of violent crime for injuries sustained.

5. To revise the Criminal Code to eliminate outdated provisions and make the Code more effective.

This administration awaits with interest the results of the Law Enforcement Planning Agency's study of police, corrections, and the courts. I will respond promptly to their recommendations. Let me specifically mention now my determination to work toward a state-wide and improved Family Court System and toward improving the quality of our Magistrate Courts.

A basic cause of crime and unrest is the lack of self-respect stemming from an individual's inability . . . for whatever reason . . . to improve himself by his own efforts, through getting a better education, a better job, a better house, a better future.

The following actions and legislation will be directed at providing an

opportunity to earn dignity and self-respect:

1. An Open Housing Law. This will implement the Law of the Land with appropriate state machinery.

2. Corrections. This administration will support the opening of a half-way house for women, and the State's gradual assumption of responsibility for the existing half-way house for men at 308 West Street, Wilmington.

3. Welfare System. This obviously is not working properly and must be revised with the goal of encouraging recipients to build self-respect by getting jobs and moving off the welfare rolls.

4. Jobs. All existing programs to provide jobs for the unemployed and underemployed will be coordinated as a new function within the Development Department.

5. Housing. We will mount a determined drive to provide moderate and low-cost housing.

Let us return to the Welfare issue for a moment. The immediate need, which I support, is for a supplementary appropriation of approximately \$635,000 to provide normal services for the balance of this fiscal year.

This in itself dictates another need . . . to revamp a system that has been branded a failure by the welfare recipient, the welfare official and the taxpayer.

We have a dual obligation. One is to help the disabled, the aged, the blind, the women and children, who cannot support themselves. The other is to discourage cheating and abuse of a system that is designed to help only those who cannot help themselves.

But in going after the dishonest ones, we must be careful not to ignore or penalize the vast majority of recipients who are sincerely in need.

I am having prepared legislation designed to give those welfare recipients who are able to work the incentive to get a job and support themselves. That is the key to self-respect.

We also need broader enforcement of a policy that will make the fathers of welfare children responsible for the support of those children. If the father's job doesn't earn him enough to support the children, then he should be helped to get a better job so that he, instead of the taxpayers, supports his children.

The State also should be more concerned about whether it is meeting even the minimum subsistence needs of the recipients.

For example, the most that a mother and three children can receive in Welfare Grants from the State, County and Federal Governments is a total of \$149. That has been unchanged for years. Yet official calculations showed that in 1968 this same family needed a minimum of \$287 to subsist . . . food, clothing and shelter. This figure by next year will be over \$300, more than twice what they are actually receiving.

I am convinced that a person who must struggle to subsist, a person who is hungry and undernourished, is not likely to develop the spirit of independence and the self-respect needed to move off welfare rolls and become self-supporting and, in fact, is almost certain to become a more serious problem.

Accordingly, I urge the Legislature to give utmost consideration to increasing State Grants to welfare recipients in the coming fiscal year.

EDUCATION

Education is truly the pivotal institution in our society . . . the most effective agent for change.

Delaware has a good Educational System for our top academic students. But we have been behind most progressive States in pre-school training and post-high-school two-year educational opportunities.

Our commitment to higher education is lower than the Nation's average . . . we were 29th in 1968.

Adult and Occupational Education have been underemphasized.

Delaware can have an excellent Educational System. But we must begin now to make a greater commitment to education, the secret weapon of America's unparalleled economic growth.

Financially, this without doubt is where the State's major needs lie. For example, 52 per cent of this year's appropriation is being spent on education.

Projections I have seen indicate that enrollment in higher education . . . the most expensive area of education . . . will double in the next five to six years. A decline is likely in the Kindergarten through sixth grade level, but this is the least expensive area. So the burdens will be heavy.

We are planning to build a Delaware Technical and Community College in Wilmington and another outside the city. I am convinced both are vitally needed..

I strongly support increased operating funds for Delaware State College. While the growth in the Physical Plant at this school has been impressive, we must now provide the monies to properly staff and maintain this investment.

Enrollment at the school is now 1,044 and is divided about 70 per cent black and 30 per cent white.

Under the budget recommended by the Terry Administration, the State would be providing \$1,507 per student at the heavily-endowed University of Delaware, which traditionally receives from the State every cent it requests, but only \$1,105 per student at Delaware State College. I believe the State should increase its support to Delaware State College so that it can "catch up" and realize its potential.

Although Delaware cannot justify its own Medical School at this time, we must do something to provide medical training for Delawareans and increase our number of trained Physicians. A proposal involving a tri-party arrangement between the University of Delaware, Delaware hospitals and a nearby medical school looks promising to me and has my support.

In elementary and secondary education, we must provide a first rate program from kindergarten through 12th grade. We must move quickly and smoothly to achieve the promised benefits of consolidation and equalization.

We can no longer tolerate an educational system, particularly for the disadvantaged, that in large part ignores the world of work.

We need special programs for deprived children and children with special problems. We must recruit and retain experienced teachers by keeping the basic State salary schedule high enough to be competitive. We must encourage community schools to make better use of our \$300 million investment in school buildings and at the same time increase

educational opportunities for both children and adults.

I am asking professional educators and dedicated lay citizens to work with the General Assembly and with me to optimize our investment in education. Only by evaluating the best strategy of education in light of continuing cost can the State achieve the "margin for excellence" which the people want and deserve.

JOBS

There is no substitute for the impact jobs can make, not only on the economy but on the social problems so prevalent today. We find that jobs raise the standard of living, jobs are the means for people to earn self-sufficiency and self-respect, jobs are important in human rehabilitation.

We will make an all-out effort to develop more jobs in Delaware. I have directed the establishment of a Jobs Development Division within the framework of the Development Department. This is being done to emphasize and facilitate the creative approach to jobs and to training for jobs. The routine, conventional approaches to employment have not been working in the case of the disadvantaged.

But the primary goal of the Division will be to provide more jobs and better jobs for everyone . . . for example, through selective development of new industry. The tremendous impact industry can have on the economy is another major benefit.

A major function of this new Division will be to coordinate the myriad of job and job training programs that now exist. This will require the complete cooperation of all State, Federal and Private Organizations, including labor groups. Job development efforts at present are too splintered and inefficient.

The Opportunities Industrialization Center, which has a branch in Wilmington, is one of the most effective programs in the Nation for motivating and training the unemployed and the underemployed.

I intend to support the Wilmington Center . . . initially by endorsing a \$200,000 appropriation for the current fiscal year . . . and to work toward establishment of OIC Units in Kent and Sussex Counties. I will recommend further support of OIC in the pending 1969-70 budget.

Jobs are the keystone of self-respect, human dignity and hope for a meaningful future. They have a high priority in our plans to build a better Delaware.

HOUSING

Housing persists as one of the major problems facing Delaware and the Nation. We must find ways to build new housing, especially in the moderate and low-cost categories, quickly and efficiently.

Building houses is a convincing and tangible way to deal with urban problems. It creates new jobs and pumps new economic blood into a community. Wilmington, for example, would have significantly fewer troubles today if new housing had sprouted in the wake of the urban renewal bulldozer that years ago razed hundreds of homes in the east side.

Delaware has some excellent housing tools and must learn how to use them most effectively. One is the non-profit housing corporation approach that has been developed by the Greater Wilmington Development Council after considerable trial-and-error effort.

Now with the merger of the GWDC Housing Unit and Block Blight, we have together in one private agency a tremendous amount of expertise

not only in financing and building low cost housing but also in code enforcement, maintenance, rehabilitation and family training.

Another tool is the extremely promising State Department of Housing which provides five million dollars in seed money to spur housing construction.

The Department to date has helped four non-profit housing corporations to get 194 new housing starts in Wilmington and has generated interest in other parts of the state, including Dover, Milford, Seaford, and Laurel. The Department now expects to assist in 1,000 housing starts by December 31.

I intend to see that the State Department of Housing and the GWDC Housing Corporation work closely to encourage the use of the non-profit approach throughout the State and to advise new corporations.

We in Delaware can meet our housing needs, especially with the full cooperation of the public and private sectors.

With the ever-increasing need for more money, it is absolutely necessary that our state launch a strong push to improve efficiency, eliminate waste and duplication, and get the most results for each dollar spent.

Three important keys to reaching those goals are economy, reorganization, and constitutional revision.

ECONOMY

We are going to economize in Delaware. One long stride in this direction will come on Friday of this week when I will meet with approximately 40 leaders of business and industry to discuss a proposal whereby they can help the State save several millions of dollars.

Also, I intend to work closely with my department heads to establish a climate that makes economizing a way of life.

REORGANIZATION

This administration soon will introduce a bill to create a task force to help plan for the reorganization and consolidation of the Executive Branch of Delaware's Government.

If we are to have an efficient, quality government, we must reduce the approximately 135 agencies and commissions to a manageable number such as 12.

The task force will be an action group to help achieve that goal. The bill provides funds to start immediately and sets a target date of January 15, 1971, for completion of its work.

Reorganization will result in great savings, improved efficiency and a marked increase in results per dollar.

CONSTITUTIONAL REVISION

A Constitutional Revision Commission has been working diligently for many months and has invested thousands of hours on this important project.

This first draft is nearing completion. After public hearings and further review, the final package will be presented to the Legislature near the end of April. I respectfully suggest that sufficient time be allotted on the legislative calendar to allow thorough consideration and action this year.

As Governor, I look forward to a vigorous partnership with former Governor Carvel, Chairman of the Constitutional Revision Commission, and with the commission members to effect the changes required.

MERIT SYSTEM

This administration heartily endorses the recently established merit system for State personnel and supports its effective application. This has been for many decades an objective of persons interested in improved public service.

In striving for a true career service, we will at the same time be working to assure the taxpayer of an honest dollar of performance for each dollar of salary paid. We must recognize the need for maintaining a salary schedule that enables us to compete with other employers and to keep pace with our economy.

SERVICE

This administration will stress to all State employees that they are public employees whose duty is to serve their employers . . . the taxpayers of Delaware.

We are here to serve. Those who accept that philosophy will be happy working with this administration.

COMMUNICATIONS

We will make every effort to establish and maintain dialog with all the People of Delaware.

We will hold Governor's Town Hall Meetings periodically throughout the State, the first one next month. We hope through these meetings to make our administration more aware of and responsive to the needs of our citizens, and to make our citizens more aware of and responsive to their Governments.

This administration will lend its weight to creation of an Urban Coalition in the Greater Wilmington Area and will also help establish and lead a state-wide coalition.

We also will form a council on education that will bring together the State's educational leaders to plan for the future of education, covering the whole spectrum from infancy to adulthood.

STATE PENSION LAW

The payment of adequate pensions to employees is now clearly recognized as an essential condition to career service. Equally important is the proper funding of a pension plan.

Accordingly, I endorse the proposals of the Special Pension Study Committee to improve the pension system by funding current and future obligations over a 40-year period. The present "Pay As You Go" system has built-in tendencies for fiscal disaster.

Under the committee proposals, State funding would start in fiscal 1971 and, by gradually increasing payments, would place the program on a properly funded basis by fiscal 1976.

I also accept the committee's recommendation to consider progressive management of reserves, which should result in substantial earnings and reduce long-range costs to the State.

HIGHWAY SAFETY

This administration is determined to lower the shocking toll of highway deaths in Delaware.

Since many of the deaths involve drivers who have been drinking, Legislation will be introduced to tighten laws involving drinking drivers. Presently, a driver may be found guilty of driving under the influence if has .15 per cent alcohol in his blood. The Bill would lower this to .10 per cent.

The other Bill, known as the implied consent law, would give the State the authority to suspend or revoke the license of any driver who refuses to submit to a chemical test for alleged intoxication.

Other ways to promote highway safety include driver training schools and a strong effort to build safety into highway design and markings.

ELECTION REFORM

The right to vote is the heartbeat of our Democracy. Delaware's Election Laws must be revised to eliminate inequities and to assure that everyone's vote will be counted equally. Our election system must be beyond reproach.

I have been working with Senator Castle and Representative Little on Election Reform Legislation and wholeheartedly endorse their efforts. Major features of the Bill include creation of completely Bipartisan Departments of Elections, removal of the straight party lever and elimination of polls in homes and business places.

This administration also will support lowering the voting age.

TRANSPORTATION

An effective Bus System is vital to the re-birth of Wilmington. Therefore, my administration will support a Bill appropriating \$1,350,000 to permit the Greater Wilmington Transportation Authority to purchase Delaware Coach Company and improve Bus Service.

There is a need to think more broadly in weighing our transportation problems. For example, in the City of Wilmington we should consider the possibility of combining the management of Mass Transit and Parking Agencies.

What advantages might result? At present, both Mass Transit and Parking are subsidized by tax funds; yet each is by its nature in competition with the other. The Parking Authority in effect encourages people to drive downtown, while the Transit Authority encourages people to leave their cars home take the bus.

In another area, Delaware currently is considering with New Jersey and Pennsylvania the possibility of a Tri-State Airport Authority.

There are several major highway projects that are critically needed, such as a connecting link between I-95 and the Downtown Regional Shopping Center in Wilmington, Route 141. Newark Beltway and a Dover Bypass.

HEALTH

The City of Wilmington is deficient in Public Health Services. The State already has responsibility for such services in rural New Castle County, Kent and Sussex Counties. I believe the State should do the same for Wilmington.

This proposal, which will cost the State approximately \$130,000 annually has been endorsed not only by the City but by the State Board of Health, the New Castle County Medical Society, the Delaware Association of Hospitals, and the Health Facilities Planning Council.

The association also reports that the number of non-paying patients has been increasing faster than the ability of the Hospitals to handle the increased costs through the normal channels of endowments and private contributions.

Certainly, we do not in Delaware want to move into the area of publicly-financed hospitals. Therefore, I think it is important that the State, the Cities and Counties help pay the costs incurred by the non-paying

patients.

I favor and will request a \$1.1 million increase in the State's contribution to costs of hospital operations.

In the area of mental health, we must upgrade the services offered. For example, per patient cost at the State Hospital is approximately \$11 a day while the per patient cost in a ward at the Wilmington Medical Center is \$37 a day.

The obvious conclusion is that the State patient is not getting the quality of care that is offered at the private hospital.

CODE OF ETHICS

Currently in preparation is a proposed code of ethics for all State employees and elected officials. This code will deal with such subjects as conflict of interest and dual job-holding. In other words, it will set minimum standards of conduct for State employees. The code will have the administration's full support.

NATURAL RESOURCES

Plans call for organization soon of a coordinating committee on natural resources. The purpose would be to put into one grouping such agencies as Parks and Recreation, Shell Fisheries, Game and Fish Commission. Conservation of open spaces is as important as the development of new industry. It shall be the policy of my administration to support programs of Land Acquisition and Development for Conservation and Recreation.

AGRICULTURE

Let's turn now to rural Delaware and the State's oldest industry, Agriculture.

This is probably the biggest paradox in our economy. The farmer works for efficiency, automates and produces higher and higher yields per acre.

But the efficiency puts people out of work in rural areas and creates poverty. The high yield forces prices down. Yet the farmer must strive for efficiency if he is to compete in the marketplace. And he must still cope with old and new diseases.

It is a frustrating but challenging situation. We must seek to provide the farmer with the modern technology and business acumen he needs to prosper. At the same time we must strive to provide jobs and quality life in small communities and in our rural areas for those who are no longer needed in farming.

CONCLUSION

These are steps I feel must be taken if Delaware is to progress, if our State Government is going to fulfill its commitment to our people.

The commitment is inherent to our system of Government. We, the Government, exist to serve the people. Our task is to help build for all of our citizens a better life.

I intend that this administration also will create a new climate of strong but understanding leadership, of citizen concern and involvement in their Government, of service to the people.

The People of Delaware can count on this administration to provide a no-nonsense leadership that will demand a day's work for a day's pay, the highest integrity, common-sense economy and more results for the dollar.

Whether this administration is successful will depend in great part upon you members of the General Assembly. I ask for your support and

advice.

I ask that you and all the People of this State join with me in a coalition for quality . . . quality of life and quality of Government . . . that can make Delaware a model State.

Thank you for giving me the opportunity to address this Joint Session. I look forward to working with you on the great task of building a better Delaware.

Speaker Hering moved that the previously named committee escort the Governor from the Chamber.

Representative Stabler moved that the Chief Clerk of the House and the Secretary of the Senate compare their respective Journals.

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

Representative Stabler moved the two Houses now separate to reconvene in their respective chambers. Motion prevailed. Adjourned at 2:47 P.M.

Senate reconvened in regular Session at 3:10 P.M.

Communications from Senator Cook and Senator duPont as follows:

March 4, 1969

Senator Allen J. Cook
Legislative Hall
Dover, Delaware 19901

Dear Mr. Cook:

Please have the following resolution read into the Senate minutes:

WHEREAS, the young people of our state have assumed the highest responsibilities and obligations of citizenship including service in the Armed Forces, and

WHEREAS, they are well informed and should have the right to participate in the selection of our leaders, and

WHEREAS, the legal definition of 21 years as the beginning of adulthood is of medieval origin and completely false in the 20th Century.

Now, Therefore, be it resolved by the Young Democrats of Delaware that the legal age of adulthood, including all of the present legal rights and obligations incident thereto should commence at age 18. (And, in particular, the right to vote should be reduced from 21 years to 18 years), but also including the right to own property, sue and be sued, enter into binding contracts and incur liabilities without the present restrictions or protections now provided them by law because they are minors.

The above resolution was adopted by the Young Democrats of Delaware meeting in convention on February 1, 1969. The section dealing with lowering the voting age to 18 is a re-affirmation of previously adopted resolutions. Local Young Democratic Clubs, Young Democrats of Delaware and Young Democrats of America have repeatedly in recent years called for a lowering of the voting age.

Therefore, we respectfully urge the Chairman of the Elections Committee to bring the bill dealing with lowering the voting age before the Senate. We further urge the members of the Senate to give this measure their support.

Yours truly,
REBECCA B. TWILLEY
 President of Young Democrats
 of Kent County

March 5, 1969

Members of the Senate
 125th General Assembly
 Dover, Delaware

Dear Senators:

By the authority granted me by Title 29, Chapter 39, Section 3901(a), 1954 Delaware Code, I hereby appoint as members of the Senate Committee on Interstate Cooperation, the following members, all with terms to expire February 1, 1970:

Margaret R. Manning, Marshallton, Chairman
 Allen J. Cook, Kenton
 Everette Hale, Newark

Respectfully submitted,
REYNOLDS DU PONT
 President Pro Tempore

Senator Steele, on behalf of the committee on Finance, to whom had been referred **SB 38** reported the same back to the Senate: 3 Favorable; 2 on Merits.

Senator Steele, on behalf of the committee on Finance, to whom had been referred **SB 60** reported the same back to the Senate: 2 Favorable; 3 on Merits.

Senator Steele, on behalf of the committee on Finance, to whom had been referred **SB 56** reported the same back to the Senate: 2 Favorable; 3 Merits.

Senator Steele, on behalf of the committee on Finance, to whom had been referred **SB 53** reported the same back to the Senate: 3 Favorable; 2 on Merits.

Senator Steele, on behalf of the committee on Finance, to whom had been referred **SB 45** reported the same back to the Senate: 3 Favorable; 2 on Merits.

Senator Steele, on behalf of the committee on Finance, to whom had been referred **SB 37** reported the same back to the Senate: 3 Favorable; 2 on Merits.

Senator Steele, on behalf of the committee on Finance, to whom had been referred **SB 36** reported the same back to the Senate: 4 Favorable; 1 on Merits.

Senator Steele, on behalf of the committee on Finance, to whom had been referred **SB 35** reported the same back to the Senate: 3 Favorable; 2 on Merits.

Senator Steele, on behalf of the committee on Finance, to whom had been referred **SB 34** reported the same back to the Senate: 3 Favorable; 2 on Merits.

Senator Castle, on behalf of the committee on Elections, to whom had been referred **SB 11** reported the same back to the Senate: 4 Favorable; 2 on Merits.

Senator Isaacs, on behalf of the committee on Miscellaneous, to

whom had been referred **SJR 1** reported the same back to the Senate: 5 Favorable.

Senator Cicione, on behalf of the committee on Government Operations, to whom had been referred **SB 55** reported the same back to the Senate: 1 Favorable; 3 on Merits.

Senator Conner, on behalf of the committee on Education, to whom had been referred **SB 73** reported the same back to the Senate: 3 Unfavorable; 1 on Merits.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 37** with **HA 1** and requests the concurrence of the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **HCR 4** and requests the concurrence of the Senate.

Senator Slawik introduced **SB 81**, co-sponsored by Senators Isaacs, Cicione, and McCullough, entitled "An Act to Amend Section 3312, Subchapter 2, of Chapter 33, of Delaware Code, Relating to Benefit Payments under Regulations of the Unemployment Security Commission by Authorizing Payments of Benefits to Authorized Representatives during Temporary Layoff", which was given its first reading by title only.

Senator Slawik requested that **SB 81** be stricken from the calendar. Adopted voice vote.

Senator Slawik introduced **SB 82**, co-sponsored by Senators Isaacs, Cicione, and McCullough, entitled "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", which was given its first reading by title only and assigned to committee on Labor and Industrial Relations.

Senator Slawik introduced **SB 83**, entitled "An Act to Amend Section 717, Title 4, Delaware Code, Relating to the Prohibition of Sales of Alcoholic Liquors at certain Times", which was given its first reading by title only and assigned to committee on Miscellaneous.

Senator Hale introduced **SB 84**, entitled "An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations upon Taxing Power, by Exempting Lands and Improvements of the University Drama Group, Inc. from Assessment and Taxation", which was given its first reading by title only and assigned to committee on Government Operations.

Senator Hart introduced **SB 85**, co-sponsored by Senators Foltz, Steele, Cicione, Isaacs, and Hickman, entitled "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", which was given its first reading by title only and assigned to committee on Revised Statutes.

Senator Foltz introduced **SB 86**, entitled "An Act to Amend Section 3701 (b), Title 18, Delaware Code, Relating to the Effective Date of the Delaware Insurance Code", which was given its first reading by title only and assigned to committee on Insurance and Banking.

Senator Foltz introduced **SB 87**, entitled "An Act to Amend Section 1741 (b) (2), Title 18, Delaware Code, Relating to the Residence Qualifications for the Issuance of an Adjustor's License", which was given its first reading by title only and assigned to committee on Insurance and Banking.

Senator Foltz introduced **SB 88**, entitled "An Act making a Supplementary Appropriation to the Department of Justice", which was given its first reading by title only and assigned to committee on Finance.

The Chair presented **HCR 4**, entitled "Providing for the Establishment of a committee of the General Assembly and the Staff and Board of the Water and Air Resources Commission for the Purpose of Studying Current Problems and Recommending Corrective Legislation", which was given first reading.

Senator Hickman moved that **HCR 4** be adopted.

On the question "Shall the Resolution be Adopted?"

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hart, Hickman, Holloway, Isaacs, McCullough, Steele—14.

NAYS—Mrs. Manning—1.

ABSENT—Messrs. Hart, Robbins, Schlör, Slawik—4.

So the question was decided in the affirmative and the Resolution having received the required Constitutional Majority was adopted and ordered returned to the House.

Senator Hale introduced **SB 89**, co-sponsored by Senators Steele, and Conner, entitled "An Act to Amend Section 708 and Section 907, Title 14, Delaware Code, Relating to School Term", which was given its first reading by title only and assigned to committee on Education.

On motion of Senator Isaacs **SB 10**, entitled "An Act To amend Sections 396, 631, and 632, Title 11, Delaware Code, Relating to Penalties for the Offences of Unlawful Entry, Grand Larceny and Petit Larceny", was taken up for consideration and read a second time by title in order to pass the Senate.

On the question "Shall the Bill pass the Senate?"

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

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

NAYS—Messr. Holloway—1.

NOT VOTING—Mr. McCullough, (Mrs.) Manning—2.

ABSENT—Messrs. Robbins, Schlör, Slawik—3.

So the question was decided in the affirmative and the Bill having received the required Constitutional Majority passed the Senate and was ordered to the House for Concurrence.

Senator Conner, on behalf of the committee on Health and Welfare, to whom had been referred **SB 26** reported the same back to the Senate: 6 Favorable.

Senator du Pont moved that the Senate go into Executive Session. Motion prevailed 3:47 P.M.

The Senate reconvened in regular Session at 4:17 P.M.

Senator Conner, on behalf of the committee on Education, to whom had been referred **SB 89** reported the same back to the Senate: 4 Favorable; 1 on Merits.

Senator Grier moved that the Senate recess until Tuesday, March 11, 1969, at 1:30 P.M. Motion prevailed, voice vote.

Senate Reconvened at 1:40 P.M., March 11, 1969.

Senator Grier moved that the Senate adjourn until 1:45 P.M. March 11, 1969. Motion prevailed.

9th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:45 P.M. on March 11, 1969, Lt. Gov. Bookhammer presiding.

Prayer by the Chaplain Rev. Clendaniel

Flag Salute.

Members Present:

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

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

Senator duPont announced receipt of the following communication which was read to the Senate.

March 5, 1969

To Members of the House of Representatives
of the 125th General Assembly:

In accordance with Title 29, Section 3901(a), Delaware Code, I hereby nominate for the House of Representatives the following named members to the Interstate Cooperation Commission:

Louis W. Burton, William L. Frederick, Jacob W. Zimmerman.

Respectfully submitted,
GEORGE C. HERING III
Speaker

Lt. Gov. Bookhammer recognized Mrs. Golden and 7th Grade Class of Friends School.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 19** with **HA 1**, **HB 17**, and requests the concurrence of the Senate; Senate Concurrent Resolution No. 3 and is returning same to the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 19** with **HA 1**, **HB 17**, delivered by the Bill Clerk, and requests the concurrence of the Senate; and has passed **SCR 3**, and is returning same to the Senate.

Senator Hale introduced **SB 90**, co-sponsored by Senator Isaacs, entitled "An Act to Amend Volume 56, Chapter 292, Laws of Delaware, by Providing That the Boards of Education of Certain Reorganized School Districts May Levy and Collect Taxes After July 1, 1969 at a Rate Authorized by Referendum Prior to July 1, 1969," which was given its first reading by title only and assigned to committee on Education.

Senator Slawik introduced **SB 91**, co-sponsored by Senators Schlör, Isaacs, McCullough, Hart, and Cicione, entitled "An Act to Amend Section 3312, Sub-Chapter 2, of Chapter 33, Delaware Code, Relating to Benefit Payments Under Regulations of the Unemployment Security Commission by Authorizing the Submission of Unemployment Applications and the Payment of Benefits by Mail to Union Employees During Temporary Layoff," which was given its first reading by title only and assigned to committee on Labor and Industrial Relations.

Senator Slawik introduced **SB 92**, co-sponsored by Senators Schlör, Cicione, and Isaacs, entitled "An Act Providing for Every Other Friday as

the Method of Payment of State Officials and Employees," which was given its first reading by title only and assigned to committee on Labor and Industrial Relations.

Senator Manning asked for the privilege of the floor for Senator Charles Delaney of Vermont, a member of The Council of State Governments.

Hearing no objection the privilege was granted.

Senator Isaacs introduced **SCR 4**, co-sponsored by Senators Steele and Hickman, entitled "Provide for the Establishment of a Committee of the General Assembly for the Purpose of Inquiring Into Complaints Relating to State Expenditures to Private Day Care Centers."

Senator Isaacs moved that **SCR 4** be adopted.

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

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

NAYS—None

ABSENT—Mr. McCullough—1.

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

Senator Foltz introduced **SB 93**, co-sponsored by Senator Holloway, entitled "An Act to 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," which was given its first reading by title only and assigned to committee on Revised Statutes.

Senator duPont introduced **SB 94**, co-sponsored by Senators Foltz and Grier, entitled "An Act to Amend Chapter 59, Title 29, Delaware Code by Adding the Legislative Council to the List of Exempt Agencies," which was given its first reading by title only and assigned to committee on Senate Administration.

Senator Elliott introduced **SJR 2**, co-sponsored by Senators Hale, Robbins, Castle, Cicione, Steele, Hart, duPont, Foltz, Isaacs, Grier, and Hickman, entitled "To Commend Senators John J. Williams and J. Caleb Boggs, and Congressman William V. Roth, Jr. for Their Introduction of Joint Resolutions in the Congress of the United States with Respect to the Offering of Voluntary Prayer in Public Buildings."

Senator Elliott moved that Rule 9 be suspended for the purpose of considering **SJR 2**.

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

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

NAYS—None

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

Senator Elliott moved that **SJR 2** be adopted.

On the question "Shall the Resolution be Adopted?"

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

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

NAYS—None

So the question was decided in the affirmative and the resolution having received the required constitutional majority was adopted and ordered to the House for Concurrence.

On motion of Senator Isaacs **SB 56** entitled: "An Act Authorizing the State of Delaware to Borrow Money to be Used For Capital Improvements and Expenditures and to Issue Bonds and Notes Therefor and Appropriating the Monies to the State Board of Education" was taken up for consideration and read a second time by title in order to pass the Senate.

Senator Isaacs moved that action on **SB 56** be deferred. Motion prevailed by voice vote.

The Chair presented **HB 37** with **HA 1** entitled: "Supplementary Appropriation to Delaware State Board of Corrections" which was given first reading.

Senator Manning moved that rule 9 be suspended for the purpose of considering **HB 37** with **HA 1**.

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

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

NAYS—None

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

Senator Manning asked for the privilege of the floor for Mr. Warren Gehrt to explain **HB 37** with **HA 1**.

Hearing no objection the privilege was granted.

On motion of Senator Manning **HB 37** with **HA 1** was taken up for consideration in order to pass the Senate.

On the Question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

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

NAYS—Mr. Foltz—1.

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

Senator Grier moved the Senate recess for 30 minutes. Motion prevailed voice vote.

Senate reconvened at 3:45 P.M.

Senator Castle introduced **SB 95**, co-sponsored by Senators Cicione, Elliott, Hickman, Manning, duPont, Steele, Foltz, Conner, Grier, Hale, Isaacs, and Hart, entitled "An Act to Amend Title 15, Delaware Code, Effecting a Genral Revision of the Election Laws of the State of Delaware by Amending Chapters 1, 3, 11, 13, 15, 17, 20, 45, 47, 49, 50, and 55, 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,” which was given its first reading by title only and assigned to Committee on Elections.

Senator Castle introduced **SB 96**, co-sponsored by Senators Holloway, Schlör, McCullough, Slawik, Conner, Isaacs, and Hickman, entitled “An Act to Amend Section 1703, Title 14, Delaware Code, Relating to Unit of Pupils and Making Appropriation Therefor From the General Fund of the State,” which was given its first reading by title only and assigned to committee on Education.

Senator Castle introduced **SB 97** entitled: “An Act to Amend Title 21, Section 4176 of the Delaware Code by Adding the Phrase ‘Or Has In Actual Physical Control’ Following the Word ‘Drives;’ By Including Within Under the Influence, the Combination of Liquor and Drugs; and by Adding Thereto the Meaning of Prior Offenses,” which was given its first reading by title only and assigned to committee on Highway and Public Safety.

Senator Hart introduced **SB 98**, co-sponsored by Senators Isaacs and Castle, entitled “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,” which was given its first reading by title only and assigned to committee on Judiciary.

Senator Hart introduced **SB 99**, co-sponsored by Senator Castle, entitled “An Act to Amend Chapter 61, Title 21, Delaware Code, by Repealing Section 6101 Thereof,” which was given its first reading by title only and assigned to committee on Highways and Public Safety.

Senator Steele on behalf of the committee on Finance to whom had been referred **SB 40**, reported the same back to the Senate; 4 Favorable.

Reported the same back to the Senate, 4 favorable.

Senator Steele introduced **SA 1** to **SB 40**.

Senator Steele moved that **SA 1** be placed with bill. Motion prevailed by voice vote.

Senator Schlör introduced **SB 100** entitled: “An Act to Amend Title 30, Section 1117(a), Relating to Exemptions and Credits Against Net Income, by Increasing the Amount From \$600 to \$800” which was given its first reading by title only. Assigned to committee on Finance.

Senator Schlör introduced **SB 101** entitled: “An Act to Amend Title 29, Section 5106, Delaware Code, Relating to Certain Payroll Deductions by the State Treasurer, by Deleting the Deduction for Hospitalization Insurance,” which was given its first reading by title only and assigned to committee on Revised Statutes.

Senator Schlör introduced **SB 102** entitled: “An Act to Amend Title 29, Section 5120(b), Delaware Code, Relating to Hospitalization Benefits for State Employees, by Providing for Payment of the Cost by the State Treasurer” which was given its first reading by title only. Assigned to committee on Revised Statutes.

Senator Schlör introduced **SB 103** entitled: “An Act to Amend Title 19, Section 902(a), Relating to Minimum Wages, by Increasing the Minimum Wage” which was given its first reading by title only. Assigned to committee on Labor and Industrial Relations.

Senator Schlör introduced **SB 104** entitled: “An Act Proposing an Amendment to Section 3, Article 4 of the Constitution of the State of Delaware Relating to the Term of Appointment by Reducing the Term

NAYS—Messrs. Hale, McCullough, Slawik—3.

NOT VOTING—Messrs. Castle, duPont, Foltz, Isaacs, Robbins, Schlör—6.

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

Senator Steele introduced **SB 116** entitled: "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, Authorizing Condemnation for the Acquisition of Such Rights-Of-Way by an Electric Utility Corporation Issued a Certificate of Public Convenience and Necessity Therefore, and Providing the Procedure for the Determination of Just Compensation in Such Cases" which was given its first reading by title only. Assigned to committee on Labor.

On motion of Senator Steele **SB 3** entitled: "An Act to Amend Title 1, Delaware Code, Pertaining to the Designation of Legal Holidays" was taken up for consideration and read a second time by title in order to pass the Senate.

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

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

NAYS—None

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

Senator Cicione on behalf of the committee on Government Operations to whom had been referred **SB 109**, reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Cicione on behalf of the committee on Government Operations to whom had been referred **SB 110**, reported the same back to the Senate; 4 Favorable, 1 on Merits.

Senator Cicione on behalf of the committee on Government Operations to whom had been referred **HB 23**, reported the same back to the Senate; 4 Favorable, 1 on Merits.

Senator Cook moved that roll call on **SB 35** be lifted from the table. Motion prevailed.

On motion of Senator Cook **SB 35** 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 Therefore and Appropriating \$42,639,992.00 to Various Agencies of the State" by reducing the amount of moneys appropriated and authorized to be borrowed which was taken up for consideration.

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

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

Senate; 4 Favorable, 1 on Merits.

Senator Isaacs on behalf of the committee on Fish, Oyster, and Game to whom had been referred **SB 66**, reported the same back to the Senate; 4 Favorable, 1 on Merits.

Senator Isaacs on behalf of the committee on Fish, Oyster, and Game to whom had been referred **SB 65**, reported the same back to the Senate; 4 Favorable, 1 on Merits.

Senator Isaacs on behalf of the committee on Fish, Oyster, and Game to whom had been referred **SB 64**, reported the same back to the Senate; 4 Favorable, 1 on Merits.

Senator Isaacs on behalf of the committee on Fish, Oyster, and Game to whom had been referred **SB 59**, reported the same back to the Senate; 4 Favorable, 1 on Merits.

Senator Isaacs on behalf of the committee on Fish, Oyster, and Game to whom had been referred **SB 58**, reported the same back to the Senate; 4 Favorable, 1 on Merits.

Senator Cicione on behalf of the committee on Governor Operations to whom had been referred **HB 4**, reported the same back to the Senate; 2 Favorable, 3 on Merits.

Senator Issacs introduced **SB 105** entitled: "An Act to Amend Section 1908, Title 7, Delaware Code, Relating to Leasing Acreage Under the Jurisdiction of Delaware Commission of Shell Fisheries" which was given its first reading by title only. Assigned to committee on Fish, Oyster, and Game.

Senator McCullough introduced **SB 106**, co-sponsored by Senator Slawik, entitled "An Act Providing for the Appropriation of Money to Milton R. Olazagasti, a Veteran Eligible for the Bonus Paid by the State Pursuant to the Veteran's Military Pay Act No. 11, but Who Did Not Receive His Bonus," which was given its first reading by title only and assigned to committee on Judiciary.

Senator Holloway introduced **SB 107** entitled: "An Act to Amend Chapter 39, Title 11, Delaware Code, by Providing for the Expungement of a Misdemeanor From a Person's Criminal Record" which was given its first reading by title only. Assigned to committee on Judiciary.

Senator Holloway introduced **SB 108** entitled: "An Act to Amend Title 15, Chapter 51, Delaware Code, Providing a Prohibition of and Penalties for the Publication or Distribution of Political Statements Without Name and Address of Publisher or Distributor" which was given its first reading by title only. Assigned to committee on Elections.

On motion of Senator Manning **SB 53** entitled: "An Act to Amend Chapter 171, Volume 54, Laws of Delaware, Entitled An Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for Said Purpose; Authorizing the Financing of Such Enlargement and Improvement by the Issuance of Bonds and Bond Anticipating Notes of the State and by Contributions From Certain School Districts, and the City of Wilmington for the Purpose of Raising Money to Make Such Contributions and Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions" was taken up for consideration and read a second time by title in order to pass the Senate.

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

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

NAYS—None

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

Senator Hickman introduced **SB 109** entitled: "An Act to Amend An Act, Being Chapter 212, Laws of Delaware entitled, 'An Act To Incorporate the Town of Bethany Beach and Giving it Authority to Issue Bonds' to Permit the Commissioners of Bethany Beach to Acquire Both Real and Personal Property Within or Without its Boundaries for Any Municipal Purpose and to Sell, Lease, Hold, Manage, Control and Mortgage Such Property" which was given its first reading by title only. Assigned to committee on Government Operations.

On motion of Senator Cicione **SJR 1** entitled: "To Direct That a Copy of the Agenda for all Stated Meetings of the State Highway Department be Sent to the Members of the General Assembly" was taken up for consideration and read a second time by title in order to pass the Senate.

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

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

NAYS—None

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

On motion of Senator Manning **SB 55** entitled: "An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power by Exempting Lands and Improvements of the Lamborn Library Association from Assessment and Taxation" was taken up for consideration and read a second time by title in order to pass the Senate.

On the motion of Senator Manning the roll call was tabled. Motion prevailed, voice vote.

The Chair presented the following bills which were given first reading and referred to committee as follows:

HB 5 entitled: "An Act to Change the Name of the "Delaware Institute of Technology to "Delaware Technical and Community College." Assigned to committee on Elections.

HB 23 entitled: "An Act to Amend Section 1001(a), Title 20, Delaware Code, Relating to Pension Benefits for State Paraplegic Veterans." Assigned to committee on Government Operations.

HB 32 entitled: "An Act to Permit Georgetown Special School District to Transfer Certain Funds From Its Local Debt Service to Its 1969 Minor Capital Improvement Account." Assigned to committee on Education.

HB 19 with **HA 1** entitled: "An Act to Amend Part III, Title 21, Delaware Code, by Adding a New Chapter 46 Relating to the Advertisement and Sale of Master Keys and Providing for Penalty for Violation Thereof." Assigned to committee on Revised Statutes.

HB 17 entitled: "An Act to Amend Section 1701(a) and (c), Title 7, Delaware Code, Relating to Dog License and Kennel License Fees." Assigned to committee on Agriculture.

Senator Slawik introduced **SB 110** entitled: "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" which was given its first reading by title only. Assigned to committee on Government Operations.

Senator Grier moved that the Senate adjourn until March 12, 1969 at 1:30 P.M. Motion prevailed, voice vote.

10th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Wednesday, March 12, 1969, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Clendaniel.

Flag Salute.

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

Members Absent—(Mrs.) Manning—1.

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

Mr. Christopher Perry delivered several communications from the Governor's office.

Senator Connor, on behalf of the committee on Education, to whom had been referred **HB 32**, reported the same back to the Senate: 3 favorable, 3 on merits.

Senator Conner, on behalf of the committee on Education, to whom had been referred **SB 96**, reported the same back to the Senate: 5 favorable.

Senator Hale introduced **SR 16**, entitled "In Reference to Election of Officers."

Senator Hale moved that **SR 16** be adopted.

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

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

ABSENT—(Mrs.) Manning—1.

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

Senator Slawik introduced **SB 111**, entitled "An Act to Amend Section 773, Title 11, Delaware Code, Relating to Smoking on Trolleys and Busses, by Prohibiting Smoking on School Busses and Placing Jurisdiction for the Offense in Family Court," which was given its first reading by title only and assigned to committee on Judiciary.

Senator Hart introduced **SB 112**, co-sponsored by Senator Isaacs, entitled "An Act to Amend Section 710, Chapter 7, Title 17, Delaware Code, Relating to Safety Devices at Railroad Crossings Over Highways," which was given its first reading by title only and assigned to committee

on Agriculture.

Senator Isaacs introduced **SB 113**, entitled "An Act to Amend Section 1301, Title 24, Delaware Code, Relating to Private Detectives," which was given its first reading by title only and assigned to committee on Revised Statutes.

On motion of Senator Hale, **SB 90**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 90—"An Act to Amend Volume 56, Chapter 292, Laws of Delaware, by providing that the Boards of Education of Certain Reorganized School Districts May Levy and Collect Taxes after July 1, 1969, at a Rate Authorized by Referendum Prior to July 1, 1969.

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

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

NOT VOTING—Messrs. Cicione, McCullough—2.

ABSENT—(Mrs.) Manning—1.

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

Motion by Senator Cicione that Roll Call on **SB 73** be lifted from the table. Motion prevailed.

On motion of Senator Cicione, **SB 73** was taken up for consideration in order to pass the Senate.

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

YEAS—Messrs. Cicione, Cook, Elliott, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik—10.

NAYS—Messrs. (Mrs.) Conner, duPont, Foltz, Hale, Steele—5.

NOT VOTING—Messrs. Castle, Grier, Holloway, Robbins—4.

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

On motion of Senator Cook, **SB 34**, with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 34—"An Act to Amend Chapter 171, Volume 54, Laws of Delaware, entitled 'An Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for Said Purpose; Authorizing the Financing of Such Enlargement and Improvement by the Issuance of Bonds and Bond Anticipation Notes of the State and by Contributions from certain Schools Districts, and the City of Wilmington, Defining School Districts; Authorizing the Issuance of Bonds of Certain School Districts and the City of Wilmington for the Purpose of Raising Money to Make such Contributions; and Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions' by Reducing the Amounts of Moneys Appropriated and Authorized to be Borrowed.

On the question "Shall the bill pass the Senate?" the yeas and nays

were ordered, which being taken, were as follows:

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

ABSENT—(Mrs.) Manning—1.

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

On motion of Senator Cook, **SB 35**, with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 35—“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’ by Reducing the Amount of Moneys Appropriated and Authorized to be Borrowed.”

On the motion of Senator Cook, the roll call was tabled.

On motion of Senator Cook, **SB 37**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 37—“An Act to Amend Chapter 384, Volume 54, 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 for the Improvements to the Public School System of the State and to Issue Bonds and Notes therefor and Appropriating the Money Borrowed to Various Agencies of the State’ by Reducing the Amounts of Moneys Appropriated and Authorized to be Borrowed.”

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, Robbins, Schlör, Slawik, Steele—17.

NOT VOTING—Messr. McCullough—1.

ABSENT—(Mrs.) Manning—1.

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

On motion of Senator Cook, **SB 40** with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 40—“An Act to Amend Section 4910, Title 29, Delaware Code, Relating to Preparation of the Capital Budget by Providing a Specific Time for Submission of Capital Improvement Program Requests.”

Senator Steele introduced **SA 1** to **SB 40**.

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

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, McCullough,

Robbins, Schlör, Slawik, Steele—18.

ABSENT—(Mrs.) Manning—1.

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

On motion of Senator Cook, **SB 40** with **SA 1**, with title as follows, was taken up for consideration in order to pass the Senate.

SB 40 with **SA 1**—"An Act to Amend Section 4910, Title 29, Delaware Code, Relating to Preparation of the Capital Budget by Providing a Specific Time for Submission of Capital Improvement Program Requests."

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

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

ABSENT—(Mrs.) Manning—1.

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

The following communications from the Governor were read and referred to the Executive Committee:

March 12, 1969

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

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

Clarence Lynn, 2910 West Street, Wilmington, Delaware and Thomas Murray, 1108 W. Fourth Street, Wilmington, Delaware, to be Wilmington Municipal Court Commissioners, pursuant to 10 Delaware Code, Section 1974, upon recommendation of the Mayor of the City of Wilmington for a term of four years from the date of confirmation.

Your early consideration of these nominations will be appreciated.

Respectfully submitted,
RUSSELL W. PETERSON
Governor

March 12, 1969

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

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

Edward Henry Callaway, 324 King Street, Laurel, Delaware, to be a Justice of the Peace for Sussex County to complete the term of Thomas E. Ayers, deceased, expiring January 20, 1970.

Your early consideration of this nomination will be appreciated.

Respectfully submitted,
RUSSELL W. PETERSON
Governor

March 12, 1969

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

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

Edward T. Campbell, 3853 Evelyn Drive, Dunlinden Acres, Wilmington, Delaware, to be a member of the Department of Labor and Industrial Relations to serve a term of five years from June 30, 1968 to June 30, 1973.

Your early consideration of this nomination will be appreciated.

Respectfully submitted,
RUSSELL W. PETERSON
Governor

March 12, 1969

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

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

Bernard B. Isaacson, 400 Hawthorne Drive, Brandywine Hills, Wilmington, Delaware, to be a member of the State Highway Department to serve a term of three years from May 1, 1968 to May 1, 1971.

Your early consideration of this nomination will be appreciated.

Respectfully submitted,
RUSSELL W. PETERSON
Governor

Senator Cicione, on behalf of the committee on Labor and Industrial Relations, to whom had been referred **SB 103**, reported the same back to the Senate: 2 favorable, 3 on merits.

Senator Cicione announced a Public Hearing at the Employment Security office, Eighth and West Streets, Wilmington, Delaware on Wednesday, March 17, 1969, at 10:00 A.M.

Senator Grier moved that the Senate adjourn until Thursday, March 13, 1969, at 1:30 P.M. Motion prevailed, voice vote.

11th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:45 P.M. on March 13, 1969, Lt. Gov. Bookhammer presiding.

Prayer by the Chaplain Rev. Coleman.

Flag salute.

By roll call the following Senators were present:

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

ABSENT—None

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

Senator Slawik introduced **SB 114** entitled: "An Act to Amend Section 3519, Title 10, Delaware Code, Relating to Garnishment of Employers, by Prohibiting Dismissal of an Employee when the Employer is Summoned as Garnishee" which was given its first reading by title only. Assigned to committee on Judiciary.

The Chair announced that the House wishes to inform the Senate that it has passed **HS 1** for **HB 36, HB 48, HB 58, HB 56, HB 63**, with **HA 2** and requests the concurrence of the Senate. The Chair also announced that the House has passed **HB 34, HB 50, HB 68, HB 72, HB 73, HB 83**, and requests the concurrence of the Senate; passed **SJR 2** and is returning same to the Senate.

Senator Slawik introduced **SB 115** entitled, 'An Act Establishing and Concerning an Agency for the Development and Assistance of Small Business Concerns, Conferring Upon it Certain Powers in the Field of Loans to Small Business Establishments, Providing for State Financial Assistance in the Field of Small Business Establishments, Establishing a Small Business Development Fund and Making a Supplementary Appropriation Therefor," which was given its first reading by title only. Assigned to committee on Commerce and Corporations.

The Chair presented the following bills which were given first reading and referred to Committee:

HB 36—"An Act to Permit the Board of Trustees of the Lincoln School District No. 3 to Transfer Certain Funds From Its Local Debt Service Account to Its Capital Expense Account for Improvements to School Buildings." Assigned to committee on Education.

HB 48—"An Act Authorizing the State Department of Justice to Have Prepared a Replacement Volume for Volume 13 of the Delaware Code, and Making a Supplementary Appropriation Therefor." Assigned to committee on Judiciary.

HB 56—"An Act Agreeing to a Proposed Amendment to Section 20, Article 3, of the Delaware Constitution Relating to Gubernatorial Disability." Assigned to committee on Elections.

HB 58—"An Act to Amend Chapters 43, 45, and 57, Title 15, Delaware Code, Relating to Election of the Governor and Lieutenant Governor, by Providing that the Lieutenant Governor be of the Same Political Party as the Governor and Elected Jointly with the Governor in Such Manner that a Single Vote Shall be Cast for Both Offices." Assigned to committee on Elections.

HB 63—"An Act to Amend Section 741, Title 7, Delaware Code, by Permitting the Killing of Certain Non-Game Birds." Assigned to committee on Agriculture.

Senator Manning moved that the roll call on **SB 55** be lifted from the table. Motion Prevailed.

On motion of Senator Manning **SB 55** entitled: "An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power by Exempting Lands and Improvements of the Lamborn Library Association From Assessment and Taxation" was taken up for consideration.

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

YEAS—Messrs. Cicone, (Mrs.) Conner, Cook, Elliott, Grier, Hart, Hickman, Holloway, (Mrs.) Manning, Steele—10.

From Twelve to Four Years" which was given its first reading by title only. Assigned to committee on Revised Statutes.

On motion of Senator Isaacs **SB 56** entitled: "An Act Authorizing the State of Delaware to Borrow Money to be Used for Capital Improvements and Expenditures and to Issue Bonds and Notes Therefor and Appropriating the Monies to the State Board of Education" was taken up for consideration and read a second time by title in order to pass the Senate.

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

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

NAYS—None

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

On motion of Senator Slawik **SB 26** entitled: "An Act to Amend Section 503, Title 31, Delaware Code, Relating to Eligibility for Welfare Assistance" was taken up for consideration and read a second time by title in order to pass the Senate.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hart, Holloway, (Mrs.) Manning, McCullough, Schlör, Slawik—13.

NAYS—Messrs. Elliott, Hickman, Steele—3.

NOT VOTING—Messrs. Cook, Isaacs, Robbins—3.

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

On motion of Senator Cicione **SB 73** entitled: "An Act to Amend Section 1004(b), Title 14, Delaware Code, to Provide That the Decision of the State Board of Education with Respect to the Plan of Reorganization may be Reviewed by the Superior Court of the State of Delaware" was taken up for consideration and read a second time by title in order to pass the Senate.

On the motion of Senator Cicione roll call tabled. Motion prevailed, voice vote.

Senator Conner on behalf of the committee on Education to whom had been referred **SB 90**, reported the same back to the Senate; 3 Favorable, 1 on Merits.

Senator Isaacs on behalf of the committee on Fish, Oyster, and Game to whom had been referred **SB 57**, reported the same back to the Senate; 4 Favorable, 1 on Merits.

Senator Isaacs on behalf of the committee on Fish, Oyster, and Game to whom had been referred **SB 62**, reported the same back to the Senate; 4 Favorable, 1 on Merits.

Senator Isaacs on behalf of the committee on Fish, Oyster, and Game to whom had been referred **SB 61**, reported the same back to the Senate; 4 Favorable, 1 on Merits.

Senator Isaacs on behalf of the committee on Fish, Oyster, and Game, to whom had been referred **SB 63**, reported the same back to the

NAYS—None

NOT VOTING—Messrs. Foltz, Isaacs—2.

ABSENT—Mrs. Manning—1.

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

On motion of Senator Cook **SB 36** entitled: "An Act Authorizing the State of Delaware to Borrow Money to be Used for Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes Therefor and Appropriating the Moneys to Various Agencies of the State" by reducing the amount of moneys appropriated and authorized to be borrowed, was taken up for consideration and read a second time by title in order to pass the Senate.

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

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Holloway, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele—15

NAYS—None

NOT VOTING—Mr. McCullough—1.

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

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

On motion of Senator Cook **SB 38** entitled "An Act to Amend Chapter 167, Volume 55, Laws of Delaware, entitled 'An Act Authorizing the State of Delaware to Borrow Money to be Used for Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes Therefor and Appropriating the Money Borrowed to Various Agencies of the State' by Reducing the Amount of Moneys Appropriated and Authorized to be Borrowed," which was taken up for consideration and read a second time by title in order to pass the Senate.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—17.

NAYS—None

ABSENT—Messrs. Hickman, Isaacs—2.

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

On motion of Senator Cicione **HB 4** entitled: "An Act to Amend Section 9605, Title 9, Delaware Code, relating to the Recordation of Instruments in Kent County by Providing for Recordation by Microfilming Methods" was taken up for consideration and read a second time by title in order to pass the Senate.

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

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

Schlör, Slawik, Steele—17

NAYS—None

NOT VOTING—Mr. McCullough—1.

ABSENT—Mr. Hickman—1.

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

On motion of Senator Elliott **SB 117** entitled: "An Act to Amend Chapter 429, Volume 55, Laws of Delaware, Entitled: 'An Act Authorizing the State of Delaware to Borrow Money to be Used for Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes Therefor and Appropriating the Money Borrowed to Various Agencies of the State' by Adding a Supplementary Appropriation to Provide for Escalating Costs of School Construction" was taken up for consideration and read a second time by title in order to pass the Senate.

On the motion of Senator Elliott the bill was tabled. Motion prevailed, voice vote.

Senator Isaacs introduced **SB 118** entitled: "An Act to Amend Section 1909(a), Title 17, Delaware Code, Relating to Fees and Charges for Taking Shellfish From State Waters, by Increasing the Charge to Twenty-Five Cents Per Bushel" which was given its first reading by title only. Assigned to Committee on Fish, Oyster and Game.

Senator Isaacs introduced **SB 119** entitled "An Act to Amend Section 2305(b), Title 7, Delaware Code, Relating to the Use of Dredges or Rakes to Catch Crabs, by Changing the Limit to One Hundred Fifty (150) Pots Per Person and Increasing the License Fee to Twenty-Five (\$25.00) Per Person" which was given its first reading by title only. Assigned to committee on Fish, Oyster, and Game.

Message from the Governor's office was delivered by Mr. Christopher Perry.

Senator Castle asked for the privilege of the floor for Dr. John Parres and Dr. Gene Geissert to explain **SB 96**.

Hearing no objection the privilege was granted.

Senator Isaacs announced a Public Meeting of the Fish, Oyster, and Game committee to be held Thursday evening, March 20, 1969, at 7 P.M. in the Senate Chamber.

Senators Manning and Slawik introduced **SA 1** to **SB 11**.

Senator Manning moved that **SA 1** to **SB 11** be placed with bill. Motion prevailed by voice vote.

Senator Elliott moved that **SB 117** be lifted from table. No objection, motion prevailed.

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

March 13, 1969

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

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

Edward Henry Callaway, 324 King Street, Laurel, Delaawre, to be Justice

of the Peace for Sussex County to serve a four-year term effective upon date of confirmation.

Your early consideration of this nomination will be appreciated.

Respectfully submitted,
RUSSELL W. PETERSON
 Governor

Senator Holloway introduced **SA 1 to SB 80**, co-sponsored by Senator Foltz.

Senator Holloway introduced **SB 120** entitled: "An Act to Amend Title 15, Delaware Code, Relating to Primary Elections and Nominations of Candidates by Parties" which was given its first reading by title only. Assigned to committee on Elections.

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

HB 34—"An Act to Amend 32 Delaware Laws, Chapter 71, Section 1, as Revised in Chapter 83, Title 9 of the Delaware Code entitled: 'Public Inspection of Completed Assessment' in Respect to the Posting of Assessment Lists in Sussex County." Assigned to committee on Government Operations.

HB 50—"An Act to Amend Chapter 32, Volume 47, Laws of Delaware, entitled: 'An Act to Reincorporate the Town of Frederica' by Increasing the Amount of Annual Tax to be Raised by the Council and by Increasing the Amount Which Council is Permitted to Borrow Each Year." Assigned to committee on Government Operations.

HB 68—"An Act to Amend Chapter 239, Volume 27, Laws of Delaware, as Amended, entitled: 'An Act to Incorporate the Town of Viola,' by Establishing a New Charter Therefore." Assigned to committee on Government Operations.

HB 83—"An Act to Amend Section 504, Title 22, Delaware Code, Relating to Parking Authorities." Assigned to committee on Government Operations.

The Chair presented **HB 73** entitled: "An Act to Amend Section 1004, Title 14, Delaware Code, by Providing an Additional Requirement for Any Plan of Reorganization of the Educational Advancement Act" which was given first reading.

Senator Cicione moved that Rule 9 be suspended for the purpose of considering **HB 73**.

Senator Steele moved that the motion to suspend rules be tabled.

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

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

NAYS—Messrs. Cicione, Cook, Hart, Hickman, McCullough, Schlör, Slawik—7.

NOT VOTING—Messrs. Elliott, Isaacs—2.

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

The Chair assigned **HB 73** to the Committee on Education.

The Chair presented **HB 72** entitled: "An Act To Provide for Amendments to the Plan of Reorganization of the Educational Advancement Act" which was given first reading. Assigned to committee on Education.

Senator Hale introduced **SR 17** entitled: "In Reference to Mileage Payments for Members of the Senate.

Senator Hale moved that **SR 17** be adopted.

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

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

ABSENT—Mr. Cicone—1.

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

Senator Hale introduced **SR 18** entitled: "Authorizing Payments for Services Rendered by the Staff of the Senate for the 125th General Assembly."

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

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

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—17.

NOT VOTING—Mr. Isaacs—1.

ABSENT—Mr. Cicone—1.

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

Senator Hale introduced **SR 19** entitled: "Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 125th General Assembly."

Senator Hale moved that **SR 19** be adopted.

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

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele—17.

NOT VOTING—Mr. McCullough—1.

ABSENT—Mr. Cicone—1.

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

Senator Elliott introduced **SB 121** entitled: "An Act to Repeal Chapter 106, Volume 48, Delaware Laws, Relating to the Western Boundary of the Town of Bethel" which was given its first reading by title only. Assigned to committee on Government Operations.

On motion of Senator Conner **HB 32** entitled: "An Act to Permit Georgetown Special School District to Transfer Certain Funds From Its Local Debt Service to Its 1969 Minor Capital Improvement Account" was taken up for consideration and read a second time by title in order to pass the Senate.

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

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

NAYS—None

ABSENT—Messrs. Cicione, Hart—2.

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

Senator Cook introduced **SB 122**, co-sponsored by Senator duPont, entitled "An Act to Amend Title 29, Section 7424, Delaware Code, Relating to the Attaching of a Debt Statement to Every Bill Which Authorizes the Issuance of Bonds or Notes Pledging the Faith and Credit of the State," which was given its first reading by title only. Assigned to committee on Revised Statutes.

Senator McCullough introduced **SA 1** to **SB 106**.

Senator McCullough moved that **SA 1** be placed with the bill. Motion prevailed by voice vote.

Senator Grier moved that Senate recess until 1:30 P.M. on March 18, 1969. Motion prevailed.

Senator Grier made a motion to rescind the motion to recess until 1:30 P.M. on March 18, 1969. Motion prevailed.

Senator Grier made motion for the Senate to recess until 1:30 P.M. on March 24, 1969. Motion prevailed.

The above motions were made because the Senate was not in session from March 18 to March 20 as planned because of the death of Representative Mario Pagano.

Senator Grier moved that the Senate adjourn until March 24, 1969 at 1:45 P.M. Motion prevailed voice vote.

TWELFTH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:45 P.M. on Monday, March 24, 1969, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Coleman.

Flag salute.

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

Members Absent—Mr. Slawik—1.

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

OFFICE OF THE GOVERNOR

February 20, 1969

LEGISLATIVE ADVISORY NO. 4

The Governor signed the following legislation on the indicated date:

HB 7—March 19, 1969—"Permitting John Dickinson School District to Transfer Funds from Its Local Debt Service Account to an Account wherein It can be used as Local Matching Funds for School Construction."

HB 37 with **HA 1**—"Making a Supplemental Appropriation to the Board of Correction to Permit the Completion of the New Prison at Smyrna."

Senator Hale introduced **SB 123**, co-sponsored by Senator Steele, entitled "An Act Amending Chapter 121, Volume 56, Laws of Delaware,

Entitled 'An Act Authorizing the State of Delaware to Borrow Money to be Used for Capital Investments and to Issue Bonds and Notes Therefore and Appropriating the Moneys to Various Agencies of the State' by Changing the Purpose for which Certain Certain Monies Appropriated to the Department of Mental Health may be Expended," which was given its first reading by title only and assigned to committee on Finance.

Senator Slawik introduced **SA 1** to **SB 115**.

Senator Slawik moved that **SA 1** to **SB 115** be placed with the bill. Motion prevailed by voice vote.

Senator Hale, on behalf of the committee on Senate Administration, to whom had been referred **SB 94**, reported the same back to the Senate: 2 favorable, 3 on merits.

Senator Conner, on behalf of the committee on Education, to whom had been referred **HB 72**, reported the same back to the Senate: 1 unfavorable, 4 on merits.

Senator Conner, on behalf of the committee on Education, to whom had been referred **HB 73**, reported the same back to the Senate: 1 unfavorable, 4 on merits.

Senator Isaacs introduced **SB 124**, entitled "An Act to Amend Section 2708, Title 21, Delaware Code, Relating to Temporary Instruction Permits, by Imposing Fee of Four Dollars," which was given its first reading by title only and assigned to committee on Highway and Public Safety.

Senator Isaacs introduced **SB 125**, entitled "An Act to Amend Section 2105, 2107, and 2110, Title 7, Delaware Code, Relating to Oysters," which was given its first reading by title only and assigned to committee on Fish, Oyster, and Game.

Senator Isaacs introduced **SB 126**, entitled "An Act to Amend Sections 2713, and 2714, and Subchapter IV, Chapter 27, Title 21, Delaware Code, Relating to Driver's License, by Establishing a Four Year License and Classification of Operator and Eliminating the Licensing of Taxicabs," which was given its first reading by title only and assigned to committee on Highway and Public Safety.

Senator Hart introduced **SB 127**, entitled "An Act to Authorize the State of Delaware of Loan Moneys to Nursing Homes for the Improvement of Nursing Home Facilities and Authorizing the State of Delaware to Borrow Money to Be Used Therefor and to Issue Bonds and Notes therefor and Appropriating the Money Borrowed to the Nursing Home Improvement Fund to be Administered by the State Board of Health," which was given its first reading by title only and laid on the Table.

On motion of Senator Isaacs **SB 60**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 60—"An Act Making a Supplementary Appropriation to the Shell Fisheries Commission."

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

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

NOT VOTING—Messrs. Cook, Foltz, Holloway, McCullough, Robbins, Schlor—6.

ABSENT—Mr. Slawik—1.

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

On motion of Senator Manning **SB 11**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 11—"An Act Proposing an Amendment to Section 2, Article V, of the Constitution of the State of Delaware, relating to qualifications for voting.

Senator Manning introduced **SA 1** to **SB 11**.

Senator Manning moved that **SA 1** to **SB 11** be adopted.

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

YEAS—Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins—13.

NAYS—Messrs. Cicione, Cook, Hart, Schlör, Steele—5.

ABSENT—Mr. Slawik—1.

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

On motion of Senator Manning **SB 11** with **SA 1** was taken up for consideration in order to pass the Senate.

On the motion of Senator Manning the roll call was tabled. Motion prevailed, voice vote.

Senator Isaacs introduced **SB 128**, entitled "An Act to Amend Subchapter II, Chapter 27, Title 21, Delaware Code, by Adding a New Section Providing for a Fee for the Return of a Suspended Driver's License," which was given its first reading by title only and assigned to committee on Highways and Public Safety.

Senator Schlör introduced **SB 129**, entitled "An Act to Amend Section 2151 (2), Title 21, Delaware Code, Relating to Motor Vehicle Registration Fees," which was given its first reading by title only and assigned to committee on Highways and Public Safety.

Senator Steele introduced **SB 130**, entitled "An Act to Amend Chapter 398, Volume 53, Laws of Delaware, as Amended by Chapter 284, Volume 54, Laws of Delaware, by Providing for the Use of Unexpended Funds for Other Repairs and Improvements to the Facilities of the Department of Mental Health," which was given its first reading by title only and assigned to committee on Finance.

Senator Steele introduced **SB 131**, entitled "An Act to Amend Chapter 10, Title 14, Delaware Code, Relating to Division of Reorganized School Districts," which was given its first reading by title only and assigned to committee on Education.

Senator Steele introduced **SB 132**, entitled "An Act to Amend Chapter 429, Volume 55, Laws of Delaware, by Providing for the Use of Unexpended Funds for Other Repairs and Improvements to the Facilities of the Department of Mental Health," which was given its first reading by title only and assigned to committee on Finance.

Senator Hart moved that **SB 127** be lifted from the Table. Motion prevailed.

SB 127 was assigned to committee on Finance.

Senator Hart asked for the privilege of the floor for Mr. Cashman,

Budget Director. Hearing no objection, the privilege was granted.

On motion of Senator Isaacs **SB 57**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 57—"An Act Repealing Title 7, Delaware Code, Section 1901 and 1904 (a) and Providing for the Creation of the Delaware Commission of Shell Fisheries and the Appointment of an Executive Secretary."

On the motion of Senator Isaacs the roll call was tabled. Motion prevailed, voice vote.

Senator Grier moved that the Senate adjourn until Tuesday, March 25, 1969 at 1:30 P.M. Motion prevailed, voice vote.

13th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:35 P.M. on March 25, 1969. Lt. Gov. Bookhammer presiding.

Prayer by the Chaplain Rev. Coleman.

Flag salute.

By roll call the following Senators were present:

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

ABSENT—None

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

Senator Steele on behalf of the committee on Finance to whom had been referred **SB 123**, reported the same back to the Senate; 2 Favorable, 2 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **SB 130**, reported the same back to the Senate; 2 Favorable, 1 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **SB 132**, reported the same back to the Senate; 2 Favorable, 2 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **SB 88**, reported the same back to the Senate; 2 Favorable, 2 on Merits.

Senator Hale introduced **SB 133**, co-sponsored by Senator Conner, entitled "An Act to Provide for the Investment of Funds Belonging to Patients of Institutions Under the Jurisdiction of the Board of Trustees of the Department of Mental Health and to Provide for the Use of the Income Therefrom by the Institutions," which was given its first reading by title only and assigned to committee on Finance.

Senator Cook introduced **SB 134** entitled: "An Act to Amend Title 31, Chapter 5, Section 513, Delaware Code, by Repealing it and Substituting a New Section 513 with the Purpose of Removing From the Counties any Obligation to Contribute Toward the Cost of Welfare Programs" which was given its first reading by title only. Assigned to committee on Health and Welfare.

Senator Cook introduced **SB 135** entitled: "An Act to Amend Section 4704, Title 9, Chapter 47, Delaware Code, by Changing the

Maximum Interest Rates on Bonds Issued by the Levy Court for the Purposes Expressed in Chapter 47, Title 9, Delaware Code, From Three Percent to Six Percent” which was given its first reading by title only. Assigned to committee on Government Operations.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 39**, **HB 44**, with **HA 1**, **HB 49**, **HB 59**, **HB 91**, **HB 103** and requests the concurrence of the Senate.

The House also passed **SB 90** and is returning same to the Senate.

SB 90 and is returning same to the Senate.

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

HB 39 entitled: “An Act to Amend ‘An Act Changing The Corporate Name of ‘The Commissioners of the Town of Camden’ to ‘The Town of Camden’ and Establishing a Charter Therefor’ Relating to Increasing the Limit of the Amount to be Raised by Taxation to Twenty-Five Thousand (\$25,000.00) Dollars.” Assigned to committee on Government Operations.

HB 44 with **HA 1** entitled: “An Act to Amend Section 4179(a), Chapter 41, Title 21, Delaware Code, Relating to the Payment of Court Costs and a Requirement of a Receipt.” Assigned to committee on Revised Statutes.

HB 49 entitled: “An Act Proposing an Amendment to Article 4, Section 2, of the Constitution of the State of Delaware Relating to Active Judicial Duty be Retired Judges.” Assigned to committee on Judiciary.

HB 59 entitled: “An Act to Amend Article 5, Section 6, of the Constitution of the State of Delaware.” Assigned to committee on Judiciary.

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

HB 91 entitled: “An Act Declaring the Policy of This State Regarding Reorganization of the Executive Branch of the Government and Creating a Governor’s Task Force on Government Reorganization to Plan and Implement the Reorganization of the Executive Branch of the State Government and Prescribing Certain Powers and Responsibilities for Such Task Force and Making a Supplementary Appropriation to the Governor’s Office to Carry Out the Purposes of This Act.” Assigned to committee on Government Operations.

HB 103 entitled: “An Act to Amend Chapter 183, Volume 22, Laws of Delaware, As Amended, Entitled: ‘An Act to Incorporate the Town of Greenwood’ to Provide Power and Authority for the Laying Out, Locating or Opening New Streets, the Widening or Altering of Existing Streets and the Vacating or Abandoning of Streets.” Assigned to committee on Government Operations.

On motion of Senator Hale **SB 89** entitled: “An Act to Amend Section 708 and Section 907, Title 14, Delaware Code, Relating to School Term” was taken up for consideration and read a second time by title in order to pass the Senate.

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

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

NAYS—Messrs. Cook, Robbins, Schlor—3.

NOT VOTING—Mr. McCullough—1.

ABSENT—Mr. Slawik—1.

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

Senator Cicione asked for the privilege of the floor for Mr. Gregg Hopkins, Chairman of School Board from Marshallton, to explain **HB 72-73**.

Hearing no objection the privilege was granted.

Senator Manning asked for the privilege of the floor for Mr. Weigel, member of School Board from Dickenson High School, to explain **HB 72-73**.

Hearing no objection the privilege was granted.

Senator Cook moved the Senate recess for 5 minutes.

Hearing no objection motion prevailed.

Senate reconvened at 4:05 P.M.

On motion of Senator Conner **HB 73** entitled: "An Act to Amend Section 1004, Title 14, Delaware Code, by Providing an Additional Requirement for any Plan of Reorganization of the Educational Advancement Act" was taken up for consideration and read a second time by title in order to pass the Senate.

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

YEAS—Messrs. Castle, Cicione, Cook, Elliott, Hale, Hart, Hickman, Isaacs, McCullough, Schlör, Slawik—11.

NAYS—Messrs. (Mrs.) Conner, duPont, Foltz, Grier, (Mrs.) Manning, Robbins, Steele—7.

NOT VOTING—Mr. Holloway—1.

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

On motion of Senator Conner **HB 72** entitled: "An Act to Provide for Amendments to the Plan of Reorganization of the Education Advancement Act" was taken up for consideration and read a second time by title in order to pass the Senate.

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

YEAS—Messrs. Castle, Cicione, Cook, Elliott, Hale, Hart, Hickman, Isaacs, McCullough, Schlör, Slawik—11.

NAYS—Messrs. (Mrs.) Conner, duPont, Foltz, Grier, (Mrs.) Manning, Robbins, Steele—7.

NOT VOTING—Mr. Holloway—1.

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

Senator Schlör requested that **SB 101** and **SB 102** be stricken from the calendar. Adopted voice vote.

Senator Schlör introduced **SB 136** entitled: "An Act to Amend Chapter 51, Title 29, Delaware Code, by Providing Hospitalization, Medical and Surgical Benefits for State Employees" which was given its first reading by title only. Assigned to committee on Revised Statutes.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 76** and **HB 81** and requests the concurrence of the

Senate.

Also the House has passed **SB 3**, **SB 34**, **SB 37** and is returning same to the Senate.

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

HB 76 entitled: "An Act to Amend Section 8323, Title 11, Delaware Code, by Making Retired Members of the Delaware State Police Eligible to be Employed by Other State Agencies Under Certain Conditions." Assigned to committee on Revised Statutes.

HB 81 entitled: "An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Lutheran Senior Services, Inc., a Delaware Corporation, From Assessment and Taxation." Assigned to committee on Commerce and Corporations.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **SB 122**, reported the same back to the Senate; 2 Favorable, 3 on Merits.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **SB 3**, reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **SB 22** with **SA 1**, reported the same back to the Senate; 4 on Merits.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **SB 7** with **SA 1**, reported the same back to the Senate; 4 on Merits.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **SB 14**, reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **HB 19** with **HA 1**, reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **SB 85**, reported the same back to the Senate; 2 Favorable, 3 on Merits.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **SB 51**, reported the same back to the Senate; 1 Favorable, 1 Unfavorable, 2 on Merits.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **SB 67**, reported the same back to the Senate; 1 Favorable, 1 Unfavorable, 2 on Merits.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **SB 4**, reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **SB 93**, reported the same back to the Senate; 1 Favorable, 3 on Merits.

Senator Manning introduced **SR 20**, co-sponsored by Senator McCullough, entitled "Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of Members of the Legislative Building Committee Established by Joint Resolution No. 7 of the 123rd General Assembly."

Senator Manning moved that **SR 20** be adopted.

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

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

NAYS—None

ABSENT—Mr. Cicione—1.

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

On motion of Senator Slawik **SB 110** entitled: "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."

On motion of Senator Slawik the bill was deferred.

Motion prevailed, voice vote.

Senator Isaacs introduced **SB 137** entitled: "An Act to Amend Chapter 7, Subchapter II, Title 7, Delaware Code, by Providing for the Protection of Bald Eagles and Penalties for Violations Thereof" which was given its first reading by title only. Assigned to committee on Fish, Oyster, and Game.

Senator duPont introduced **SB 138**, co-sponsored by Senators Manning and Holloway, entitled "An Act Making a Supplemental Appropriation to the Governor for the Opportunities Industrialization Center, Incorporated, for the Purpose of Training the Unskilled Labor Force of Delaware," which was given its first reading by title only and assigned to committee on Finance.

Senator duPont introduced **SR 21**, co-sponsored by Senator Grier, entitled "In Reference to Supply of Delaware Code to Members of the Senate and Certain Officers Thereof."

Senator duPont moved that **SR 21** be adopted.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik—17.

NAYS—Messrs. Foltz, Steele—2.

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

Senator Holloway introduced **SB 139** entitled: "An Act Amending Title 15, Delaware Code, Relating to the Reporting of Contributions to and the Expenditures of Candidates for Election, and Providing Penalties for the Violations Thereof" which was given its first reading by title only. Assigned to committee on Elections.

Senator Holloway introduced **SR 22**, co-sponsored by Senator Isaacs, entitled "Requesting the Joint Committee on Health and Welfare to Hold Propagations and Conduct a Full Inquiry Into the Operations of the Ferris School for Boys and Report to the Senate Its Findings and Recommendations."

Senator Holloway moved that **SR 22** be withdrawn. Motion prevailed.

Senator Elliott on behalf of the committee on Agriculture and Natural Resources to whom had been referred **SB 112**, reported the same back to the Senate: 3 Favorable. 1 on Merits.

Senator Connor (by request) introduced **SB 140** entitled: "An Act Amending Section 1318, Title 14, Delaware Code, Entitled Sick Leave and Absence for Other Reasons by Adding a New Subsection Thereto" which was given its first reading by title only. Assigned to committee on Education.

Senator Slawik asked for the privilege of the floor for Samuel Lewis, Senate Attorney, to explain **SB 110**.

Hearing no objection the privilege was granted.

Senator Slawik requested that **SB 110** be stricken from the calendar. Adopted voice vote.

Senator Hickman introduced **SB 141**, co-sponsored by Senator Manning, entitled "An Act to Amend Section 8132, Chapter 81, Subchapter 2, Title 9, Delaware Code, Relating to Taxation of Citizens Over Sixty-Five Years of Age," which was given its first reading by title only and assigned to committee on Government Operations.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **SB 21**, reported the same back to the Senate; 1 Favorable, 1 Unfavorable, 4 on Merits.

Communication

March 25, 1969

Reynolds duPont
President Pro Tempore

MEMBERS OF THE SENATE 125TH GENERAL ASSEMBLY

RE: **HCR 4**

Pursuant to the authority vested in the President Pro Tempore under **HCR 4**, I hereby appoint Senators Thomas E. Hickman, Jr. and William F. Hart.

Respectfully,
REYNOLDS duPONT

Copies to:

Senator Thomas E. Hickman, Jr.

Senator William F. Hart

Speaker George C. Hering, III

Mr. William F. Wilgus, Secretary of Senate

Senator Grier moved that the Senate adjourn until March 26, 1969 at 1:30 P.M.

Hearing no objection, motion prevailed.

14th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:45 P.M. on Wednesday, March 26, 1969, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Coleman.

Flag salute.

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

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

Senator Isaacs, on behalf of the committee on Fish, Oyster, and Game, to whom had been referred **SB 137**, reported the same back to the Senate: 2 favorable, 1 unfavorable, 1 on merits.

Senator Hart introduced **SB 142**, entitled "An Act to Amend Section 2120, Chapter 21, Title 14, Delaware Code, Relating to School Board Elections to Authorize Bond Issues," which was given its first reading by title only and assigned to committee on Education.

Senator Hart introduced **SB 143**, entitled "An Act to Amend Section 1903, Chapter 19, Subchapter 1, Title 14, Delaware Code, Relating to School Board Elections for the Purpose of Levying a Tax," which was given its first reading by title only and assigned to committee on Education.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 177** with **HA 1** and requests the concurrence of the Senate, and **SB 53** and **SB 56** with Debt Statement and is returning same to the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 38, 52, 54** with **HA 1, 85, HS 1** for **HB 86** with **HA HB 1, HB 92, HB 115**, and requests the concurrence of the Senate, and **SJR 1**; and is returning same to the Senate.

Senator Hart introduced **SB 144**, entitled "An Act to Amend Chapter 11, Title 30, Delaware Code, with Respect to Personal Exemptions and Credits for Dependents for State Taxes if Totally and Permanently Disabled and Providing for a Definition of Totally and Permanently Disabled," which was given its first reading by title only and assigned to committee of Revised Statutes.

Senator Slawik introduced **SB 145**, co-sponsored by Senator McCullough, entitled "An Act to Authorize the State Highway Department to Erect a Pedestrian Overpass over U.S. Route 13 at Harrison Avenue (Wilmington Manor), New Castle County, Delaware," which was given its first reading by title only and assigned to committee on Highways and Public Safety.

Senator Slawik introduced **SB 146**, entitled "An Act to Amend Section 705, Title 19, Delaware Code, Relating to Use of Polygraph, Lie Detector or Similar Tests by Law Enforcement Agencies," which was given its first reading by title only and assigned to committee on Labor.

Senator Isaacs introduced **SR 23**, entitled "Relating to the Study of Solid Waste Disposal in Delaware and the Appointment of a Committee with Respect Thereto."

Senator Isaacs moved that **SR 23** be adopted.

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

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

NOT VOTING—Mr. McCullough—1.

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

Senator Isaacs moved that roll call on **SB 57** be lifted from Table.

Motion prevailed.

On motion of Senator Isaacs **SB 57** was taken up for consideration in order to pass the Senate.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Hart, Hickman, Isaacs, (Mrs.) Manning, Steele—10.

NOT VOTING—Messrs. Cook, Foltz, Grier, Hale, Holloway, McCullough, Robbins, Schlör—8.

ABSENT—Mr. Slawik—1.

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

Senator Cook introduced **SB 147**, entitled "An Act to Insert a New Section 4608A in Chapter 46, Title 9, Delaware Code, Related to Sewage Districts in Kent County," which was given its first reading by title only and assigned to committee on Government Operations.

The Chair presented the following House Bill, which was given first reading.

HB 117 with **HA 1**—"An Act to Amend Title 22, Delaware Code, entitled 'Municipalities' by Adding thereto a New Chapter 9 Authorizing Cities with a Population in Excess of 50,000 Persons to Enact a Tax on Income of its Residents; and a Tax on the Income of Non-residents Engaged in any Occupation, Business or Profession within the City."

Senator Castle moved that rule 9 be suspended for the purpose of considering **HB 117** with **HA 1**.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning—13.

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

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

Senator Castle asked for the privilege of the floor for Mayor Harry Haskell and Mr. Allen Rusten to explain **HB 117** with **HA 1**. Hearing no objection the privilege was granted.

Senator Slawik asked for the privilege of the floor for Mr. Battaglio to explain **HB 117** with **HA 1**. Hearing no objection the privilege was granted.

Senator Cook moved the Senate recess for 15 minutes. Motion prevailed, voice vote.

The Senate reconvened at 3:25 P.M.

On motion of Senator Castle **HB 117** with **HA 1** was taken up for consideration in order to pass the Senate.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hickman, Holloway, Isaacs—10.

NAYS—Messrs. Cook, Hale, Hart, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—9.

So the question was decided in the affirmative and the bill, having

received the required constitutional majority, passed the Senate and was ordered to the House.

On motion of Senator Conner **SB 67**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 67—"An Act Amending Title 6, Delaware Code of 1953, by Protecting the Public Welfare, Effectuating the Rights of all Persons to Full and Equal Access to Housing Offered to the Public for Sale or Rent, Defining Unlawful Practices Involving Discrimination on Account of Race, Color, Religion or National Origin, Empowering and Directing the State Human Relations Commission to Administer the Law and Providing Criminal Penalties or Violations."

On the motion of Senator Conner the roll call was tabled. Motion prevailed, voice vote.

Senator Cicione introduced **SB 148**, co-sponsored by Senators Isaacs, and Slawik, entitled "An Act to Amend Title 6, Chapter 35, by the Addition thereto of a Section 3506, Requiring any Person, Group of Persons or Corporation Constructing Dwellings for Another or for Sale to Post Bond with Surety," which was given its first reading by title only and assigned to committee on Government Operations.

Senator Grier introduced **SB 149**, entitled "An Act to Amend Chapter 41, Title 29, Delaware Code, in order to Effect Certain Changes in the State Development Department to Add the Responsibility of Promoting Employment Opportunities, to Broaden the Qualifications and Responsibilities of the Director, to Designate Certain Staff Positions, to Require Interagency Cooperation and to Assure that Proper Consideration be Given to Existing Resources in Instituting New Development Programs," which was given its first reading by title only and assigned to committee on Revised Statutes.

Senator Schlor introduced **SB 150**, entitled "An Act to Amend Section 5, Chapter 159, Volume 51, Laws of Delaware, as Amended, Entitled 'City of Wilmington Employees' Retirement Act' by increasing the Pension Benefits," which was given its first reading by title only and assigned to committee on Government Operations.

Senator Castle introduced **SB 151**, entitled "An Act to Amend Section 4974, Title 10, Delaware Code Relating to Place for Public Sale of Real Estate," which was given its first reading by title only and assigned to committee on Judiciary.

Senators Elliott, Isaacs, and Hickman introduced **SB 152**, entitled "An Act Making an Appropriation to the State Board of Agriculture for Treatment of the Infested Fields," which was given its first reading by title only and assigned to committee on Finance.

Senator Elliott introduced **SB 153**, entitled "An Act to Amend an Act Being Chapter 42, Volume 53, Laws of Delaware, Entitled 'An Act Amending, Revising and Consolidating the Charter of the City of Seaford' to Provide an Increase in Salary for the Mayor and each Member of the City Council," which was given its first reading by title only and assigned to committee on Government Operations.

Senator Elliott introduced **SB 154**, co-sponsored by Senator Hickman, entitled "An Act to Amend Section 3201, Chapter 37, Title 3, Delaware Code, Relating to Standard Weight of Leguminous Vegetables, by Permitting Determination of Weight at the Nearest Large Scales Agreed

to by the Seller or his Representative," which was given its first reading by title only and assigned to committee on Agriculture.

Senator duPont introduced **SA 1** to **SB 94**.

Senator duPont moved that **SA 1** to **SB 94** be placed with the bill. Motion prevailed by voice vote.

On motion of Senator Cook **SB 122** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 122—"An Act to Amend Title 29, Section 7424, Delaware Code, Relating to the Attaching of a Debt Statement to Every Bill which Authorizes the Issuance of Bonds or Notes Pledging the Faith and Credit of the State."

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

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

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

Senator Holloway introduced **SB 155**, entitled "An Act to Amend Chapter 11, Title 30, Delaware Code, Relating to the Rate of Interest for Payment of Refunds," which was given its first reading by title only and assigned to committee on Revised Statutes.

Senator Holloway introduced **SR 24**, co-sponsored by Senator Isaacs.

SR 24—"Requesting the Senate Committee on Health and Welfare to Hold Investigations and Conduct a Full Inquiry into the Operations of the Ferris School for Boys, the Stevenson Detention Home and other Operations of the Youth Services Commission and Report to the Senate its Findings and Recommendations."

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

YEAS—Messrs. (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, Robbins, Schlör, Slawik, Steele—15.

NAYS—(Mrs.) Manning, Mr. McCullough—2.

NOT VOTING—Messrs. Castle, Cicione—2.

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

Senator Hart, on behalf of the committee on Highway and Public Safety, to whom had been referred **SB 128**, reported the same back to the Senate: 3 favorable, 3 on merits.

Senator Hart, on behalf of the committee on Highway and Public Safety, to whom had been referred **SB 126**, reported the same back to the Senate: 1 favorable, 1 unfavorable, 3 on merits.

Senator Hart, on behalf of the committee on Highway and Public Safety, to whom had been referred **SB 99**, reported the same back to the Senate: 3 favorable, 1 unfavorable, 2 on merits.

Senator Hart, on behalf of the committee on Highway and Public Safety, to whom had been referred **SB 97**, reported the same back to the Senate: 3 favorable, 3 on merits.

Senator Hart, on behalf of the committee on Highway and Public Safety, to whom had been referred **SB 124**, reported the same back to the Senate: 1 favorable, 1 unfavorable, 4 on merits.

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

HB 115—"An Act to Permit Houston School District No. 125 to Transfer Certain Funds from its Local Debt Service Account to its Local Fund No. 80;" to Finance.

HB 92—"An Act to Amend Section 3507, Title 11, Delaware Code, Relating to Evidence of Weight of Alcohol in the Blood of a Person Alleged to have Operated a Motor Vehicle while under the Influence of Intoxicating Liquor;" to Judiciary.

HS 1 for **HB 86** with **HA 1**—"An Act to Amend Subchapter II, Chapter 27, Title 21, Delaware Code, Providing the Motor Vehicle Commissioner with Authority to Suspend and Revoke Drivers' Licenses and Privileges for Failure to Submit to Chemical Test where Alleged to have Driven a Motor Vehicle while under Influence of Intoxicating Liquor;" to Highway and Public Safety.

HB 85—"An Act to Amend Title 10, Delaware Code, Relating to Appeals by the State in Criminal Cases; when Appeals may be Taken, the Procedure to be Followed, and the Time for Taking such Appeals;" to Judiciary.

HB 54 with **HA 1**—"An Act to Amend Section 509 (2), Title 7, Delaware Code, Relating to Non-resident Fishing License Fees," assigned to committee on Fish Oyster and Game.

HB 52—"An Act to Amend Section 504, Title 7, Delaware Code, Relating to an Increase in License Fees to be Paid by Residents to this State for Hunting and Trapping Licenses and Fishing Licenses;" to Fish, Oyster and Game.

HB 38—"An Act to Amend Section 813, Title 11, Delaware Code, Relating to Assault on Police Officers;" to Judiciary.

Senator Isaacs introduced **SB 156**, entitled "An Act to Amend Section 2714, Chapter 27, Title 21, Delaware Code, Relating to Fees for Permanent Registration, by Increasing the Fee to Twenty-five Dollars and Imposing a Fee of One Dollar Every Four Years for Identification Photographs," which was given its first reading by title only and assigned to committee on Highway and Public Safety.

Senator Isaacs introduced **SB 157**, entitled "An Act Relating to Pension Benefits for Ardena Robinson, Widow of Fred H. Robinson, a Former Employee of the Wilmington Public School System," which was given its first reading by title only and assigned to committee on Finance.

Senator Steele, on behalf of the committee on Finance, to whom had been referred **SB 133**, reported the same back to the Senate: 2 favorable, 3 on merits.

Senator Elliott, on behalf of the committee on Agriculture, to whom had been referred **HB 63** with **HA 2**, reported the same back to the Senate: 5 on merits.

Senator Grier moved that the Senate adjourn until Thursday, March 27, 1969 at 1:30 P.M. Motion prevailed, voice vote.

15th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:50 P.M. on Thursday,

March 27, 1969, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Coleman.

Flag Salute.

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

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

Senator Slawik introduced **SB 158**, entitled "An Act to Amend Chapter 13, Title 14, Delaware Code, Entitled 'Education,' by Providing for a Duty Free Period near the Lunch Time," which was given its first reading by title only and assigned to committee on Education.

Lt. Governor Bookhammer recognized the students of Springer Junior High School of Alfred I. duPont School District and the Eighth Grades of the Middle School of Dover.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 15** and requests the concurrence of the Senate.

Senator Cicione introduced **SB 159**, co-sponsored by Senators Castle, Cook, Slawik, Isaacs, and Hart, entitled "An Act to Amend Chapter 25, Title 6, Delaware Code, Relating to the Establishment of the State Department of Consumer Affairs," which was given its first reading by title only and assigned to committee on Commerce and Corporation.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 15**, and requests the concurrence of the Senate.

Senator Isaacs introduced **SB 160**, entitled "An Act to Amend Chapter 7, Subchapter 1, Title 7, Delaware Code, to Prohibit the Shooting of Migratory Birds within Three Hundred Feet of a Property Line without the Consent of the Property Owner and Providing Penalties Therefor," which was given its first reading by title only and assigned to committee of Fish, Oyster and Game.

Senator Isaacs introduced **SB 161**, entitled "An Act to Prohibit the Taking or Killing of Otter other than by Trap and During Muskrat Season," which was given its first reading by title only and assigned to committee on Fish, Oyster and Game.

Senator Isaacs introduced **SB 162**, entitled "An Act to Amend Chapter 7, Subchapter 1, Title 7, Delaware Code, Prohibiting the Malicious or Deliberate Frightening or Harrassing of Migratory Birds while at Rest and Providing Penalties Therefor," which was given its first reading by title only and assigned to committee on Fish, Oyster and Game.

On motion of Senator Schlör **SB 103**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 103—"An Act to Amend Title 19, Section 902 (a), Relating to Minimum Wages, by Increasing the Minimum Wage."

On the motion of Senator Schlör the bill was deferred. Motion prevailed, voice vote.

Senator Steele, on behalf of the committee of Finance, to whom had been referred **HB 115**, reported the same back to the Senate: 3 favorable, 3 on merits.

On motion of Senator Steele **SB 21**, with title as follows, was taken up for consideration and read a second time in order to pass the Senate.

SB 21—"An Act to Amend Chapter 29, Title 29, Delaware Code, Relating to the Duties of the Auditor of Accounts and Auditing Expenses Related Thereto."

On the motion of Senator Steele the bill was deferred.

On motion of Senator Isaacs **SB 137**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 137—"An Act to Amend Chapter 7, Subchapter 11, Title 7, Delaware Code, by Providing for the Protection of Bald Eagles and Penalties for Violations Thereof."

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

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

ABSENT—(Mrs.) Conner—1.

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

On motion of Senator Cicione **SB 22**, with title as follows, was taken up for consideration and read a second time in order to pass the Senate.

SB 22—"An Act to Amend Title 21, Section 4103 (b) Relating to Obedience to Police Officers."

Senator Cicione introduced **SA 1** to **SB 22**.

Senator Cicione moved that **SA 1** to **SB 22** be adopted.

Senator Cicione moved action on **SA 1** to **SB 22** be deferred. Motion prevailed, voice vote.

On motion of Senator Hart **SB 85**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 85—"An Act to Amend Chapter 63, and 65, Title 29, Delaware Code, Relating to the Authority of the Budget Director with Respect to Local School District Revenue Affairs."

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

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

NAYS—Messrs. Cook, Holloway, Robbins, Schlör—4.

NOT VOTING—Messrs. McCullough, Slawik—2.

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

On motion of Senator duPont **SB 94**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 94—"An Act to Amend Chapter 59, Title 29, Delaware Code, by Adding the Legislative Council to the List of Exempt Agencies."

Senator duPont introduced **SA 1** to **SB 94**.

Senator duPont moved that **SA 1** to **SB 94** be adopted.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz,

Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Slawik, Steele—15.

NAYS—Messrs. Cook, Robbins, Schlör—3.

NOT VOTING—Mr. Holloway—1.

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

On motion of Senator duPont **SB 94** with **SA 1** was taken up for consideration in order to pass the Senate.

On the question “Shall the Bill Pass the Senate?” the yeas and nays were ordered, which begin taken, were as follows:

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

NAYS—Mr. Slawik—1.

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

Senator Elliott introduced **SS 1** for **SB 152**, co-sponsored by Senator Isaacs, which was given its first reading by title only.

Senator Elliott moved that Rule 9 be suspended for the purpose of considering **SS 1** for **SB 152**.

On the question “Shall the Motion Pass the Senate?” the yeas and nays were ordered, which being taken, were as follows:

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

ABSENT—Mr. Holloway—1.

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

Senator duPont asked for the privilege of the floor for Mr. Caulk, member of the Board of Agriculture, to explain **SS 1** for **SB 152**. Hearing no objection the privilege was granted.

On motion of Senator Elliott **SS 1** for **SB 152** was taken up for consideration in order to pass the Senate.

On the question “Shall the Bill Pass the Senate?” the yeas and nays were ordered, which being taken, were as follows:

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

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

Senator Grier moved the Senate recess for 5 minutes. Motion prevailed at 3:50 P.M.

The Senate reconvened at 4:10 P.M.

On motion of Senator Castle **SB 97**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 97—“An Act to Amend Title 21, Section 4176 of the Delaware Code by Adding the Phrase ‘or Has in Actual Physical Control’ Following the Word ‘Drives’ by Including Within Under the Influence, the Combination of Liquor and Drugs; and by Adding Thereto the Meaning of

Prior Offenses.”

On the question “Shall the Bill Pass the Senate?” the yeas and nays were ordered, which being taken, were as follows:

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

NOT VOTING—Mr. McCullough—1.

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

Senator Isaacs requested that **SB 162** be stricken from the calendar. Adopted, without objection.

Senator Isaacs introduced **SB 163**, entitled “An Act to Amend Chapter 23, Title 7, Delaware Code, Relating to Crabs and Clams, by Adding a New Section 2307 to Permit the Taking of Crabs in Excess of Two Pots for Personal Use Without a License,” which was given its first reading by title only and assigned to committee on Fish, Oyster, and Game.

Senator Isaacs introduced **SA 1** to **SB 65**.

Senator Isaacs moved that **SA 1** to **SB 65** be placed with bill. Motion prevailed without objection.

On motion of Senator Isaacs **SB 64**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 64—“An Act to Amend Section 934, Title 7, Delaware Code, Pertaining to Shad Fishing.”

On the question “Shall the Bill Pass the Senate?” the yeas and nays were ordered, which being taken, were as follows:

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

NOT VOTING—Messrs. Cook, Foltz, McCullough, Schlör, Slawik—5.

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

Senator Isaacs requested that **SB 163** be stricken from the calendar. Adopted, without objection.

Senator Cicione requested that **SB 22** be lifted from the table.

Senator Cook introduced **SA 2** to **SB 22**, co-sponsored by Senator Isaacs.

Senator Cook moved that **SA 2** be withdrawn. Motion prevailed by voice vote.

Senator Cicione requested that **SA 22** be stricken from the calendar. Adopted, without objection.

Senator Cicione introduced **SB 164**, entitled “An Act to Amend Chapter 283, Volume 52, Laws of Delaware, Relating to the Reincorporation of the Town of Newport by Authorizing the Appointment of the Town Treasurer, Alderman and Assessor,” which was given its first reading by title only and assigned to committee on Government Operations.

Senator Holloway introduced **SA 2** to **SB 80**.

Senator Holloway moved that **SA 2** to **SB 80** be placed with bill.

Motion prevailed by voice vote.

On motion of Senator Isaacs **SB 128**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 128—"An Act to Amend Subchapter 11, Chapter 27, Title 21, Delaware Code by Adding a New Section Providing for a Fee for the Return of a Suspended Driver's License."

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

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

ABSENT—Mr. Holloway—1.

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

On motion of Senator Steele **SB 132**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 132—"An Act to Amend Chapter 429, Volume 55, Laws of Delaware, by Providing for the Use of Unexpended Funds for Other Repairs and Improvements to the Facilities of the Department of Mental Health."

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

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

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

On motion of Senator Steele **SB 130**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 130—"An Act to Amend Chapter 398, Volume 53, Laws of Delaware, as Amended by Providing for the Use of Unexpended Funds for Other Repairs and Improvements to the Facilities of the Department of Mental Health."

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

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

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

On motion of Senator Isaacs **SB 126**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 126—"An Act to Amend Sections 2713 and 2714, and Subchapter IV, Chapter 27, Title 21, Delaware Code, Relating to Driver's License, by Establishing a Four Year License and Classification of

Operator and Eliminating the Licensing of Taxicabs.”

On the motion of Senator Isaacs the bill was deferred. Motion prevailed, voice vote.

On motion of Senator Hale **SB 123**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 123—“An Act Amending Chapter 121, Volume 56, Laws of Delaware, Entitled ‘An Act Authorizing the State of Delaware to Borrow Money to be Used for Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes Therefore and Appropriating the Moneys to Various Agencies of the State’ by Changing the Purpose for which Certain Moneys Appropriated to the Department of Mental Health May be Expended.”

On the question “Shall the Bill Pass the Senate?” the yeas and nays were ordered, which being taken were as follows:

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

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

Senator Steele introduced **SA 1** to **SB 21**.

Senator Steele moved that **SA 1** to **SB 21** be adopted.

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

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

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

On motion of Senator Steele **SB 21** with **SA 1**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 21 with **SA 1**—“An Act to Amend Chapter 29, Title 29, Delaware Code, Relating to the Duties of the Auditor of Accounts and Auditing Expenses Related Thereto.”

On the question “Shall the Bill Pass the Senate?” the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Slawik, Steele—16.

NAYS—Mr. Schlör—1.

NOT VOTING—Messrs. Cook, Robbins—2.

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

Senator Slawik requested that **SB 158** be stricken from the calendar. Adopted, voice vote.

Senator Slawik introduced **SB 165**, entitled “An Act to Amend Chapter 13, Title 14, Delaware Code, Entitled ‘Education,’ by Providing for a Duty Free Period Near the Lunch Time,” which was given its first reading by title only and assigned to committee on Education.

Senator Isaacs introduced **SB 166**, entitled "An Act to Amend Chapter 7, Subchapter 1, Title 7, Delaware Code, Prohibiting the Malicious or Deliberate Frightening or Harrassing of Migratory Birds While at Rest and Providing Penalties Therefor," which was given its first reading by title only and assigned to committee on Fish, Oyster, and Game.

Senator Foltz, on behalf of the committee on Judiciary, to whom had been referred **HB 11**, reported the same back to the Senate: 4 favorable, 2 on merits.

Senator Foltz, on behalf of the committee on Judiciary, to whom had been referred **HB 14**, reported the same back to the Senate: 4 favorable, 2 on merits.

The Chair presented the following House Bill, which was given first reading and referred to Committee as follows:

HB 15—"An Act to Authorize the State Highway Department to Install Illuminating Lights at a Certain Intersection of Roads in New Castle County and Making a Supplemental Appropriation Therefore," to Highways and Public Safety.

On motion of Senator Foltz **SB 93**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

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 the Act."

On the motion of Senator Foltz the bill was tabled. Motion prevailed, voice vote.

Senator Conner introduced **SB 167**, entitled "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," which was given its first reading by title only and assigned to committee on Education.

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

Senator Grier moved that the Senate adjourn until Wednesday, April 16, 1969 at 2:00 P.M. Motion prevailed, voice vote.

16th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:00 P.M. on April 9, 1970. Lt. Gov. Bookhammer presiding.

Prayer by the Chaplain Rev. Donald O. Clendaniel

Flag Salute

By roll call the following Senators were present:

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

The secretary proceeded to read the Journal of the previous day's

session when Senator Grier moved that so much be considered the reading of the Journal and the Journal be approved as read.

The Chair announced that the House wishes to inform the Senate that it has passes **HB 67** with **HA 1**, **HB 99**, **HS 1**, **HA 99**, **HS 1** for **113** with **HA 1** plus original **HB 113**, **HB 129**, **HB 130**, **HCR 5** and requests the concurrence of the Senate.

SB 10, **SB 35**, **SB 38**, **SB 55**, **SB 123**, **SB 130**, **SB 132** and is returning same to the Senate.

OFFICE OF THE GOVERNOR

April 1, 1969

Legislative Advisory No. 5

The Governor on the indicated date has taken the following action with regard to legislative matters:

1. Approved and signed

HB 117 with **HA 1**—March 31, 1969—authorizing a “municipal user tax” for the City of Wilmington.

SJR 2—March 31, 1969—approving federal resolution concerning voluntary prayer in public buildings.

2. Vetoed

HB 73—March 31, 1969—relating to split consolidation of Dickinson-Stanton-Marshallton, based on Supreme Court ruling of unconstitutionality.

OFFICE OF THE GOVERNOR

April 3, 1969

Legislative Advisory No. 6

The Governor signed the following legislation on the indicated date:

SS 1 to **SB 152**—April 1, 1969—providing the Board of Agriculture with \$150,000 to fight the Golden Nematode potato pest.

OFFICE OF THE GOVERNOR

April 8, 1969

Legislative Advisory No. 7

The Governor on the indicated date has taken the following action with regard to legislative matters:

1. Approved and signed

HB 32—April 6, 1969—permitting Georgetown Special School District to transfer certain funds from its local debt service to its 1969 Minor Capital Improvement Account.

SB 3—April 6, 1969—pertaining to the designation of legal holidays.

SB 34—April 6, 1969—reducing the amounts of monies appropriated and authorized to be borrowed for the enlargement and improvement of the system of free public schools of Delaware.

SB 37—April 6, 1969—reducing the amounts of monies appropriated and authorized to be borrowed for capital improvements to the public

school system of Delaware.

SB 53—April 6, 1969—authorizing the Marshallton School Building Commission to expend \$11,986.53 for the acquisition of 2.1029 acres of land.

SB 56—April 6, 1969—authorizing \$180,000 bond issue for State Board of Education to be allocated to the Middletown School District.

SB 90—April 6, 1969—providing that the Boards of Education of certain reorganized school districts may levy and collect taxes after July 1, 1969, at a rate authorized by referendum prior to July 1, 1969.

2. Vetoed

HB 72—April 7, 1969—companion bill to **HB 73** relating to split consolidation of Dickinson-Stanton-Marshallton, based on Supreme Court ruling of unconstitutionality.

HB 4—April 8, 1969—amending the Delaware Code to provide for the microfilming of documents recorded in Kent County.

The Chair announced that the House wishes to inform the Senate that it has passes **HB 90** with **HA 1**, **HA 2**, **HB 104**, **HB 107** with **HA 1**, **HB 124** and request the concurrence of the Senate

The Chair announced that the House wishes to inform the Senate that it has passes **HB 108**, **HB 110**, **HB 119** and requests the concurrence of the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 88** with **HA 1**, **HB 89** and requests the concurrence of the Senate.

Senator Cicione on behalf of the committee on Government Operations, to whom had been referred **SB 141**; reported the same back to the Senate, 2 favorable, 1 on merits.

Senator Cicione, on behalf of the committee on Government Operations, to whom had been referred **SB 153**; reported the same back to the Senate, 2 favorable, 1 on merits.

Senator Cicione, on behalf of the committee on Government Operations, to whom had been referred **SB 164**; reported the same back to the Senate, 2 favorable, 1 on merits.

Senator Steele, on behalf of the committee on Finance, to whom had been referred **SB 157**; reported the same back to the Senate, 3 favorable, 3 on merits.

Senator Foltz, on behalf of the committee on Judiciary, to whom had been referred **SB 151**; reported the same back to the Senate, 2 favorable, 4 on merits.

Senator Conner, on behalf of the committee on Education, to whom had been referred **SB 142**; reported the same back to the Senate, 3 favorable, 1 unfavorable, 3 on merits.

Senator Steele, on behalf of the committee on Finance, to whom had been referred **SB 138**; reported the same back to the Senate, 1 favorable, 1 unfavorable, 4 on merits.

Senator Conner, on behalf of the committee on Education, to whom had been referred **SB 143**; reported the same back to the Senate, 3 favorable, 1 unfavorable, 2 on merits.

Senator Isaacs, on behalf of the committee on Fish, Oyster, and Game, to whom had been referred **SB 166**; reported the same back to the Senate, 2 favorable, 2 on merits.

Senator Isaacs, on behalf of the committee on Fish, Oyster, and

Game, to whom had been referred **SB 161**; reported the same back to the Senate, 1 favorable, 3 on merits.

Senator Isaacs, on behalf of the committee on Fish, Oyster, and Game, to whom had been referred **SB 160**; reported the same back to the Senate, 1 favorable, 1 unfavorable, 2 on merits.

Senator Isaacs, on behalf of the committee on Fish, Oyster, and Game, to whom had been referred **HB 52**; reported the same back to the Senate, 1 favorable, 1 unfavorable, 2 on merits.

Senator Isaacs, on behalf of the committee on Fish, Oyster, and Game, to whom had been referred **HB 54** with **HA 1**; reported the same back to the Senate, 1 favorable, 3 on merits.

Senator Cicione, on behalf of the committee on Government Operations, to whom had been referred **HB 34**; reported the same back to the Senate, 2 favorable, 1 on merits.

Senator Cicione, on behalf of the committee on Government Operations, to whom had been referred **HB 39**; reported the same back to the Senate, 2 favorable, 1 on merits.

Senator Cicione, on behalf of the committee on Government Operations, to whom had been referred **HB 68**; reported the same back to the Senate, 2 favorable, 1 on merits.

Senator Cicione, on behalf of the committee on Government Operations, to whom had been referred **HB 91**; reported the same back to the Senate, 2 favorable, 1 on merits.

Senator Cicione, on behalf of the committee on Government Operations, to whom had been referred **HB 103**; reported the same back to the Senate, 2 favorable, 1 on merits.

Senator Hart, on behalf of the committee on Highways and Public Safety, to whom had been referred **HS 1** for **HB 86** with **HA 1**; reported the same back to the Senate, 5 favorable, 1 on merits.

Senator Steele introduced **SB 168** entitled: "An Act to Amend Title 6, Delaware Code, by Providing for Equal Privileges and Access to Dwellings Publicly Offered for Sale, Lease, or Rent, Making it Unlawful for Any Person to Deny or Refuse the Same to Any Person on Account of Race, Creed, Color or National Origin, Providing for Administration by the State Department of Justice and Providing Penalties for the Violations Thereof" which was given its first reading by title only. Assigned to committee on Revised Statutes.

Senator Cicione introduced **SB 169** co-sponsored by Senator Manning, entitled: "An Act to Amend Title 21, Section 4103(b), Relating to Obedience to Police Officers" which was given its first reading by title only. Assigned to committee on Highways and Public Safety.

Senator Slawik introduced **SB 170** co-sponsored by Senators Manning and Steele, entitled: "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" which was given its first reading by title only. Assigned to committee on Revised Statutes.

Senator Castle introduced **SB 171** co-sponsored by Senators Schlör, Holloway, Steele, Conner, Hickman, and Isaacs, entitled: "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" which was given its first reading by title only. Assigned to committee on Finance.

Senator Steele introduced **SA 1 to SB 116**.

Senator Steele moved that **SB 116** be placed with bill. Motion prevailed by voice vote.

Senator Castle introduced **SA 1 to HB 19**.

Senator Castle moved that **SA 1 to HB 19** be placed with bill. Motion prevailed by voice vote.

Senator Steele introduced **SA 1 to SB 16**.

Senator Steele moved that **SA 1 to SB 16** be placed with bill. Motion prevailed by voice vote.

Senator duPont introduced **SCR 5** co-sponsored by Senator Grier, entitled: "Providing for a Joint Session of the Senate and the House of Representatives.

Senator duPont moved that **SCR 5** be adopted.

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

YEAS—Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Steele—12.

NAYS—None

NOT VOTING—Messrs. McCullough, Robbins, Schlor—3.

ABSENT—Messrs. Cicione, Cook, Foltz, Slawik—4.

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

Lt. Gov. Bookhammer recognized the Delaware Technical and Community College of Wilmington.

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

HB 87—"An Act Making a Supplementary Appropriation to Brandywine Hundred Fire Co., Five Points Fire Co., and Cranston Heights Fire Co." Assigned to committee on Finance.

HB 88—"An Act Making Supplementary Appropriations to the Department of Public Welfare for the Purpose of Providing Operational Welfare Grants, Staff Salaries and Administrative Expenses for the Balance of the Fiscal Year Ending June 30, 1969." Assigned to committee on Health and Welfare.

HB 89—"An Act to Amend Section 503, Chapter 5, Title 31, Delaware Code, Relating to Welfare, in Order to Permit State Participation in the Federal Work Incentive Program." Assigned to committee on Health and Welfare.

HB 90 with HA 1 and 2—"An Act to Provide Summer Employment for Certain Youths of This State and to Make a Supplementary Appropriation Therefor." Assigned to committee on Labor.

HB 100 with HA 1—"An Act Making a Supplementary Appropriation to the State Highway Department for the Installation of Sidewalks." Assigned to committee on Finance.

HB 104 entitled: "An Act to Amend Chapter 10 of Part 1, Title 14, of the Delaware Code Relating to the Reorganization of School Districts." Assigned to committee on Education.

HB 107 with HA 1 entitled: "An Act to Establish an Advisory Board to the State Board of Education." Assigned to committee on Education.

HB 108 entitled: "An Act to Permit Millsboro School District No. 23

to Transfer Certain Funds From Its Local Debt Service Account to Its 1969 Minor Capital Improvement Account." Assigned to committee on Education.

HB 110 entitled: "An Act Extending the Corporate Limits of the Town of Camden", by Adding a new Area Thereto. Assigned to committee on Government Operations.

HB 118 entitled: "An Act to Provide for Additional Principals for Reorganized School Districts." Assigned to committee on Education.

HB 119 entitled: "An Act to Permit Gunning Bedford School District to Transfer Certain Funds From Its Local Debt Service to Its 1969 Minor Capital Improvement Account." Assigned to committee on Education.

HB 124 entitled: "An Act Making Supplementary Appropriation to the Delaware State Development Department for the Purpose of Providing Funds for a Department Representative to Attend the Florida Festival of States in St. Petersburg, Florida in April, 1969, and to Defray Related Expenses."

Senator Manning moved that rule 9 be suspended for the purpose of considering **HB 124**.

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

YEAS—Messrs. (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning—9.

NAYS—Messrs. Isaacs, McCullough, Steele—3.

NOT VOTING—Messrs. Castle, Schlör, Slawik—3.

ABSENT—Messrs. Cicione, Cook, Foltz, Robbins—4.

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

HB 124 was assigned to committee on Government Operations.

Senator Manning and all other Senators introduced **SR 25**

Senator Manning moved that **SR 25** be adopted.

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

YEAS—Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, Slawik, Steele—12.

NAYS—None

NOT VOTING—Messrs. Isaacs, Schlör—2.

ABSENT—Messrs. Cicione, Cook, Foltz, McCullough, Robbins—5.

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

SR 25

EXPRESSING THE BEST WISHES OF THE SENATE OF THE 125TH GENERAL ASSEMBLY TO SENATOR J. DONALD ISAACS ON HIS BIRTHDAY.

WHEREAS, the members of the Senate of the 125th General Assembly have learned that today, April 9, 1969, is the birthday of Senator J. Donald Isaacs, and

WHEREAS, the members of the Senate and opponents of the Golden Nematode wish to express their best wishes to Senator Isaacs, and

WHEREAS, Senator Isaacs has acted energetically on behalf of the

fish, oyster, and otters of the State of Delaware.

NOW THEREFORE,

BE IT RESOLVED by the Senate of the 125th General Assembly of the State of Delaware, that the "net" response of its members to the disclosure of the aforementioned birthdate be a full "catch" of bright wishes to Senator Isaacs for many more years of good health, happiness, and fishing.

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

Senator Manning introduced **SB 172**, co-sponsored by Senator Robbins, entitled "An Act to Amend Chapter 10, Title 14, Delaware Code, Relating to the Adjusted Tax Rate of Reorganized School Districts," which was given its first reading by title only.

Senator Manning moved that rule 9 be suspended for the purpose of considering **SB 172**.

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

YEAS—Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Slawik, Steele—13.

NAYS—None

NOT VOTING—Mr. Schlör—1.

ABSENT—Messrs. Cicione, Cook, Foltz, McCullough, Robbins—5.

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

On motion of Senator Manning **SB 172** entitled: "An Act to Amend Chapter 10, Title 14, Delaware Code, Relating to the Adjusted Tax Rate of Reorganized School Districts" was taken up for consideration and read a second time by title in order to pass the Senate.

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

YEAS—Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Steele—12.

NAYS—None

NOT VOTING—Messrs. McCullough, Schlör, Slawik—3.

ABSENT—Messrs. Cicione, Cook, Foltz, Robbins—4.

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

On motion of Senator Holloway **SB 45** entitled: "An Act Making a Supplementary Appropriation to Delaware State College" was taken up for consideration and read a second time by title in order to pass the Senate.

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

YEAS—Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlör, Steele—14.

NAYS—None

NOT VOTING—None

ABSENT—Messrs. Cicione, Cook, Foltz, Robbins, Slawik—5.

So the question was decided in the affirmative and the bill having

received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Senator Isaacs requested that **SB 124, SB 126, SB 119** be stricken from the calendar. Adopted voice vote.

Senator Isaacs on behalf of the committee on Miscellaneous, to whom had been referred **SB 80** with **SA 1 and 2**, reported the same back to the Senate; 1 unfavorable, 2 on merits.

Senator Isaacs introduced **SB 173** entitled: "An Act to Amend Chapter 27, Section 2709, Title 21, Delaware Code, Relating to Application for Drivers License, by Imposing Fee of Four Dollars" which was given its first reading by title only. Assigned to committee on Highways and Public Safety.

Senator Isaacs introduced **SB 174** entitled: "An Act to Amend Chapter 5, Title 7, Section 509, Delaware Code, Relating to an Increase in License Fees to be Paid by Non-Residents of This State for Hunting and Trapping Licenses" which was given its first reading by title only. Assigned to committee on Fish, Oyster, and Game.

Senator Isaacs introduced **SB 175** entitled: "An Act to Amend Chapter 5, Subchapter VI, Title 7, Section 589, Delaware Code, Relating to the Laws and Regulations Governing Activities Conducted Pursuant to Subchapter VI, Title 7, Delaware Code, and Providing Violations and Penalties Therefore" which was given its first reading by title only. Assigned to committee on Fish, Oyster, and Game.

Senator Isaacs introduced **SB 176** entitled: "An Act to Amend Chapter 5, Subchapter I, Title 29, Section 501, Delaware Code, Relating to Hunting and Trapping and Fishing License Requirements for Residents of the State of Delaware" which was given its first reading by title only. Assigned to committee on Revised Statutes.

Senator duPont introduced **SB 177** entitled: "An Act to Amend Chapter 47, Title 29, Delaware Code, Relating to the Duties of the Medical Examiner" which was given its first reading by title only. Assigned to committee on Revised Statutes.

Senator duPont introduced **SA 1** to **SB 44**.

Senator duPont moved that **SA 1** to **SB 44** be placed with bill. Motion prevailed by voice vote.

Senator Hale introduced **SB 178**, co-sponsored by Senator Conner and Slawik, entitled "An Act to Amend Section 5111, Title 16, Related to 'Mental Health' by Providing a Director of Community Mental Retardation Programs" which was given its first reading by title only and assigned to committee on Health and Welfare.

Senator Slawik introduced **SR 26**, co-sponsored by Senators Conner and Cicione, entitled "Relative to the Illness of Former State Representative Mary Etta Gooding."

WHEREAS, the Senate of the 125th General Assembly of the State of Delaware has learned with deep regret of the illness of former State Representative Mary Etta Gooding of Woodcrest and

WHEREAS, the members of the Senate desire to express in this public manner their best wishes for her speedy recovery,

NOW THEREFORE,

BE IT RESOLVED by the Senate 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 Mary Etta

Gooding from her illness,

BE IT FURTHER RESOLVED that this expression be conveyed to former State Representative Mary Etta Gooding and a copy of this Resolution be forwarded to her at her home in Woodcrest, and

BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the Journal of the Senate of the 125th General Assembly of the State of Delaware.

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

YEAS—Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Schlör, Slawik, Steele—14.

NAYS—None

NOT VOTING—None

ABSENT—Messrs. Cicione, Cook, Foltz, (Mrs.) Manning, Robbins—5.

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

Senator Steele introduced **SA 2** to **SB 116**.

Senator Steele moved that **SA 2** to **SB 116** be placed with bill. Motion prevailed by voice vote.

Senator Holloway introduced **SB 179** entitled: "An Act Proposing an Amendment to Article 2, Section 15 of the Constitution of the State of Delaware, Relating to Compensation, Expenses and Allowances of Members of the General Assembly and the President of the Senate" which was given its first reading by title only. Assigned to committee on Revised Statutes.

On motion of Senator Hale **SB 14** entitled: "An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees Pensions" was taken up for consideration and read a second time by title in order to pass the Senate.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, Schlör, Slawik—13.

NAYS—None

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Cook, Foltz, Hickman, Robbins, Steele—5.

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

Senator Conner moved that roll call on **SB 67** be lifted from table. Motion prevailed, voice vote.

On motion of Senator Conner **SB 67** was taken up for consideration in order to pass the Senate.

Senator Isaacs moved the roll call on **SB 67** be tabled.

On the question "Shall the Roll Call be Tabled?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Elliott, Grier, Hickman, Isaacs, McCullough, Robbins, Steele—7.

NAYS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Hale, Hart, Holloway, (Mrs.) Manning, Slawik—9.

NOT VOTING—Mr. Schlör—1.

ABSENT—Messrs. Cook, Foltz—2.

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

On the question "Shall the Bill Pass the Senate?" the yeas and nays recorded were announced.

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Foltz, Hale, Hart, Holloway, (Mrs.) Manning—10.

NAYS—Messrs. Cook, Elliott, Grier, Hickman, Isaacs, McCullough, Robbins, Steele—8.

NOT VOTING—Mr. Schlor—1

ABSENT—None

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

On motion of Senator Hart **SB 112** entitled: "An Act to Amend Section 710, Chapter 7, Title 17, Delaware Code Relating to Safety Devices at Railroad Crossings Over Highways" was taken up for consideration and read a second time by title in order to pass the Senate.

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

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

NAYS—None

NOT VOTING—Messrs. McCullough, Robbins, Schlor—3.

ABSENT—Messrs. Cook, Foltz, Slawik—3.

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

On motion of Senator Isaacs **SB 63** entitled: "An Act to Amend Section 1115, Title 7, Delaware Code, Relating to the Use of Fishing Nets in Certain Tidal Waters" was taken up for consideration and read a second time by title in order to pass the Senate.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele—17.

NAYS—None

NOT VOTING—None

ABSENT—Messrs. Cook, Foltz—2.

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

Senator Conner, on behalf of the committee on Education, to whom had been referred **HB 104** reported the same back to the Senate: 3 favorable, 3 on merits.

On motion of Senator Hale **SB 133** entitled: "An Act to Provide for the Investment of Funds Belonging to Patients of Institutions Under the Jurisdiction of the Board of Trustees of the Department of Mental Health and to Provide for the Use of the Income Therefrom by the Institutions" was taken up for consideration and read a second time by title in order to pass the Senate.

On the question "Shall the Bill Pass the Senate?" the yeas and nays

were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicone, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, McCullough, Robbins, Slawik, Steele—14.

NAYS—Messrs. Isaacs, Schlör—2.

NOT VOTING—Messrs. Cook, Holloway, (Mrs.) Manning—3.

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

Senator Isaacs introduced **SA 1** to **SB 65**.

Senator Isaacs moved that **SA 1** to **SB 65** be adopted.

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

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

NAYS—None

NOT VOTING—None

ABSENT—Mr. Hart—1.

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

On motion of Senator Isaacs **SB 65** with **SA 1** entitled: “An Act to Amend Section 933, Title 7, Delaware Code, Pertaining to Rock Fishing” was taken up for consideration and read a second time by title in order to pass the Senate.

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

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

NAYS—None

NOT VOTING—Mr. Robbins—1.

ABSENT—None

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

Senator Foltz, on behalf of the committee on Judiciary, to whom had been referred **HB 92** reported the same back to the Senate: 2 favorable, 4 on merits.

On motion of Senator Foltz **SB 88** entitled: “An Act Making a Supplementary Appropriation of the Department of Justice” was taken up for consideration and read a second time by title in order to pass the Senate.

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

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

NAYS—None

NOT VOTING—None

ABSENT—None

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

ordered to the House for concurrence.

Senator Cicione introduced **SB 180** co-sponsored by Senator Slawik entitled: "An Act to Amend Section 2804, Title 10, Delaware Code, Relating to Salaries for Justice of the Peace Constables, By Increasing the Annual Salary \$600" which was given its first reading by title only. Assigned to committee on Finance.

Senator Schlor moved that **SB 103** be brought up for action. Motion prevailed.

Senator Schlor introduced **SS 1** for **SB 103**.

Senator Schlor moved that **SS 1** for **SB 103** be adopted. Motion prevailed.

On motion of Senator Schlor **SS 1** for **SB 103** entitled: "An Act to Amend Title 19, Chapter 9, Delaware Code, Relating to Minimum Wages, by Increasing the Minimum Wage and Exempting Students Therefrom" was taken up for consideration and read a second time by title in order to pass the Senate.

Senator Isaacs moved for a 10 minute recess at 4:15 P.M. Motion prevailed, voice vote.

The Senate reconvened at 4:55 P.M.

Senator Schlor requested that **SS 1** for **SB 103** be withdrawn. Motion prevailed without objection.

Senator Cook moved that the Senate adjourn until April 10, 1969 at 1:30 P.M. Motion prevailed, voice vote.

17th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:40 P.M. on Thursday, April 10, 1969, Pres. Pro Tem duPont presiding.

Prayer be the Chaplain, Rev. Clendaniel.

Flag Salute.

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

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

The Chair announced that the House which to inform the Senate that it has passed **HB 128** with **HA 1**, **HB 140**, and **HJR 2** and requests the concurrence of the Senate, and **SB 94** with **SA 1** and is returning same to the Senate.

Senator Grier moved that **SS 1** for **SB 103** be committed to the committee on Labor.

On the question "Shall **SS 1** for **SB 103** be Put Into Committee?" the yeas and nays were ordered, which being taken, were as follows:

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

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

ABSENT—Mr. Hale—1.

So the question was decided in the affirmative and the motion, having received the required constitutional majority, **SS 1** for **SB 103** was committed to the committee on Labor.

The Senate recessed for 5 minutes.

Senate reconvened.

Senator duPont announced a luncheon to be given by the Building and Construction Trades Council of Delaware on Wednesday, April 16, 1969, at the Treadway Inn, Dover, Delaware.

Senator Holloway introduced **SB 181**, entitled "An Act to Amend Chapter 5, Title 1, Delaware Code, Pertaining to the Designation of Legal Holidays," which was given its first reading by title only and assigned to committee on Miscellaneous.

Senator Elliott introduced **SB 182**, entitled "An Act Making a Supplementary Appropriation to the Delaware State Planning Office," which was given its first reading by title only and assigned to committee in Finance.

Senator Slawik introduced **SB 183**, entitled "An Act to Amend Section 2124 and 2152, Delaware Code, Relating to License Plates for Transporters of Motor Vehicles and Trailer Units and the Fees Payable for Such Plates," which was given its first reading by title only and assigned to committee on Highways and Public Safety.

On motion of Senator Manning **SB 138**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 138—"An Act Making a Supplemental Appropriation to the Governor for the Opportunities Industrialization Center, Incorporated, for the Purpose of Training the Unskilled Labor Force of Delaware."

Senator Manning asked for the privilege of the floor for Mr. Thomas Evans to explain **SB 138**. Hearing no objection the privilege was granted.

Senator Manning asked for the privilege of the floor for the Rev. Lloyd Casson and Mr. McBride to explain **SB 138**. Hearing no objection the privilege was granted.

Senator Manning moved for 5 minute recess at 3:45 P.M. Motion prevailed.

The Senate reconvened at 4:05 P.M. with Lt. Gov. Bookahammer presiding.

Senator duPont moved that action on **SB 138** be deferred. Motion prevailed by voice vote.

Senator Slawik introduced **SB 184**, co-sponsored by Senator McCullough, entitled "An Act to Authorize the State Highway Department to Install a Traffic Light at the Intersection of Route 40 and School House Lane, New Castle County," which was given its first reading by title only and assigned to committee on Highways and Public Safety.

Senator Steele introduced **SA 1** to **HB 76**.

Senator Steele moved that **SA 1** to **HB 76** be placed with bill. Motion prevailed by voice vote.

On motion of Senator Castle **HB 3**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

HB 3—"An Act to Amend Sections 356 and 357, Title 30, Delaware Code, Relating to the Printing and Distribution of Tax Return Forms by the Tax Commission."

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott,

Foltz, Grier, Hale, Hart, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—17.

ABSENT—Messrs. Hickman, Isaacs—2.

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

Senator Steele, on behalf of the committee on Finance, to whom had been referred **HB 87**, reported the same back to the Senate: 2 favorable, 3 on merits.

Senator Cicione, on behalf of the committee on Government Operations, to whom had been referred **HB 50**, reported the same back to the Senate: 2 favorable, 2 on merits.

Senator Cicione moved that Rule 9 be suspended for the purpose of considering **HB 50**.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Slawik, Steele—17.

ABSENT—Messrs. Cook, Schlör—2.

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

On motion of Senator Cicione **HB 50**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

HB 50—"An Act to Reincorporate the Town of Frederica by Increasing the Amount of Annual Tax."

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

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

ABSENT—Mr. Schlör—1.

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

Senator Cicione, on behalf of the committee on Government Operations, to whom had been referred **HB 83**, reported the same back to the Senate: 2 favorable, 2 on merits.

Senator Cicione, on behalf of the committee on Government Operations, to whom had been referred **HB 110**, reported the same back to the Senate: 1 favorable, 2 on merits.

Senator Cicione, on behalf of the committee on Government Operations, to whom had been referred **HB 124**, reported back the same to the Senate: 2 favorable, 1 on merits.

Senator Hart, on behalf of the committee on Highways and Public Safety, to whom had been referred **HB 15**, reported the same back to the Senate: 1 favorable, 4 on merits.

Senator Elliott, on behalf of the committee on Agriculture and Natural Resources, to whom had been referred **SB 154**, reported the same back to the Senate: 3 favorable, 1 unfavorable.

Senator Steele, on behalf of the committee on Finance, to whom had

been referred **SB 171**, reported the same back to the Senate: 1 favorable, 1 unfavorable, 4 on merits.

Senator Hart, on behalf of the committee on Highways and Public Safety, to whom had been referred **SB 169**, reported the same back to the Senate: 2 favorable, 3 on merits.

Senator Hart, on behalf of the committee on Highways and Public Safety, to whom had been referred **SB 156**, reported the same back to the Senate: 2 favorable, 3 on merits.

Senator Castle, on behalf of the committee on Revised Statutes, to whom had been referred **SB 170**, reported the same back to the Senate: 2 favorable, 4 on merits.

Senator Hart, on behalf of the committee on Highways and Public Safety, to whom had been referred **SB 173**, reported the same back to the Senate: 1 favorable, 1 unfavorable, 3 on merits.

Senator Isaacs, on behalf of the committee on Fish, Oyster, and Game, to whom had been referred **SB 174**, reported the same back to the Senate: 3 favorable, 1 on merits.

Senator Isaacs, on behalf of the committee on Fish, Oyster, and Game, to whom had been referred **SB 175**, reported the same back to the Senate: 3 favorable, 1 on merits.

On motion of Senator Hickman **SB 109**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 109—"An Act to Amend an Act, Being Chapter 212, Volume 25, Laws of Delaware, Entitled 'An Act to Incorporate the Town of Bethany Beach and Giving it Authority to Issue Bonds' to Permit the Commissioners of Bethany Beach to Acquire Both Real and Personal Property Within or Without its Boundaries for any Municipal Purpose and to Sell, Lease, Hold, Manage, Control and Mortgage Such Property."

Senator Hickman requested that **SB 109** be stricken from the calendar. Adopted, voice vote.

On motion of Senator Hickman **SS 1** for **SB 109**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SS 1 for **SB 109**—"An Act to Amend an Act, Being Chapter 212, Volume 25, Laws of Delaware, Entitled, 'An Act to Incorporate the Town of Bethany Beach and Giving it Authority to Issue Bonds,' to Permit the Commissioners of Bethany Beach to Expend up to \$20,000 to Purchase Real and Personal Property Within its Boundaries for Any Municipal Purpose and to Sell, Lease, Hold, Manage, Control and Mortgage Such Property."

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Slawik, Steele—17.

NOT VOTING—(Mrs.) Manning—1.

ABSENT—Mr. Schlor—1.

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

On motion of Senator Isaacs **SB 157**, with title as follows, was taken

up for consideration and read a second time by title in order to pass the Senate.

SB 157—"An Act Relating to Pension Benefits for Ardena Robinson, Widow of Fred H. Robinson, a Former Employee of the Wilmington Public School System."

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

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

ABSENT—Mr. Schlor—1.

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

On motion of Senator Conner **HB 104**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

HB 104—"An Act to Amend Chapter 10 of Part 1, Title 14 of the Delaware Code, Relating to the Reorganization of School Districts."

Senator Conner asked for privilege of the floor for Mr. Edward Hagermeier to explain **HB 104**. No objection. Privilege granted.

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

YEAS—Messrs. Castle, (Mrs.) Conner, duPont, Grier, Hale, Hart, Hickman, Isaacs, Robbins, Steele—10.

NOT VOTING—Messrs. Cicione, Cook, Elliott, Foltz, Holloway, (Mrs.) Manning, McCullough, Slawik—8.

ABSENT—Mr. Schlor—1.

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

On motion of Senator Isaacs **SB 161**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 161—"An Act to Prohibit the Taking or Killing of Otter other than by Trap and During Muskrat Season."

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

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

NOT VOTING—Messrs. Elliott, McCullough—2.

ABSENT—Messrs. (Mrs.) Conner, Holloway, Schlor—3.

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

On motion of Senator Steele **HB 115**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

HB 115—"An Act to Permit Houston School District No. 125 to Transfer Certain Funds from Its Local Debt Service Account to Its Local Fund No. 80."

On the question "Shall the Bill Pass the Senate?" the yeas and nays

were ordered, which being taken, were as follows:

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

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Holloway, Schlor—2.

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

On motion of Senator Cicione **SB 164**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 164—“An Act to Amend Chapter 283, Volume 52, Laws of Delaware, Relating to the Reincorporation of the Town of Newport by Authorizing the Appointment of the Town Treasurer, Alderman, and Assessor.”

On the question “Shall the Bill Pass the Senate?” the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Robbins, Slawik, Steele—15.

NAYS—Messr. McCullough—1.

ABSENT—Messrs. Grier, Holloway, Schlor—3.

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

On motion of Senator Cicione **HB 103**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

HB 103—“An Act to Amend Chapter 183, Volume 22, Laws of Delaware, as Amended, Entitled ‘An Act to Incorporate the Town of Greenwood’ to Provide Power and Authority for the Laying Out, Locating or Opening New Streets, the Widening or Altering of Existing Streets and the Vacating or Abandoning of Streets.”

On the question “Shall the Bill Pass the Senate?” the yeas and nays were ordered, which being taken, were as follows:

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

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. (Mrs.) Conner, Schlor—2.

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

Senator Holloway introduced **SB 185**, entitled “An Act to Amend Chapter 45, Title 11, Delaware Code, Relating to Appeals, by Providing for Criminal Appeals to Superior Court in All Cases,” which was given its first reading by title only and assigned to committee on Judiciary.

Senator Elliott requested that **SB 117** be stricken from the calendar. Adopted, voice vote.

Senator Elliott introduced **SB 186**, entitled “An Act to Amend Chapter 429, Volume 55, Laws of Delaware, Entitled ‘An Act Authorizing

the State of Delaware to Borrow Money to Be Used for Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes Therefor and Appropriating the Money Borrowed to Various Agencies of the State' by Adding a Supplementary Appropriation to Provide for Escalating Costs of School Construction," which was given its first reading by title only and assigned to committee on Finance.

On motion of Senator Isaacs **HB 54** with **HA 1**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

HB 54 with **HA 1**—"An Act to Amend Section 509 (2), Title 7, Delaware Code, Relating to Non-resident Fishing License Fees."

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

YEAS—Messrs. Castle, Cicione, Cook, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Slawik, Steele—15.

NAYS—Mr. Foltz—1.

ABSENT—Messrs. (Mrs.) Conner, McCullough, Schlor—3.

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

On motion of Senator Cicione **HB 91**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

HB 91—"An Act Declaring the Policy of This State Regarding Reorganization of the Executive Branch of the Government and Creating a Governor's Task Force on Government Reorganization to Plan and Implement the Reorganization of the Executive Branch of the State Government and Prescribing Certain Powers and Responsibilities for Such Task Force and Making a Supplementary Appropriation to the Governor's Office to Carry Out the Purposes of This Act."

On the motion of Senator Cicione the roll call was tabled. Motion prevailed.

Senator Cook introduced **SB 187**, co-sponsored by Senator Steele, entitled "An Act to Amend Chapter 313, Volume 53, Laws of Delaware, Entitled 'An Act Authorizing the State of Delaware to Borrow One Million Five Hundred Thousand Dollars (\$1,500,000.00) and Issue Bonds and Notes Therefor for Use by the State Soil Conservation Commission to Participate in the Construction and Maintenance of Structural Measures in Watersheds Which are Now or May Be Established in the State of Delaware Pursuant to the Provisions of the Act of the Congress of the United States Known as the 'Watershed Protection and Flood Prevention Act' ", which was given its first reading by title only and assigned to committee on Finance.

Senator Cook introduced **SB 188**, co-sponsored by Senator Foltz, entitled "An Act to Amend Chapter 17, Title 7, Delaware Code, Relating to the Regulation of Dogs Running at Large," which was given its first reading by title only and assigned to committee on Fish, Oyster, and Game.

On motion of Senator Hickman **SB 141**, with title as follows, was taken up for consideration and read a second time by title in order to pass

the Senate.

SB 141—"An Act to Amend Section 8132, Chapter 81, Subchapter 2, Title 9, Delaware Code, Relating to Taxation of Citizens Over Sixty-five Years of Age."

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

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Steele—15.

NOT VOTING—Mr. Cicione—1.

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

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

On motion of Senator Elliott **SB 153**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 153—"An Act to Amend an Act Being Chapter 42, Volume 53, Laws of Delaware, Entitled 'An Amending, Revising, and Consolidating the Charter of the City of Seaford' to Provide an Increase Salary for the Mayor and Each Member of the City Council."

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

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

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

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

Senator Hickman introduced **SB 189**, co-sponsored by Senator Cicione, entitled "An Act to Amend Section 9-302, Article 9, Title 5A, Delaware Code, Relating to Filing to Perfect Security Interests, by Excluding Mortgages or Trust Deeds of REA Borrowers and Designated Utilities from the Filing Provisions of the Code and Substituting Filing in the Office of the Secretary of State," which was given its first reading by title only and assigned to committee on Banking and Insurance.

Senator duPont moved that **SB 138** be lifted from deferment.

Senator Isaacs introduced **SA 1** to **SB 138**.

Senator Isaacs moved that **SA 1** to **SB 138** be adopted.

On the question "Shall **SA 1** to **SB 138** be Adopted?" the yeas and nays were ordered, which being taken, were as follows:

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

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

So the question was decided in the affirmative and **SA 1** to **SB 138**, having received the required constitutional majority, was adopted.

On motion of Senator duPont **SB 138** with **SA 1** was taken up for consideration in order to pass the Senate.

On the motion of Senator duPont the roll call was tabled. Motion prevailed.

Senator Conner, on behalf of the committee on Education, to whom had been referred **SB 165**, reported the same back to the Senate: 1 favorable, 2 unfavorable, 2 on merits.

Senator Elliott introduced **SR 27**, entitled "Relative to the Illness of State Representative W. Harrison Phillips."

WHEREAS, the Senate of the 125th General Assembly of the State of Delaware has learned with deep regret of the illness of State Representative W. Harrison Phillips of Laurel, and

WHEREAS, the Members of the Senate desire to express in this public manner their best wishes for his speedy recovery,

NOW THEREFORE,

BE IT RESOLVED by the Senate of the 125th General Assembly of the State of Delaware that the Members thereof extend their sincere best wishes for a speedy recovery to State Representative W. Harrison Phillips from his illness.

BE IT FURTHER RESOLVED that this expression be conveyed to State Representative W. Harrison Phillips and a copy of this Resolution be forwarded to him at the Nanticoke Memorial Hospital in Seaford, Delaware, and

BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the Journal of the Senate of the 125th General Assembly of the State of Delaware.

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

YEAS—Messrs. Castle, Cicone, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Steele—15.

ABSENT—Messrs. (Mrs.) Conner, McCullough, Schlor, Slawik—4.

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

Senator Cook asked for the personal privilege of the floor. Hearing no objection the privilege was granted.

Senator duPont presented a communication from former Representative Norman A. Eskridge to be read and requested that it be made part of the Journal.

Seaford, Delaware
April 3, 1969

Office of President of Pro Tem
Senate
Dover, Delaware 19901

The Honorable Reynolds duPont

Dear Mr. duPont:

I wish to thank each and every one who so graciously acted on legislation enabling me to receive a Pension. I feel quite proud that you considered my years of service worthy of this award.

Very truly yours,
NORMAN A. ESKRIDGE

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

HJR 2—"Commending John T. Purnell for His Services in Assisting in the Organizing of the 1969 Inauguration of the Governor;" to Senate Administration.

HB 140—"An Act to Amend Section 1010, Chapter 10, Title 14, Delaware Code, Relating to Adjusted Tax Rates of Reorganized School Districts;" to Education.

HB 128 with HA 1—"An Act Relating to Corporations Subject to and Exempt from the Corporation Franchise Tax;" to Finance.

HCR 5—"Expressing Congratulations to the League of Women Voters."

Senator duPont moved that **HCR 5** be adopted.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hickman, (Mrs.) Manning, Robbins, Steele—12.

NOT VOTING—Mr. Isaacs—1.

ABSENT—Messrs. Grier, Hart, Holloway, McCullough, Schlör, Slawik—6.

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

Senator duPont moved that the Senate recess until Tuesday, April 15, 1969 at 1:30 P.M. Motion prevailed, voice vote.

Senator duPont moved that the Senate adjourn until Tuesday, April 15, 1969 at 1:48 P.M. Motion prevailed.

18th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:48 P.M. on Tuesday, April 15, 1969, Lt. Gov. Bookhammer presiding.

Prayer by the Chaplain Rev. Rudolph W. Coleman.

Flag Salute.

By roll call the following Senators were present:

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

Members Absent—Mr. Grier—1.

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

Senator Cicione, on behalf of the committee on Labor, to whom had been referred **HB 90** with **HA 1** and 2, reported the same back to the Senate: 1 Favorable; 2 on Merits.

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

HB 129—"An Act to Amend Section 1913, Chapter 19, Title 30, Delaware Code, to Impose Additional Penalty for Failure to File Corporation Income Tax Returns when Due"; to Finance.

HB 67 with HA 1—"An Act to Amend Title 11, Section 571,

Delaware Code, Relating to Murder"; to Judiciary.

HB 99—"An Act to Amend Title 11, Section 352 of the Delaware Code to Define Arson in Second Degree to Include the Unlawful Burning of Buildings as well as Dwelling Houses"; to Judiciary.

HB 130—"An Act to Amend Section 1904, Chapter 19, Title 30, Delaware Code, to Require the Filing of Corporate Income Tax Returns"; to Finance.

HB 113 with **HA 1**—"An Act to Amend Chapter 47, Title 16, Delaware Code, Pertaining to Criminal Offenses of Sale, Possession and Use of Narcotic Drugs and Dangerous Drugs and Prescribing Penalties for such Violations"; to Health and Welfare.

Senator Castle introduced **SB 190**, entitled "An Act to Amend Subsection 1920 (e), Chapter 19, Title 24, Delaware Code, Relating to Exceptions from the Operation of Title 24, Nursing and Schools of Nursing, by Adding the Phrase "Under Adequate Nursing Supervision", which was given its first reading by title only and assigned to committee on Health and Welfare.

Senator Slawik introduced **SA 1** to **HB 90**.

Senator Slawik moved that **SA 1** be placed with bill.

Motion Prevailed by voice vote.

Senator Slawik introduced **SB 191**, entitled "An Act to Amend Subsection 901 (e), Title 19, Delaware Code, Relating to the Definition of Employee Covered by the Minimum Wage Law of Delaware, by Removing Agricultural Employees and Employees Engaged in Fishing from the Exclusion from Minimum Wage Coverage", which was given its first reading by title only and assigned to committee on Labor and Industrial Relations.

Senator Manning introduced **SB 192**, co-sponsored by Senator Cook, entitled "An Act to Amend Chapter 33, Title 24, Delaware Code, Relating to the Practice of Veterinary Medicine", which was given its first reading by title only and assigned to committee on Health and Welfare.

Senator Steele, on behalf of the committee on Finance, to whom had been referred **SB 182**, reported the same back to the Senate: 5 Favorable, 1 Unfavorable.

Senator Steele, on behalf of the committee on Finance, to whom had been referred **SB 186**, reported the same back to the Senate: 1 Favorable, 5 on Merits.

Senator Steele, on behalf of the committee on Finance, to whom had been referred **SB 187**, reported the same back to the Senate: 2 Favorable, 4 on Merits.

Senator Steele, on behalf of the committee on Finance, to whom had been referred **HB 128** with **HA 1**, reported the same back to the Senate: 2 Favorable, 4 on Merits.

Senator Isaacs introduced **SB 193**, entitled "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", which was given its first reading by title only and assigned to committee on Highways and Public Safety.

Senator Isaacs introduced **SB 194**, entitled "An Act to Amend Chapter 27, Subchapter IV, Title 21, Section 2702, Delaware Code, Relating to Driver's Licenses and the Classification Thereof", which was given its first reading by title only and assigned to committee on Highways

and Public Safety.

Senator Isaacs introduced **SB 195**, entitled "An Act to Amend Chapter 27, Title 21, Delaware Code, by Providing Penalties for any Person Driving During the Period of Suspension of His Operator's, Chauffeur's or Taxi Cab Driver's License", which was given its first reading by title only and assigned to committee on Highways and Public Safety.

Senator Isaacs introduced **SB 196**, entitled "An Act to Amend Chapter 27, Subchapter II, Title 21, Section 2733, Delaware Code, Relating to Discretionary Suspension or Revocation of License and Driving Privileges", which was given its first reading by title only and assigned to committee on Highways and Public Safety.

Senator Isaacs introduced **SB 197**, entitled "An Act to Amend Chapter 27, Subchapter II, Title 21, Section 2732, Delaware Code, Relating to Mandatory Revocation of Drivers License and Driving Privileges", which was given its first reading by title only and assigned to committee on Highways and Public Safety.

Senator Isaacs introduced **SB 198**, entitled "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", which was given its first reading by title only and assigned to committee on Highways and Public Safety.

Senator Isaacs introduced **SB 199**, entitled "An Act to Amend Chapter 27, Subchapter IV, 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", which was given its first reading by title only and assigned to committee on Highways and Public Safety.

Senator Isaacs requested that **SB 156** be stricken from the calendar. Adopted voice vote.

Senator Foltz introduced **SB 200**, entitled "An Act to Amend Section 2806, Chapter 28, Title 10, Delaware Code, Relating to Bonds for Justice of the Peace Constables, by Creating a Minimum Bond of \$5,000.00 and Authorizing the Chief Justice to Set the Amount of the Bond in Excess Thereof", which was given its first reading by title only and assigned to committee on Judiciary.

On motion of Senator Slawik **SB 170** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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".

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, du Pont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele—17.

NAYS—None

NOT VOTING—Mr. McCullough—1.

ABSENT—Mr. Grier—1.

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

ordered to the House for concurrence.

Senator Cicione moved roll call on **HB 91** be lifted. Motion prevailed.

On motion of Senator Cicione **HB 91** was taken up for consideration in order to pass the Senate.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, du Pont, Elliott, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, Slawik—12.

NAYS—Messrs. Cook, Foltz, McCullough, Robbins—4.

NOT VOTING—Messrs. Isaacs, Steele—2.

ABSENT—Mr. Schlor—1.

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

Senator Steele introduced **SA 1** to **SB 165**.

Senator Steele moved that **SA 1** to **SB 165** be placed with the bill.

Motion prevailed by voice vote.

Senator Cicione introduced **SB 201**, entitled "An Act to Amend Section 704, Chapter 7, Title 19, Delaware Code, Relating to Employment of Strikebreakers, by Substituting in Lieu Thereof a New Section to Prohibit and make Unlawful the Employment of Professional Strikebreakers in Place of Employees Involved in a Labor Dispute; Prohibit and make Unlawful Recruitment and Furnishing of Employees to Replace Employees Involved in the Labor Dispute by a Person or Agency not Directly Involved in the Labor Dispute and the Employment of Persons so Recruited or Furnished; Prohibit and make Unlawful Recruitment of or advertising for Employees to take the Place of Employees Engaged in a Labor Dispute without Stating that the Employment Offered is in Place of Employees Involved in a Labor Dispute, and Repeal Certain Existing Law", which was given its first reading by title only and assigned to committee on Labor and Industrial Relations.

Senator Cicione introduced **SB 202**, entitled "An Act to Amend Title 26, Delaware Code, Relating to Public Utilities, by adding a New Chapter 6, Regulation of Train Crews and Requiring a Flagman", which was given its first reading by title only and assigned to committee on Government Operations.

Senator Cicione introduced **SB 203**, entitled "An Act to Amend Chapter 67, Title 29, Delaware Code, Relating to Requirements for printing for the State of Delaware", which was given its first reading by title only and assigned to committee on Government Operations.

On motion of Senator Foltz **HB 92** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 92—"An Act to Amend Section 3507, Title 11, Delaware Code, Relating to Evidence or Weight of Alcohol in the Blood of a Person Alleged to have Operated a Motor Vehicle While Under the Influence of Intoxicating Liquor".

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, du Pont, Elliott, Foltz, Hale, Hart, Hickman, Isaacs, Robbins, Steele—12.

NAYS—None.

NOT VOTING—Messrs. Cook, Holloway, McCullough, Schlör—4.

ABSENT—Messrs. Grier, (Mrs.) Manning, Slawik—3.

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

On motion of Senator Hart **HS 1** for **HB 86** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HS 1 for **HB 86** with **HA 1**—“An Act to Amend Subchapter II, Chapter 27, Title 21, Delaware Code, Providing the Motor Vehicle Commissioner with Authority to Suspend and Revoke Drivers’ Licenses and Privileges for Failure to Submit to Chemical Test where Alleged to have Driven a Motor Vehicle while Under Influence of Intoxicating Liquor”.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, du Pont, Elliott, Foltz, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Steele—12.

NAYS—Messrs. Holloway, McCullough, Schlör—3.

NOT VOTING—Messrs. Cook, Robbins—2

ABSENT—Messrs. Grier, Slawik—2.

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

On motion of Senator Isaacs **SB 174** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 174—“An Act to Amend Chapter 5, Title 7, Section 509, Delaware Code, Relating to an Increase in License Fees to be Paid by Non-residents of this State for Hunting and Trapping Licenses”.

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

YEAS—Messrs. Castle, (Mrs.) Conner, du Pont, Elliott, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—15.

NAYS—Mr. Foltz—1.

ABSENT—Messrs. Cicione, Cook, Grier—3.

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

On motion of Senator Isaacs **SB 175** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 175—“An Act to Amend Chapter 5, Subchapter VI, Title 7, Section 589, Delaware Code Relating to the Laws and Regulations Governing Activities Conducted Pursuant to Subchapter VI, Title 7, Delaware Code, and Providing Violations and Penalties Therefor”.

On the motion of Senator Isaacs the bill was deferred.

Motion prevailed, voice vote.

Senator Manning stated she would have voted “yes” on **HB 92** if she had been in Senate Chamber when vote was taken.

On motion of Senator Castle **SB 171** with title as follows was taken

up for consideration and read a second time by title in order to pass the Senate:

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".

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, du Pont, Elliott, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik—13.

NAYS—None.

NOT VOTING—Messrs. Cook, Foltz, Hale, Robbins, Steele—5.

ABSENT—Mr. Grier—1.

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

On motion of Senator Cicione **HB 110** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 110—"An Act to Amend Chapter 108, Volume 47, Laws of Delaware, Entitled "An Act Extending the Corporate Limits of the Town of Camden", by Adding a New Area Thereto"

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, du Pont, Elliott, Foltz, Hale, Hickman, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—15.

ABSENT—Messrs.—Grier, Hart, Holloway, Isaacs—4.

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

On motion of Senator Cicione **SB 169** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

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

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, du Pont, Elliott, Foltz, Hale, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—16.

ABSENT—Messrs. Grier, Hart, Isaacs—3.

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

On motion of Senator Cicione **HB 68** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 68—"An Act to Amend Chapter 239, Volume 27, Laws of Delaware, as amended, entitled "An Act to Incorporate the Town of

Viola", by Establishing a New Charter Therefore."

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, du Pont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele—17.

ABSENT—Messrs. Cook, Grier—2.

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

On motion of Senator Cicione **HB 124** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 12—"An Act Making Supplementary Appropriation to the Delaware State Development Department for the Purpose of Providing Funds for a Department Representative to Attend the Florida Festival of States in St. Petersburg, Florida in April, 1969, and to Defray Related Expenses".

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, du Pont, Elliott, Hale, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlor—13.

NAYS—Messrs. Foltz, Slawik, Steele—3.

NOT VOTING—Mr. Isaacs—1.

ABSENT—Messrs. Grier, Hart—2.

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

On motion of Senator Cicione **HB 39** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 39—"An Act to Amend "An Act Changing the Corporate Name of 'The Commissioners of the Town of Camden' to 'The Town of Camden' and Establishing a Charter Therefor" Relating to Increasing the Limit of the Amount to be Raised by Taxation to Twenty-Five Thousand (\$25,000.00) Dollars".

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, du Pont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele—18.

ABSENT—Mr. Grier—1.

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

On motion of Senator Cicione **HB 34** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 34—"An Act to Amend 32 Delaware Laws, Chapter 71, Section 1, as Revised in Chapter 83, Title 9 of the Delaware Code Entitled "Public Inspection of Completed Assessment" in Respect to the Posting of

Assessment Lists in Sussex County”.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, du Pont, Elliott, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele—16.

ABSENT—Messrs. Foltz, Grier, Hale—3.

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

Senator Holloway introduced **SB 204**, entitled “An Act to Amend Chapter 67, Title 25, Delaware Code, Relating to Landlord and Tenant and Providing for the Recovery of Certain Improperly Held Escrow Funds”, which was given its first reading by title only and assigned to committee on Revised Statutes.

Senator Hart, on behalf of the committee on Commerce and Corporations, to whom had been referred **HB 81**, reported the same back to the Senate: 1 Favorable, 4 on Merits.

Senator Hart introduced **SB 205**, entitled “An Act Amending Section 1318, Title 14, Delaware Code, Entitled, “Sick Leave and Absence for Other Reasons” by Adding a New Subsection Thereto”, which was given its first reading by title only and assigned to committee on Education.

On Motion of Senator Steele **HB 87** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 87—“An Act Making a Supplementary Appropriation to Brandywine Hundred Fire Co., Five Points Fire Co., and Cranston Heights Fire Co.”

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

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, du Pont, Elliott, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele—15.

ABSENT—Messrs. Cicione, Foltz, Grier, (Mrs.) Manning—4.

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

Senator Castle introduced **SA 1** to **HB 19** with **HA 1**.

Senator Castle moved that **SA 1** to **HB 19** with **HA 1** be adopted.

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

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, du Pont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele—16.

ABSENT—Messrs. Cicione, Grier, (Mrs.) Manning—3.

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

On motion of Senator Castle **HB 19** with **HA 1** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 19 with **HA 1** with **SA 1**—“An Act to Amend Part III, Title 21, Delaware Code, by adding a New Chapter 46 Relating to the

Advertisement and Sale of Master Keys and Providing for Penalty for Violation Thereof.”

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

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, du Pont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele—16.

ABSENT—Messrs. Cicione, Grier, (Mrs.) Manning—3.

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

Senator Hale, on behalf of the committee on Senate Administration, to whom had been referred **HJR 2**, reported the same back to the Senate: 4 Favorable, 1 on Merits.

Senator Conner, on behalf of the committee on Health and Welfare, to whom had been referred **HB 88** with **HA 1** and **2**, reported the same back to the Senate: 1 Favorable, 1 Unfavorable, 3 on Merits.

Senator Conner, on behalf of the committee on Health and Welfare, to whom had been referred **HB 89**, reported the same back to the Senate: 1 Favorable, 1 Unfavorable, 3 on Merits.

Senator du Pont moved that the Senate adjourn until April 16, 1969 at 1:30 P.M. Motion prevailed, voice vote.

19th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:45 P.M. on Wednesday, April 16, 1969, Lt. Gov. Bookhammer presiding.

Prayer by the Chaplain, Rev. Rudolph W. Coleman.

Flag Salute.

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

Members Absent—(Mrs.) Conner—1.

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

Senator Cicione, on behalf of the committee on Labor, to whom had been referred **SB 49**, reported the same back to the Senate: 4 favorable.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 94**, **HB 112**, **HB 135** with **HA 1**, **HA 2**, **HB 151**, and requests the concurrence of the Senate, and **SB 21** with **SA 1**, **SB 133** and **SCR 5** and is returning same to the Senate.

Senator Slawik introduced **SB 206**, co-sponsored by Senator McCullough, entitled “An Act to Amend Chapter 83, Delaware Code, to Make Real Property Held by the Government of New Castle County Within the New Castle Special School District from which Revenue is Derived in Rents not Connected with Airport or Governmental Operations Subject to the School Taxes Imposed by Said School District, and Providing for the Assessment of Such Property,” which was given its first reading by title only and assigned to committee on Government Operations.

Senator Isaacs moved that **SB 175** be lifted from deferment. Motion

prevailed, voice vote.

Senator Isaacs asked for the privilege of the floor for Mr. Wilder of Fish and Game Commission to explain **SB 175**. Hearing no objection the privilege was granted.

On motion of Senator Isaacs **SB 175** was taken up for consideration in order to pass the Senate.

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

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

NAYS—Messrs. Foltz, McCullough—2.

NOT VOTING—Messrs. Robbins, Schlör—2.

ABSENT—(Mrs.) Conner—1.

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

Senator Steele, on behalf of the committee on Finance, to whom had been referred **HB 129**, reported the same back to the Senate: 1 favorable, 5 on merits.

Senator Steele, on behalf of the committee on Finance, to whom had been referred **HB 130**, reported the same back to the Senate: 6 on merits.

Senator Isaacs moved for consideration of **HB 52**. Motion prevailed.

Senator Isaacs asked for the privilege of the floor for Mr. Wilder to explain **HB 52**. Hearing no objection the privilege was granted.

On motion of Senator Isaacs **HB 52**, with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 52—"An Act to Amend Section 504, Title 7, Delaware Code, Relating to an Increase in License Fees to be Paid by Residents of This State for Hunting and Trapping Licenses and Fishing Licenses."

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

YEAS—Messrs. Castle, Cicione, Cook, duPont, Foltz, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele—15.

NAYS—Mr. Hickman—1.

NOT VOTING—Messrs. Elliott, Robbins—2.

ABSENT—(Mrs.) Conner—1.

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

Senator Hart moved for consideration of **SB 142**. Motion prevailed.

Senator Hart asked for the privilege of the floor for Mr. Jones, chairman, Legislative Committee, School Boards Association, to explain **SB 142**. Hearing no objection the privilege was granted.

On motion of Senator Hart **SB 142**, with title as follows, was taken up for consideration and read a second time by title in order to pass the Senate.

SB 142—"An Act to Amend Section 2120, Chapter 21, Title 14, Delaware Code, Relating to School Board Elections to Authorize Bond Issues."

On the motion of Senator Hart the bill was deferred. Motion

prevailed, voice vote.

Senator Hart moved for consideration of **SB 99**. Motion prevailed.

Senator Hart asked for the privilege of the floor for Professor Robert Juist, member of the Faculty of New England School of Boston to explain **SB 99**. Hearing no objection the privilege was granted.

Senator Foltz asked for the privilege of the floor for Mr. Thomas Hughes, attorney of Wilmington, to speak on **SB 99**. Hearing no objection the privilege was granted.

Senator Steele asked for the privilege of the floor for Mr. Richard R. Griffith to speak on **SB 99**. Hearing no objection the privilege was granted.

On motion of Senator Hart **SB 99**, with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 99—"An Act to Amend Chapter 61, Title 21, Delaware Code, by Repealing Section 6101 Thereof."

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

YEAS—Messrs. Castle, Cicione, duPont, Elliott, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, Schlör, Slawik, Steele—14.

NAYS—Messrs. Cook, Foltz, Robbins—3.

NOT VOTING—Mr. McCullough—1.

ABSENT—(Mrs.) Conner—1.

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

Mr. Stone presented the following messages from the Governor, which were read and referred to the Executive Committee.

April 16, 1969

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

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

Mrs. Arva J. Jackson, 829 N Clayton Street, Wilmington, Delaware, to be a Trustee of the Board of Trustees of the University of Delaware, for a term of six years from date of confirmation, succeeding Henry F. duPont, deceased.

Your early consideration of this nomination will be appreciated.

Respectfully submitted,
RUSSELL W. PETERSON
Governor

April 16, 1969

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

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

Jack W. Cunningham, 264 Filbert Avenue, Elsmere Manor, Wilmington, Delaware, to be a Justice of the Peace for New Castle County to serve a four-year term effective upon date of confirmation.

Your early consideration of this nomination will be appreciated.

Respectfully submitted,
RUSSELL W. PETERSON
 Governor

April 16, 1969

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

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

Harold J. Vernon, 2502 North Van Buren Street, Wilmington, Delaware 19802, to be a Justice of the Peace for New Castle County to serve a four-year term effective upon date of confirmation.

Your early consideration of this nomination will be appreciated.

Respectfully submitted,
RUSSELL W. PETERSON
 Governor

April 15, 1969

The Honorable Eugene D. Bookhammer
 President of the Senate
 Lewes, Delaware

Dear Mr. President:

In accordance with Article 4, Section 3 of the Delaware Constitution, I am writing this letter informing you, as President of the Delaware Senate, of my intention to submit to the Senate two names to fill two vacancies on the Superior Court of the State of Delaware.

It is my intention to reappoint the Honorable Andrew D. Christie as Resident Associate Judge of the Superior Court for New Castle County and the Honorable William J. Storey as Resident Associate Judge of the Superior Court for Kent County. The terms of these appointments are to be for twelve years in succession to the expiration of their present appointments.

Respectfully submitted,
RUSSELL W. PETERSON
 Governor

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

HB 94—"An Act to Amend Chapter 22, Volume 55, Laws of Delaware, as Amended, Relating to Extension of the Period in which the State Highway Department May Utilize Monies from the Capital Investment Fund for Mosquito Control;" to Highways and Public Safety.

HB 112—"An Act Making a Supplementary Appropriation to the State Department of Justice for Salaries and Operational Expenses", to Judiciary.