

appropriations for the operation thereof. Introduced by Reps. Zimmerman and Hale. Referred to the Committee on Government Operations.

HA 1 to HB 274 — Introduced by Rep. Stabler. Placed with Bill.

HR 98 — Appropriation for postage stamps for the House of Representatives of the 124th General Assembly. Introduced by Rep. Sebrell. Adopted by voice vote.

HR 99 — Authorizing the Chairman of the Judiciary Committee of the House to seek further advice from professional and other informed individuals to assist that committee in its deliberations on a revision of the Delaware Criminal Code and appropriating money therefor. Introduced by Rep. Hale. Adopted by voice vote.

HR 100 — Expressing Commendation to Representative Joseph R. Murphy of the 24th Representative District, Newark, for His Selection as the Delaware State Junior Chamber of Commerce "Man-of-the-Year" Award.

WHEREAS, Representative Joseph R. Murphy initially received the Newark Junior Chamber of Commerce "Man-of-the-Year" award for 1967, and

WHEREAS, said Representative Joseph R. Murphy subsequently received the Delaware State Junior Chamber of Commerce "Man-of-the-Year" award in competition with all local club winners state-wide last Sunday, February 4, 1968, at the State Junior Chamber of Commerce Awards Banquet in Newark;

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 124th General Assembly of the State of Delaware that Representative Murphy be commended and that congratulations be extended to him upon his receiving the State Junior Chamber of Commerce "Man-of-the-Year" award;

AND BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the Journal of the House of Representatives of the 124th General Assembly of the State of Delaware and that copies be presented to Representative Murphy and also be forwarded to the State Junior Chamber of Commerce and the Newark Junior Chamber of Commerce.

Introduced by Rep. Hale. Adopted by voice vote.

Mr. Hale moved to recess at 3:53 P.M. Motion prevailed.

House reconvened at 4:12 P.M.

The following bills were reported out of committee as follows:

Elections: **SB 296**, 3 favorable, 1 on merits; Judiciary: **HB 440**, 5 favorable; **HB 274**, 2 favorable, 3 on merits.

The following bills were introduced and assigned to committee as follows:

HB 452 — An Act making a supplementary appropriation to the State Highway Department, Motor Vehicle Division, in order to provide auto identification services to police 24 hours a day. Introduced by Rep. Hart. Referred to the Committee on Highways and Public Safety.

HB 453 — An Act to amend Section 1321, Title 14, Delaware Code, relating to school employees, by providing under certain circumstances for a Supervisor of Transportation. Introduced by Rep. Hart. Referred to the Committee on Education.

HR 103 — Relative to the Death of Mrs. R. Harry Quillen, Mother of Representative George R. Quillen.

WHEREAS, the House of Representatives of the 124th General Assembly of the State of Delaware has learned with regret of the passing of Mrs. R. Harry Quillen of Harrington, Delaware, mother of Representative George R. Quillen, on January 23, 1968.

WHEREAS, the members of the House desire to express to the family of the deceased, in this public manner, their sympathy at the occasion of this loss.

NOW THEREFORE, BE IT RESOLVED, by the House of Representatives of the 124th General Assembly of the State of Delaware, that the members give expression of the regret they have experienced at the passing of Mrs. R. Harry Quillen, mother of Representative George R. Quillen.

BE IT FURTHER RESOLVED, that the family of the deceased has the full sympathy of the members of the House of Representatives of the 124th General Assembly of the State of Delaware which is extended by sending a copy of this Resolution to the immediate members of the Quillen family; and,

BE IT FURTHER RESOLVED, that the text of this Resolution be made a part of the Journal of the proceedings of the House of Representatives of the 124th General Assembly of the State of Delaware.

Introduced by Rep. Sebrell. Adopted by voice vote.

HCR 28 — Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Members of the Legislative Building Committee Established by Joint Resolution No. 7 of the 123rd General Assembly.

BE IT RESOLVED, by the House of Representatives of the 124th General Assembly of the State of Delaware, the Senate concurring therein, that the following amounts be and the same are hereby appropriated out of any money in the General Fund of the State Treasury for the payment of certain expenses connected with the Legislative Building Committee established by Joint Resolution No. 7 of the 123rd General Assembly, for the period commencing with the 10th day of August, 1967 and ending with and including the 14th day

of December, 1967, which said expenses are hereby declared to be proper and reasonable expenses of the members of said committee for traveling expenses, commonly called mileage expenses, in traveling from their respective homes to Dover and returning from Dover to their respective homes in attend official meetings of said committee, and the Budget Director is hereby authorized and fully empowered and directed to approve and properly execute warrants for, and the State Treasurer is hereby authorized and fully empowered and directed to pay to the respective members of said Committee hereinafter named the respective amounts set opposite their respective name, viz:

Sherman W. Tribbitt	\$30.00
T. Lees Bartleson	55.00
W. Harrison Phillips	61.20
Curtis W. Steen	50.00
George A. Robbins	18.00
George C. Hering III	50.00
Calvin R. McCullough	30.00
Margaret R. Manning	57.60
Frank R. Grier	20.00

Introduced by Rep. Phillips. Adopted by voice vote.

Mr. Hale moved to adjourn until Wednesday, February 7, 1968 at 1:30 P.M. Motion prevailed. House adjourned at 4:24 P.M.

2ND LEGISLATIVE DAY (2nd Session)

The Speaker called the House to order at 1:37 P.M., on Wednesday, February 7, 1968.

There was a prayer by the Chaplain Reverend Oliver H. Spence.

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

The Roll Call revealed:

Members present: Reps. Benson, Blendt, Brown, Burton, Castle, Cicione, Dodge, Eskridge, Ferguson, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Leshner, McMahon, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Zimmerman, Mr Speaker Hering — 26.

Absent: Bartleson, Cashman, Evans, Fonville, Hart, Heckert, Murphy, Shockley, Slawik — 9.

Reps. Bartleson, Cashman, Evans, Fonville, Heckert, Murphy and Slawik asked to be marked present later in the session.

Mr Speaker announced that there would be a Joint Session in the Senate at 2:00 PM. for the purpose of hearing the Governor's address on the State of the State.

The following bills were introduced and assigned to committees:

HB 454 — An Act to amend Section 1101, Chapter 11, Title 16, Delaware Code relating to definitions of sanatoria, rest homes, nursing homes, boarding homes and related institutions. Introduced by Reps. Hering and Blendt. Referred to the Committee on Health and Welfare.

HB 455 — An Act to amend Chapter 27, Title 21, Delaware Code, relating to driver's license and permits. Introduced by Reps. Heckert, Gooding, Ferguson, Sebrell, Leshner, Pagano, Benson, Murphy, Evans and Slawik. Referred to the Committee on Highways and Public Safety.

HA 1 to HB 428 — Introduced by Rep. Gray. Placed with bill.

HA 1 to HB 379 — Introduced by Rep. Dodge. Placed with bill.

House recessed at 1:45 P.M.

JOINT SESSION

The House and Senate met in the Senate Chamber at 2:00 P.M. The President of the Senate welcomed the House Members and invited the Speaker of the House to join him on the rostrum.

Senator Cook moved that the Chief Clerk of the House and the Secretary of the Senate act as secretaries for the Joint Session. Motion prevailed.

Senator Cook moved that the President of the Senate appoint a committee of four to escort the Governor to the Chamber. Motion prevailed.

The President named Senators Schlör and Grier and Representatives Gray and Blendt to escort the Governor.

The Sergeant-at-Arms admitted the Governor and the duly appointed committee to the Senate Chamber.

The President welcomed the Governor and introduced him to the Joint Session.

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

Mr. President

Mr. President Pro Tem

Mr. Speaker

Members of the General Assembly

Ladies and Gentlemen:

I am here before you once more to discuss with you the posture of our State, where we are and where we are going—to signal our accomplishments and to share with you my hopes as to what will be our achievements during this coming year.

It is my good fortune to have served as Governor of Delaware during the years of perhaps its greatest increase in terms of economics, population, expanded industry, and individual well being. All of those areas brought with them

problems and challenges. I believe your state government has met its challenges. With your help it will during the year to come.

Let us look for a moment at the dramatic growth of Delaware. In general, people seek out a place to live and work where there are opportunities they may seize and amenities they may enjoy. Our state continues to attract larger numbers of people than choose to move on.

We have grown since 1960 from a state with 446,292 people to one with 526,424, according to the special census just completed. By 1975 we will have 700,000 people and by 1980 we will have more than 800,000.

And it is not simply in population that Delaware has been growing. Economists use personal income as a major indicator of well being and economic health. During the first quarter of 1965 when this administration took office, total personal income in Delaware was \$1.6 billion. It is predicted that in the first quarter of 1968 it will reach the \$2 billion figure exceeding the per capita income for the nation as a whole by some 16 per cent.

Attuned to the hum of Delaware's economy are the labor force statistics. The working man has been the real beneficiary of the state's prosperity. Our labor force is growing at a more rapid rate than the national average, and our rate of unemployment runs consistently below the national average. We have 21,000 more people in our labor force today than we had in 1964, yet we now have less people unemployed than we had that year and I am speaking in terms of numbers of people, not percentages.

Because there were employees whose wages were not sufficient to provide adequate maintenance for themselves and their families, we enacted the state's first minimum wage law of \$1 an hour in 1965. This innovation was followed by a scaled rise in the minimum wage to \$1.25 an hour as of February 1. I view these laws as so necessary and equitable that my pride in their passage is diminished only by my regret that they were not enacted years ago.

But more has been done to help our working men and women. In the two years since we enacted the wage payment and collection law, our department of labor has collected more than \$80,000 in wages earned but unpaid, and turned every penny of it over to the workmen who earned it.

In regard to our handicapped citizens, I am pleased to report that over one thousand such citizens were placed in gainful employment during 1967, giving the state an economic lift of over \$3 million direct wages and making proud, contributing taxpayers of men and women who formerly were in need of assistance.

No one has sacrificed more than the benefit of us all than our fighting men in Vietnam.

A grateful state is concerned about our returning veterans, and we must pay our debt to them by assuring those who move back to civilian life maximum civilian opportunity. Our state employment service makes contact with each one. It is our constant aim to make certain that the disabled are afforded rehabilitation and that those seeking gainful employment get jobs. We want no war veterans to be out of a job for any reason. Also this year we enacted a bonus for the men who have served during the Vietnam crisis so that they may have a small nestegg to fall back on as they return to civilian life. Our debt to each of them can never be paid. Nor can we begin to console those who have lost loved ones in the twisting torment of Southeast Asia. They have the sympathy and lasting respect of us all.

I mention these achievements not out of satisfaction, but so that we remind ourselves prosperity is a virtue only where its fruits are shared with the people who produce it.

Now is the time to relate the past and future. We face a 30-day session in which much must be done.

First, it is appropriate that I speak to you on the subject of education. Before you for consideration in the House Chamber is House Bill 438, The Educational Advancement Act.

Three years ago Delaware had more than 80 local school districts. Today there are 48 and we are continuing to improve. It is no secret that I have considered consolidation to be one of our most serious educational problems. To pave the way for consolidation I appointed the Wolcott Committee in 1965 to report on the needs of the Delaware educational system. The major recommendation was for reorganization of our school districts so that every boy and girl, regardless of his place of residence, might be able to attend a school equipped to offer him first class, modern instruction.

Since that time the recommendations of the report have been thoroughly aired and I charged the State Board of Education to prepare legislation based upon the findings of the report, hearings held in connection with it, and the recommendations of lay and professional leaders throughout Delaware. This was done and House Bill 438 is the result. It represents countless hours of work on the part of many people and has the full endorsement of the Board of Education. It also has mine, and I urge you to enact it after your membership has had ample opportunity to consider its provisions. It is far-reaching and certainly is the most significant educational legislation, aside from the original school code establishing free public schools, in the history of our State. While all of us admire and encourage local pride, it is important in this instance that every resident be a Delawarean first and a local citizen second.

On the subject of education, I want to also report briefly on the progress of educational television which has been funded in its entirety by this administration. During the 1966-67 school year nearly half of all Delaware public school teachers used instructional television programming in their teaching compared to a national average of 19 per cent in states where ETV is available. Of those making use of our closed-circuit television 50.3 per cent rated the programming excellent and 39.8 per cent rated it good.

Delaware continues to be far ahead of most other states in maintaining a multi-channel television system. Agencies of the state are now making plans to use this system in their own training programs. We will continue to make every effort to maintain and expand our leadership in this field.

Another unparalleled educational achievement is the establishment of the Delaware Technical and Community College at Georgetown. We will take another vital step forward when a northern branch of the college opens in Wilmington in September. These comprehensive technical and community colleges fill a void in the state's educational program.

The college now open has enrolled over 700 students and public acceptance is enthusiastic and exciting. The enrollment next year will almost double and within five years there will be an enrollment of more than 2,000 students.

I am pleased at this time to point out that the National Cash Register Company has begun operating in Millsboro in the former Dennis Mitchell Building. One of the reasons for this nationally outstanding industry coming to Delaware is the existence of our fine new college in Georgetown. I have confidence that it and its New Castle County Counterpart will continue to attract quality industry to our state.

Contributing to the overall education improvement of our young people are our fine vocational schools in all three counties. We should continue to fund them generously because they are one of the important reasons why our unemployment rate for 1967 was only slightly more than three per cent substantially below the national average.

Of course, we all recognize that any educational system is no better than its teachers. And to continue to attract and retain fine, dedicated teachers, we must adequately compensate them. Toward this goal it has already been provided that our teachers will receive a \$600 annual increase for the next school year which will give those in 80 per cent of our school districts a starting salary in the \$6,200 range. The state level of support for each starting teacher will then have been increased forty per cent since 1964 from a base pay of \$4,000 per year to the present 5,600.00.

In 1965 I signed into law historic legislation providing for the reorganization of the Government of New Castle County. The bill provided for a strong executive with department heads serving under him, it created a county council to establish broad policy, and it gave the county broad home rule powers in the area of general legislation and in setting tax rates. The 123rd General Assembly also enacted a land subdivision law and turned over to the county prime land at Delcastle Farms for use as a recreational area. Other recreational areas are being developed.

We have shown a continuing awareness and sympathy for the problems of New Castle County. Thus, in the past session I signed a bill affording greater bonding authority to the county in an effort to supply its citizens with the type of services they want. It may now be said that the future of New Castle County rests, as never before, in its own hands.

There is one area, however, in which our urban county cries out for help from the state, and it is that area which I especially emphasize in this message. That is the area of public transportation and it is here we must move quickly.

Some four million passengers annually are now using the available public transportation system in northern Delaware. It is a paradox that those passengers who continue to use bus service despite an increase in fares and a reduction in schedules are those most dependent upon the system for essential transportation—those least able to afford higher fares and most hurt by withered service—our poor, our incapacitated, our aged, our school-children.

As you know, I took the lead by sponsoring a bill in 1967 that was fully backed by the Department of Transportation and had the approval of the Department of Housing and Urban Development in Washington. The General Assembly did not see fit to pass that measure although it would have enabled us to resolve our difficulties.

I have informed the county executive of New Castle and the Mayor of Wilmington that I stand ready to work with them in any reasonable modification of this proposal.

In my view, here is a mandate by our citizens upon this General Assembly to provide action in this vital area before it is too late.

As you know, the Administration of Justice has been one of my special concerns.

To that end, among other accomplishments, the Justice of the Peace System was reorganized with the primary purpose of bringing uniformity of dignified courtroom facilities and trained, salaried Justices into being so that our citizens could enjoy equal treatment under the law. It was also to eliminate the fee system, a questionable practice at best,

so that a statewide standard of ethics under the jurisdiction of the Chief Justice might be established and maintained. This purpose has been largely accomplished.

As Governor, I have emphasized that the law must be respected. But to be respected the law must be clear and understandable. It should operate in an even-handed manner, providing uniform penalties for crimes or similar magnitude. It should, above all, be in tune with the times.

Our present Delaware Criminal Law falls short of these standards. It has been built into an uneven pile of fragmented provisions by the addition of bits and pieces of legislation over the past century and a half. Many of its provisions have little or no application to our modern society. Other provisions create crimes which are ill-defined. In short, the Delaware Criminal Law has been in sore need of an overhaul for years.

To accomplish this, and in line with my over-all program for streamlining and updating the Administration of Justice in Delaware, in 1965 I appointed a distinguished committee of Delaware trial lawyers for the purpose of recommending and proposing new provisions and a new structure to be embodied in a pervasive revision of what is now Title 11 of our Delaware Code. I caused the committee to be bipartisan in character, and state-wide in complexion. Further, to insure the presentation of varying viewpoints, the Attorney General's Office, the Wilmington City Solicitor, and the Public Defender all were represented by membership on the committee. The chairmanship fell to Bruce M. Stargatt, an able Wilmington trial attorney.

The committee has now completed its work. Its fine report, running over 500 pages, was unanimously reached. I have caused legislation based on the report of the committee to be formulated and introduced for your consideration. In a few areas involving controversial policy decisions, I have caused the legislation as introduced to reflect the existing law—in effect suggesting that the committee's recommendations be considered on their merits. Except for these few areas, the vast body of the proposed criminal code carries verbatim the recommendations of the Governor's committee. You are now holding hearings on this legislation. It may be that as the result of these hearings you will determine that portions of the legislation based on the report of the Governor's committee will require fresh consideration and, perhaps, modification. That, of course, is your privilege and right.

But in the end, I request that you give the proposal for a new criminal code your favorable attention. The people of Delaware are entitled to a body of updated, understandable, and Uniform penal laws.

In the field of protection of the consumer, this state now has in effect a truth in advertising bill which prevents the unscrupulous from using false, misleading or actually fraudulent claims in advertising and promoting their products. We have also enacted a law giving the Attorney General broad powers in prosecuting those suspected of fraudulence or deceit.

In addition, we have been sensitive to the interests of our consumers through enactment of the Delaware Wholesome Meat and Poultry Act of 1967 which provides for the removal from the channels of trade of mislabeled, misrepresented, unwholesome or otherwise loathsome meat and meat products. The establishment of a better business bureau in Wilmington has also helped immeasurably in protecting the buying public, and while it is a private organization, it has had the full cooperation and support of your state government which has contributed to its success. We now have the authority and institutions necessary to fully protect the consumer.

A program toward which we can look forward with prideful expectation this year is the new merit system which is certainly one of the most significant accomplishments of this administration.

Details are now being implemented and I want to emphasize that at this time all avenues of discussion and appeal remain open. What is important is that no longer will the vagaries of elections decide the fate of our public servants or the quality of our public service.

There are other areas which deserve more than passing note.

Massive new highway construction has been undertaken and is planned for this year, particularly in the populous areas of New Castle County. Extensive improvements have been made to some of the most heavily traveled roads. Our safety improvement program whereby safety improvements in strategic trouble areas are made immediately without waiting for major reconstruction has been implemented as has the program to replace small bridges throughout the state to render them safe for heavy vehicles such as school buses.

You know already of my interest, which I hope you share in a limited cabinet form of government. A constitutional amendment to permit the merger of The Board of Health and Mental Health is awaiting your consideration. A bill is ready to combine the activities of the Department of Corrections and Youth Services Commission into one central Department, and will be introduced shortly. I am also continuing a private study to determine the need for combining the present Game and Fish, Shell Fish, Parks

and Forestry Commissions. In this connection I want to emphasize that the time has come to provide the Shell Fish Commission with an adequate guard boat. The available guard boat is totally unsafe and I have issued an executive order prohibiting its use. This action has been taken to protect the lives of the watermen who patrol our offshore resources. It is unreasonable to jeopardize the future of them and their families because politics has tied up an appropriation Bill that would otherwise permit them to pursue their work with safety. This General Assembly must authorize repairs for the present boat, buy a new one, or else assume the responsibility of writing off a Delaware industry now in the process of making a dramatic comeback. It is certain that without adequate policing, our shellfish production cannot measure up to federal standards and thus qualify for interstate shipment.

Also in the area of centralized government would fall the transportation bill I spoke of earlier, a bill that would have necessitated a cabinet post. So would the Housing Bill now in the Senate which I plan to talk about later.

Pennsylvania recently passed a law to pay the costs of medicaid for welfare recipients so that they would not lose their benefits. We should take similar action and perhaps also study the entire range of hospital costs, as some other states have been doing to determine if they can be held down, or if more state aid should be provided to hospitals in order to prevent their patient fees from soaring out of sight. An ad hoc committee will be named in the near future.

Another committee, authorized at my suggestion by the 123rd General Assembly, will report to me shortly. That is the insurance study committee which will present its proposed code in my office Thursday morning. I hope to pass it on promptly to you and the public.

One area where I do not recommend any change is in the excellent work being done by the Fire Prevention Commission. Not only are our volunteer companies operated and regulated with great efficiency and dedication, but we can also boast of one of the finest fire schools available for training anywhere in the nation.

It is not possible for me to go into the tremendous benefits that accrue to Delawareans as a result of this modern school, but I urge all citizens to visit it in order to familiarize themselves with the outstanding work that is being done. Members of the General Assembly who have voted the funds for its operation should similarly visit the site near Dover, in order to achieve a fuller understanding of how our firemen, selfless citizens all, are drilling and studying to prepare themselves for their hazardous job of safeguarding the general public.

We live in a time of uncertainty and unrest.

During the past few summers our nation's cities have been rocked by a series of internal human explosions that none of us would have believed possible at the opening of what would otherwise be described as a great decade of progress, progress in terms of almost any kind of achievement you might care to name, from technological development to the fundamental rights of man. One such powder-keg was fused in our own great city of Wilmington for two hectic, frightening days last summer.

Accordingly, part of my task today is to speak to the people of Delaware about what they, the press and national spokesmen have determined to be one of the overriding issues of our time at any state level.

It can roughly be categorized as "Civil Unrest."

It is not by my choice that it is so. I know of the decency of the citizens of this state. Certainly, it is apparent to me on the basis of every evidence that men and women of goodwill—regardless of religion, color or national origin—are attempting to live together in the spirit of brotherhood.

But I am governor and must take seriously every threat, especially so since all of us lived through those riots that only last summer caused \$300,000 in property damage in Wilmington.

We ignore the threats of determined men of notoriety and conviction at our own peril. Hitler should have taught us that. He prophesied years in advance what he intended to do and then he did it, although few took him seriously until it was too late.

Today men move in our midst saying they will burn and loot and destroy our cities even if, in the process, they have to wreck the very foundations of our democracy, of our sacred institutions, of our families and children.

I am not going to ignore such threats; I am not going to consider them as merely the empty mouthings of irresponsible people. I have lived through eras of hate, and I know that fools and madmen and fanatics can disrupt and even destroy the way of life that is our cherished heritage and our surest hope of the future.

We are a small and compact state. If we cannot live together in a spirit of mutual trust and respect, a condition free of those ruly deteriorating crimes of mankind—robbery and burglary and violence—then perhaps there is no hope for the progress and tranquility of mankind.

But we can. We can enjoy all of the productivity of our creative society and overcome, in our desire to achieve excellence and personal well-being, the ugly threats that are repeated in print and on the airwaves so frequently that many of us no longer listen.

I listen. And because I do, I am proud to say here today that the decent people of Delaware, the respecters of law and order, the dedicated citizens of our state, will join me in a determination to protect, whatever and wherever the threat, every man's life and every man's property.

While it is necessary to insure that our laws will be obeyed, we should not forget for a moment our obligation to seek out and solve the root causes of the problems that beset us. We must work together to see to it that our great period of prosperity and plenty accrues to the benefit of all citizens, we must see to it that no one is in need, and that everyone has a maximum opportunity to achieve the full measure of his potential. If a citizen needs additional training, it should be available. Decent housing for all should be one of our foremost goals.

Before you in the Senate is a bill which would enable us to proceed with both public and private construction of low cost housing that will help all of our citizens, not now so blessed, to find a decent, adequate place in which to live and raise their children.

I urge you to approve the measure, which has the stamp of approval from the necessary federal agencies in Washington which would assist in funding it without delay.

I want also at this juncture to restate my position on fair housing which has failed of enactment. Since I first became a candidate for governor, I have made it clear that if the General Assembly passes fair housing legislation, I will sign it into law.

In the related area of upgrading job skills, we must continue to develop new and improved training programs. In 1967 our Apprenticeship and Training Council—hand-in-hand with private industry and the Federal Government—registered 1,100 young apprentices, the highest number in our history. They will train these young men to become skilled craftsmen, under these formally approved training programs, which are placing more and more emphasis on training of disadvantaged and under-employed minority groups.

But despite advancement the old, old problems of our disadvantaged and hard-core unemployed could not be solved by traditional approaches. We have learned that the causes of such inadequacy are complicated and that there are no easy solutions.

Specialized governmental agencies, insulated from each other, each functioning within its own jurisdiction in a tidy and exclusive compartment, could not solve the complex overlapping problems and miseries of the man who is hopelessly unemployable in today's world.

Here in Delaware we have torn down the compartments, and through the Governor's Coordinating Committee, our state agencies are pooling their skills, services and resources

with each other, and with federal agencies, and even with private groups to try to solve the problems of the hard-core unemployed.

We are experimenting, we are innovating, we are trying—and we are moving ahead.

Three of our agencies—Public Welfare, Public Instruction, and Employment Security—worked together with the federal government to train approximately 1,300 people, who had no marketable skills, to fill existing job openings. More than 70 per cent were placed in jobs for which they were trained, and others were placed in related fields of employment.

Three of our agencies—corrections, public instruction and employment security—came up with an idea to rehabilitate and train adult prisoners to meet an acute shortage of “combination welders” and give them a second chance. We were the first state to ask and get federal manpower development training act funds for this purpose. Now, other states are interested and no wonder! Those prisoners who were certified after completing the course started out in private industry at \$2.72 per hour. One man’s first week earnings, with overtime, totaled \$193.

You are aware that the state is investing \$100,000 in a privately run program for motivating and training the poor to become employable, a program concentrating on motivation. This program—O.I.C.—has succeeded elsewhere and we have high hopes for it here in Delaware. Its founder, the Reverend Leon Sullivan, has praised our action in being first to support this program at the state level. We can look forward to the implementation and benefits of this program.

I personally sign and send a letter to every school “Dropout” urging him to contact the state employment service so that he can be placed in a job, or can obtain counseling and testing, or can obtain additional training if needed, or obtain supportive services if needed, such as medical or psychiatric care. The effort has been productive, and all agencies of the state are enthusiastically cooperating to help train and find jobs for those who want to share in our national abundance.

While the low cost housing and employment programs already suggested are of top priority and were among the recommendations made last fall by the committee to investigate the causes of civil unrest, there will be other legislative suggestions stemming from this report during the year.

The committee on civil unrest found that unemployment and underemployment contribute to feelings of discrimination among those who really want to work and those who are working but are relegated to low paying menial type jobs

with no opportunity for training and advancement. It recommended that I appoint a full time "equal employment opportunity" officer to develop, implement and oversee a program for all state agencies to assure there is no discrimination in employment, training and promotion in state agencies. I have a bill ready to authorize such an officer under the personnel commission and it will be introduced shortly.

And I want to re-emphasize one area. The committee was convinced that the fact that thousands of Delaware families are compelled to live in houses which are unhealthy, unsafe, and demoralizing to dignity was indeed a major factor and continues to be in fomenting civil unrest. The committee was of the firm belief that failure now to act on this problem of slum and sub-standard housing and the lack of adequate housing for lower and medium income families would be a threat to the basic economic fabric of our state and endanger the safety and security of every citizen, no matter where he may live in Delaware.

The committee believed that It should be the stated policy and commitment of the Government of the State of Delaware to take direct action and also to give its full assistance, morally and financially, in cooperation with local and federal governments and the private sector in providing decent housing. The housing bill before you in the Senate does just that, and once again I urge you to move expeditiously to its passage.

That is, as I see it, the State of the State, where we are, where we are going, where we have done well, and where we need to do better.

I have said nothing about two vital matters—the new budget and the capital budget along with the planning activity that accompanies it. On February 13, I shall present the budget for your consideration. At this time I can tell you only that it will be within the state's means and will not, as I have said before, require any increase in taxes. The capital budget will also be presented upon completion.

This is where a proud nation got its beginning. We are the first state. Much more important we are one state, with one people, with one goal—to sustain a fair and equitable society committed to justice for all.

This administration has been commissioned by our people to carry forth new ideas toward a more dynamic and greater Delaware.

With God's help and that of the people, we will continue toward that end.

The previously named committee escorted the Governor from the Chamber.

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

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

Senator Cook moved that the two Houses separate to reconvene in their respective chambers. Motion prevailed.

The House reconvened at 3:40 P.M.

The following bill was introduced:

HB 456 — An Act to amend Chapter 243, Volume 56, Laws of Delaware, entitled, "An Act to amend Title 29, Part II, Delaware Code, relating to the General Assembly by providing for the composition and reapportionment thereof" by clarifying certain boundaries of Representative and Senatorial Districts contained therein. Introduced by Reps. Hering, Hale, Zimmerman, Phillips and Dodge.

Mr. Hale moved to suspend rules in order to act on the bill. After some discussion, the privilege of the floor was granted the two Senate Attorneys, Mr. Kelleher and Mr. Yuk, who had prepared the Reapportionment Bill, for questioning. This bill, it was explained, (**HB 456**) merely clarifies certain district boundaries in New Castle County by street nomenclature and does not change boundaries.

Mr. Hale motioned to suspend rules by voice vote. Motion prevailed. The Roll Call revealed:

YEAS — Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Frederick, Gray, Hale, Hammond, Harrington, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Ridgah, Stabler, Zimmerman, Mr. Speaker Hering — 28.

NAYS — Bartleson, Gooding, Slawik — 3.

NOT VOTING — Fonville — 1.

ABSENT — Hart, Sebrell, Shockley — 3.

HB 456 having received the constitutional majority was declared passed the House.

A messenger from the Senate delivered **HB 372** and **HCR 27** having passed the Senate and **SB 319** and **SCR 26** requesting the concurrence of the House.

The following bill was introduced and assigned to committee:

SB 319 — An Act to amend §976 (c), Title 14, Delaware Code, relating to the filling of vacancies of School Boards. Introduced by Senators Cook and duPont. Referred to the Committee on Education.

SCR 26 — That the two Houses meet in Joint Sessions to hear the Message of the Governor. Introduced by Senator Cook. Adopted by voice vote.

The following was reported out of Committee: Revised Statutes: **SB 239**, 6 on merits.

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

HB 428 with HA 1 — An Act to amend Chapter 35, Title 3, Delaware Code, relating to the sale and grading of eggs; restricting the advertisement thereof; providing for enforcement by the State Board of Agriculture; establishing certain penalties and making a supplementary appropriation for the fiscal year ending June 30, 1968.

HA 1 was adopted by voice vote on motion of Mr. Gray.

Privilege of the floor was granted Mr. Ray Lloyd, Extension Poultryman at the University of Delaware. Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Heckert, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 30.

ABSENT — Castle, Hart, McMahon, Sebrell, Shockley — 5.

HB 428 with HA 1 having received the constitutional majority was declared passed the House.

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

HB 274 with HA 1 — An Act to amend Chapter 11, Title 19, Delaware Code, relating to wage payment and collection. Privilege of the floor was given Mr. Bruce Ralston.

On motion of Mr. Stabler, **HA 1** was adopted by voice vote. Mr. Slawik introduced **HA 2** to **HB 274**. Mr. Benson moved to table **HA 2** to **HB 274**. Roll Call on tabling motion revealed:

YEAS — Bartleson, Benson, Burton, Castle, Dodge, Evans, Frederick, Gray, Hale, Heckert, Leshner, Pagano, Pleasanton, Quillen, Riddagh, Stabler, Mr. Speaker Hering — 17.

NAYS — Blendt, Cashman, Cicione, Eskridge, Ferguson, Fonville, Gooding, Hammond, Phillips, Slawik, Zimmerman — 11.

NOT VOTING — Brown, Murphy — 2.

ABSENT — Harrington, Hart, McMahon, Sebrell, Shockley — 5.

HA 2 to **HB 274** tabled.

On motion of Mr. Stabler, Roll Call on **HB 274** with **HA 1** tabled.

On motion of Mr. Castle, action on **SB 296** was deferred until next legislative day.

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

HB 406 — An Act making a supplementary appropriation to the State Department of Public Welfare for the purpose of increasing the scope of its Family Planning Program.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Heckert, Leshner, Pagano, Phillips, Quillen, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 27.

NAYS — Pleasanton, Riddagh — 2.

ABSENT — Blendt, Hart, McMahon, Murphy, Sebrell, Shockley — 6.

HB 406 having received the constitutional majority was declared passed the House.

House adjourned at 5:26 P.M. until Monday, February 19, 1968, at 1:30 P.M.

3RD LEGISLATIVE DAY — 2nd Session

The Speaker called the House to order at 1:59 P.M., on Monday, February 19, 1968.

There was a prayer by the Chaplain Reverend John Irwin.

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

The Roll Call revealed:

Members present: Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Dodge, Eskridge, Evans, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Zimmerman, Mr. Speaker Hering — 30.

Members Absent: Cicione, Ferguson, Fonville, Shockley, Slawik — 5.

Reps. Cicione and Slawik asked to be marked present.

The following bills were introduced and assigned to committees:

HB 457 — An Act to appropriate money to the Delaware Jaycees, Inc. for use in the National Junior Miss Pageant. Introduced by Reps. Harrington, Murphy, Gray, Slawik, Cicione, Burton, Zimmerman, Gooding, Phillips and Cashman. Referred to the Committee on Miscellaneous.

HB 458 — An Act to amend Chapter 70, Title 16, Delaware Code, relating to explosives by providing a new section concerning blasting precautions. Introduced by Reps. Cicione, Gooding, Ferguson, Pagano and Quillen. Referred to the Committee on Miscellaneous.

HB 459 — An Act to amend Chapter 66, Title 16, Delaware Code, relating to Fire Prevention, by adding a new section providing for fire watchers at circuses, carnivals, and other similar exhibitions. Introduced by Reps. Cicione, Harrington, Ferguson, Brown, Pagano, Gooding and Cashman. Referred to the Committee on Miscellaneous.

HB 460 — An Act to revise the Income Tax relating to individuals, trusts, estates, and certain corporations; to incorporate by reference the Federal Income Tax statutes, rules and regulations; and to provide for improved administration and enforcement Introduced by Reps. Hering, Eskridge and Hart. Referred to the Committee on Revenue and Taxation.

HB 461 — An Act to amend Title 7, Delaware Code, by repealing Part II relating to the Shell Fisheries Commission and its jurisdiction, and revising Part I in order that the Board of Game and Fish Commissioners hereafter assume functions formerly the responsibility of the Shell Fisheries Commission and accomplishing certain other additions to, revisions and codification of the authority of the Board of Game and Fish Commissioners by further amendment to Title 7 and Title 23 relating to Navigation and Waters. Introduced by Reps. Pleasanton, Sebrell, Harrington, Frederick and Dodge. Referred to the Committee on Fish, Oyster and Game.

HB 462 — 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 the various agencies of the State" by adding a Supplementary Appropriation to provide for escalating costs of school construction. Introduced by Reps. Hale and Zimmerman. Referred to the Committee on Education and Appropriations.

HA 1 to HB 423 — Introduced by Rep. Leshner — Placed with bill.

HA 1 to HB 437 — Introduced by Rep. Quillen — Placed with bill.

HA 2 to HB 437 — Introduced by Rep. Stabler — Placed with bill.

The House recessed at 2:02 P.M.

The Sergeant-at-Arms announced the President and Members of the Senate. They were admitted and seated. The Speaker invited the President of the Senate to a seat on the rostrum.

JOINT SESSION

Mr. Hale moved that the House and Senate convene in Joint Session. Motion prevailed. Mr. Hale moved that the Speaker of the House preside over the Joint Session. Motion prevailed. Mr. Hale moved that the Chief Clerk of the House and the Secretary of the Senate act as Secretaries for the Joint Session. Motion prevailed.

The Chair appointed the following committee to escort the Governor to the House: Reps. Cicione, Blendt, Senators Bookhammer and Moore.

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

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

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

Mr. Speaker

Mr. President

Mr. President Pro Tem

Members of the General Assembly

Ladies and Gentlemen:

Thank you for your consideration in permitting me to postpone delivery of this message from Tuesday last until today.

The budget I am presenting for your consideration is a vital, living document that will carry our state into new areas of progress and achievement. It implements many of the great programs enacted by the General Assembly during the earlier years of this administration.

In going through the preparatory work on the budget and arriving at the recommendations, I was truly proud of the many new services, protections and governmental reforms that it will provide for the people of Delaware.

It is also a source of satisfaction to me that this progressive, forward-looking budget can be proposed in Delaware and financed out of revenue expected and on hand. In state after state this year, I have read budget messages by my fellow governors in which they had to go before their legislatures and seek tax increases to finance additional expenditures legitimately demanded and expected by a public which must be served. This is a budget that provides those increases without any need for additional revenue, and the next governor will have a surplus with which to begin his term.

We will begin operation of a Technical and Community College in New Castle and also initiate a second year program for the one now operating in Georgetown. The long desired merit system will be put into effect giving our public employees a degree of security never before known. Better pensions, better wages, and larger staffs are recommended for virtually every agency. Teachers will receive a \$600 to \$800 pay increase, and a firm staffing program will go into effect. Health care for our citizens will be dramatically extended. Consumer protection will be surer and better than it has ever been before. Air pollution monitoring stations will be established to provide the Water and Air Resources Commission the information it needs to protect our state. Our promotional arm, the Development Department, will be able to attract more industry, thus keeping alive our economic expansion.

I shall go into more detail later. Let it suffice to say that never before in its history has the State Government been in a position to provide so much that is desirable and needed to its citizens in all walks of life.

I am able at this time to report that in December a tax dispute dating back to 1965 was settled to the benefit of the state providing us with additional estate taxes in the amount of \$2.8 million for the next fiscal year. This is revenue I did not know about the last time I spoke to you on the subject of Finances.

Based upon six months actual experience during the current fiscal year, I have estimated our revenue through June 30, 1968, at \$153.6 million. If no additional supplementary appropriations are made, it is estimated that disbursements for this same fiscal year will be \$157.7 million. The net effect will be a reduction in our general fund cash balance to about \$23 million.

I have estimated general fund receipts of \$159.7 million for fiscal 1969. Added to the beginning cash balance of \$23 million, a total of \$182.7 million will be available for appropriation.

My total recommended budget for fiscal 1969, including the Budget Appropriation Act, Routine Grants-in-Aid, Estimated Automatic Appropriations and Estimated Reversions, calls for expenditures of \$178,432,039, leaving an estimated general fund cash balance of about \$4.2 million on June 30, 1969.

Since there is seldom any difference of opinion over the routine grants-in-aid and since nothing can be done about the automatic appropriations—primarily revenue refunds—I will direct my attention to the Recommended Budget Appropriation Act of General Fund Monies for 1969 and point out the significant changes from the current appropriation act and its various supplements.

The Budget Act for Fiscal 1968, as initially amended, appropriated \$149,514,691. Since that time, the General Assembly has enacted, and I have approved, \$2,768,615 in supplementary appropriations that can be classified as new or improved programs that must be carried into fiscal 1969. Other supplements, automatic appropriations, and grants-in-aid bring the total allocation up to about \$161.3 million from which we can anticipate \$3.6 million in reversions.

My recommended Fiscal 1969 Budget Act of \$173,013,279 is \$20,729,973 higher than the comparable total of \$152,283,306 appropriated for fiscal 1968. This represents a cut of approximately \$10 million from the total agency requests. No request has been lightly trimmed, but I think it apparent to you that the \$20.7 million increase recommended is higher than has been customary in recent years.

However, it should come as no surprise. During the past year, I have frequently appeared before you to explain our financial condition and the effect that certain projects under consideration would have upon the Fiscal 1969 Budget.

For the purpose of analysis, I will break this increase generally into three major categories, although these will overlap in some instances:

- I. Increases over which we have no direct control.
- II. Increases due to legislative action already taken by this assembly; and
- III. Increases that are necessary to maintain present services at the current level because of population growth and to provide highly desirable improvements and new projects.

I. Increases over which we have no direct control.

(a) Debt Service Appropriations must be increased by \$4,312,660, primarily due to the maturity of a \$2.5 million bond which was not amortized. This figure would be \$1 million higher if we were not using the earnings of the Capital Investment Fund to help meet the demand.

(b) Pension and Social Security Appropriations must be increased by \$1,054,400.

This means that a total of \$5,376,060 of the recommended increase is beyond our direct control.

II. Increases mandated by prior Legislative Action.

(a) School District Appropriations must be increased by \$6,698,299. This breaks down as follows:

- (1) \$4,623,799 for regular salary increment raises and for the salary schedule increases mandated by Senate Bill No. 230.
- (2) \$1,650,000 to cover increases in the numbers of school children.
- (3) \$250,000 for the additional school staffing mandated by Senate Bill No. 228.
- (4) \$82,500 for the Driver Education Summer Program mandated by House Bill No. 405.
- (5) \$92,000 for additional clerical staffing. This item was not mandated but is necessary if a uniform clerical staffing formula is to be applied for all districts.

(b) Recommended appropriations for Public Education at the state level in the Departments of Public and Vocational Instruction and Educational Television have been increased by \$325,227. This includes approximately \$125,000 for salary increases mandated by Senate Bill No. 230 and House Bill No. 369.

In summary, of the total \$7,023,526 recommended increase for Public Education, approximately \$6,731,000 was previously committed by the General Assembly. When this

sum is added to the \$5,367,060 for debt service and pensions, you will see that \$12.1 million of the recommended increase was already mandated before the budget review began.

III. Recommended Increases other than Public Education

- (a) Recommended appropriations for Higher Education are increased by \$2,636,750. Of this sum, \$1,428,500 is earmarked for the University of Delaware, and \$133,000 for Delaware State College. Virtually, all of the balance is allocated to the Delaware Technical and Community College for the purpose of instituting the second year courses at the Southern Branch and for opening a Northern Branch in New Castle County.

Thus, it can be seen that Delaware will spend \$9.65 million more for total education than is being spent during the current fiscal year. This is a phenomenal but sensible increase since the education of our young is our foundation for the future.

It would seem appropriate to comment at this point of departure from the educational function that only \$6 million of the total recommended increase remains for the important services to be carried out by all the rest of our State Government, but that \$6 million will be meaningful to our citizens for years to come. The recommended increases are as follows:

- (b) Appropriations for the nine Legislative and Elections agencies have been increased by \$334,667. The major portion of this additional cost is routine for the conduct of the 1968 elections.
- (c) Appropriations for the twelve Executive and Financial Agencies have been increased by \$409,955. The following programs account for over 80% of this sum.
 - (1) Establishment of the new Personnel Commission on a full-time operating basis.
 - (2) More adequate data processing equipment and some additional staff in the budget office to automate the processing of personnel records as required by the Personnel Commission, and certain routine phases of the budget preparation now performed at the agency level.
 - (3) Additional Staff in the Treasurer's Office to assure prompt reconciliation of accounts.
 - (4) Additional Staff to enable the Planning Office to meet the increased demands validly made by our state agencies, the various municipalities, and especially by the General Assembly.
 - (5) The stepping up of promotional programs by the State Development Department to attract desirable types of new business and industry to our state.

- (b) Recommended appropriations for the fifteen Judicial and legal agencies have been increased by \$164,717. Over one-half of this sum is allocated to the Family Courts in order that they can more adequately cope with the increased case loads in a vital area of human relations.
- (e) Recommended appropriations for the twenty-nine professional, occupational and regulatory agencies have been increased by \$108,032. Of this sum, \$50,000 is required by the State Insurance Commissioner, primarily for insurance premiums, and \$26,000 has been allocated to our Fire Prevention Agency to expand the fire programs that they have recently established.
- (f) Recommended appropriations for the two defense agencies have been increased by \$17,565 and recommended appropriations for the four labor agencies by \$31,500. Of this latter sum, \$20,000 is a new appropriation to the office of economic opportunity for the purpose of matching and continuing federal aid for programs that are an integral part of our fight against unemployment and underemployment.
- (g) Recommended appropriations for the seven cultural, historic and recreational agencies have been increased by \$165,960. The State Park Commission would receive \$144,920 of this sum for the purpose of continuing a staged and orderly expansion of operations in the park and recreational sites acquired during the past several years. The physical development of these sites is already underway as provided by you in various capital improvement acts.
- (h) Recommended appropriations for the three agencies involved with state properties have been increased by \$118,993. This sum is nearly equally divided between the necessary utilities maintenance of new state properties in the Capital, and a modest expansion of our central procurement program. It is worthy of note that agency response to the opportunity of participating in this latter service has exceeded the capacity of the small initial staff provided this year, and the modest outlay provided here should be returned to the state several times over in savings; in fact, this present budget is smaller than it would have been without this service.
- (i) Recommended appropriations for the nine Health and Welfare Agencies have been increased by \$2,199,947, a sum which is more than one-third of the total increase for all agencies other than education, debt service and pensions. The principal parts of this in-

crease are \$550,900 for the Department of Public Welfare—largely for benefit grants—and \$1,138,852 for the Department of Mental Health.

This 13% increase for increased operation in the Department of Mental Health is directed toward strengthening that part of the staff having direct contact with the patients in these institutions, especially the aides, attendants, nurses and therapists. Altogether, it will provide for an additional 176 employees, of which approximately 92 fall in these categories. It will also provide for a stepped up program to combat alcoholism in our state and a start on the staff for the children's hospital now being constructed.

Let me also point out that the \$112,050, or 33%, increase for the Water and Air Resources Commission will be chiefly used to locate the first adequate air pollution monitoring stations in Delaware, although the task of maintaining clean water will continue to be vigorously pursued.

- (J) Recommended appropriations for the four rehabilitation agencies have been increased by \$391,595. Over \$200,000 of this sum is for the Department of Corrections with a priority on increasing the staff of the probation and parole program from the present 20 to 35 as requested.
- (k) Recommended appropriations for the eight agriculture, forestry and conservation agencies have been increased by \$169,721. Of this increase, \$98,740 is for the Department of Agriculture and its sub-divisions for the purpose of implementing the new meat inspection code and further protecting our citizens by strengthening the weights and measures division.
- (l) Recommended Appropriations for the eight divisions of the Highway Department have been increased by \$1,100,895. The major portion of this amount is for salary adjustments provided under the new merit system pay plan which is discussed below. Also significant, however, is inclusion of \$183,000 for our State Police Division, primarily for raises for all personnel, in accordance with their own request; funds to complete the centralization of all data processing equipment and the implementation of what may be the first local-state-national criminal information exchange network. It should also be pointed out that part of this increase is a result of more carefully restricting those department expenses that can be covered by bond monies, a change initiated last year.
- (m) Finally, the emergency fund recommendation has been increased by \$452,000. This fund contains a contingency of \$500,000 for the implementation of the

new merit system pay plan. Without this sum, the emergency fund would actually have been reduced.

This final area deserves more attention. Of the \$6 million increase recommended for all agencies other than Education, debt service and pensions, approximately \$1,625,000 has been recommended for employee salary adjustments in the classified service. Over 27% of this \$6 million is for the purpose of implementing a uniform classification and pay plan. Most of this sum is in the agencies' budgets and was a part of the increases I outlined to you above. Time has not permitted the final determination of classification and costs within each agency before the deadline for submitting this budget to you. It is, therefore, imperative that the budget commission have a contingency fund available for the final implementation of this plan, and the authority to move excess salary funds from one agency to another if required for this purpose. This is an exact parallel to the procedure that has operated so successfully in the appropriation of salaries for school employees, first under the budget commission, and, for the past four years, under the budget director.

The provisions of this budget act, when combined with the state merit system law already on the books, will carry Delaware into a bright new day in the field of personnel administration. It will put us on a level with the best being done in other states and will establish, for the first time, fiscal responsibility in this area which accounts for more state expenditure than any other. Incidentally, I would like to repeat that these provisions are not new in Delaware Law. The state allotment of school employee positions and salaries has been handled this way for many years now. During this current year, you have approved employee position control in a number of agencies on an experimental basis. I am satisfied that this experiment has been a success to date.

My address today has necessarily concentrated upon facts and figures, so that you will have a clear understanding of where we are financially and where we are going. But I want to say just a word about the hard-working board and commission members who serve on so many of our state agencies with either no or little remuneration. For most of them, public service is a sacrifice, and I think it appropriate that we call attention to their contribution and realize in our own minds that without their generosity, our budgetary expenses would inevitably be higher.

I want also to point out that this budget is a balanced one, making use as it does of a surplus accumulated through years of prudent spending and fiscal responsibility.

Fiscal responsibility has been the trademark of this administration because it is the budget itself which reflects the capacity and development of the state, and not only in gov-

ernmental activity. The budget of the State Government relates to growth in nearly every segment of a vibrant economy and is, therefore, of immense importance to every businessman, industrialist, wage earner, investor and pensioner.

During my administration, our budgets have been marked by steady growth, allowing the agencies of the state to keep pace with the overall progress of the private sector and also permitting us to expand into scores of new programs that were but a dream a few short years ago.

In short, we have a budget that will enable the state to move ahead responsibly without resorting to any questionable money practice whatever.

Last year, in detailing the financial responsibility we practice, I set forth six major guidelines, so that there could be no misunderstanding. Firm in my belief that the same philosophy must prevail, I would like to repeat them now.

1. We must continue to progress. This budget will enable every agency to operate with efficiency. We have given high priority to the prevention of air and water pollution, the expansion of higher education, the improvement of certain phases of our mental health programs, the development of certain recreational areas, the implementation of the merit system, and increased emphasis on highway safety.

2. We must continue to improve the structure of State Government. The present priorities in this area are the implementation of the merit system, the expansion of our voluntary bulk purchasing program into a modified central purchasing office, and the functional reorganization of state agencies.

3. In each priority area, we must continue to advance in positive but planned and controlled steps. We do not foresee any "crash" programs, since none is necessary. The agencies can take advantage of an effective program and utilize moderate budgetary increases each year for several years. Crash programs in these areas can only lead to waste and inefficiency.

4. The Governor, as chief executive is the chief fiscal officer in the state. It will be expected during the next year, as during the past three, that all executive agencies will direct their requests for change in the recommended executive budget or for supplementary appropriations to the Governor and to the Budget Director for consideration prior to placing such requests before the General Assembly.

5. Except for bone fide emergencies beyond the control of the agency, it is expected that all executive agencies will live within their budget appropriation. This is especially true in the area of employees' salary increases. It has been, and will continue to be, the policy of this administration to oppose supplementary appropriations for the purpose of increasing salaries midway through a fiscal year.

6. We must continue to adopt fiscal programs that assure the state of an adequate annual cash balance in the General Fund. We must not revert to fiscal policies which permit a General Fund deficit. Our budget proposals should carefully weigh our needs and resources with this guideline in mind in this regard. It is my determination, for the duration of this administration, to meet our increased automatic requirements and advance all priority programs without any tax increases. No tax increases will be recommended or anticipated by me through the remainder of this gubernatorial term.

If we pursue these guidelines in the area of fiscal responsibility, we will continue to advance and maintain our position of leadership as one of the most dynamic and attractive entities in this union of sovereign states.

The previously named committee escorted the Governor from the Chamber.

The House recessed at 2:50.

The House reconvened at 4:53 P.M.

A messenger from the Senate delivered **SCR 27**, **SCR 28**, having passed the Senate and requesting the concurrence of the House; and returning to the House **HB 456** and **HCR 28** having passed the Senate.

The following bills were introduced and assigned to committees:

HB 463 — An Act making a Supplementary Appropriation to the State Board of Education for Driver Education during the summer months of 1968. Introduced by Reps. Heckert, Cicione, Riddagh, Murphy, Evans, Benson, McMahon, Dodge, Hart, Pagano, Cashman, Zimmermann, Slawik and Sebrell. Referred to the Committee on Education.

HB 464 — An Act making appropriations for the expense of the State Government for the fiscal year ending June 30, 1969. Introduced by Reps. Zimmerman, Harrington, Gooding, Phillips, Eskridge, Sebrell and Hammond. Referred to the Committee on Appropriations.

HB 465 — An Act to amend Chapter 21, Title 21, Delaware Code, relating to inspection of vehicles by adding a new Subchapter to provide alternative privately operated motor vehicle inspection facilities. Introduced by Reps. Lesher, Murphy, Harrington, Eskridge, and Hering. Referred to the Committee on Highways and Public Safety.

HR 104 — Authorizing payment of amount due the Cedar Tree Press, Inc. for supplies furnished the 124th General Assembly. Introduced by Rep. Sebrell. Dr. Sebrell moved that this resolution be adopted by voice vote. Mr. Zimmermann requested a roll call vote. Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Frederick, Gray,

Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 26.

NAYS — Blendt, Gooding, Hammond, Zimmerman — 4.

NOT VOTING — Phillips, Slawik — 2.

ABSENT — Ferguson, Fonville, Shockley — 3.

HR 104 having received the constitutional majority was declared adopted by the House.

HB 473 — An Act appropriating money to the Departments of Elections for Sussex County, Kent County and New Castle County to carry out the reapportionment Act in Volume 55, Delaware Laws, Chapter 243. Introduced by Rep. Zimmerman. Mr. Zimmerman motioned to suspend rules. Mr. Hale moved to table Mr. Zimmerman's motion. Mr. Hale's motion prevailed. Mr. Zimmerman moved to leave **HB 473** unassigned on the Speaker's desk. Motion prevailed.

HR 105 — Relative to the Birthday of Representative Mary Etta Gooding.

WHEREAS, it has come to the attention of the House of Representatives that February 19 is the birthday of Representative Mary Etta Gooding, member of the House of Representatives; and

WHEREAS, the members of the House wish by suitable means to extend their greetings to Representative Mary Etta Gooding on this occasion.

NOW THEREFORE,

BE IT RESOLVED that the House congratulate Representative Mary Etta Gooding on the occasion of her birthday and extend to her the best wishes of its members for many happy returns of the day; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded by the Chief Clerk to Representative Mary Etta Gooding; and

BE IT FURTHER RESOLVED that this Resolution be spread upon the Journal of the House for this session.

Introduced by Reps. Zimmerman, Quillen, Pagano, Murphy, Cicione, Castle, Hering, Stabler, Riddagh, Hale, Eskridge, McMahon, Phillips, Sebrell, Hammond and Harrington. Adopted unanimously by voice vote. The House members wished Rep. Gooding a Happy Birthday.

A Messenger from the Senate delivered **SCR 29** having passed the Senate and requesting the concurrence of the House.

The following bill was introduced:

HB 474 — An Act making a Supplementary Appropriation to the respective Departments of Elections of New Castle, Kent and Sussex Counties and to the Election Commissioner for implementation of the 1968 Reapportionment Act., and providing for equal division of new employees of the

respective Departments of Elections between the two major political parties. Introduced by Rep. Castle. Mr. Castle moved to suspend rules in order to consider passage of **HB 474**. Motion prevailed.

Roll Call revealed:

YEAS — Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Frederick, Gray, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 25.

NAYS — Blendt, Gooding, Hammond, McMahon, Slawik, Zimmerman — 6.

ABSENT — Bartleson, Ferguson, Fonville, Shockley — 4.

HB 474 having received the constitutional majority was declared passed the House.

The following bills were introduced:

HB 466 — An Act to amend Section 508, Title 17, Delaware Code, relating to Bond required to be posed with the State Highway Department prior to construction of certain roads. Introduced by Rep. Stabler. Referred to the Committee on Highways and Public Safety.

HB 467 — An Act to amend Section 5521 (a), and (f), Title 29, Delaware Code, relating to pensions. Introduced by Rep. Stabler. Referred to the Committee on Judiciary.

HB 468 — An Act to amend Section 1301, Title 24, Delaware Code, relating to private detectives. Introduced by Rep. Stabler. Referred to the Committee on Judiciary.

HB 469 — An Act to amend Title 6, Delaware Code, by adding a new chapter relating to protection of consumers in home solicitations sales. Introduced by Reps. Castle, Gooding, Slawik, Pagano, Cicione. Referred to the Committee on Commerce and Corporations.

HB 470 — An Act to amend Section 3106, Title 3, Delaware Code, relating to the sales of milk or cream under fictitious, coined, or trade name and the labeling of non-dairy product substitutes. Introduced by Reps. Cicione, Harrington, Eskridge, Riddagh, Pleasanton, Sebrell, Quillen, Burton and Blendt. Referred to the Committee on Agriculture.

HB 471 — An Act to amend Section 8323 (c), Title 11, Delaware Code, by making retired members of the Delaware State Police eligible to be employed as State Detectives under the Attorney General while still receiving state pension. Introduced by Reps. Benson, Evans, Frederick and Cashman. Referred to the Committee on Revised Statutes.

HB 472 — An Act to aid certain fire companies which are organized to extinguish fires or maintain ambulances or rescue trucks, by making appropriations for them. Introduced by Reps. Brown, McMahon, Riddagh, Dodge, Burton and Frederick. Referred to the Committee on Appropriations.

SCR 27 — Relative to the death of Jacob A. Correll, formerly a Member of the Senate and the House of Representatives of the State of Delaware. Introduced by Senator duPont. Adopted by voice vote.

SCR 28 — Relative to the death of John W. Phillips, a former member of the House of Representatives of the State of Delaware. Introduced by Senator Steen. Adopted by voice vote.

SCR 29 — Establish a Joint Committee of the Senate and 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. Introduced by Senator Steele. Referred to the Committee on Revenue and Taxation.

HR 106 — Authorizing Payment for services rendered by the Legislative Staff of the House of Representatives of the 124th General Assembly.

BE IT RESOLVED by the House of Representatives of the 124th General Assembly that the State Treasury be and hereby is authorized and directed to pay the Legislative Staff of the House of Representatives whose names are listed below, the amounts set forth opposite their respective names and such are to be regarded as payments in full for services rendered by said Legislative Staff for the period commencing with the 22nd day of December, 1967 and ending with the and including the 19th day of February, 1968, for the current session:

Antoninich, John	75.00
Banks, Virgle E.	390.00
Barkley, Robert J.	247.50
Bayfield, Ralph W.	40.00
Butler, Roland M.	330.00
Ellis, Emogene P.	240.00
Evans, Irvin D.	200.00
Hollett, David	120.00
Hurley, Charles A.	60.00
Irvin, John	20.00
Jenkins, Gwendolyn	200.00
Joines, McCoy	75.00
Jones, Jesse F.	120.00
Kelsey, Roger	375.00
Kenton, James	100.00
Kneisley, Evelyn M.	210.00
Konopik, Barbara Ann	510.00
Looney, Helen M.	270.00
MCready, Annette Jane	420.00
McDonald, John	240.00
Messick, Granville	120.00
Messick, John Jr.	100.00

Millman, Richard	165.00
Mumford, Bernard C.	20.00
Oliphant, Rebecca L.	90.00
Painter, Joan S.	300.00
Parker, Ruth M.	180.00
Potter, Ruth E.	210.00
Redding, Anna E.	220.00
Ross, Ruth N.	120.00
Shorts, Norman	20.00
Smith, Louise deR.	420.00
Stone, F. L. Peter	375.00
Taylor, Nathaniel W.	120.00
Truitt, James P., Jr.	150.00
Van Sant, Douglas	175.00
Walsh, Peter	375.00
Wright, Jacqueline	220.00
Zacheis, Margaret T.	220.00

Introduced by Rep. Sebrell. Dr. Sebrell moved that so much be considered a reading of **HR 106**. Motion prevailed. Rep. Sebrell moved that **HR 106** be adopted by voice vote. Motion prevailed.

The following bill was reported out of committee: **HB 389** — Appropriations: 5 favorable, 1 on merits.

Rep. Heckert moved to suspend rules to consider passage of **HB 389**. Motion prevailed. **HB 389** was given a final reading and placed before the House for consideration.

HB 389 — An Act to amend an act being Chapter 1, 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 for mental health in the amount of \$2,750,000 and for Delaware Institute of Technology in the amount of \$1,540,000 and to issue bonds and notes therefor"

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicone, Dodge, Eskridge, Evans, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman and Mr. Speaker Hering — 32.

ABSENT — Ferguson, Fonville, Shockley — 3.

HB 389 having received a required $\frac{3}{4}$ vote was declared passed by the House.

HB 423 with **HA 1** reported out of Appropriations Committee: 7 favorable. Mr. Hale moved to suspend rules in order to consider passage. Motion prevailed. **HB 423** was given a final reading and placed before the House for consideration.

HB 423 — An Act to amend §5103 (b), Title 16, Delaware Code, relating to the Commissioner of the Department of Mental Health.

Mr. Leshner moved for adoption of **HA 1** by voice vote. Motion carried.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Caste, Cicione, Dodge, Eskridge, Evans, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31

ABSENT — Ferguson, Fonville, Heckert, Shockley — 4.

HB 423 with **HA 1** having received a constitutional majority was declared passed by the House.

HB 457 reported out of Miscellaneous Committee: 4 on merits. Mr. Harrington moved to suspend rules to vote on the bill. Motion carried. **HB 457** was given a final reading and placed before the House for consideration.

Roll Call revealed:

YEAS — Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Ridgah, Sebrell, Slawik, Zimmerman, Mr. Speaker Hering — 29.

ABSENT — Bartleson, Ferguson, Fonville, Heckert, Shockley, Stabler — 6.

HB 457 having received a required $\frac{3}{4}$ vote was declared passed by the House.

The following bills were reported out of Committee:

Education: **HB 462**, 4 favorable, 2 on merits; Highways and Public Safety: **HB 434**, 3 favorable, 1 on merits; Appropriations: **SB 274**, 7 favorable, 2 on merits.

Mr. Leshner moved to suspend rules and vote on **SB 274**. Motion carried. **SB 274** was given a final reading and placed before the House for consideration.

SB 274 — An Act making a Supplementary Appropriation to the Custodian of the State House. Introduced by Senator Dineen.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Dodge, Eskridge, Gooding, Gray, Hale, Hammond, Harrington, Leshner, McMahon, Murphy, Phillips, Pleasanton, Sebrell, Slawik, Zimmerman, Mr. Speaker Hering — 21.

NAYS — Cashman, Frederick, Pagano, Quillen, Ridgah — 5.

NOT VOTING — Castle, Cicione, Evans, Hart — 4.

ABSENT — Ferguson, Fonville, Heckert, Shockley, Stabler — 5.

SB 274 having received a constitutional majority was declared passed the House.

The following bill was introduced:

HB 475 — An Act to transfer the payment of certain expenses and the receipt of certain fees, fines and costs relating to the administration of Justice from the several counties to the State. Introduced by Reps. Benson, Sebrell and Murphy. Referred to the Committee on Revenue and Taxation.

On motion of Mr. Castle the following bill was given a final reading and placed before the House for consideration:

SB 296 — An Act to amend Title 15, Delaware Code, affecting a general revision of the Election Laws of the State of Delaware by amending Chapters 1, 3 and 11, relating to the Division of Election, State Election Commissioner.

Mr. Zimmerman introduced **HA 1** to **SB 296** and moved for its adoption by voice vote. Mr. Castle moved to table **HA 1**. Mr. Castle's motion prevailed. Roll Call on **SB 296** revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Frederick, Gray, Hale, Hart, Leshner, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Mr. Speaker Hering — 20.

NAYS — Blendt, Eskridge, Gooding, McMahon, Phillips, Slawik, Zimmerman — 7.

ABSENT — Evans, Ferguson, Fonville, Hammond, Harrington, Heckert, Shockley, Stabler — 8.

SB 296 having received the constitutional majority was declared passed the House.

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

HB 379 — An Act to amend Section 5501, Title 29, Delaware Code, relating to qualifications of blind operators of concession stands under the control of the Delaware Commission for the Blind, within the State Employee's Pension Plan.

Mr. Dodge moved for adoption of **HA 1** to **HB 379**, by voice vote. Motion prevailed. Roll Call revealed:

YEAS — Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, McMahon, Murphy, Phillips, Quillen, Riddagh, Sebrell, Slawik, Zimmerman, Mr. Speaker Hering — 26.

NOT VOTING — Bartleson, Leshner, Pagano — 3.

ABSENT — Evans, Ferguson, Fonville, Pleasanton, Shockley, Stabler — 6.

HB 379 with **HA 1** having received a constitutional majority was declared passed by the House.

The following bill was introduced:

HB 476 — An Act amending Title 29, Part II, Delaware Code relating to the General Assembly by changing the boundaries of the third and fifth Representative Districts. Introduced by Reps. Hering and Castle.

Mr. Castle moved on behalf of Speaker Hering, to suspend rules and consider **HB 476**.

Mr. Eskridge questioned the constitutionality of considering this bill during this session; the state of emergency of reapportionment not having been created by the courts but by the General Assembly. Mr. Zimmerman moved to defer **HB 476** until the next legislative day. Motion prevailed. Mr. Castle withdrew his motion to suspend rules. **HB 476** assigned to Elections Committee.

House recessed to the call of the chair at 6:55 P.M.

4TH LEGISLATIVE DAY — 2nd Session

The House reconvened at 1:40 P.M., on March 27, 1968. Mr. Hale moved to adjourn until 1:41 P.M., thereby ending the 3rd Legislative Day. House met pursuant to adjournment at 1:41 P.M., on Wednesday, March 27, 1968.

There was a prayer by the Chaplain Reverend Charles S. Covington.

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

Members present: Bartleson, Benson, Blendt, Brown, Burton, Cashman, Cicone, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

Absent: Castle, Eskridge, Shockley — 3.

The minutes of the previous session were approved as posted.

Mr. Zimmerman asked that his name be stricken as co-sponsor of **HB 437**.

The following Resolution was read and made a part of the Journal:

WHEREAS The Independent Association of Mature Persons, Wilmington Chapter, is greatly concerned about the transportation problem in Delaware, and

WHEREAS, Many residents are deprived of the means of getting to the doctor or hospital for treatment, and

WHEREAS, Many residents are unable to attend church services,

WHEREAS, Many residents are unable to attend special classes, public hearings and other important civic affairs, and

WHEREAS, Bus routes are in need of revision and expansion due to the growth and changes since they were first set up, and

WHEREAS, Fares are out of all proportion to the service rendered, and special rates should be made for students and older people, and

WHEREAS, The time has come for correction of this situation and the resulting inconvenience and hardship to the public,

RESOLVED, therefore, that the Legislature of the State of Delaware be urged to take the necessary steps to correct this situation and provide necessary transportation facilities without further delay.

RESOLVED, further that a copy of this Resolution be given to our Governor, Lt. Governor and Speaker of the House.

This Resolution passed and adopted - meeting of Independent Association of Mature Persons - Wilmington, Delaware - March 20, 1968.

/s/ Gertrude Lowell, President

/s/ Mary S. Selders, Secretary

The following resolution was introduced:

HCR 29 — Relating to the formation of a Study Committee for the purpose of recommending action to the General Assembly on the problems of public transportation.

WHEREAS, a grave problem is developing in Wilmington and New Castle County as a result of failure of private enterprise to meet the needs of the citizens; and

WHEREAS the existing contract between the transit company and its employees is due to expire in the very near future; and

WHEREAS the General Assembly feels an urgent need to meet the needs of the affected citizens who have no other way to get from home to their places of employment; and

WHEREAS it is anticipated that the Governor of the State of Delaware will introduce today a bill creating a State Transportation Authority,

NOW THEREFORE,

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE that there be established a special joint House and Senate committee to study the problems, hold public hearings, and make recommendations on the proposed transportation bill. The Committee shall be comprised of five members appointed by the Speaker of the House of Representatives and five members appointed by the President Pro tempore of the Senate. Each appointing authority shall appoint at least one individual from each county as well as providing for three members to be of the majority party and two members of the minority party of the House of Representatives and the Senate respectively to serve on this joint committee.

BE IT FURTHER RESOLVED that this committee shall hold a public hearing on this legislation at a date no later than Wednesday, April 3, 1968, and that the committee make its recommendations to the General Assembly shortly thereafter for the benefit of the General Assembly as well as the general public.

Mr. Hale moved to adopt **HCR 29** by voice vote. Motion carried.

The following Resolution was introduced:

HR 107 — Relative to the illness of State Representative Norman A. Eskridge.

WHEREAS, the House of Representatives of the 124th General Assembly of the State of Delaware has learned with deep regret of the illness of State Representative Norman A. Eskridge of Seaford, and

WHEREAS, the members of the House desire to express in this public manner their best wishes for his speedy recovery.

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 124th General Assembly of the State of Delaware that the members thereof extend their sincere best wishes for a speedy recovery to State Representative Norman A. Eskridge from his illness; and

BE IT FURTHER RESOLVED that this expression be conveyed to State Representative Norman A. Eskridge and a copy of this resolution be forwarded to him at his home in Seaford; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journal of the House of Representatives of the 124th General Assembly of the State of Delaware.

Introduced by Rep. Zimmerman and others.

Mr. Zimmerman moved for a roll call. Roll call revealed.

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Castle, Eskridge, Shockley — 3.

HR 107 having received the constitutional majority was adopted by the House.

House recessed at 1:57 P.M. for a Joint Session.

JOINT SESSION

The House and Senate met in the Senate Chamber at 2:00 P.M.

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

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

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

The Chair appointed the following committee to escort the Governor to the Senate Chamber: Senators Grier, Schlör and Representatives Blendt and Cashman.

The Serargent-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:

Mr. President

Mr. Speaker

Mr. President Pro Tem

Member of the 124th General Assembly

Ladies and Gentlemen:

In my letter to the Lieutenant Governor and the Speaker I asked for the privilege of addressing you briefly today. I shall be brief because my message is simple and to the point.

We have arrived at a time in the progress of our state when we must move emphatically ahead in two major areas, and legislation to achieve that end is ready at hand.

I am hopeful that within a week you will be able to give favorable consideration to Administration Bills to establish Departments of Transportation and Housing.

If we are to avoid crisis situations in northern Delaware we must stand ready to provide people with adequate opportunity to live in decent homes and with public transportation to allow them to enjoy normal movement for purposes of employment, commerce and the availing themselves of necessary services.

For sometime now I have been saying publicly and privately to all groups that I welcome any suggestions, am prepared to study any recommendation, am willing to listen patiently to any idea and will do my part in translating into action any positive proposal that will lead to a lessening of tensions and to concrete improvement for the part of the people of Delaware most in need of help.

In transportation and housing I have taken the lead and the Bills to be placed before you today are the result. I hope you will review them carefully and then give them your approval because they are vital necessities if we are to move ahead during 1968. Before this session is over you will be asked to enact other Bills also of top priority for our people

but I can assure you that none will be as important, or as meaningful, as the two which will be introduced in this chamber today.

Also today for your consideration will be introduced an Elections Bill which has been carefully drawn by able lawyers and which will achieve the purpose called for by me in my State Message of 1967.

Legislation to create a Department of Rehabilitation by merging the Youth Services Commission and the Department of Corrections is ready, but the members of those agencies asked me to hold it once more until they can meet with me regarding some minor changes that they would like to see made effective. In consideration of the great and generous work that they have done for the State of Delaware, I am honoring their request, and, accordingly, the Bill will not be introduced until you return.

Finally, today you are in Session because of the emergency request of the Department of Public Welfare. I understand that a Supplemental Bill is ready and will be introduced in the House by Representative Evans.

Late in 1967 officials of the Welfare Department came to see me in Dover and said they would need an additional \$500,000 in funds if they were to meet the standards they had set for relief and assistance to the elderly, children and those otherwise in need. I immediately endorsed their request and a Bill to provide the money was approved by the General Assembly.

Then, late in February the same officials visited me again and asked for another \$240,000 in Welfare Funds. In light of the investigation of welfare being made by a specially authorized committee of the Senate and also, I understand, by a committee of the House, I did not feel that I should subscribe to the request until it had been fully deliberated and concluded by you since you have the appropriating power of the State.

You should consider the matter before cuts are automatically put into effect on April 1.

In other words the people on welfare have a right to know whether they must live with reduced payments or whether you will maintain the previous standard and accordingly you should reach a decision this week.

The previously named committee escorted the Governor from the Chamber.

Joint Session adjourned at 2:22 P.M.

The House reconvened at 2:36 P.M.

The following bills were introduced and assigned to committee as follows:

HB 477 — An Act to amend Delaware Code, Title 14, Chapter I, Subchapter II, Section 122 relating to Summer Driver Education Programs. Introduced by Rep. Heckert. Referred to the Committee on Education.

HB 478 — An Act to amend Section 2832, Title 31, Delaware Code, by providing that the State of Delaware shall pay the cost of the operation and maintenance of the Delaware Home and Hospital for the chronically ill and the care and support of its inmates. Introduced by Rep. Hering. Referred to the Committee on Revised Statutes.

HB 479 — An Act to amend Title 14, Delaware Code, entitled "Education" by providing for a limiting tax on new residential construction. Introduced by Rep. Hale. Referred to the Committee on Education.

HB 480 — An Act to amend Chapter 81, Title 10, Delaware Code, relating to limitations of actions. Introduced by Rep. Hering. Referred to the Committee on Judiciary.

HB 481 — An Act making a Supplementary Appropriation to the Department of Public Welfare for the fiscal year ending June 30, 1968. Introduced by Rep. Evans. Referred to the Committee on Health and Welfare.

HB 482 — An Act appropriating monies to the State Development Department to insure appropriate representation of the State of Delaware in the Miss America Pageant. Introduced by Reps. Dodge, Quillen, Hale, Burton, Murphy and Benson. Referred to the Committee on Miscellaneous.

HB 483 — An Act to amend Subchapter I, Chapter 47, Title 7, Delaware Code, relating to the State Park Commission by providing for expanded functions in the area of financial assistance to recreation projects and programs, and the creation of a recreation advisory council. Introduced by Rep. Evans. Referred to the Committee on Public Buildings and Lands.

HB 484 — An Act making a Supplementary Appropriation to the respective departments of Elections for New Castle, Kent and Sussex Counties and to the State Election Commissioner for implementation of the 1968 Reapportionment Act. Introduced by Rep. Zimmerman. Mr. Zimmerman made a motion to leave **HB 484** unassigned. Motion carried.

The following amendments were introduced:

HA 3 to HB 437 — Introduced by Reps. Benson, Pleasanton. Placed with bill.

HA 4 to HB 437 — Introduced by Reps. Benson, Pleasanton. Placed with bill.

HA 5 to HB 437 — Introduced by Reps. Benson, Pleasanton. Placed with bill.

HA 6 to HB 437 — Introduced by Reps. Benson, Pleasanton. Placed with bill.

The following bill was reported out of committee:

Health & Welfare: **HB 481**, 3 favorable, 3 on merits.

Mr. Hale introduced, verbally, the following Resolution:

Mr. Hale said: We realize that we and only we, are responsible for the ground floor of this building and it has been agreed by the Majority Leader of the Senate and myself that we will propose to the membership this verbal resolution:

We, the General Assembly of Delaware, delegate and designate the State Custodian to evacuate this building as normal at the close of regular business to protect the state equipment and property in the building as well as the health and safety of the individuals of law.

I would ask the membership of the House to give a voice vote in support of this motion.

Adopted by voice vote.

Mr. Hale moved to adjourn at 2:52 P.M., until 1:30 P.M., on Thursday, March 28. Motion prevailed.

5TH LEGISLATIVE DAY — 2nd Session

The Speaker called the House to order at 3:40 P.M. on March 28, 1968.

There was a prayer by the Chaplain Reverend Covington.

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

Members present: Bartleson, Benson, Blendt, Brown, Burton, Cashman, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

Absent: Castle, Eskridge, Shockley — 3.

The minutes of the previous session were approved as posted.

Mr. Speaker announced that due to the unruly group of welfare recipients present, no one would be allowed in the House Chamber except the duly elected Legislators, and the staff and one representative from each news media, but that the door would be left open.

Mr. Speaker announced that the Senate had passed **HCR 29**. Those appointed by him to the committee included in this Resolution were: Representatives Castle, Cicione, Fonville, Zimmerman and Burton. Rep. Burton was designated as the House member to get in touch with Senator Moore.

Communications:

Governor Terry's veto message of **HB 108** with **HA 1**.
March 6, 1968

To the House of the 124th General Assembly
of the State of Delaware:

On February 26, 1968, I received House Bill No. 108 as amended by House Amendment 1, entitled:

"An Act to Amend Chapter 76, Title 29, Delaware Code, Establishing a General Regulation that the Results of Research Projects, Surveys and Similar Endeavors Involving Use of State Funds or Personnel Be Made Public."

I respectfully return House Bill No. 108 with House Amendment 1 to the House of Representatives without my approval.

This bill would make specialized reports available to interested members of the general public in order that all citizens can be aware of the results, recommendations and insight provided by said report. The wider distribution of such expert analysis to the general public, so that they can build their governmental suggestions on a sounder basis of fact, would aid progress in the State of Delaware if the bill more exactly delineated the nature of the reports which were to be made public. Unfortunately, the bill as now drafted would not give agency heads sufficient leeway with regard to some confidential reports and could result in limiting their freedom of action in sensitive areas. Indeed, as the bill is now drafted, certain comments made to me with regard to the advisability of signing into law legislation passed by the General Assembly would probably not be excepted from its coverage and it would be required that these written comments be made public. This would be undesirable, and I am sure that there are other examples of the possible harm that could result were agency heads required to operate in a fish bowl of public comment and reaction to specialized reports.

Respectfully submitted,
Charles L. Terry, Jr.
Governor

Governor Terry's veto message on **HB 474**.

March 4, 1968

To The House of Representatives of the 124th
General Assembly of the State of Delaware:

On February 23, 1968, I received House Bill No. 474 entitled:

"An Act Making A Supplementary Appropriation to the Respective Departments of Elections of New Castle, Kent and Sussex Counties and to the Election Commissioner for Implementation of the 1968 Reapportionment Act, and Providing for Equal Division of New Employees of the Respective Departments of Elections Between the Two Major Political Parties."

I respectfully return House Bill No. 474 to the House without my approval.

This bill, would appropriate funds which are essential if the Departments of Elections are to conform their records and procedures to the districts newly created by the 1968 Reapportionment Act. However, this bill would so restrict their hiring practices that I feel required to veto it.

It provides that all employees hired in the future and indeed, even retroactive to January 10, 1968, would have to be "equally divided in political affiliation between the two major political parties." This criteria would eliminate the employment of any Independent or Decline, which is thoroughly inconsistent with our registration demands, and also would create a standard which has no relationship to competency or qualification.

Respectfully submitted,
Charles L. Terry, Jr.
Governor

Memorandum from the Governor's office No. 40.

TO: Senator Anthony C. Moore, Mr. G. Francis Downs, Mr. Daniel Ross, Mr. George Cripps, Dr. Lorin P. Sebrell, Mr. F. Earl McGinnes, Mr. Ned Davis, Mrs. Mary J. Daily, Clerk of the House, Secretary of the Senate, Mrs. Teresa Messick, Legislative Reference Bureau for all folders.

FROM: Robert Thurston Barrett, Administrative Assistant.
The Governor signed the following legislation on February 21, 1968:

HB 372 — (\$18,926.84 Supplementary Appropriation To The State Treasurer).

Memorandum from the Governor's office No. 41.

TO: Senator Anthony C. Moore, Mr. G. Francis Downs, Mr. Daniel Ross, Mr. George Cripps, Dr. Lorin P. Sebrell, Mr. F. Earl McGinnes, Mr. Ned Davis, Mrs. Mary J. Daily, Clerk of the House, Secretary of the Senate, Mrs. Teresa Messick, Legislative Reference Bureau for all folders.

FROM: Robert Thurston Barrett, Administrative Assistant.
The Governor signed the following legislation on March 4, 1968.

HB 122 — (Repeal of law establishing office of Collector of State Revenue).

HB 206 — (Junkyard Regulation Act).

HB 207 — (Newark Visiting Nurses Association through 1957 "covered employment" under State Pension Plan).

HB 389 — (Bond Act amended to include Northern Branch Delaware Technical and Community College).

HB 417 with **HA 1** — (\$13,363.15 Supplementary Appropriation - Delaware Commission of Shell Fisheries).

HB 419 — (Permits for training of retriever dogs).

HB 428 with **HA 1** — (Egg Grading Act).

HB 456 — (Amendments to 1968 Reapportionment Act).

HB 457 — (\$500.00 supplementary appropriation for Delaware's National Junior Miss entrant).

SB 274 — (\$33,600 supplementary appropriation - Custodian).

On March 4, 1968, the Governor returned House Bill No. 474 to the House without his approval.

Memorandum from the Governor's office No. 42.

TO: Senator Anthony C. Moore, Mr. G. Francis Downs, Mr. Daniel Ross, Mr. George Cripps, Dr. Lorin P. Sebrell, Mr. F. Earl McGinnes, Mr. Ned Davis, Mrs. Mary J. Daily, Clerk of the House, Secretary of the Senate, Mrs. Teresa Messick, Legislative Reference Bureau for all folders.

FROM: Robert Thurston Barrett, Administrative Assistant.

The Governor signed the following legislation on March 5, 1968:

HB 423 with HA 1 — (Salary range of \$30,000 to \$35,000 established for the Commissioner of the Department of Mental Health).

On March 6, 1968, the Governor returned House Bill 108 to the House of Representatives without his approval.

On March 7, 1968, the Governor returned Senate Bill No. 296 to the Senate without his approval.

Mr. Zimmerman announced that Rep. Shockley was ill.

The following bills were introduced and assigned to committee:

SB 275 — An Act to amend § 2112, Chapter 21, Title 21, Delaware Code, relating to registration of motor vehicles by non-residents. Introduced by Senator Isaacs. Referred to the Committee on Highways and Public Safety.

SB 322 — An Act authorizing the Governor and the Secretary of State to convey to the Commissioners of Bethany Beach certain lands and interests in land belonging to the State of Delaware. Introduced by Senators Bookhammer, Steen and Grier. Referred to the Committee on Public Buildings and Lands.

SB 327 — An Act to amend Volume 56, Chapter 131, Laws of Delaware, entitled "An Act to amend Section 1306 and Section 1321, Title 14, Delaware Code, relating to state supported salary scheduled for school employees by providing a formula for additional staffing in the school districts and by making a supplementary appropriation to the State Board of Education therefor", relating to the formula for staffing in the school districts. Introduced by Senator Robbins. Referred to the Committee on Education.

SCR 30 — Providing for the Public Health Committee of the Senate and the Health and Welfare Committee of the House of Representatives to hold joint hearings and conduct

an inquiry into the purchasing practices of the Delaware Home and Hospital for the Chronically Ill at Smyrna. Introduced by Senator Foltz. Referred to the Committee on Health and Welfare. (Mr. Stabler noticed that a change of date should be amended on this resolution.)

HB 485 — An Act making a supplementary appropriation to the Constitutional Revision Commission. Introduced by Reps. Hering and Zimmerman. Referred to the Committee on Judiciary.

HB 486 — An Act to amend Title 5, Part III, Delaware Code, relating to Building and Loan Associations, in order to modernize the Building and Loan Associations Code to conform with current business practices. Introduced by Rep. Hering. Referred to the Committee on Banking and Insurance.

HB 487 — An Act making an appropriation of funds to the Wilmington Housing Authority for the purpose of the immediate establishment of a park recreation facility in the City of Wilmington. Introduced by Reps. Slawik and Castle. Referred to the Committee on Public Buildings and Lands. (Mr. Bartleson questioned as to whether or not the bill was a statewide bill. Mr. Speaker left the bill in committee but asked the attorneys to make a decision on this.)

HB 488 — An Act to amend Chapter 9, Title 19, Delaware Code, relating to minimum wages. Introduced by Reps. Slawik, Gooding and Cashman. Referred to the Committee on Labor.

HB 489 — An Act to amend Section 8301, Title 11, Delaware Code, relating to State Police, by eliminating that specific limitation on the number of police officers to be employed. Introduced by Rep. Benson. Referred to the Committee on Highways and Public Safety.

On motion of Mr. Benson, the following was given a final reading and brought before the House for consideration:

SB 239 with SA 1 — An Act to amend Chapter 7, Title 4, Delaware Code, relating to the sale of alcoholic liquor by permitting sales of alcoholic liquors on Thanksgiving Day under certain conditions. Introduced by Senator Moore.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Ferguson, Fonville, Gooding, Hammond, Harrington, Heckert, Leshner, McMahon, Murphy, Pagano, Quillen, Slawik, Stabler, Zimmerman — 18.

NAYS — Blendt, Cashman, Cicione, Frederick, Gray, Pleasanton, Riddagh, Sebrell, Mr. Speaker Hering — 9.

NOT VOTING — Dodge, Hart, Phillips — 3.

ABSENT — Castle, Eskridge, Evans, Hale, Shockley —

Mr. Speaker announced that the bill having received a constitutional majority, **SB 239** with **SA 1** was declared passed by the House.

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

HB 434 — An Act to amend Chapter 45, Title 21, Delaware Code, relating to permits for excessive size and weight by providing for extended permits for state agencies and political subdivisions of the state.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Castle, Eskridge, Shockley — 3.

HB 434 having received the constitutional majority was declared passed by the House.

The following was reported out of committee: Highways and Public Safety: **HB 489**, 6 favorable.

Mr. Evans deferred consideration of **HB 481** due to his conviction of its lack of votes for passage. He felt that this was in large part due to the pressure, intimidation and fear caused by the demonstrating welfare recipients and felt that consideration would be more favorable at another time.

House recessed at 4:17 P.M. to the call of the chair.

6TH LEGISLATIVE DAY — 2nd Session

The House reconvened at 1:49 P.M., April 1, 1968. Mr. Hale moved to adjourn until 1:50 P.M., thereby ending the 5th Legislative Day.

The Speaker called the House to order at 1:50 P.M.

There was a prayer by the Chaplain Reverend David Mulford.

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

The minutes of the previous session were approved as posted.

Members present: Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

Members Absent: Eskridge, Ferguson, Shockley — 3.

Mr. Burton announced that there would be a transportation meeting on **HCR 29** tomorrow, April 2, 1968, at 2:00 P.M.

A letter from Senator McCullough was read in as follows:
March 28, 1968

Memo to Speaker of House
George C. Hering:
Dear Sir,

Please be advised that in accordance with House Concurrent Resolution No. 29, I hereby appoint the following.

Senator Anthony Moore - Chairman
Senator Curtis W. Steen
Senator Allen J. Cook
Senator Ralph Keenan
J. Donald Isaacs

Respectfully submitted,
Calvin R. McCullough
Pres. Pro Tempore

The following bills were reported out of committee: Miscellaneous: **HB 482**, 3 favorable, 2 on merits; Revised Statutes: **HB 478**, 5 favorable.

The following bills were introduced and assigned to committee:

HB 490 — 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 therefore and appropriating the moneys to the various agencies of the State" by adding a supplementary appropriation to provide for escalating costs of school construction. Introduced by Rep. Hale. Referred to the Committees on Education and Appropriation. The bill was accompanied by a debt statement.

Mr. Hale moved that **HB 462** be stricken. Motion carried.

HA 1 to HB 481 — Introduced by Rep. Riddagh. Placed with bill.

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

HB 481 with HA 1 — An Act making a supplementary appropriation to the Department of Public Welfare for the fiscal year ending June 30, 1968.

Roll Call on **HA 1 to HB 481** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Fonville, Frederick, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 27.

NAYS — Gooding, Hammond, Slawik, Zimmerman — 4.

NOT VOTING — Phillips — 1.

ABSENT — Eskridge, Ferguson, Shockley — 3.

HA 1 to HB 481 having received 27 affirmative votes was declared adopted by the House.

Mr. Evans asked for a roll call on **HB 481** as amended. Mr. Zimmerman asked for a ten minute recess. House recessed at 2:15 P.M.

The House reconvened at 2:39 P.M.

Mr. Evans asked for a roll call on **HB 481** with **HA 1**. Mr. Benson noted the absence of the minority party with one exception, Mr. Fonville, and suggested delaying the vote until their return to the chamber. Mr. Speaker said that he had sent the Sergeant-at-Arms to notify the minority party that the House was in session. Mr. Benson moved to delay vote on **HB 481**. Motion defeated. Roll Call on **HB 481** with **HA 1** was tabled on motion of Mr. Evans.

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

HB 489 — An Act to amend Section 8301, Title 11, Delaware Code, relating to state police by eliminating the specific limitation on the number of police officers to be employed.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Fonville, Frederick, Gray, Hale, Hart, Heckert, Leshner, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 24.

NAYS — None.

ABSENT — Blendt, Eskridge, Ferguson, Gooding, Hammond, Harrington, McMahon, Phillips, Shockley, Slawik, Zimmerman — 11.

HB 489 having received a constitutional majority was declared passed by the House.

The House recessed at 2:58 P.M.

The House reconvened at 3:30 P.M.

Mr. Speaker asked the Sergeant-at-Arms if the minority party had been informed that the House was in session. The Sergeant-at-Arms replied that they had and their reply was to tell the Speaker to "go ahead".

Mr. Evans moved to lift the roll call on **HB 481** from the table. Motion prevailed.

Mr. Benson changed his vote from nay to yea. Mr. Sebrell changed his vote from nay to yea. The final roll call revealed:

YEAS — Bartleson, Benson, Brown, Cashman, Castle, Cicione, Evans, Fonville, Frederick, Hale, Hart, Heckert, Leshner, Murphy, Pagano, Sebrell, Stabler, Mr. Speaker Hering — 18.

NAYS — Burton, Dodge, Gray, Pleasanton, Quillen, Riddagh — 6.

ABSENT — Blendt, Ferguson, Eskridge, Gooding, Hammond, Harrington, McMahon, Phillips, Shockley, Slawik, Zimmerman — 11.

HB 481 with **HA 1** having received a constitutional majority was declared passed by the House.

The following bills were introduced:

HB 491 — An Act to amend Title 16, Delaware Code to provide for the development, establishment and enforcement of standards for the construction, maintenance and operation of hospitals and the licensing thereof. Introduced by Rep. Cashman. Referred to the Committee on Health and Welfare.

HR 108 — Appropriating money out of the General Fund of the State Treasury to pay certain expenses of the present session of the 124th General Assembly. Introduced by Rep. Sebrell. On motion of Dr. Sebrell **HR 108** was adopted by voice vote.

HB 492 — An Act making a supplementary appropriation to the respective departments of elections for New Castle, Kent and Sussex Counties and to the State Election Commissioner for implementation of the 1968 Reapportionment Act. Introduced by Rep. Castle. Mr. Castle moved to suspend rules in order to consider passage of **HB 492**. Motion prevailed.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Castle, Cicone, Dodge, Evans, Fonville, Frederick, Gray, Hale, Hart, Heckert, Leshner, Murphy, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 24.

NAYS — None.

ABSENT — Cashman, Eskridge, Ferguson, Gooding, Hammond, Harrington, McMahon, Pagano, Shockley, Slawik, Zimmerman — 11.

HB 492 having received a constitutional majority was declared passed by the House.

House recessed at 3:46 P.M. to the call of the chair.

7TH LEGISLATIVE DAY — 2nd Session

The House reconvened at 1:56 P.M., Wednesday, April 10, 1968. Mr. Hale moved to adjourn until 1:57 P.M., thereby ending the 6th Legislative Day.

The Speaker called the House to order at 1:57 P.M.

There was a prayer by the Chaplain Reverend Charles E. Covington of Rehoboth.

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

Roll Call revealed:

Members present: Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicone, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

Absent: Blendt, Eskridge, Shockley — 3.

The minutes of the previous session were approved as posted.

Prefiled bills were introduced and assigned to committee as follows:

HB 493 — An Act defining the relationship between Chapter 59, Title 29, Delaware Code, establishing the Merit System of Personnel Administration for the employees of the State, and Chapter 13, Title 19, Delaware Code, recognizing the right of public employees to organize, by amending Chapter 59, Title 29, Delaware Code, and repealing Section 1312, Chapter 13, Title 19, Delaware Code. Introduced by Reps. Cashman, Evans, Cicione, Pagano, Gooding, Hart, Slawik, McMahon and Hammond. Referred to the Committee on Revised Statutes.

HB 494 — An Act to amend Title 14, Delaware Code, by repealing Chapter 26, therein, which provides for the raising and collection of revenue for County Vocational-Technical High Schools and County Vocational-Technical Centers. Introduced by Reps. Riddagh, Sebrell, Quillen, Pleasanton and Cashman. Referred to the Committee on Education.

HB 495 — An Act to amend Title 15, Delaware Code, by providing for the conducting of Presidential Preferential Primary Elections in Presidential Election years, to amend said Title 15 insofar inconsistent herewith, and to repeal Title 15, Delaware Code, Section 3114. Introduced by Rep. Slawik. Referred to the Committee on Elections.

HB 496 — An Act to amend Section 512, Title 31, Delaware Code, relating to attachment and garnishment of Welfare Assistance Payments. Introduced by Reps. Quillen, Burton, Benson, Gray, Sebrell, Riddagh and Pleasanton. Referred to the Committee on Judiciary.

HB 497 — An Act to amend Title 21 of the Delaware Code, by adding Chapter 46 relating to careless driving. Introduced by Reps. Cicione, McMahon, Frederick, Harrington, Murphy and Slawik. Referred to the Committee on Highways and Public Safety.

HB 498 — An Act to amend Title 21, Section 4124, Delaware Code, relating to driving on divided highways. Introduced by Reps. Cicione, McMahon, Frederick, Harrington and Murphy. Referred to the Committee on Highways and Public Safety.

HB 499 — An Act to amend Title 21, Section 4177 (a), Delaware Code, relative to stopping, standing or parking. Introduced by Reps. Cicione, McMahon, Frederick, Harrington, Murphy and Slawik. Referred to the Committee on Highways and Public Safety.

HB 500 — An Act to amend Title 21, making it unlawful to engage in any motor vehicle speed contest on a public highway. Introduced by Reps. Cicione, McMahon, Frederick,

Harrington, Murphy and Slawik. Referred to the Committee on Highways and Public Safety.

HB 501 — An Act to amend Title 21, Section 101, Delaware Code, by adding a definition of driver. Introduced by Reps. Cicione, McMahon, Frederick, Harrington, Murphy and Slawik. Referred to the Committee on Highways and Public Safety.

HB 502 — An Act to amend the Rules of the Delaware Alcoholic Beverage Control Commission, Appendix, Title 4, Delaware Code, relating to authority of the holder of a license for the sale at retail of alcoholic liquor, not for consumption on the premises where sold to relocate his store premises within fifty feet of his original store premises. Introduced by Rep. Quillen. Referred to the Committee on Revised Statutes.

HB 503 — An Act proposing an amendment to Section 14, Article 2, of the Constitution of the State of Delaware relating to dual office holding by members of the General Assembly. Introduced by Reps. Castle, Stabler, Murphy, Benson, Sebrell and Hering. Referred to the Committee on Revised Statutes.

HB 504 — An Act to amend Title 29, Chapter 51, Section 5110, relating to compensation of members of the General Assembly. Introduced by Reps. Castle, Pagano, Cicione, Stabler, Murphy, Benson, Sebrell and Hering. Referred to the Committee on Revised Statutes.

HB 505 — An Act to amend Chapter 19, Title 10, Delaware Code, relating to Courts and Judges by providing for the temporary assignment of State Judges to Statutory Courts of this State. Introduced by Reps. Hale and Zimmerman. On motion of Mr. Hale, rules suspended. Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cicione, Dodge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 27.

ABSENT — Blendt, Cashman, Castle, Eskridge, Ferguson, Hammond, McMahon, Shockley — 8.

HB 505 having received the constitutional majority was declared passed the House.

HB 506 — An Act making an appropriation to the Governor to be used for the installation of lighting fixtures on Park Recreation facilities. Introduced by Reps. Slawik and Hammond. Referred to the Committee on Public Buildings and Lands.

HR 109 — Authorizing payment of amount due various companies for supplies and services furnished the 124th General Assembly. Introduced by Rep. Sebrell. Adopted by voice vote.

HR 110 — Authorizing payment of amount due various companies for supplies and services furnished the 124th General Assembly. Introduced by Rep. Sebrell. Adopted by voice vote.

HA 1 to HB 67 — Introduced by Reps. Hale and Hering. Placed with bill.

HA 1 to HB 440 — Introduced by Rep. Hering. Placed with bill.

The following bills were assigned to committee: **SB 333** - Miscellaneous, **SS 1** for **SB 34** - Highways and Public Safety.

A messenger from the Senate returned **HB 233** having passed the Senate and delivered **SB 112**, **SB 263**, **SB 340** with **HA 2**, **SB 326** and **SCR 31** having passed and requesting the concurrence of the House.

The following were introduced and assigned to committee as follows:

SB 112 — An Act to amend Chapter 60, Title 7, Section 6006, Delaware Code, by substituting "Certified" for "Registered" Mail as the means by which notice of complaints shall be served by the Water and Air Resources Commission on persons. Introduced by Senator Cook. Referred to the Committee on Revised Statutes.

SB 263 — An Act to amend Chapter 60, Title 7, Section 6003, Delaware Code by adding a new subsection to be designated (c) and giving the Water and Air Resources Commission the power to delegate to the Executive Director the power to grant permits in routine cases except where expressly forbidden. Introduced by Senator Cook. Mr. Dodge made a motion to suspend rules in order to act on **SB 263**. Motion defeated. On further motion of Mr. Dodge, **SB 263** placed on Speaker's Desk.

Motion by Mr. Burton to suspend rules. Motion prevailed. On further motion of Mr. Burton, **SB 340** with **SA 2** was given a final reading and placed before the House for consideration:

SB 340 with **SA 2** — An Act establishing and concerning a Department of Transportation, conferring upon it certain duties and powers in the Field of Transportation, providing for the creation of local transportation authorities and conferring up on them certain powers and duties in the Field of Transportation; and transferring to the Department of Aeronautical Commission and making a supplementary appropriation therefor. Introduced by Senator Dineen.

Privilege of the floor was granted Mr. James Abbott, President of Local 842 of the Amalgamated Transit Union.

Privilege of the floor was granted Mr. Maurice Hartnett, Director of the Legislative Reference Bureau.

Mr. Hart moved to recess. Motion defeated.

On motion of Mr. Burton, **HA 1** to **SB 340** was introduced and on further motion of Mr. Burton was adopted.

Roll Call on **SB 340** with **SA 2** and **HA 1** revealed:

YEAS — Benson, Brown, Cashman, Castle, Cicione, Evans, Ferguson, Fonville, Frederick, Gooding, Hale, Hammond, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 23.

NAYS — Burton, Dodge, Gray, Harrington, Pleasanton, Quillen, Riddagh — 7.

NOT VOTING — Bartleson, Hart — 2.

ABSENT — Blendt, Eskridge, Shockley — 3.

SB 340 with **SA 2** and **HA 1** having received the constitutional majority was declared passed the House.

SCR 31 — Authorizing payment for services rendered by F. L. Peter Stone, Attorney for the Joint Fish, Oyster and Game Committee of the Senate and the House of Representatives of the 124th General Assembly. Introduced by Senator Isaacs.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Zimmerman, Mr. Speaker Hering — 30.

NOT VOTING — Slawik — 1.

ABSENT — Blendt, Eskridge, Evans, Shockley — 4.

SCR 31 adopted by roll call vote.

On question of Mr. Zimmerman, the Speaker quoted rules that Concurrent Resolutions may be adopted by voice vote.

SB 326 — An Act making a supplementary appropriation to the Governor for the Governor's Commission on Law Enforcement and Administration of Justice. Introduced by Senator Cook. Referred to the Committee on Judiciary.

The following were reported out of committee: Appropriations: **HB 463**, 9 Favorable; Miscellaneous: **SB 333**, 1 Favorable, 3 on merits, 1 unfavorable; Judiciary: **SB 326**, 4 favorable; Public Buildings and Lands: **HB 483**, 3 favorable, 2 on merits.

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

HB 478 — An Act to amend Section 2832, Title 31, Delaware Code, by providing that the State of Delaware shall pay the cost of the operation and maintenance of the Delaware Home and Hospital for the Chronically Ill and the care and support of its inmates.

Roll Call revealed:

YEAS — Benson, Brown, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gray, Hale, Hart, Heckert, Murphy,

Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 20.

NAYS — Fonville, Gooding, Hammond, Harrington, Lesh-
er, McMahon, Slawik, Zimmerman — 8.

NOT VOTING — Bartleson, Phillips — 2.

ABSENT — Blendt, Burton, Eskridge, Ferguson, Shock-
ley — 5.

HB 478 having received the constitutional majority was
declared passed the House.

On motions by their sponsors, the following bills were
given a final reading and placed before the House for con-
sideration:

HB 415 — An Act making a supplementary appropriation
to the State Department of Public Welfare for the purpose of
compensating Lewis Donald McKnatt, Funeral Director, for
the burial of certain indigent individuals. Introduced by Rep.
Quillen.

Roll Call revealed:

YEAS — Benson, Brown, Cashman, Castle, Cicione,
Dodge, Ferguson, Fonville, Frederick, Gooding, Gray, Hale,
Hammond, Harrington, Hart, Heckert, McMahon, Murphy,
Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Sla-
wik, Mr. Speaker Hering — 25.

NAYS — Bartleson, Lesh — 2.

NOT VOTING — Stabler, Zimmerman — 2.

ABSENT — Blendt, Burton, Eskridge, Evans, Shockley
— 5.

HB 415 having received a constitutional majority was de-
clared passed the House.

HB 396 with **HA 1** — An Act to amend Title 13, Dela-
ware Code, entitled, "Domestic Relations" in regard to di-
vorce, reducing the separation time for desertion and volun-
tary separation, and adding incompatibility as a ground. In-
troduced by Reps. Castle and Slawik. Mr. Zimmerman moved
to lift **HA 1** from the table. Motion carried. Mr. Zimmerman
moved to adopt **HA 1** by voice vote. On motion for a roll call,
HA 1 to **HB 396** was defeated as follows:

YEAS — Benson, Ferguson, Fonville, Frederick, Gooding,
Harrington, Heckert, McMahon, Murphy, Phillips, Zimmer-
man — 11.

NAYS — Burton, Cashman, Castle, Cicione, Dodge,
Evans, Hale, Hammond, Hart, Pagano, Quillen, Riddagh, Se-
brell, Slawik, Stabler, Mr. Speaker Hering — 16.

NOT VOTING — Brown, Gray, Lesh, Pleasanton — 4.

Roll Call on **HB 396** revealed:

YEAS — Bartleson, Burton, Cashman, Castle, Cicione,
Dodge, Evans, Frederick, Gray, Hale, Hart, Murphy, Pagano,
Quillen, Riddagh, Sebrell, Slawik, Stabler, Mr. Speaker Hering
— 19.

NAYS — Benson, Ferguson, Fonville, Gooding, Hammond, Harrington, Heckert, Leshner, McMahon, Phillips, Pleasanton, Zimmerman — 12.

NOT VOTING — Brown — 1.

ABSENT — Blendt, Eskridge, Shockley — 3.

HB 396 having received the constitutional majority was declared passed the House.

HB 477 — An Act to amend Delaware Code, Title 14, Chapter I, Subchapter II, Section 122, relating to Summer Driver Education Programs. Introduced by Rep. Heckert.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, Murphy, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

ABSENT — Blendt, Eskridge, Ferguson, McMahon, Pagano, Shockley — 6.

HB 477 having received the constitutional majority was declared passed the House.

HB 67 with **HA 1** — An Act to amend Title 29, Chapter 21, Section 2101, Delaware Code, relating to salary of the Governor.

Mr. Hale moved to adopt **HA 1** by voice vote. **HA 1** tabled by roll call vote as follows:

YEAS — Bartleson, Burton, Cashman, Cicione, Dodge, Evans, Ferguson, Fonville, Gooding, Gray, Hammond, Harrington, Hart, Murphy, Pagano, Phillips, Quillen, Slawik, Zimmerman — 19.

NAYS — Benson, Frederick, Hale, Heckert, Leshner, Pleasanton, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 10.

NOT VOTING — Brown, Castle — 2.

ABSENT — Blendt, Eskridge, McMahon, Shockley — 4.

Roll Call on **HB 67** revealed:

YEAS — Bartleson, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hammond, Harrington, Hart, Heckert, Murphy, Pagano, Phillips, Slawik, Stabler, Zimmerman — 22.

NAYS — Benson, Hale, Leshner, Pleasanton, Quillen, Riddagh, Sebrell, Mr. Speaker Hering — 8.

NOT VOTING — Brown — 1.

ABSENT — Blendt, Eskridge, McMahon, Shockley — 4.

HB 67 having received the constitutional majority was declared passed the House.

Mr. Hale moved to suspend rules to consider **HB 505**. Motion prevailed.

HB 505 — An Act to amend Chapter 19, Title 10, Delaware Code, relating to Courts and Judges by providing for

the temporary assignment of State Judges to Statutory Courts of this State.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cicione, Dodge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 27.

ABSENT — Blendt, Cashman, Castle, Eskridge, Ferguson, Hammond, McMahon, Shockley — 8.

HB 505 having received the constitutional majority was declared passed the House.

Mr. Dodge moved to suspend the rules to consider **SB 263**, motion prevailed.

SB 263 — An Act to amend Chapter 60, Title 7, Section 6003, Delaware Code by adding a new subsection to be designated (c) and giving the Water and Air Resources Commission the power to delegate to the Executive Director the power to grant permits in routine cases except where expressly forbidden. Introduced by Senator Cook.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Castle, Cicione, Dodge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 28.

ABSENT — Blendt, Cashman, Eskridge, Ferguson, Hammond, McMahon, Shockley — 7.

SB 263 having received the constitutional majority was declared passed the House.

The House recessed at 4:32 P.M. to the call of the chair.

8TH LEGISLATIVE DAY — 2nd Session

The Speaker called the House to order at 2:00 P.M. on Wednesday, April 24, 1968.

There was a prayer by the Chaplain Reverend Covington.

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

The Roll Call revealed:

Members present: Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

Absent: Eskridge, Shockley — 2.

Communications. Memorandum No. 43 from the Governor's Office was read in and made a part of the Journal as follows:

April 23, 1968

Memorandum No. 43

To: Senator Anthony C. Moore, Mr. G. Francis Downs, Mr. Daniel Ross, Mr. George Cripps, Dr. Lorin P. Sebrell, Mr. F. Earl McKinnes, Mr. Ned Davis, Mrs. Mary J. Daily, Clerk of the House, Secretary of the Senate, Mrs. Teresa Messick, Legislative Reference Bureau for all folders.

From: Robert Thurston Barrett, Administrative Assistant

The Governor signed the following legislation on April 4, 1968:

HB 481 with **HA 1** (Supplementary Appropriation of \$386,900 - Department - Public Welfare).

The Governor signed the following legislation on April 19, 1968:

HB 219 (Arrests without Warrants for certain Motor Vehicle Violations).

SB 239 with **SA 1** (Sales of Alcoholic Beverages permitted on Thanksgiving Day).

The minutes of the previous session were approved as posted.

A messenger from the Senate returned **HB 505** to the House having passed the Senate.

The following bills were reported out of Committee: Highways and Public Safety: **HB 497**, 3 favorable, 2 on merits; **HB 498**, 4 favorable, 1 on merits; **HB 499**, 5 favorable; **HB 500**, 3 favorable, 2 on merits; **HB 401**, 5 favorable; **SS 1** for **SB 34**, 1 favorable 1 unfavorable; Education: **HB 490**, 4 favorable; Appropriations: **HB 490**, 2 favorable, 6 on merits; State, Urban and Municipal Affairs: **HB 451**, 5 on merits.

The following were introduced and referred to committee as follows:

HB 507 — An Act making a supplementary appropriation to the State Human Relations Commission. Introduced by Reps. Hammond, Evans, Cashman, Fonville and Murphy. Referred to the Committee on Health & Welfare.

HB 508 — An Act to amend Chapter 167, Volume 56, Laws of Delaware, relating to a supplementary appropriation to the Board of Game and Fish Commissioners by extending the revision date of the funds appropriated from June 30, 1968 to June 30, 1969. Introduced by Reps. Benson, Murphy, Sebrell and Pleasanton. Referred to the Committee on Fish, Oyster and Game.

HB 509 — An Act to amend Chapter 58, Title 7, Delaware Code, relating to state aid for acquisition of public lands, by providing that the monies appropriated may also be used for development purposes and also providing an additional appropriation. Introduced by Reps. Zimmerman, Slawik, Gooding and Hale. Referred to the Committee on Public Buildings and Lands.

HB 510 — An Act proposing an amendment to Section 14, Article 2, of the Constitution of the State of Delaware relating to dual office holding by members of the General Assembly. Introduced by Rep. Castle. Referred to the Committee on Revised Statutes.

HB 511 — An Act transferring money from the Capital Investment Fund to be used for the expansion of Legislative Hall. Introduced by Rep. Phillips. Referred to the Committee on House Operations.

HB 512 — An Act to amend § 6521 (d), Subchapter V, Title II, Delaware Code, relating to the elimination of the qualifications for probation and parole counsellors; field counsellors. Introduced by Reps. Hale and Slawik. Referred to the Committee on Judiciary.

HB 513 — An Act to amend Section 2301, Title 30, Delaware Code, relating to occupational licenses, by eliminating the requirement that a music school have enrolled 20 or more pupils before the license tax applies. Introduced by Reps. Hart, Murphy, Cashman and Hering. Referred to the Committee on Revenue and Taxation.

HJR 10 — In Reference to the 200th Anniversary of the Founding of the Town of Smyrna, County of Kent and State of Delaware.

WHEREAS, the Town of Smyrna shall be celebrating its 200th anniversary of its founding by official ceremonies during the week of June 15, 1968 through June 22, 1968; and

WHEREAS, this fine example of a Delaware Town has since 1768 exhibited a spirit of patriotism and comradeship worthy of public recognition;

NOW THEREFORE,

BE IT RESOLVED, by the House of Representatives of the State of Delaware, the Senate concurring therein, that the 124th General Assembly express its tribute to this 200th anniversary of the founding of the Town of Smyrna, and extend its best wishes to the citizens of the Town of Smyrna for a successful Bi-Centennial celebration.

BE IT FURTHER RESOLVED, that the text of this resolution be made a part of the Journal of the proceedings of the House and Senate of the 124th General Assembly of the State of Delaware, and a copy of this resolution be forwarded to Honorable George E. Bryson, Mayor of the Town of Smyrna.

Introduced by Rep. Riddagh. Referred to the Committee on State, Urban and Municipal Affairs.

HCR 30 — Relating to Members of the General Assembly practicing law and representing clients before the Courts of this state and various agencies. Introduced by Reps. Zimmerman, Ferguson and Hering. Referred to the Committee on Judiciary.

HA 1 to HB 472 — Introduced by Rep. Brown. Placed with bill.

HA 1 to HB 490 — Introduced by Rep. Sebrell. Placed with bill.

The House recessed at 2:17 P.M.

The House reconvened at 3:43 P.M.

On motion of Mr. Phillips, rules were suspended and **HB 511** was given a final reading and placed before the House for consideration:

HB 511 — An Act transferring money from the Capital Investment Fund to be used for the expansion of Legislative Hall. Introduced by Rep. Phillips.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Lesh, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

ABSENT — Eskridge, Shockley — 2.

HB 511 having received the constitutional majority was declared passed by the House.

HCR 31 — Appropriating money for the purchase of equipment. Introduced by Reps. Hering, Hale, Dodge, Phillips and Zimmerman. Mr. Hale moved that **HCR 31** be adopted by voice vote. Motion prevailed.

On motion of Mr. Hale the following bill was introduced:

HB 519 — An Act to amend Title 29, Part I, Chapter 6, Delaware Code, relating to the General Assembly by making certain technical corrections in the boundaries of the Third, Fifth, Twenty-sixth and Twenty-seventh Representative Districts. Introduced by Reps. Hering and Zimmerman. On further motion of Mr. Hale, rules were suspended in order to give **HB 519** a final reading and placed before the House for consideration.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Cashman, Castle, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Lesh, McMahon, Murphy, Pagano, Phillips, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Burton, Eskridge, Shockley — 3.

HB 519 having received the constitutional majority was declared passed by the House.

The Speaker had a letter from Mr. Frank O'Donnell, of the Law Offices of O'Donnell, Hughes and Lowicki made a part of the record as follows:

April 18, 1968

Honorable George C. Hering, 3rd
Legislative Council
Dover, Delaware
Dear George:

This is to advise you that it is my understanding that the amendments to the Reapportionment Bill do not change the substantive for population of any district and merely clarify the language in the original Bill.

I have been advised that a very careful check has been made to make sure that there are no population changes.

Sincerely yours,
Frank O'Donnell

FOD:nmd

cc: Honorable Calvin R. McCullough
Honorable Russell D. F. Dineen

The following were reported out of committee: Revenue & Taxation: **HB 418**, 2 favorable, 3 on merits; **SCR 29**, 1 favorable, 4 on merits.

Mr. Hale, Majority Leader of the House, took the Speaker's Chair.

The following were introduced and assigned to committee:

HB 514 — An Act to provide summer employment for certain youths of this State and to make a supplementary appropriation therefor. Introduced by Reps. Hammond, Slawik and Evans. Referred to the Committee on Appropriations.

HB 515 — An Act to amend Section 7424, Subchapter II, Title 29, Delaware Code, relating to the elimination of the requirement of filing a debt statement. Introduced by Reps. Hale and Zimmerman. Referred to the Committee on Revenue and Taxation.

HB 516 — An Act to amend Section 181, Subchapter VI, Title 20, of the Delaware Code relating to the pay of state employees while on state duty. Introduced by Reps. Cicione, Slawik, Gooding, Riddagh, Murphy and Pagano. Referred to the Committee on Miscellaneous.

HB 517 — An Act to amend Chapter 66, Title 16, Delaware Code, relating to fire safety regulation, by providing that the State Fire Marshal examine and regulate potentially dangerous electrical equipment and products to insure that they meet minimum safety standards. Introduced by Reps. Cicione, Pagano, Murphy, Gooding and Slawik. Referred to the Committee on Miscellaneous.

HB 518 — An Act to amend § 1931, Subchapter II, Title 14, Delaware Code, relating to the requirements for the issuance of a placement permit to mobile home park operator and the requirements which must be met before such placement shall be issued: Penalties for violation thereof. Intro-

duced by Reps. Dodge, Quillen, Sebrell and Bartleson. Referred to the Committee on Commerce and Corporations.

HB 520 — An Act to amend Part II, Title 30, Delaware Code, by adding a new Chapter 20 granting a corporation income tax credit to certain business firms which contribute to neighborhood organizations or which engage in activities tending to upgrade neighborhood areas. Introduced by Reps. Hering and Zimmerman. Referred to the Committee on Revenue and Taxation.

HB 521 — An Act to amend Section 512, Title 4, Delaware Code, relating to the sale of alcoholic beverages to guests of club members. Introduced by Reps. Dodge, Burton, Quillen, Pleasanton, Murphy, Cashman, Harrington, Slawik and Ferguson. Referred to the Committee on Revised Statutes.

HB 522 — An Act to amend Section 2-316 of Title 5A of the Delaware Code relating to the exclusion or modification of warranties and providing that blood, blood plasma and certain other human tissue and organs from blood banks or reservoirs of such tissues and organs shall not be considered "commodities" or "goods" and subject to certain provisions of the Uniform Commercial Code. Introduced by Reps. Shockley. Referred to the Committee on Health and Welfare.

HCR 32 — Authorizing money from the General Fund of the State Treasury to pay certain expenses of the present session of the 124th General Assembly. Introduced by Reps. Sebrell and Hering. Adopted by voice vote.

A messenger from the Senate delivered **SB 351** having passed the Senate and requesting concurrence of the House.

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

HB 440 — An Act proposing an amendment to Section 20, Article 3, of the Delaware Constitution relating to gubernatorial disability.

On motion of Mr. Hering, **HA 1** to **HB 440** was adopted by voice vote.

Roll Call on **HB 440** with **HA 1** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Eskridge, Hammond, Shockley — 3.

HB 440 with **HA 1** having received the required two-thirds majority was declared passed the House.

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

HB 482 — An Act appropriating monies to the State Development Department to insure appropriate representation of the State of Delaware in the Miss America Pageant.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicone, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Eskridge, Hammond, Shockley — 3.

HB 482 having received a constitutional majority was declared passed by the House.

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

HB 463 — An Act making a Supplementary Appropriation to the State Board of Education during the summer months of 1968.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Castle, Cicone, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 30.

ABSENT — Burton, Cashman, Eskridge, Hammond, Shockley — 5.

HB 463 having received the constitutional majority was declared passed by the House.

On motion of Mrs. Heckert **HB 425** was stricken. Motion prevailed.

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

SB 326 — An Act making a supplementary appropriation to the Governor for the Governor's Commission on Law Enforcement and Administration of Justice. Introduced by Senator Cook.

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicone, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Eskridge, Hammond, Shockley — 3.

SB 326 having received a constitutional majority was declared passed by the House.

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

HB 483 — An Act to amend Subchapter I, Chapter 47, Title 7, Delaware Code, relating to the State Park Commission

by providing for expanded functions in the area of financial assistance to recreation projects and programs, and the creation of a recreation advisory council.

Mr. Castle requested that his name be added to **HB 483** as co-sponsor.

Roll Call revealed:

YEAS — Brown, Burton, Cashman, Castle, Cicione, Evans, Fonville, Frederick, Gooding, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Slawik, Stabler, Mr. Speaker Hering — 21.

NAYS — Benson, Pleasanton, Riddagh, Zimmerman — 4.

NOT VOTING — Bartleson, Blendt, Dodge, Ferguson, Gray, Harrington, Quillen, Sebrell — 8.

ABSENT — Eskridge, Shockley — 2.

HB 483 having received a constitutional majority was declared passed by the House.

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

SB 333 — An Act making a Supplementary Appropriation to the Delaware State Development Department. Introduced by Senator Dineen.

Roll Call revealed:

YEAS — Blendt, Brown, Burton, Cashman, Cicione, Evans, Ferguson, Fonville, Frederick, Gooding, Hammond, Hart, Heckert, McMahon, Murphy, Pagano, Phillips, Stabler, Zimmerman, Mr. Speaker Hering — 20.

NAYS — Bartleson, Benson, Gray, Harrington, Leshner, Pleasanton, Riddagh, Sebrell — 8.

NOT VOTING — Castle — 1.

ABSENT — Dodge, Eskridge, Hale, Quillen, Shockley, Slawik — 6.

SB 333 having received a constitutional majority was declared passed by the House.

The following was introduced and assigned to committee:

HB 523 — An Act to amend Section 1703, Chapter 17, Title 14, Delaware Code, relating to pupil units by providing a unit for Kindergartens and making a supplementary appropriation therefor. Introduced by Reps. Murphy, Zimmerman, Hart, Cicione, Quillen, Evans, Cashman, Heckert, Slawik, and Gooding. Referred to the Committee on Education.

HCR 33 — Relating to the appointment of Staff Members for the purpose of assisting the Joint Finance Committee, and providing for payment for their services. Introduced by Reps. Leshner and Bartleson. On motion of Mr. Leshner **HCR 33** was adopted by voice vote.

HA 1 to HB 438 — Introduced by Rep. Murphy. Placed with bill.

The House recessed to the call of the chair at 5:12 P.M.

9TH LEGISLATIVE DAY — 2nd Session

The House reconvened at 2:27 P.M., Monday, May 6, 1968. Mr. Hale moved to adjourn until 2:28 P.M., thereby ending the 8th Legislative Day.

The Speaker called the House to order at 2:28 P.M.

There was a prayer by the Chaplain Rabbi Edward Kandel.

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

Roll Call revealed:

Members present: Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 34.

Absent: Shockley — 1.

The minutes of the previous session were approved as posted.

Communications: Memorandum No. 44 from the Governor's Office.

April 29, 1968

To: Senator Anthony C. Moore, Mr. G. Francis Downs, Mr. Daniel Ross, Mr. George Cripps, Dr. Lorin P. Sebrell, Mr. F. Earl McGinnes, Mr. Ned Davis, Mrs. Mary J. Daily, Clerk of the House, Secretary of the Senate, Mrs. Teresa Messick, Legislative Reference Bureau for all folders.

From: Robert Thurston Barrett, Administrative Assistant
The Governor signed the following legislation on April 26, 1968:

HB 183 with HA 1 (Radiation Control Bill).

On April 26, 1968, House Bill No. 233 became law without action by the Governor.

Memorandum No. 45 from the Governor's Office.

To: Senator Anthony C. Moore, Mr. G. Francis Downs, Mr. Daniel Ross, Mr. George Cripps, Dr. Lorin P. Sebrell, Mr. F. Earl McGinnes, Mr. Ned Davis, Mrs. Mary J. Daily, Clerk of the House, Secretary of the Senate, Mrs. Teresa Messick, Legislative Reference Bureau for all folders.

From: Robert Thurston Barrett, Administrative Assistant
The Governor signed the following legislation on May 1, 1968:

SB 340 with SA 2 and HA 1 (Department of Transportation).

The Governor signed the following legislation on May 2, 1968:

HB 346 (\$1,000.00 Supplementary Appropriation - Delaware Board of Nursing).

HB 436 (Nonpublic Bussing Bill).

HB 505 (Temporary Assignment of State Judges to Statutory Courts).

HB 511 (Transfer of \$500,000 for use in Expansion of Legislative Hall).

SB 263 (Permit Power granted to Executive Director WAR Commission in routine cases).

SB 326 (\$25,000 Supplementary Appropriation - Governor's Commission on Law Enforcement).

SB 333 (\$4,000.00 Supplementary Appropriation Delaware State Development Department).

A messenger from the Senate delivered the following having passed the Senate and requesting the concurrence of the House: **SS 1** for **SB 313** with **SA 1, 2, 3**; **SCR 25** as passed over the Governor's veto; **SB 334, SB 285, SB 341, SB 342, SB 350, SB 351, SB 358**; and returned **HB 406, HB 463, HB 482, HB 519, HCR 32, HCR 33** having passed the Senate.

The following was reported out of committee: State, Urban and Municipal Affairs: **HJR 10, 5** favorable.

The following were introduced and assigned to committee as follows:

HB 524 — An Act to amend Section 5903, Title 29, Delaware Code, to add registered professional nurses to the exemptions of the Merit System. Introduced by Reps. Cashman and McMahon. Referred to the committee on Revised Statutes.

HB 525 — An Act to amend Subchapter III, Chapter II, Title 28, Delaware Code, relating to the Bingo Control Commission in order to revise its organization, personnel and compensation for members and staff. Introduced by Rep. Shockley. Referred to the Committee on Revised Statutes.

HB 526 — An Act making a supplementary appropriation to the Delaware State Development Department for promotion of the State of Delaware at the 48th Annual National Convention of U.S. JayCees in Phoenix, Arizona. Introduced by Reps. Burton, Gray and Murphy. Referred to the Committee on Miscellaneous.

HB 527 — An Act to amend Chapter 6, Title 17, Delaware Code, relating to the Delaware Turnpike, by providing that any toll schedule shall not be collected from traffic at subsidiary collection locations on turnpike approaches unless necessary to protect the financial interests turnpike obligees. Introduced by Reps. Hart and Hale. Referred to the Committee on Highways and Public Safety.

HB 528 — An Act to amend Section 2707, Subchapter I, Chapter 27, Title 21, Delaware Code, by adding a new section requiring a special license for school bus drivers and providing

qualifications therefor. Introduced by Reps. Hart, Cicione, and Pagano. Referred to the Committee on Education.

HB 529 — An Act to amend Section 2143 (c), Subchapter III, Chapter 21, Title 21, Delaware Code, relating to inspection of vehicles, by making an exception for school buses to the power of the Motor Vehicle Department to waive inspection requirements as to a vehicle fleet. Introduced by Reps. Hart, Cicione, and Pagano. Referred to the Committee on Education.

HB 530 — An Act to amend Subchapter III, Chapter 21, Title 21, Delaware Code, relating to inspection of vehicles by adding a new section providing a twice yearly special inspection for school buses. Introduced by Reps. Hart, Cicione, and Pagano. Referred to the Committee on Education.

HB 531 — An Act to amend Chapter 41, Title 21, Delaware Code, relating to rules of the road for motor vehicles by making it unlawful to use toll highways without paying the toll. Introduced by Rep. Ferguson. Referred to the Committee on Highways and Public Safety.

HB 532 — An Act making a supplementary appropriation to the Department of Public Welfare for the fiscal year ending June 30, 1968. Introduced by Reps. Evans, Fonville and Hammond. Referred to the Committee on Health and Welfare.

HB 533 — An Act to amend Title 7, Delaware Code, by repealing Part II relating to the Shell Fisheries Commission and its jurisdiction, and revising Part I in order that the Board of Game and Fish Commissioners hereafter assume certain functions formerly the responsibility of the Shell Fisheries Commission and accomplishing certain other additions to, revisions and codification of the authority of the Board of Game and Fish Commissioners by further amendment of Title 7 and Title 23 relating to navigation and waters, and authorizing the acquisition of a new watch boat for the expanded water patrol duties of the board and making an appropriation therefor. Introduced by Reps. Pleasanton, Sebrell, Dodge, Frederick, Riddagh, Burton and Quillen. Referred to the Committee on Fish, Oyster and Game.

HA 1 to HB 445 — Introduced by Rep. Hart. Placed with bill.

HA 2 to SB 171 — Introduced by Rep. Quillen. Placed with bill.

HB 534 — An Act making a supplementary appropriation to Wilmington Federation of Neighborhood Association and Councils for operation of a camping program. Introduced by Reps. Murphy, Gooding, Hammond, Evans and Fonville. Referred to the Committee on Public Buildings and Lands.

HA 1 to HB 499 — Introduced by Rep. Cicione. Placed with bill.

HA 2 to HB 438 — Introduced by Rep. Heckert. Placed with bill.

SS 1 for SB 313 — An Act establishing and concerning a Department of Housing, conferring upon it certain duties and powers in the Field of Housing, also establishing a State Bureau of Housing within the Department of Housing, conferring upon it certain duties in the field of housing, also establishing a State Housing Authority within the Department of Housing, conferring upon it certain duties and powers in the field of housing and making a supplementary appropriation therefor. Introduced by Senator Holloway. Referred to the Committee on Public Buildings and Lands.

SB 334 — An Act to authorize the State of Delaware to loan moneys to hospitals for the improvement of hospital 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 hospital improvement fund to be administered by the State Board of Health. Introduced by Senator Foltz and others. Referred to the Committee on Health and Welfare.

SB 285 — An Act to amend Chapter 61, Title 10, Delaware Code, entitled "Condemnation" by providing for the admissibility of evidence of costs in connection with church property. Introduced by Senators Dineen and Holloway. Referred to the Committee on Judiciary.

SB 341 — An Act to amend Section 1504, Chapter 15, Title 14, Delaware Code, relating to authority to order disbursements of appropriations and other revenues of school districts. Introduced by Senator Dineen. Referred to the Committee on Education.

SB 342 — An Act to amend Chapter 17, Title 14, Delaware Code, relating to method of calculating number of units in a school district. Introduced by Senator Dineen. Referred to the committee on Education.

SB 350 — An Act to amend Title 4, Delaware Code, to permit the issuance by the Alcoholic Beverage Control Commission of a license for the sale of alcoholic beverages to Ships Chandlers. Introduced by Senator Dineen. Referred to the Committee on Miscellaneous.

SB 351 — An Act making a supplementary appropriation to the respective Departments of Elections for New Castle, Kent and Sussex Counties and to the State Election Commissioner for implementation of the 1968 Reapportionment Act. Introduced by Senator Dineen. Referred to the Committee on Elections.

SB 358 — An Act to amend Chapter 59, Title 29, Delaware Code, relating to the Merit System of Personnel Administration by establishing the positions of Deputy Director

for equal employment opportunity and making a supplementary appropriation therefor. Introduced by Senator Holloway. Referred to the Committee on Revised Statutes.

On motion of Mr. Hale, the following was given a final reading with debt statement and placed before the House for consideration:

HB 490 with **HA 1** — 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 to the various agencies of the State" by adding a supplementary appropriation to provide for escalating costs of school construction. Introduced by Reps. Hale and Zimmerman. (Requiring a $\frac{3}{4}$ vote.)

Roll Call on **HA 1** to **HB 490** revealed:

YEAS — Bartleson, Blendt, Burton, Eskridge, Ferguson, Gray, Harrington, McMahon, Phillips, Pleasanton, Riddagh, Sebrell — 12.

NAYS — Benson, Brown, Cashman, Castle, Cicione, Dodge, Evans, Fonville, Frederick, Gooding, Hale, Hammond, Hart, Heckert, Leshner, Murphy, Pagano, Quillen, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 22.

ABSENT — Shockley — 1.

HA 1 to **HB 490** thereby defeated.

On motion of Mr. Hale a roll call was ordered on **HB 490**. On further motion of Mr. Hale roll call on **HB 490** was tabled.

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

HB 418 — An Act to amend Chapter 11, Title 30, Delaware Code, relating to Income Tax.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 34.

ABSENT — Shockley — 1.

HB 418 having received the constitutional majority was declared passed by the House.

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

SS 1 for **SB 34** — An Act to amend Section III, (c), Title 17, Delaware Code, relating to composition of the membership of the State Highway Department. Introduced by Senator Conner.

Mr. F. L. Peter Stone, House Attorney was granted privilege of the floor at the request of Mr. Slawik, to give his opinion as to the effect of the bill on incumbents. Mr. Ferguson moved to defer the bill by roll call. Motion prevailed. **SS 1 for SB 34** deferred.

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

SS 1 for SB 289 — An Act to amend Chapter 17, 43 and 64, Title 9, Delaware Code, and Chapter 55, Title 29, Delaware Code, pertaining to pension benefits for former Justices of the Peace and former State Constables. Introduced by Senators Keenan, Isaacs, Grier and Foltz.

Privilege of the floor was granted Senator Keenan sponsor of the bill.

On motion of Mr. Stabler roll call on **SS 1 for SB 289** was tabled.

Mr. Hale motioned to recess at 4:02. Motion prevailed.

The House reconvened at 4:57.

The following bills were reported out of committee: Fish, Oyster and Game: **HB 508**, 5 favorable; **HB 533**, 4 favorable; Education: **HB 523**, 3 favorable, 2 on merits, 1 unfavorable; **HB 438**, 6 favorable; Revised Statutes: **HB 471**, 4 favorable, 2 on merits; **HB 502**, 2 favorable, 4 on merits; **HB 504**, 3 favorable, 1 on merits; **HB 510**, 3 favorable, 1 on merits; **SB 112**, 5 favorable, 1 on merits; Revenue and Taxation: **HB 520**, 2 favorable, 3 on merits; Judiciary: **HCR 30**, 4 favorable; Public Buildings and Lands: **SB 313** with **SA 1, 2 & 3**, 3 favorable, 2 on merits; **SB 322**, 4 on merits.

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

HB 497 with **HA 1** — An Act to amend Title 21 of the Delaware Code, by adding Chapter 46 relating to careless driving.

On motion of Mr. Benson **HA 1** to **HB 497** was adopted by voice vote.

Roll Call on **HB 497** with **HA 1** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Cicione, Dodge, Eskridge, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Slawik — 25.

NAYS — Evans, Fonville, Sebrell, Stabler, Zimmerman, Mr. Speaker Hering — 6.

NOT VOTING — Castle — 1.

ABSENT — Ferguson, Hammond, Shockley — 3.

HB 497 with **HA 1** having received the constitutional majority was declared passed by the House.

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

HB 498 — An Act to amend Title 21, Section 4121, Delaware Code, relating to driving on divided highways.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 30.

ABSENT — Castle, Ferguson, Hammond, Harrington, Shockley — 5.

HB 498 having received the constitutional majority was declared passed by the House.

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

HB 499 — An Act to amend Title 21, Section 4177 (a), Delaware Code, relative to stopping, standing or parking.

HA 1 to HB 499 — Introduced by Rep. Cicione. Adopted by voice vote.

Roll Call on **HB 499** with **HA 1** revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Cicione, Dodge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Mr. Speaker Hering — 27.

NAYS — Blendt, Eskridge, Zimmerman — 3.

ABSENT — Castle, Ferguson, Hammond, Harrington, Shockley — 5.

HB 499 with **HA 1** having received the constitutional majority was declared passed by the House.

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

HB 500 — An Act to amend Title 21, making it unlawful to engage in any motor vehicle speed contest on a public highway.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Cicione, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Zimmerman, Mr. Speaker Hering — 30.

ABSENT — Castle, Ferguson, Hammond, Harrington, Shockley — 5.

HB 500 having received the constitutional majority was declared passed by the House.

The following bills were introduced:

HB 535 — An Act to amend Section 702, Title 13, Delaware Code, relating to duty to support minor child. Introduced by Rep. Stabler. Referred to the Committee on Judiciary.

HB 536 — An Act to amend Section 5501, Title 14, Delaware Code, relating to establishing scholarships at Delaware College, University of Delaware. Introduced by Rep. Stabler. Referred to the Committee on Education.

HB 537 — An Act to amend Chapter 5, Title 7, Delaware Code, relating to licenses. Introduced by Reps. Pleasanton and Stabler. Referred to the Committee on Fish, Oyster and Game.

HB 538 — An Act to amend § 6335, Suchapter III, Title 29, Delaware Code, relating to the requirement of filing with the Budget Appropriation Bill tentative revenue bills sufficient to make the revenues of the State equal the budget expenditures. Introduced by Reps. Dodge, Cashman, Sebrell, Cicione, Gray and Burton. Referred to the Committee on Revenue and Taxation.

HB 539 — An Act to amend Title 21, Section 101, Delaware Code by adding a definition of driver, road and shoulder. Introduced by Rep. Cicione. Referred to the Committee on Highways and Public Safety.

HB 540 — An Act to amend Section 6521, Title 11, Delaware Code, relating to the Department of Correction by changing the qualifications of the Director of Field Services, District Directors, Case Work Supervisors, and Probation and Parole Counsellors and Field Counsellors of the Department of Correction. Introduced by Reps. Hale and Slawik. Referred to the Committee on Judiciary.

HB 541 — An Act to amend Chapter 365, Volume 55, Laws of Delaware, as amended, relating to an appropriation to the State Highway Department for the purpose of constructing a sidewalk from Millsboro School No. 23 to Millsboro School 204. Introduced by Reps. Gray, Phillips, Dodge, Burton, Eskridge and Quillen. Referred to the Committee on Highways and Public Safety.

HA 3 to HB 438 — Introduced by Reps. Burton, Quillen, Gray, Pleasanton and Eskridge. Placed with bill.

HA 1 to HB 533 — Introduced by Rep. Pleasanton. Placed with bill.

HR 111 — Authorizing payment of amount due for supplies furnished the 124th General Assembly. Introduced by Rep. Sebrell. Adopted by voice vote.

Mr. Hale moved to adjourn until 1:30 P.M., Tuesday, May 7, 1968. Motion prevailed. House adjourned at 5:36 P.M.

10TH LEGISLATIVE DAY — (2nd Session)

The Speaker called the House to order at 1:43 P.M., on Tuesday, May 7, 1968.

There was a prayer by the Chaplain Rabbi Edward Kandel.

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

Members present: Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 34.

Members absent: Shockley — 1.

Mr. Cicione was granted privilege of the floor and spoke about his attendance at the President's Committee on Employment of the Handicapped in Washington, D. C. on May 2nd.

Mr. Speaker:

I was privileged to attend the President's Committee on Employment of the Handicapped in Washington, D. C. May 2nd and 3rd. I found this meeting to be most educational and rewarding.

After hearing the Vice President of the United States, other speakers, visiting various workers and reading material offered us, I am most concerned of the state's roll in hiring the handicapped and the welfare of these people who are physically more unfortunate than the non-handicapped. In my opinion, little has been done in the field of employment for the handicapped on the state level. Each year the Governor sets aside one week as "Hire the physically handicapped." This is done to encourage private industry to hire the disabled. I believe it is time the state take the initiative. I believe the state agencies should review their job classifications and take a second look for any possible opportunity to employ a handicapped person. I believe it is time to give these people a place in our society. I believe we should take a second look at the states training programs. I believe the disabled should not be the "disqualified," I consider them the "trainable". I believe state agencies should review their hiring practices and applications as not to disqualify any person for reasons of some disability. Mr. Speaker, if I may, as an example recommend the handicapped be placed at our automatic toll booths on our highways and bridges. Surely, this would give them an opportunity to prove themselves worthwhile.

Other recommendations that I have, would be legislation permitting the state to reimburse private industry for the cost of training the handicapped. This would encourage private industries to employ more handicapped persons, whose accident rates by the way have been proven to be much lower than the non-handicapped and at the same time giving the disabled an incentive of being productive and creative. I am in hopes that more private industries in Delaware will

operate with a more selective idea, that gives everyone, no matter what their handicap, an equal chance of getting a job.

I would also like to touch upon the problem of architectural barriers in our state buildings. Who are we to deny any of those with limited mobility, access to the buildings they must enter to vote, work, learn, play or as a better example even this Legislative Hall. I am hoping consideration was given to the handicapped in the new addition to Legislative Hall in accordance with legislation passed in 1966. Which permits accessibility to the handicapped to any building built with state funds.

I will introduce a supplementary appropriation bill today for \$2,500 to the Governor's Committee to hire the handicapped as to enable this committee to attend national and state meetings, communicate, cooperate with private industries, releasing annual reports and suggestions for hiring the handicapped.

In conclusion Mr. Speaker, may I say, I hope my remarks have been constructive. All I'm asking is a "little more be done for those who can and are willing to help themselves." With a little help and training, just imagine how much the disabled could add to the wealth of our state.

Thank you.

A messenger from the Senate delivered **SB 295** having passed the Senate over the Governor's veto, **SB 252**, **SS 1** for **SB 317**, and requested the concurrence of the House; and **HB 166** with **SA 1** and **HB 248** having passed the Senate.

Mr. Speaker recognized and welcomed to the House Chamber, Mrs. Everett Hale, wife of the Majority leader, and Mr. John Annett, a Member of the 122nd General Assembly.

The following bills were introduced and assigned to committees:

HB 542 — An Act to amend § 1937, Title 14, Delaware Code, relating to exemptions from the tax on mobile homes. Introduced by Reps. Blendt, Bartleson and Hart. Referred to the Committee on Commerce and Corporations.

HB 543 — An Act directing the State Highway Department to undertake a Suburban Residential Development Road and Connecting Road Reconstruction Program and authorizing the State of Delaware to issue Bonds and Notes in the aggregate amount of fifteen million dollars to finance the cost thereof and appropriating the moneys thereby borrowed to the State Highway Department for the purposes specified. Introduced by Reps. Bartleson, Hart, Heckert, Cicone, Leshner, Pagano, Murphy and Ferguson. Referred to the Committee on Highways and Public Safety.

HA 1 to **HB 502** — Introduced by Rep. Brown. Placed with bill.

HA 4 to HB 438 — Introduced by Rep. Sebrell. Placed with bill.

HA 5 to HB 438 — Introduced by Rep. Sebrell. Placed with bill.

SB 252 — An Act to amend Title II, Delaware Code, relating to a new criminal offense for the intentional or fraudulent taking and carrying away, secretion or conversion by a person of the leased or rented personal property of another, providing for evidence of intention to commit such an offense and providing penalties for violations. Introduced by Senator Foltz. Referred to the Committee on Judiciary.

SS 1 for SB 317 — An Act to amend Chapter II, Title 30, Delaware Code, so as to allow a deduction of expenses for the care of certain dependents for the purpose of enabling the taxable to be gainfully employed. Introduced by Senator Steele. Referred to the Committee on Revenue and Taxation.

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

HB 166 as amended by **SA 1** — An Act to amend Section 122, Title 16, Delaware Code, relating to the powers and duties of the State Board of Health by adding the responsibility to regulate fluoridation of water supplies.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Fonville, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Sebrell, Stabler, Zimmerman, Mr. Speaker Hering — 28.

NAYS — Blendt, Ferguson, Frederick, Riddagh — 4.

ABSENT — Hammond, Shockley, Slawik — 3.

HB 166 with **SA 1** having received a constitutional majority was declared passed by the House.

Mr. Hale moved to recess for Joint Session in the Senate Chamber. Motion prevailed. House recessed at 2:05 P.M.

JOINT SESSION

House met in Joint Session with the Senate in the Senate Chamber at 2:19 P.M.

Mr. Bookhammer moved that the Senate and House convene in Joint Session. Motion prevailed.

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

On motion of Mr. Bookhammer the following committee was appointed to escort the Governor Charles L. Terry Jr. to the Senate Chamber: Senators Manning and Dineen, Representatives Gray and Blendt.

The Governor delivered the following message:

Mr. President

Mr. President Pro Tem

Mr. Speaker

Members of the General Assembly

Ladies and Gentlemen:

I appear before you today to present my adopted six year capital improvement program and annual capital budget. The six year program is for fiscal years 1969 through 1974. The annual capital budget is for fiscal year 1969. On three previous occasions I have appeared to present similar messages. In my first message the state agencies and school districts asked for approximately \$49,000,000 in the capital budget year. In this years' capital budget they requested over \$98,000,000. As can be readily seen from these figures, there is a constantly increasing demand on the state to provide additional physical facilities. I feel that I have provided for these needs, although each of my capital budgets and capital programs have been substantially under the amount requested by the agencies and school districts. A review of the authorized, but unissued bond schedule and the construction accounts will show that my capital budgets have provided amply for our needs in this area. Basically there are three questions to be answered in capital programming:

(1) Is the project a good one?

(2) When is it needed?

(3) Can we afford it at the time it is needed?

The question that provided the greatest problem is the second one — "When is it needed?" We all want better highways, better schools, better parks, better help in welfare facilities; and we want them now. At the same time we want to maintain a good balance between our bonded debt and our revenue and we must retain a reasonable tax structure. We must face the fact that all of our "present" wants cannot be provided without giving up our desire for a good fiscal position or without an exorbitant increase in our taxes. This is what the capital program is all about. In the capital program, I present to you a schedule of our needs within the framework of our ability to pay.

Now to discuss my capital budget and capital program. This year 70 state agencies and school districts submitted 647 capital program requests for the six year capital program. In the capital budget year they requested \$98,539,000. In the capital program they requested \$440,436,000. These figures represent an increase in requests of 109 million dollars over last year's total program request, and an increase of 210 million dollars over my last adopted capital program. I would like to point out at this time that even with a substantial tax increase within the capital program period, a pro-

gram of this immensity could not be financed without creating a drastic distortion in our bonded debt to revenue ratio. Our bonded debt limitation for fiscal year 1969 is computed to be \$456,000,000. This amount will allow authorization of funding up to \$90,000,000 in fiscal year 1969: However, authorization of this amount in the capital budget year would severely limit the authorization of funds in the other five years of the program.

The revenue forecast that has been used for this capital program assumes that there will be some tax rate increase during the last five year period of the program. I am not asking for an increase in taxes this year. Based on this forecast and keeping in mind our bonded debt limitation, I have reviewed each of the submitted project requests and have adopted a six year capital improvement program in the amount of \$272,468,000, which includes a capital budget in the amount of \$56,899,800. Of this capital amount \$1,330,000 has been funded previously. An additional amount of \$1,920,000 will not be requested for funding at this time. Legislation will be introduced for your deliberation to fund the annual capital improvement program act of 1969 in the amount of \$53,149,800. A second act will be submitted to provide funding of a program to assist communities and counties to acquire and develop local park facilities. Funds for this program will be requested in the amount of \$500,000. Also, a separate act will be submitted to provide \$500,000 toward the Mill Creek flood control project. This is a \$1.8-2 million project of great importance to residents of that area. \$1 million will be provided in federal funds with the balance of the cost being split between New Castle County and the state in an excellent example of federal, state, local cooperation in the meeting of community needs.

My adopted capital budget for fiscal year 1969 and my adopted six year capital improvement program for fiscal years 1969 to 1974 has been prepared and is presented to you at this time. Review of this report will show that in the capital budget:

- (a) Higher education requested \$10,510,000 — I recommend \$4,660,000.
- (b) The State Board of Education requested for local schools \$30,348,000 — I recommend \$17,175,800.
- (c) The State Highway Department requested \$31,188,000 — I recommend \$22,700,000.
- (d) Other states agencies requested \$26,553,000 — I recommend \$12,364,000.

In addition to providing for programs established in previous years, I am recommending in my capital budget that three new programs be initiated. These are:

- (a) A State Service Centers Program.

(b) A Local Park Land Acquisition and Development Assistance Program.

(c) A Suburban Development Street Reconstruction Program.

The State Service Centers Program will provide facilities for centralized state operated programs located throughout the state. These facilities will be designed to accommodate many types of outpatient clinics, day care centers and other health and welfare programs. I am including in my capital budget a request for the development of the First State Service Center in Newark, Delaware.

The Local Park Land Acquisition and Development Assistance Program will provide communities and counties much needed funds on a matching 50 - 50 basis to acquire and develop local parks and recreation areas. I have recommended that \$500,000 be provided in my capital budget for this program. Future appropriations through the capital improvement program will depend on the degree of use of the proposed current appropriation.

The Suburban Development Street Reconstruction Program is a new program which I have requested the State Highway Department to initiate. This program will reconstruct older subdivision streets throughout the state which were not constructed to current highway standards. I have recommended that \$1,000,000 be provided for this program in the capital budget.

Earlier, I mentioned that there was an amount of \$1,920,000 in my capital budget that I was not requesting to be funded at this time. This amount was provided in my capital budget for a new high school to service either the Bridgeville-Greenwood area alone or the Bridgeville-Greenwood-Seaford area if the State Board of Education consolidation program is implemented. This facility is recognized by the Local School District Board and the State Board of Education as being badly needed. The recent failure of local referendum precludes my consideration of funding this project at this time. In the consideration of my capital budget for local school needs, I have deferred funding of projects requested by the State Board of Education which were promulgated on the boards' consolidation program. The projects requested were for the following areas:

- (1) Southeastern Sussex
- (2) Georgetown-Milton
- (3) Laurel-Delmar
- (4) Middletown-Odessa

This is not to say that I do not endorse the principles of the consolidation program wholeheartedly, but rather to say that I cannot conscientiously provide funding of these projects at this early date when there has been no action

either with local referenda or through Legislative passage of the Educational Advancement Act to establish the actual configuration of these consolidated school districts. I would urge at this time that the General Assembly, the State Board of Education and the citizens of this great state work together with me to provide the necessary consolidation that we must have to continue the increase of quality in education that is the just right of our children of today and tomorrow. I want you to know that I will follow this program very closely this session.

In addition to the mentioning of new programs and to my position on school construction funding, there are other policy considerations in the capital improvement program that I wish to present at this time:

- (1) I have again incorporated the "minor capital improvement program for schools" in my capital budget.
- (2) All capital projects included in the capital budget that require funding except the Local Parks Land Acquisition and Assistance Program are incorporated into one omnibus bill.
- (3) I am submitting legislation to remove bonding authorization in the amount of \$5,164,382 for projects that are no longer contemplated for initiation.
- (4) I am urging that House Bill Number 153 that was introduced in the first session of the 124th General Assembly be passed this session. This act is the second leg of the constitutional amendment that would prohibit the state's bonded debt from exceeding 3.4 times the state's previous year's normal general fund revenue.

I will present an act that will establish definite dates annually for the receipt of Capital Improvement Program requests by the State Planning Office and for the presentation of my adopted Capital Improvement Program to the General Assembly.

I wish to emphasize at this time that the Capital Improvement Program I am presenting here today considers the need of **all** state agencies both **large** and **small**. It must be understood that the relative importance of a project to an agency and to the state cannot be judged by the monetary amount alone. We must not overlook the needs of our smaller agencies as has been the case in the failure of passage of legislation in the last two capital budgets.

In conclusion, if through your deliberation you conclude that amendments should be made to the proposed legislation presented here today, I ask that I have an opportunity to review these amendments before they are introduced to the General Assembly.

The same committee escorted Governor Charles L. Terry, Jr. from the Chamber.

The Secretary of the Senate and the Chief Clerk of the House compared their Journals and found them to be in agreement.

The Joint Session adjourned at 2:45 P.M.

The House reconvened at 3:04 P.M.

The following bills were introduced and assigned to committees:

HB 544 — 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. Introduced by Rep. Slawik. Referred to the Committee on Commerce and Corporations.

HB 545 — An Act making a supplementary appropriation to the Governor's Committee on Employment of the Handicapped. Introduced by Reps. Cicone and Gooding. Referred to the Committee on Miscellaneous.

HA 2 to HB 472 — Introduced by Rep. Brown. Placed with bill.

The following bills were reported out of committee: Revenue and Taxation: **HB 475**, 3 favorable, 2 on merits; Miscellaneous: **HB 516**, 4 favorable, 1 on merits; **HB 526**, 2 favorable, 3 on merits;

Mr. Hammond asked that **HB 514** be brought out of committee.

On motion of Mr. Dodge the following was placed before the House for consideration to pass over the Governor's veto, thereby requiring a three-fifths vote.

SCR 25 — Appointing Directors on the part of the State for the Farmers Bank of the State of Delaware.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicone, Dodge, Evens, Frederick, Gray, Hart, Heckert, Leshner, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Seibrell, Stabler, Mr. Speaker Hering — 22.

NAYS — Blendt, Eskridge, Ferguson, Fonville, Gooding, Hammond, Harrington, McMahon, Phillips, Slawik — 10.

NOT VOTING — Zimmerman — 1.

ABSENT — Hale, Shockley — 2.

SCR 25 having received a three-fifths majority was declared passed by the House over the Governor's veto.

HA 1 to SS 1 for SB 313 — Introduced by Reps. Frederick, Leshner and Hart. Adopted by voice vote on motion of Mr. Frederick.

Mr. Hale had the following letter read in:

May 7, 1968

House of Representatives
The 124th General Assembly
Dover, Delaware
Joint Fish, Oyster and Game Committee:

Rep. Pleasanton	Sen. Isaacs
Rep. Dodge	Sen. Grier
Rep. Frederick	Sen. Bookhammer
Rep. Sebrell	Sen. Steen
Rep. Harrington	Sen. Robbins
Rep. Hammond	

Dear Members of the House and Committee Members:

In my opinion, the present form of this Fish and Game Merger Bill is the final step in the finest piece of work ever done by a committee in the history of the Delaware Legislature. This bipartisan group, the Joint Fish, Oyster and Game Committee, has taken their responsibilities seriously, despite the fact that many of the committee were new legislators, and despite the fact that before this a majority of the Committee's principal contact with the Shell Fish Industry occurred in restaurants. These legislators working together heard the testimony of approximately 30 citizens including watermen, commissioners and biology experts and through their dedication to their task there was a realization that a need to reform the law existed. This Committee gathered the facts at a dozen investigative sessions held last summer and produced a report which was richer in content than many reports for which we in Delaware have paid tens of thousands of dollars to consulting firms. (Many of these reports ended up in the trash rather than in action.)

Subsequent to publishing the report itself which made certain legislative recommendations, there was no slackening of effort. The Committee and its staff, F. L. Peter Stone, attorney, and Ruth Potter, secretary, proceeded to draft a bill to carry out each recommendation of the report. After consulting with Fish and Game improvements were made in the original draft and the result is the progressive Shellfish-Fish and Game Merger Bill before this body today.

As a result of these hard-working legislators' efforts, we now have many well informed people in the State Legislature who can proceed to implement the necessary legislation that has been long needed in an area which has been so politically charged that no one before ever dared try to straighten it out.

There are many more areas in Delaware where similar work can, could, and should be done, and I hope this effort serves as a model and guide for effective legislative committee work in the future.

Sincerely yours,
Everette Hale

EH:bk

Mr. Zimmerman suggested that the bill requested a two-thirds vote. Mr. Pleasanton deferred the bill until later in the day pending an attorney's opinion on vote required.

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

HB 508 — An Act to amend Chapter 167, Volume 56, Laws of Delaware, relating to a supplementary appropriation to the Board of Game and Fish Commissioners by extending the revision date of the funds appropriated from June 30, 1968 to June 30, 1969.

Roll Call Revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

ABSENT — Sebrell, Shockley — 2.

HB 508 having received a constitutional majority was declared passed by the House.

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

HB 471 — An Act to amend Section 8323 (c), Title II, Delaware Code, by making retired members of the Delaware State Police eligible to be employed as State Detectives under the Attorney General while still receiving State Pension.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Dodge, Eskridge, Evans, Fonville, Frederick, Gooding, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

NOT VOTING — Ferguson, Gray, Hammond, McMahon — 4.

ABSENT — Cicione, Shockley — 2.

HB 471 having received a constitutional majority was declared passed by the House.

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

SB 112 — An Act to amend Chapter 60, Title 7, Section 6006, Delaware Code, by substituting "certified" for "registered" mail as the means by which notice of complaints shall be

served by the Water and Air Resources Commission on persons. Introduced by Senator Cook.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

ABSENT — Cicione, Shockley — 2.

SB 112 having received a constitutional majority was declared passed by the House.

Mr. Hammond moved that **HB 507** be brought before the House for consideration.

Mr. Benson moved that **HB 507** be tabled. Motion prevailed.

Mr. Murphy had the following letter read in.

May 7, 1968

Representative Joseph R. Murphy

State of Delaware

Legislative Hall

Dover, Delaware

Dear Representative Murphy:

I would like to endorse House Bill No. 523 establishing public kindergartens in the State of Delaware and also to inform you that this bill has the full endorsement of the State Board of Education.

In 1952, my first year in Delaware, I had the privilege of speaking in the General Assembly in support of public kindergartens because I was then, and still am, convinced that this is the most vital program need in the State of Delaware. I have never been able to understand why a state as progressive as Delaware should be so far behind the other states (now 35) who provide public kindergartens at state and local expense.

Every report or study on matters affecting the learning process indicate that the pre-school years are the most formative years of one's life and we must begin early to develop good habits and attitudes if we are to even begin to make inroads into the problems of the disadvantaged. The sad fact is that the children who need kindergarten most are the least able to afford them. As a matter of fact, we should at this stage be beyond public kindergartens and thinking about nursery school education for all children.

I commend you for sponsoring this legislation and the strong stand you have taken in support of this educational need. Certainly we must be as concerned about preventive measures as we are about corrective measures. The time for

action is certainly now and I know you have the full support of the teaching profession.

Very truly yours,
Kenneth C. Madden
State Superintendent

KCM:sg

Mr. Eskridge asked if the bill had been before the Joint Finance Committee.

Mr. Leshner replied that it had not.

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

HB 523 — An Act to amend Section 1703, Chapter 17, Title 14, Delaware Code, relating to pupil units by providing a unit for Kindergartens and making a supplementary appropriation therefor.

Roll Call revealed:

YEAS — Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hart, Heckert, Murphy, Pagano, Phillips, Quillen, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 24.

NAYS — Riddagh — 1.

NOT VOTING — Eskridge, Ferguson, Leshner, McMahon, Pleasanton — 5.

ABSENT — Bartleson, Benson, Hammond, Harrington, Shockley — 5.

HB 523 having received a constitutional majority was declared passed by the House.

Mr. Roger Kelsey, House Attorney, gave the opinion that **HB 533** did not require a two-thirds vote.

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

HB 533 with **HA 1** — An Act to amend Title 7, Delaware Code, by repealing Part II relating to the Shell Fisheries Commission and its jurisdiction, and revising Part I in order that the Board of Game and Fish Commissioners hereafter assume certain functions formerly the responsibility of the Shell Fisheries Commission and accomplishing certain other additions to, revisions and codification of the authority of the Board of Game and Fish Commissioners by further amendment of Title 7, Title 23 relating to navigation and waters, and authorizing the acquisition of a new watch boat for the expanded water patrol duties of the Board and making an appropriation therefor.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gray, Hale, Hart, Heckert, Leshner, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 23.

NAYS — Blendt, Eskridge, Ferguson, Fonville, Gooding, Hammond, McMahon, Slawik, Zimmerman — 9.

NOT VOTING — Harrington, Phillips — 2.

ABSENT — Shockley — 1.

HB 533 with **HA 1** having received a constitutional majority was declared passed by the House.

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

SS 1 for **SB 313** with **SA 1, 2 & 3** and **HA 1** — An Act establishing and concerning a Department of Housing, conferring upon it certain duties and powers in the field of housing, also establishing a State Bureau of Housing within the Department of Housing, conferring upon it certain duties in the field of housing, also establishing a State Housing Authority within the Department of Housing, conferring upon it certain duties and powers in the field of housing and making a supplementary appropriation therefor. Introduced by Senator Holloway.

On motion of Mr. Frederick **HA 1** was adopted by voice vote.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Cashman, Castle, Cicone, Evans, Ferguson, Fonville, Frederick, Gooding, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Pagano, Phillips, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 26.

NAYS — Burton, Dodge, Eskridge, Gray, Harrington, Pleasanton — 6.

ABSENT — Blendt, Murphy, Shockley — 3.

SS 1 for **SB 313** with **SA 1, 2 and 3** and **HA 1** having received a constitutional majority was passed by the House.

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

HB 502 with **HA 1** — An Act to amend the rules of the Delaware Alcoholic Beverage Control Commission, Appendix, Title 4, Delaware Code, relating to authority of the holder of a license for the sale at retail of alcoholic liquor, not for consumption on the premises where sold to relocate his store premises within fifty feet of his original store premises. On motion of Mr. Brown **HA 1** was adopted by voice vote.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicone, Dodge, Eskridge, Ferguson, Fonville, Frederick, Gray, Harrington, Hart, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 26.

NAYS — Gooding, Hale — 2.

NOT VOTING — Evans, Heckert, Leshner, Phillips — 4.

ABSENT — Blendt, Hammond, Shockley — 3.

HB 502 with **HA 1** having received a constitutional majority was declared passed by the House.

The House recessed at 4:15 P.M. Reconvened at 5:41 P.M.

The following bills were introduced and assigned to committees:

HB 546 — An Act to amend Chapter 80, Volume 56, Laws of Delaware, relating to the payment of benefits to children whose parent is totally disabled from disease or wounds as a result of service in Vietnam or other armed conflict of the United States. Introduced by Reps. Hering and Cicione. Referred to the Committee on Miscellaneous.

HB 547 — 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. Introduced by Reps. Sebrell and Benson. Referred to the Committee on Commerce and Corporations.

HB 548 — An Act to repeal Sections 712 and 713, Title 4, Delaware Code, relating to regulatory provisions concerning the sale of alcoholic liquor. Introduced by Reps. Quiller and Evans. Referred to the Committee on Miscellaneous.

The following resolution was introduced:

HR 112 — Authorizing payment for services rendered by the Legislative Staff of the House of Representatives of the 124th General Assembly. Introduced by Rep. Sebrell.

On motion of Dr. Sebrell, **HR 112** was adopted by voice vote.

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

HB 438 — An Act to amend Part I, Title 14, of the Delaware Code, entitled "Free Public Schools" to provide for the reorganization of School Districts to be effected by amending and repealing existing laws pertaining thereto.

On motion of Mr. Murphy **HA 1** to **HB 438** was stricken. On motion of Mrs. Heckert **HA 2** to **HB 438** was adopted by voice vote. On motion of Mr. Burton **HA 3** was considered. Mr. Burton moved to table **HA 3**.

Roll Call to table **HA 3** revealed:

YEAS — Brown, Burton, Cicione, Eskridge, Evans, Ferguson, Fonville, Gray, Hammond, Harrington, McMahon, Phillips, Quillen, Riddagh, Sebrell, Zimmerman — 16.

NAYS — Bartleson, Benson, Blendt, Cashman, Castle, Dodge, Frederick, Gooding, Hale, Hart, Heckert, Leshner, Murphy, Pagano, Slawik, Mr. Speaker Hering — 16.

NOT VOTING — Stabler — 1.

ABSENT — Pleasanton, Shockley — 2.

HA 3 to **HB 438** having not received a majority was declared not tabled.

Dr. Sebrell asked for privilege of the floor for Mr. John Kirk, Chairman of the Board of Gunning Bedford School. Mr. Kirk spoke in favor of **HA 4** to **HB 438**. On motion of Mrs. Heckert, **HA 4** to **HB 438** was tabled. Dr. Sebrell asked for privilege of the floor for Mr. Wallace Caulk, Master of the Delaware State Grange. Mr. Caulk spoke in favor of **HA 5** to **HB 438**. On motion of Mrs. Heckert **HA 5** to **HB 438** was tabled.

On motion of Mr. Eskridge, the House recessed at 6:03 P.M., reconvened at 6:13 P.M.

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

HA 3 to **HB 438** - Roll Call revealed:

YEAS — Bartleson, Brown, Burton, Cicione, Eskridge, Evans, Ferguson, Gray, Harrington, McMahon, Phillips, Quillen, Riddagh, Sebrell, Slawik, Zimmerman — 16.

NAYS — Benson, Blendt, Cashman, Castle, Dodge, Fonville, Frederick, Gooding, Hale, Hammond, Hart, Heckert, Leshner, Murphy, Pagano, Stabler, Mr. Speaker Hering — 17.

ABSENT — Pleasanton, Shockley — 2.

HA 3 to **HB 438** not having received a majority was declared failed.

On motion of Mrs. Heckert the following was placed before the House for consideration:

HB 438 with **HA 2** — An Act to amend Part I, Title 14, of the Delaware Code, entitled "Free Public Schools" to provide for the reorganization of School Districts to be effected by amending and repealing existing laws pertaining thereto.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Cashman, Castle, Cicione, Dodge, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

NAYS — Burton — 1.

ABSENT — Pleasanton, Shockley — 2.

HB 438 with **HA 2** having received a constitutional majority was declared passed by the House.

The following was reported out of committee: Health and Welfare: **HB 491**, 6 on merits.

The House recessed at 6:24 P.M.

11TH LEGISLATIVE DAY — (2nd Session)

The Speaker called the House to order at 1:52 P.M., on Tuesday, May 14, 1968.

There was a prayer by the Chaplain Reverend Charles E. Covington.

The Speaker led those present in a Salute of the Flag.
The Roll Call revealed:

Members present: Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

Members absent: Cicione, Eskridge, Shockley — 3.

Mr. Benson was granted privilege of the floor. He read the following letter:

May 13, 1968

Dr. Luna I. Mishoe, President
Delaware State College
Dover, Delaware
Dear Dr. Mishoe:

I was shocked and very much chagrined upon learning and reading about the actions of some of the students at Delaware State College on Friday, May 10, 1968.

I am at a loss for words to describe my feelings about the insult to our Governor, The Honorable Charles L. Terry, Jr. The conduct of those students, who led this demonstration of contempt for you, Governor Terry and the State of Delaware, is completely inexcusable.

Prompt and forthright action on the part of the Board of Trustees and you must be taken. In my opinion, the leaders of this episode must be summarily dismissed and other students taking part therein must be disciplined and placed on probation with the understanding that dismissal will follow any further participation in violation of the College rules.

I am sure that all the students at Delaware State were fully aware of the College rules and regulations when they enrolled. If they find that they do not wish to abide by, or, cannot abide by these rules, then they have a choice - either conform to the rules or leave the campus. They have no other "right" and should be given none.

You are at liberty to use this letter in any manner you deem advisable.

Yours truly,
David S. Benson

CC: Gov. Charles L. Terry, Jr.
DSB:jb

A messenger from the Senate delivered **HB 477**, having passed the Senate, and **SB 68**, **SB 374**, **SCR 32**, **SJR 6**, **SJR 7** requesting concurrence of the House.

The House recessed at 1:59 P.M. for a leadership meeting with Governor Charles L. Terry, Jr. The House reconvened at 4:40 P.M.

The following bills were introduced and assigned to committee:

HB 549 — An Act to amend Title 14, Delaware Code, relating to "Education" by providing for establishment of an educational equalization fund, for equalized allocations of non-salary operational funds, for the levy of taxes on real property by the State Board of Education, and for a limitation on the levy of taxes on persons and real property by the various school districts of the state. Introduced by Reps. Slawik, Ferguson and Cashman. Referred to the Committee on Education.

HB 550 — An Act to amend § 2151, Subchapter IV, Title 21, Delaware Code, relating to the registration fee for motor vehicles commonly used for pleasure or for the purpose of carrying persons. Introduced by Reps. Dodge, Hart and Sebrell. Referred to the Committee on Highways and Public Safety.

HB 551 — An Act proposing an amendment to Article III, Section 18, of the Constitution. Introduced by Reps. Gooding, Phillips and Quillen. Referred to the Committee on House Administration.

HB 552 — An Act to amend Chapter 10, Volume 56, Laws of Delaware, entitled, "An Act transferring \$600,000 from the Capital Investment Fund to be used for Park Development," by extending the reversion date thereof and providing for the use of federal funds. Introduced by Reps. Frederick, Hart, Murphy, Pagano, Benson. Referred to the Committee on Public Buildings and Lands.

HB 553 — An Act making an appropriation to the State Highway Department for reconstructing Kent County Road 384 between U.S. Route 13 and Road 386. Introduced by Rep. Quillen. Referred to the Committee on Highways and Public Safety.

HA 3 to HB 472 — Introduced by Rep. Burton. Placed with bill.

HA 1 to SB 334 — Introduced by Rep. Sebrell. Placed with bill.

HA 2 to HB 214 — Introduced by Rep. Sebrell. Placed with bill.

Dr. Sebrell moved that **HA 1 to HB 214** be stricken. Motion prevailed.

The following bills were assigned to committee:

SB 68 — An Act to amend Title 20, Delaware Code, Section 122 (c), changing the appointment of the Adjutant General of the Delaware National Guard from a term of nine years to serve at the pleasure of the Governor. Introduced by Senator duPont. Referred to the Committee on Miscellaneous.

SB 374 — An Act to repeal Sections 712 and 713, Title 4, Delaware Code, relating to regulatory provisions concerning the sale of alcoholic liquor. Introduced by Senator Holloway. Referred to the Committee on Miscellaneous.

SCR 32 — Introduced by Senator duPont. Read in its entirety.

Relative to the Death of Brig. Gen. Norman A. Lack.

WHEREAS, the members of the 124th General Assembly of the State of Delaware have learned with regret of the passing of Brig. Gen. Norman A. Lack, on Friday, the 26th day of April A.D. 1967, and

WHEREAS, Brig. Gen. Norman A. Lack served his country faithfully and well during three wars, and

WHEREAS, Brig. Gen. Norman A. Lack served his state faithfully as an alternate member on the Delaware River Basin Commission, and

WHEREAS, Brig. Gen. Norman A. Lack, was recognized as an outstanding individual throughout the world, in that the State of Delaware twice bestowed upon him the conspicuous Service Cross, the United States Government awarded him the Legion of Merit, England honored him with the Order of the British Empire, and Belgium and France each honored him with the Croix de Guerre with palms, and

WHEREAS, Brig. Gen. Norman A. Lack helped in developing Ft. Delaware on Pea Patch Island into a park, and

WHEREAS, the members of the 124th General Assembly of the State of Delaware desire to express their own feelings and sense of loss in this public manner, contemporaneous with the general feeling throughout the entire State of Delaware.

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 124th General Assembly of the State of Delaware, the House of Representatives concurring therein, that the members give expression of the regret they feel at the passing of Brig. Gen. Norman A. Lack.

BE IT FURTHER RESOLVED that the family of the deceased has the full sympathy of the members of the Senate and House of Representatives of the 124 th General Assembly of the State of Delaware.

BE IT FURTHER RESOLVED that the text of this Resolution be made a part of the Journal of the proceedings of the Senate and House of Representatives of the 124th General Assembly of the State of Delaware and a copy be forwarded to his family.

Adopted unanimously by voice vote.

SJR 6 — To commemorate forty-seven years of educational, civic, social and religious leadership of Thomas W. Mulrooney. Introduced by Senator Dineen. Referred to the Committee on Education.

SJR 7 — To commemorate seventeen years of educational, civic and social leadership of Muriel Crosby. Introduced by Senator Dineen. Referred to the Committee on Education.

The following bills were reported out of committee:

Revised Statutes: **HB 284**, 2 favorable, 3 on merits; Education: **SB 327**, 3 favorable, 3 on merits; **SB 341**, 2 favorable, 4 on merits; **SB 342**, 2 favorable, 4 on merits; Judiciary: **HB 540**, 4 favorable; **HB 480**, 4 favorable; **HB 485**, 4 favorable; **SB 171** with **HA 1** and **2**, 2 favorable, 2 on merits; Health and Welfare: **SB 128** with **SA 2**, and **3**, 4 favorable, 2 on merits; **HB 522**, 5 favorable.

On motion of Mr. Riddagh, the following was given a final reading and placed before the House for consideration to pass, overriding the Governor's veto:

SB 295 — An Act to amend Section 2832, Title 31, Delaware Code, by providing that the State of Delaware shall pay the cost of the operation and maintenance of the Delaware Home and Hospital for the chronically ill and the care and support of its inmates. Introduced by Senator Foltz.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Dodge, Evans, Frederick, Gray, Hale, Hart, Heckert, Leshner, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 21.

NAYS — Blendt, Ferguson, Fonville, Gooding, Hammond, Harrington, McMahon, Phillips, Slawik, Zimmerman — 10.

ABSENT — Cicione, Eskridge, Shockley — 3.

SB 295 having received a three-fifth majority was declared passed by the House, thereby overriding the Governor's veto.

On motion of Mr. Hammond **HB 507** was lifted from the table. Privilege of the floor was granted Mr. Ernest Dannehan, Member of the Human Relations Commission, who spoke in favor of **HB 507**. Mr. Benson moved to table **HB 507**. Motion prevailed by roll call as follows:

YEAS — Benson, Brown, Burton, Castle, Dodge, Frederick, Gray, Hale, Hart, Heckert, Leshner, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 19.

NAYS — Blendt, Cashman, Evans, Fonville, Gooding, Hammond, Harrington, McMahon, Phillips, Slawik, Zimmerman — 11.

NOT VOTING — Ferguson — 1.

ABSENT — Bartleson, Cicione, Eskridge, Shockley — 4.

HB 507 tabled by roll call vote.

On motion of Dr. Sebrell the following letters were read:

May 13, 1968

The Honorable Dr. Lorin B. Sebrell
229 N. State Street
Dover, Delaware 19901

Re: House Bill 214

Dear Dr. Sebrell:

This will confirm our recent discussion regarding the above named bill relating to licensing of Clinical Laboratories wherein we clarified the situation. With the minor amendments we reviewed the bill has my support and I feel sure that the Board of Health can administer the regulations without curtailing these necessary hospital services.

Yours sincerely,
Maurice W. J. Abraham
Executive Director

MWJA:srm
No. 158

May 10, 1968

The Honorable Lorin B. Sebrell
Representative, State of Delaware
229 North State Street
Dover, Delaware 19901

Re: H.B. 214

My Dear Mr. Sebrell:

This concerns the above-mentioned Act which would license clinical laboratories and clinical laboratory personnel in conformance with the amendments which we discussed following the caucus on May 7, 1968. I personally feel that the State Board of Health would be in a position to implement the provisions of the bill as amended. It would take several weeks after the Act becomes effective to secure adequate organization and personnel to do the job, however.

Respectfully yours,
Floyd I. Hudson, M.D.
Executive Secretary

FIH: ck

On further motion of Dr. Sebrell **HB 214** with **HA 2** was given a final reading and placed before the House for consideration:

HB 214 with **HA 2** — An Act relating to licenses and regulation of Clinical Laboratories and Clinical Laboratory Personnel.

On motion of Mr. Cashman **HB 214** with **HA 2** was re-committed by roll call as follows:

YEAS — Bartleson, Blendt, Brown, Cashman, Castle, Ferguson, Gooding, Hammond, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Riddagh, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 20.

NAYS — Benson, Burton, Dodge, Evans, Fonville, Hale, Pleasanton, Quillen, Sebrell — 9.

NOT VOTING — Frederick, Gray, Harrington — 3.

ABSENT — Cicione, Eskridge, Shockley — 3.

HB 214 with **HA 2** recommitted.

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

HCR 30 — Relating to Members of the General Assembly practicing law and representing clients before the courts of this State or various agencies. Introduced by Reps. Zimmerman, Ferguson and Hering. Reps. Castle and Stabler were added as co-sponsors.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Dodge, Evans, Ferguson, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

NAYS — McMahon — 1.

NOT VOTING — Fonville, Heckert — 2.

ABSENT — Cicione, Eskridge, Shockley — 3.

HCR 30 having received a constitutional majority was declared adopted by the House.

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

HB 510 — An Act proposing an amendment to Section 14, Article 2, of the Constitution of the State of Delaware relating to dual office holding by Members of the General Assembly.

Mr. Ferguson moved to defer the bill for an amendment to be prepared. Motion failed.

Mr. Castle asked for a roll call on the bill. Roll call tabled by Mr. Castle.

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

HJR 10 — In reference to the 200th Anniversary of the founding of the Town of Smyrna, County of Kent and State of Delaware.

Roll Call revealed:

YEAS — Blendt, Brown, Cashman, Castle, Dodge, Evans, Ferguson, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Mr. Speaker Hering — 26.

ABSENT — Bartleson, Benson, Burton, Cicione, Eskridge, Fonville, Shockley, Stabler, Zimmerman — 9.

HJR 10 having received a constitutional majority was declared adopted by the House.

The following bills were reported out of committee: Highways and Public Safety: **HB 155**, 1 favorable, 4 on merits; merits; **HB 450**, 4 favorable, 1 on merits; **HB 541**, 2 favorable, 3 on merits; **HB 527**, 2 favorable, 2 on merits, 1 unfavorable; **HB 543**, 2 favorable, 3 on merits.

The House adjourned at 5:55 P.M.

12TH LEGISLATIVE DAY — (2nd Session)

The Speaker called the House to order at 2:01 P.M., on Wednesday, May 15, 1968.

There was a prayer by the Chaplain Reverend Charles Covington.

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

The Roll Call revealed:

Members Present: Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Ferguson, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31.

Absent: Eskridge, Evans, Fonville, Shockley — 4.

The minutes of the previous session were approved as posted.

Assistant Chief Clerk, Mr. John McDonald, announced the date of the party given for the Representatives by the Legislative Staff; Tuesday, May 21st.

The House recessed at 2:09 P.M., and reconvened at 6:16 P.M.

The Speaker announced the invitation extended to Representatives by Mr. Carpenter for the Phillies-Giants Game, June 20th.

A memorandum No. 46 from the Office of the Governor was read:

May 15, 1968

To: Senator Anthony C. Moore, Mr. G. Francis Downs, Mr. Daniel Ross, Mr. George Cripps, Dr. Lorin P. Sebrell, Mr. F. Earl McGinnes, Mr. Ned Davis. Mrs. Mary J. Daily, Clerk of the House, Secretary of the Senate, Mrs. Teresa Messick, Legislative Reference Bureau for all folders.

From: Robert Thurston Barrett, Administrative Assistant

The Governor signed the following legislation on May 13, 1968:

HB 406 (\$15,000 Supplementary Appropriation - Welfare Department).

HB 463 (\$112,300 Supplementary Appropriation State Board Of Education - Summer Driver Education).

HB 482 (\$1,000.00 Supplementary Appropriation - State Development Department for Miss Delaware).

HB 519 (Technical Amendments to Reapportionment Bill).

A messenger from the Senate delivered **SB 363** with **SA 1** and **3**, having passed the Senate and requested concurrence of the House.

The following were reported out of committee: Public Buildings and Lands: **HB 552**, 5 favorable; **HB 414**, 5 favorable; Highways and Public Safety: **HB 455**, 3 favorable, 3 on merits; **HB 539**, 5 favorable, 1 on merits; Commerce and Corporations: **HB 547**, 4 favorable, 1 on merits; **HB 409**, 5 favorable; **HB 542**, 4 favorable, 1 on merits; Miscellaneous: **HB 546**, 5 favorable; **HB 548**, 4 favorable, 1 on merits; Elections: **SB 351**, 4 favorable, 2 on merits; Education: **SJR 6**, 5 favorable; **SJR 7**, 5 favorable.

The following bills were introduced and assigned to committee as follows:

HB 554 — An Act to amend Title 19, Delaware Code, relating to labor by empowering the Department of Labor and Industrial Relations to establish or aid facilities for Child Day Care and making a supplementary appropriation therefor. Introduced by Reps. Zimmerman, Fonville, Hammond, Cashman, Phillips, Gooding and Slawik. Referred to the Committee on Labor.

HB 555 — An Act to amend Section 704, Title 21, Delaware Code, relating to the jurisdiction of the Wilmington Municipal Court over persons arrested for motor vehicle violations outside the City of Wilmington as a result of a fresh pursuit. Introduced by Reps. Heckert and Stabler. Referred to the Committee on Judiciary.

HB 556 — An Act to amend Section 1321, Title 14, Delaware Code, relating to school employees, by providing under certain circumstances for a Supervisor of Transportation. Introduced by Rep. Hart. Referred to the Committee on Education.

HB 557 — An Act to amend Title 11, Chapter 41, Section 4104, of the Delaware Code by adding thereto two new subsections authorizing the State Treasurer to remit fines and/or costs to persons whose conviction has subsequently been set aside by the Justice of the Peace Court and the Court of Common Pleas wherein the fine and/or costs was paid, and providing for the necessary procedure and certification therefore. Introduced by Reps. Cicione and Hering. Referred to the Committee on Miscellaneous.

HB 558 — An Act to amend Chapter 57, Title 7, Delaware Code, relating to inclusion of civil disorder, riot, and insurrection as major disasters within the scope of Chapter 57, Title 7, Delaware Code, disaster relief and assistance pro-

visions, and providing an appropriation in the amount of \$500,000 to fund the Governor's Disaster Recovery and Rehabilitation Fund. Introduced by Reps. Hering and Cicione. Referred to the Committee on Miscellaneous.

HB 559 — An Act authorizing the State of Delaware to borrow a sum not to exceed \$1,000,000 and to issue bonds and notes for supplementation of the Governor's Disaster Recovery and Rehabilitation Fund. Introduced by Reps. Cicione and Hering. Referred to the Committee on Miscellaneous.

Mr. Speaker Hering read a statement of explanation re: **HB 558** and **HB 559**.

I am introducing today a bill that requires at least a brief measure of explanation.

Basically, it is designed to provide continuing funds for the state to deal with major disasters, under which I include both natural disasters such as storms and civil disorders.

Some of you may know that such a fund was established in Delaware following the severe storm of March 1962. My intent now is to insure the continuance of such a fund and to provide it with money.

For when disaster occurs, it does not choose the most convenient time, and it is often imperative that we move quickly. With such a fund, administered by the Governor and the Secretary of State, Delaware would be able to move quickly, not having to await approval of Federal funds or convening of the General Assembly.

There are actually two bills in this package. The first measure includes civil disorder, riot and insurrection as "major disasters" within the scope of present law and provides an appropriation of \$500,000 to establish the fund. This fund, under the bill, would always include that amount.

The second measure is a bond bill authorizing the State to borrow up to \$1 million as needed to supplement this fund. Again, the idea is to provide the State with a method of instant response in the event of disaster. This might include paying the National Guard or State Police.

I see no reason why these measures should be controversial and hope they will be enacted as soon as practical.

HB 560 — An Act to amend Section 503, Title 31, Delaware Code, relating to method of payment of Welfare Assistance. Introduced by Reps. Quillen, Sebrell, Pleasanton, Ridgagh and Benson. Referred to the Committee on Revised Statutes.

HB 561 — An Act to amend § 122, Title 16, Delaware Code, relating to the powers and duties of the State Board of Health by amending the law relating to fluoridation of water. Introduced by Reps. Ferguson and Blendt. Referred to the Committee on Revised Statutes.

HB 562 — An Act to amend Section 111, Title 17, Delaware Code, relating to the composition of the State Highway Department by providing for a Department of fourteen members apportioned in direct relationship to the apportionment of the General Assembly Representative Districts. Introduced by Reps. Heckert, Slawik, Castle, Bartleson, Hart, Murphy and Frederick. Referred to the Committee on Highways and Public Safety.

HB 563 — An Act to amend Sections 2126, 2322, 2324, 2325, 2326, 2330, 2348, 2350 and 2373, Title 19, Delaware Code, relating to Workmen's Compensation by making medical reports available to both parties, by establishing a healing period and temporary total disability by providing for permanent total disability, by permitting partial disability compensation in addition to the healing period, by providing permanent partial disability payments in certain schedule injuries after the healing period, by providing increases in maximum benefits, by providing payment schedule injury awards to beneficiary after death of an employee for other causes, by providing for specific findings on evidence to be included in the Board's award, by providing for Superior Court review of the Board's findings and by providing for a discretionary order of the Board for a Self-insurer to deposit in trust the amount of any award. Introduced by Rep. Cashman, Benson, Frederick, Cicione, and McMahon. Referred to the Committee on Labor.

HB 564 — An Act to amend § 1731, (d), Title 24, Delaware Code relating to medicine and surgery to exempt the practice of ritual circumcision pursuant to the requirements of tenets of a religion. Introduced by Reps. Castle, Slawik and Brown. Referred to the Committee on Revised Statutes.

HB 565 — An Act to amend Chapter 11, Title 19, Delaware Code, by adding a new section relating to benefits and wage supplements. Introduced by Reps. Cashman and Cicione. Referred to the Committee on Labor.

HB 566 — An Act to amend Title 6, Delaware Code, entitled "Commerce and Trades" providing for a rate of interest not in excess of 8 per cent per annum. Introduced by Reps. Stabler, Hart and Slawik. Referred to the Committee on Judiciary.

Mr. Stabler requested privilege of the floor for Mr. Leon N. Weiner, home builder, and Mr. Michael Poppitti, attorney. Both urged passage of **HB 566** in the very near future. Mr. Stabler informed the House that the Governor wanted an opportunity to study the bill and that his wishes will, of course, be respected.

SB 363 with SA 1 and SA 3 — An Act to amend Title 29, Chapter 51, Section 5110, relating to compensation of

Members of the General Assembly. Introduced by Senator duPont. Referred to the Committee on Revised Statutes.

HR 113 — Relative to the Birthday of Representative Jacob W. Zimmerman.

WHEREAS, it has come to the attention of the House of Representatives that May 15 is the birthday of Representative Jacob W. Zimmerman, member of the House of Representatives; and

WHEREAS, the members of the House wish by suitable means to extend their greetings to Representative Jacob W. Zimmerman on this occasion.

NOW THEREFORE,

BE IT RESOLVED that the House congratulate Representative Jacob W. Zimmerman on the occasion of his birthday and extend to him the best wishes of its members for many happy returns of the day; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded by the Chief Clerk to Representative Jacob W. Zimmerman; and

BE IT FURTHER RESOLVED that this Resolution be spread upon the Journal of the House for this session.

Introduced by Reps. Gooding, Hale and Slawik. Adopted by Roll Call vote as follows:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Ferguson, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Mr. Speaker Hering — 28.

NOT VOTING — Zimmerman — 1.

ABSENT — Eskridge, Evans, Fonville, Hammond, Shockley, Stabler — 6.

HR 113 having received a constitutional majority was declared adopted by the House.

On motion of Mr. Hart, **HB 453** was stricken.

Mr. Stabler moved to lift from the table the roll call on **SS 1** for **SB 289**. Motion prevailed. Mr. Stabler moved to table the roll call. Motion prevailed.

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

SB 322 — An Act authorizing the Governor and the Secretary of State to convey to the Commissioners of Bethany Beach certain lands and interests in land belonging to the State of Delaware. Introduced by Senators Bookhammer, Steen and Grier.

Mr. Frederick deferred to Mr. Dodge, the latter having knowledge of the area of concern. Mr. Dodge requested, and was granted, privilege of the floor for Mr. John Messick, Attorney representing Bethany Beach, who explained the neces-

sity for the bill. On motion of Mr. Dodge, **SB 322** was deferred until the next legislative day to give Mr. Zimmerman time to prepare a possible amendment.

On motion of Mr. Stabler the following roll call was lifted from the table:

SS 1 for SB 289 — Roll Call revealed:

YEAS — Bartleson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Gooding, Gray, Hale, Hammond, McMahon, Murphy, Slawik, Stabler, Mr. Speaker Hering — 19.

NAYS — Benson, Eskridge, Frederick, Harrington, Leshner, Pleasanton, Quillen, Riddagh, Sebrell, Zimmerman — 10.

NOT VOTING — Blendt, Hart, Heckert, Pagano, Phillips — 5.

ABSENT — Shockley — 1.

SS 1 for SB 289 having received a constitutional majority was declared passed by the House.

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

HB 516 — An Act to amend Section 181, Subchapter VI, Title 20, of the Delaware Code relating to the pay of state employees while on state duty.

Roll Call revealed:

YEAS — Bartleson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Frederick, Gooding, Gray, Hale, Harrington, Hart, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 25.

NAYS — Benson, Sebrell — 2.

NOT VOTING — Blendt, Ferguson — 2.

ABSENT — Eskridge, Evans, Fonville, Hammond, Heckert, Shockley — 6.

HB 516 having received a constitutional majority was declared passed by the House.

The following was reported out of committee: Judiciary:

HB 566, 1 favorable, 2 on merits, 2 unfavorable.

The House recessed at 7:28 P.M., until Tuesday, May 21, 1968.

The Speaker called the House to order at 1:44 P.M. Mr. Hale moved to adjourn thereby ending the 12th Legislative Day.

13TH LEGISLATIVE DAY — (2nd Session)

The Speaker called the House to order at 1:45 P.M., on Tuesday, May 21, 1968.

There was a prayer by the Chaplain Reverend Charles Covington.

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

The Roll Call revealed 32 members present, 3 absent.

Members present: Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicone, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

Members absent: Blendt, Eskridge, Hart — 3.

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

The Speaker announced a change in the allotted parking spaces for Representatives due to construction of new building.

Communications: Memorandum No. 46 from the Governor's Office.

To: Senator Anthony C. Moore, Mr. G. Francis Downs, Mr. Daniel Ross, Mr. George Cripps, Dr. Lorin P. Sebrell, Mr. F. Earl McGinnes, Mr. Ned Davis, Mrs. Mary J. Daily, Clerk of the House, Secretary of the Senate, Mrs. Teresa Messick, Legislative Reference Bureau for all folders.

From: Robert Thurston Barrett, Administrative Assistant.

The Governor signed the following legislation on May 13, 1968:

HB 406 (\$15,000 Supplementary Appropriation - Welfare Department).

HB 463 (\$112,300 Supplementary Appropriation State Board Of Education - Summer Driver Education).

HB 482 (\$1,000.00 Supplementary Appropriation - State Development Department for Miss Delaware).

HB 519 (Technical Amendments to Reapportionment Bill).

The following was introduced:

HR 114 — Authorizing payment of amount due the Harrington Journal for supplies furnished the 124th General Assembly. Introduced by Rep. Sebrell. Adopted by voice vote.

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

HB 522 — An Act to amend Section 2-316 of Title 5A of the Delaware Code relating to the exclusion or modification of warranties and providing that blood, blood plasma and certain other human tissues and organs from blood banks or reservoirs of such tissues and organs shall not be considered "commodities" or "goods" and subject to certain provisions of the Uniform Commercial Code.

Privilege of the floor was granted Mr. Abrams, Business Manager of the Kent General Hospital who spoke in favor of the bill.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Castle, Ciccione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31.

ABSENT — Blendt, Cashman, Eskridge, Hart — 4.

HB 522 having received a constitutional majority was declared passed by the House.

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

SB 341 — An Act to amend Section 1504, Chapter 15, Title 14, Delaware Code, relating to authority to order disbursements of appropriations and other revenues of school districts. Introduced by Senator Dineen.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Castle, Ciccione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31.

NAYS — Blendt, Cashman, Eskridge, Hart — 4.

SB 341 having received the constitutional majority was declared passed by the House.

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

SB 327 — An Act to amend Volume 56, Chapter 131, Laws of Delaware, entitled "An Act to amend Section 1306 and Section 1321, Title 14, Delaware Code, relating to state supported salary schedules for school employees by providing a formula for additional staffing in the school districts and by making a supplementary appropriation to the State Board of Education therefor", relating to the formula for staffing in the school districts. Introduced by Senator Robbins.

Privilege of the floor was granted Mr. Postelwait, Superintendent of Caesar Rodney School, who spoke in favor of the bill.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Castle, Ciccione, Dodge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Zimmerman, Mr. Speaker Hering — 30.

ABSENT — Blendt, Cashman, Eskridge, Hart, Stabler — 5.

SB 327 having received a constitutional majority was declared passed by the House.

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

SB 342 — An Act to amend Chapter 17, Title 14, Delaware Code, relating to method of calculating number of units in a school district. Introduced by Senator Dineen.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Castle, Ciccione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddag, Sebrell, Shockley, Slawik, Zimmerman, Mr. Speaker — Hering — 30.

ABSENT — Blendt, Cashman, Eskridge, Hart, Stabler — 5.

SB 342 having received a constitutional majority was declared passed by the House.

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

HB 540 — An Act to amend Section 6521, Title 11, Delaware Code, relating to the Department of Corrections by changing the qualifications of the Director of Field Services, District Directors, Case Work Supervisors, and Probation and Parole Counsellors and Field Counsellors of the Department of Correction.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Castle, Ciccione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddag, Sebrell, Shockley, Slawik, Zimmerman, Mr. Speaker Hering — 30.

ABSENT — Blendt, Cashman, Eskridge, Hart, Stabler — 5.

HB 540 having received a constitutional majority was declared passed by the House.

A messenger from the Senate returned **HB 483**, having passed the Senate; and **SB 231** with **SA 1, 2 & 3**, **SB 359** and **SCR 33** requesting concurrence of the House.

The House recessed at 2:25 P.M.

The House reconvened at 4:30 P.M.

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

HB 566 — An Act to amend Title 6, Delaware Code, entitled "Commerce and Trade" providing for a rate of interest not in excess of 8 per cent per annum.

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

HA 2 — Introduced by Rep. Stabler. Adopted by voice vote.

HA 3 — Introduced by Rep. Zimmerman. On motion of Mr. Slawik, privilege of the floor was granted Mr. Stephen Potter, Legislative Council Attorney, and also to Mr. Weiner. They both explained the amendment. On motion of Mr. Cicione **HA 3** was tabled by Roll Call vote as follows:

YEAS — Bartleson, Benson, Brown, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hammond, Harrington, Leshner, McMahon, Murphy, Pagano, Pleasanton, Quillen, Sebrell, Shockley, Slawik, Stabler, Mr. Speaker Hering — 26.

NAYS — Burton, Riddagh, Zimmerman — 3.

NOT VOTING — Phillips — 1.

ABSENT — Blendt, Eskridge, Hale, Hart, Heckert — 5.

HB 566 with **HA 1** and **2** having had a final reading was placed before the House for consideration:

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Hale, Hammond, Leshner, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Mr. Speaker Hering — 27.

NOT VOTING — Gray, Harrington, Phillips, Zimmerman — 4.

ABSENT — Blendt, Eskridge, Hart, Heckert — 4.

HB 566 with **HA 1** and **2** having received a constitutional majority was declared passed by the House.

The following bills were introduced and assigned to committee:

HA 1 to **HB 520** — Introduced by Rep. Hering. Placed with bill.

HB 567 — An Act to amend Titles 7, 9 and 29 of the Delaware Code relating to the Public Archives Commission by changing the title of the State Archivist to Director of Archives and Museums. Introduced by Rep. Hering. Referred to the Committee on Miscellaneous.

HB 568 — An Act to amend Title 7 of the Delaware Code by assigning jurisdiction and supervision of the Delaware Archaeological Board to the Director of Archives and Museums. Introduced by Rep. Hering. Referred to the Committee on Miscellaneous.

HB 569 — An Act to amend Title 7 of the Delaware Code by assigning jurisdiction and supervision of the Lewes Memorial Commission to the Director of Archives and Museums. Introduced by Rep. Hering. Referred to the Committee on Miscellaneous.

HB 570 — An Act to amend Title 29 of the Delaware Code by abolishing the Portrait Commission and transferring its functions to the Director of Archives and Museums. Introduced by Rep. Hering. Referred to the Committee on Miscellaneous.

HB 571 — An Act to amend Title 29 of the Delaware Code by creating an office of General Administrative Services for the State of Delaware and by assigning thereto the functions or administrative supervision of various existing state boards, commissions and agencies and by abolishing the State Distribution Agency and the Custodian of the State House. Introduced by Rep. Hering. Referred to the Committee on Revised Statutes.

HB 572 — An Act to amend Titles 16 and 19 of the Delaware Code by assigning jurisdiction and supervision over the Board of Boiler Rules to the Department of Labor and Industrial Relations. Introduced by Rep. Hering. Referred to the Committee on Labor.

HB 573 — An Act to amend Titles 3 and 14 of the Delaware Code by abolishing the Delaware State Poultry Commission and by transferring its functions to the Department of Agriculture or to the School of Agriculture of the University of Delaware. Introduced by Rep. Hering. Referred to the Committee on Agriculture.

HB 574 — An Act to amend Title 29 of the Delaware Code by abolishing the Delaware Day Commission and by transferring its functions to the Delaware State Development Department. Introduced by Rep. Hering. Referred to the Committee on Miscellaneous.

HB 575 — An Act to amend Title 3 of the Delaware Code by abolishing the Delaware State Apple Commission and by repealing the Apple Tax. Introduced by Rep. Hering. Referred to the Committee on Agriculture.

HB 576 — An Act to amend Title 28 of the Delaware Code by assigning general jurisdiction and supervision of the Bingo Control Commission to the State Tax Commissioner. Introduced by Rep. Hering. Referred to the Committee on Revenue and Taxation.

Statement by Mr. Speaker Hering:

Over past years we have all heard a lot about a cabinet form of government or about reorganizing or consolidating state agencies. We are all aware that there are in Delaware well over a hundred agencies, boards and commissions, and many of us would probably agree that our state could run more efficiently with fewer of them.

Governor Terry found the matter important enough to ask his Goals Commission to consider the subject, and that group produced a report in April of 1967 that recommended various consolidations. Unfortunately, the Governor

limited the scope of the commission's work, but regardless of that there were a number of interesting ideas presented. The report which incidentally cost the taxpayers \$28,000, even included in its appendix various specific bills.

In March of 1967 Governor Terry appeared before the Senate and advocated two major consolidations — joining Mental Health with the Department of Health and the Board of Corrections with the Youth Services Commission. These ideas, by the way, were not directly taken from the report.

The net result of all of this talk, work, and expense to date has been a big fat zero.

Today I am introducing a series of 10 bills that are taken directly from the Goals Commission Report. I have merely copied them from the appendix, in some instances advancing the effective dates because of the time that has elapsed I am placing these measures before you without taking any position on them at this time but rather because I feel strongly that it is time we began to consider this subject. The Governor has talked and promised, but we have yet to see any action, and we cannot wait forever.

Most of these bills are minor. At least one is of considerable importance. But major or minor, I see no reason why they should remain in the back of a \$28,000 report gathering dust.

The most important of these 10 measures is unquestionably one to create an office of General Administrative Services and to assign to it the functions currently being undertaken by a long list of agencies and boards. Included would be such areas as the State Custodian, Professional and Occupational Licensing, and General Purchasing.

The remaining measures briefly are these:

— To transfer functions of the Delaware State Poultry Commission to the Department or School of Agriculture of the University of Delaware.

— To abolish the Delaware State Apple Commission and repeal the Apple Tax.

— To abolish the Delaware Day Commission and transfer its functions to the Delaware State Development Department.

— To assign General Jurisdiction and Supervision of the Bingo Control Commission to the State Tax Commissioner.

— To assign Jurisdiction and Supervision over the Board of Boiler Rules to the Department of Labor and Industrial Relations.

— To change the title of the State Archivist in the Public Archives Commission to the Director of Archives and Museums.

— To assign Jurisdiction and Supervision of the Lewes Memorial Commission to the Director of Archives and Museum.

— To abolish the Portrait Commission and transfer its functions to the Director of Archives and Museums.

— To assign Jurisdiction and Supervision of the Delaware Archaeological Board to the Director of Archives and Museums.

I hope that we can now begin to consider these measures and perhaps enact at least some of them this year. There is no reason to wait further.

HB 577 — An Act to amend Delaware Code, Title 14, by providing authorization for establishing and financing year-round school programs in public schools. Introduced by Reps. Heckert, Gooding, Sebrell and Evans. Referred to the Committee on Education.

HB 578 — An Act to amend Title 3, Delaware Code, by adding a new part VIII therein, relating to establishment of a commission for the Preservation of Agricultural Land, and making a supplementary appropriation therefor. Introduced by Rep. Pleasanton. Referred to the Committee on Agriculture.

HB 579 — An Act to amend Title 6, Delaware Code, entitled Commerce and Trade related to usury. Introduced by Reps. Zimmerman and Slawik. Referred to the Committee on Judiciary.

SB 359 — An Act making a supplementary appropriation to the salary account of the Delaware State Police for the purpose of raising salaries of all appointed members of the State Police and of all former appointed members of the State Police now on pension. Introduced by Senator Isaacs. Referred to the Committee on Revised Statutes.

SB 231 with SA 1, 2 and 3 — An Act to amend Chapter 7, Title 17, Delaware Code, by prohibiting every Railroad Company in this State from electing, planting, and/or maintaining certain hedges, shrubs, trees, solid fences and other large solid objects from its property or right of way and providing procedures where railroad company fail to comply. Introduced by Senator Isaacs. Referred to the Committee on Revised Statutes.

SCR 33 — Relative to the death of Howard S. Abbott, a former State Tax Commissioner. Introduced by Senator Steen. On motion of Mr. Hale **SCR 33** was adopted by voice vote.

The following were reported out of committee: Appropriations: **HB 514**, 5 favorable, 4 on merits; Education: **HB 479**, 2 favorable, 2 on merits; Revised Statutes: **HB 564**, 4 on merits; **HB 524**, 4 favorable, 1 merits; **HB 560**, 3 favorable, 2 on merits; **SB 363**, 4 favorable.

The House adjourned at 5:39 P.M.

14TH LEGISLATIVE DAY (2nd Session)

The Speaker called the House to order at 1:50 P.M., on Wednesday, May 22, 1968.

There was a prayer by the Chaplain Reverend Charles Covington.

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

The Roll Call revealed 31 members present, 4 absent.

Members present: Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 31.

Members Absent: Eskridge, Ferguson, Fonville, Slawik — 4.

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

A messenger from the Senate informed the House that the Senate had passed **HB 32**, **HB 37**, **HB 67**, **HB 299**, **HB 566** with **HA 1** and **HA 2**, **HB 438** with **HA 2**.

The following bills were introduced and assigned to committee:

HB 580 — An Act to amend Section 675, Chapter 3, Title 11, Delaware Code, relating to revocation of service contracts and exemption from liability. Introduced by Reps. Stabler and Castle. Referred to the Committee on Judiciary.

HB 581 — An Act to amend Section 8323, Title 11, Delaware Code, relating to State Police Pensioners who are employed by this State in any capacity after retirement. Introduced by Rep. Stabler. Referred to the Committee on Revised Statutes.

HB 582 — An Act to amend Subchapter I, Chapter 23, Title 11, Delaware Code, to broaden, clarify and modernize the State Search and Seizure law to conform with constitutional guidelines set forth by the Federal Courts. Introduced by Reps. Castle and Stabler. Referred to the Committee on Judiciary.

HB 583 — An Act to amend Section 543, Title 4, Delaware Code, relating to grounds for issuance or refusal of alcoholic license upon application for relocation. Introduced by Rep. Brown. Referred to the Committee on Miscellaneous.

HA 1 to HB 578 — Introduced by Rep. Gray. Placed with bill.

HA 1 to HB 518 — Introduced by Rep. Dodge. Placed with bill.

HA 1 to HB 514 — Introduced by Rep. Leshner. Placed with bill.

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

SB 322 — An Act authorizing the Governor and the Secretary of State to convey to the Commissioners of Bethany Beach certain lands and interests in land belonging to the State of Delaware. Introduced by Senators Bookhammer, Steel and Grier.

HA 1 to **SB 322** was introduced by Mr. Zimmerman. On motion of Mr. Zimmerman **HA 1** was adopted by voice vote.

Roll Call on **SB 322** with **HA 1** revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 31.

ABSENT — Eskridge, Ferguson, Fonville, Slawik — 4.

SB 322 with **HA 1** having received a two third majority was declared passed by the House.

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

HB 526 — An Act making a Supplementary Appropriation to the Delaware State Development Department for promotion of the State of Delaware at the 48th Annual National Convention of U. S. Jaycees in Phoenix, Arizona.

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert Leshner, McMahon, Murphy, Pagano, Phillips, Riddagh, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 28.

NAYS — Pleasanton, Quillen, Sebrell — 3.

ABSENT — Eskridge, Ferguson, Fonville, Slawik — 4.

HB 526 having received a constitutional majority was declared passed by the House.

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

HB 514 with **HA 1** — An Act to provide summer employment for certain youths of this State and to make a Supplementary Appropriation therefor.

On motion of Mr. Leshner **HA 1** was adopted by voice vote. On motion of Mr. Hammond, Mr. Hunt of O.E.O. was granted privilege of the floor. Mr. Hunt spoke in favor of the bill.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Quillen, Riddagh, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 29.

NAYS — Pleasanton, Sebrell — 2.

ABSENT — Eskridge, Ferguson, Fonville, Slawik — 4.

HB 514 with **HA 1** having received a constitutional majority was declared passed by the House.

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

SB 351 — An Act making a Supplementary Appropriation to the respective departments of Elections for New Castle, Kent and Sussex Counties and to the State Election Commissioner for implementation of the 1968 Reapportionment Act. Introduced by Senator Dineen.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 31.

ABSENT — Eskridge, Ferguson, Fonville, Slawik — 4.

SB 351 having received a constitutional majority was declared passed by the House.

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

HB 284 — An Act to amend Title 16, § 6606 (a) Delaware Code, relating to the salary of the State Fire Marshal and appropriating money therefor.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 30.

ABSENT — Eskridge, Ferguson, Fonville, Hammond, Slawik — 5.

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

Mr. Hale to the Chair as Acting Speaker.

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

HB 520 with **HA 1** — An Act to amend Part II, Title 30, Delaware Code, by adding a New Chapter 20 granting a Corporation Income Tax Credit to certain business firms which contribute to neighborhood organizations or which engage in activities tending to upgrade neighborhood areas.

On motion of Mr. Hering **HA 1** was adopted by voice vote.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Riddagh, Sebrell, Shockley, Stabler, Mr. Speaker Hering — 27.

NAYS — Pleasanton, Quillen, Zimmerman — 3.

NOT VOTING — Phillips — 1.

ABSENT — Eskridge, Ferguson, Fonville, Slawik — 4.

HB 520 with **HA 1** having received a constitutional majority was declared passed by the House.

Mr. Hering returned to the Speaker's Chair.

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

HB 541 — An Act to amend Chapter 365, Volume 55, Laws of Delaware, as amended, relating to an appropriation to the State Highway Department for the purpose of constructing a sidewalk from Millsboro School No. 23 to Millsboro School No. 204.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Cicione, Dodge, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 28.

NOT VOTING — Castle, Frederick — 2.

ABSENT — Eskridge, Evans, Ferguson, Fonville, Slawik — 5.

HB 541 having received a constitutional majority was declared passed by the House.

Mr. Hale moved to lift the roll call on **HB 121**. On further motion of Mr. Hale **HB 121** was stricken.

Mr. Hale moved to lift the roll call on **HB 490**. Motion carried. A debt statement dated May 22, 1968 was read.

Roll Call on **HB 490** revealed:

YEAS — Benson, Blendt, Brown, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Quillen, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 27.

NAYS — Bartleson, Burton, Cashman, Eskridge, Gray, Pleasanton, Riddagh, Sebrell — 8.

HB 490 having received a three-fourths majority was declared passed by the House.

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

SCR 29 — Establish a Joint Committee of the Senate on the House of Representatives of the 124th General Assembly to investigate nonessential state expenditures and make appropriation for the expense of the committee. Introduced by Senator Steele.

Roll Call revealed:

YEAS — Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gooding, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy,

Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 28.

NOT VOTING — Blendt — 1.

ABSENT — Bartleson, Eskridge, Ferguson, Fonville, Gray, Slawik — 6.

SCR 29 having received a constitutional majority was declared passed by the House.

On motion of Mrs. Heckert the following bill was given a final reading and brought before the House for consideration:

HB 455 — An Act to amend Chapter 27, Title 21, Delaware Code, relating to driver's license and permits.

On motion of Mrs. Heckert, Mr. Robert Massafari and Mr. Vernon Derrickson were granted privilege of the floor. Both spoke in favor of the bill. Mr. Gray moved to defer the bill temporarily. Motion prevailed.

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

SJR 7 — to commemorate seventeen years of educational, civic and social leadership of Muriel Crosby. Introduced by Senator Dineen.

Roll Call revealed: Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gooding, Hale, Hammond, Harrington, Hart, Heckert, Leshar, McMahon, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 29.

ABSENT — Eskridge, Ferguson, Fonville, Gray, Murphy, Slawik — 6.

SJR 7 having received a constitutional majority was declared adopted by the House.

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

HB 552 — An Act to amend Chapter 10, Volume 56, Laws of Delaware, entitled, "An Act transferring \$600,000 from the Capital Investment Fund to be used for Park Development," by extending the reversion date thereof and providing for the use of Federal Funds.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gooding, Hale, Hammond, Harrington, Hart, Leshar, McMahon, Pagano, Phillips, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 27.

NOT VOTING — Pleasanton — 1.

ABSENT — Eskridge, Ferguson, Fonville, Gray, Heckert, Murphy, Slawik — 7.

HB 552 having received a constitutional majority was declared passed by the House.

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

HB 548 — An Act to repeal Sections 712 and 713, Title 4, Delaware Code, relating to regulatory provisions concerning the sale of alcoholic liquor.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Hammond, Harrington, Hart, Leshner, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 25.

NAYS — Gooding — 1.

NOT VOTING — Phillips — 1.

ABSENT — Blendt, Eskridge, Ferguson, Fonville, Gray, Hale, Heckert, Slawik — 8.

HB 548 having received a constitutional majority was declared passed by the House.

The House recessed at 4:40 P.M. and reconvened at 4:46 P.M.

The following bills were reported out of committee: Highways and Public Safety: **HB 562**, 3 favorable, 1 on merits; Judiciary: **HB 579**, 5 favorable, 1 on merits; **HB 496**, 1 favorable, 4 on merits; Labor: **HB 375**, 1 favorable, 3 on merits, 1 unfavorable; Revenue and Taxation: **HB 515**, 1 favorable, 3 on merits, 1 unfavorable.

The Senate messenger informed the House that the Senate has passed **HB 396**, **HB 361**, **HB 360**, and **HB 526**.

The following bills were introduced and assigned to committee:

HB 584 — An Act to amend Subchapter V, Title 20, of the Delaware Code relating to the protection of individuals from civil or criminal liability while on state duty pursuant to 20 Del. C. § 171. Introduced by Reps. Cicione and Gooding. Referred to the Committee on Miscellaneous.

HB 585 — An Act to amend Subchapter V, Title 20, Delaware Code relating to the forbidding any employee to terminate an individual's employment for the reason of the individual's being called to state duty pursuant to Section 171 of this title providing civil liability for so doing. Introduced by Rep. Cicione and Gooding. Referred to the Committee on Miscellaneous.

HB 586 — An Act making a supplementary appropriation to the Department of Public Welfare for the fiscal year ending June 30, 1968. Introduced by Reps. Evans and Hammond. Referred to the Committee on Health and Welfare.

HB 587 — An Act to amend Chapter 59, Title 29, Delaware Code, relating to the Merit System of Personnel Administration by adding to the list of exempt agencies the State Forestry Department. Introduced by Reps. Quillen, Riddagh

and Pleasanton. Referred to the Committee on Revised Statutes.

HA 1 to HB 455 — Introduced by Rep. Heckert. Placed with bill.

On motion of Mr. Evans, **HB 532** was stricken.

On motion of Mr. Cicione the following roll call was lifted and placed before the House for consideration:

HB 227 — An Act to amend Section 902, Chapter 9, Title 19, Delaware Code, relating to minimum wage by adding certain provisions dealing with employees who customarily receive gratuities.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Cashman, Castle, Cicione, Evans, Frederick, Gooding, Hale, Hart, Heckert, McMahon, Murphy, Pagano, Quillen, Riddagh, Stabler, Mr. Speaker Hering — 20.

NAYS — Sebrell — 1.

NOT VOTING — Burton, Dodge, Eskridge, Ferguson, Gray, Leshner, Phillips, Pleasanton, Shockley, Zimmerman, Slawik — 11.

ABSENT — Fonville, Hammond, Harrington — 3.

HB 277 having received a constitutional majority was declared passed by the House.

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

HB 349 with **HA 1** and **HA 2** — An Act to amend Title 14, Delaware Code, relating to Education by providing for the education and training of children of certain deceased military veterans.

On motion of Mrs. Heckert, **HA 1 to HB 349** was stricken. Mr. Leshner noted a typographical error in **HA 2 to HB 349** and deferred consideration until the next legislative day.

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

SB 171 with **HA 1** and **HA 2** — An Act relating to disposal of dead bodies. Introduced by Senator Cook.

On motion of Mr. Quillen **HA 2 to SB 171** was adopted by voice vote.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 31.

ABSENT — Eskridge, Ferguson, Fonville, Slawik — 4.

SB 171 with **HA 1** and **2** having received a constitutional majority was declared passed by the House.

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

HB 560 — An Act to amend Section 503, Title 31, Delaware Code, relating to method of payment of welfare assistance.

Roll Call revealed:

YEAS — Benson, Blendt, Burton, Dodge, Frederick, Gray, Hale, Harrington, Hart, Leshner, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 18.

NAYS — Bartleson, Cashman, Castle, Cicione, Evans, Phillips, Shockley — 7.

NOT VOTING — Brown, Gooding, Hammond, Heckert, McMahon, Zimmerman — 6.

ABSENT — Eskridge, Ferguson, Fonville, Slawik — 4.

HB 560 having received a constitutional majority was declared passed by the House.

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

HB 539 — An Act to amend Title 21, Section 101, Delaware Code by adding a definition of driver, road and shoulder.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Stabler, Zimmerman, Mr. Speaker Hering — 31.

ABSENT — Eskridge, Ferguson, Fonville, Slawik — 4.

HB 539 having received a constitutional majority was declared passed by the House.

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

SB 363 with SA 1 and SA 3 — An Act to amend Title 29, Chapter 51, Section 5110, relating to compensation of members of the General Assembly. Introduced by Senator duPont.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Frederick, Gray, Hale, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 18.

NAYS — Gooding, Hammond, McMahon, Shockley, Zimmerman — 5.

NOT VOTING — Blendt, Evans, Harrington, Hart, Heckert, Leshner, Murphy, Phillips — 8.

ABSENT — Eskridge, Ferguson, Fonville, Slawik — 4.

SB 363 with SA 1 and SA 3 having received a constitutional majority was declared passed by the House.

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

HB 564 — An Act to amend § 1731 (d), Title 24, Delaware Code, relating to medicine and surgery to exempt the

practice of ritual circumcision pursuant to the requirements or tenets of a religion.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Quillen, Riddagh, Sebrell, Shockley, Stabler, Mr. Speaker Hering — 28.

ABSENT — Eskridge, Ferguson, Fonville, Slawik — 4.

HB 564 having received a constitutional majority was declared passed by the House.

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

HB 455 with **HA 1** — An Act to amend Chapter 27, Title 21, Delaware Code, relating to driver's license and permits.

On motion of Mrs. Heckert **HA 1** to **HB 455** was adopted by voice vote.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gooding, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 23.

NAYS — Pleasanton, Quillen, Shockley, Zimmerman — 4.

NOT VOTING — Brown, Burton, Gray, Phillips — 4.

ABSENT — Eskridge, Ferguson, Fonville, Slawik — 4.

HB 455 with **HA 1** having received a constitutional majority was declared passed by the House.

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

SJR 6 — To commemorate forty-seven years of educational, civic, social and religious leadership of Thomas W. Mulrooney. Introduced by Senator Dineen.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cicione, Dodge, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 27.

ABSENT — Cashman, Castle, Eskridge, Evans, Ferguson, Fonville — 6.

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

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

Continuation of 14th Legislative Day

The Speaker called the House to order at 12:06 P.M. The Speaker explained that this was a continuation of the 14th Legislative Day and announced that the Administration Bill had been incorrectly drawn and that a new bill was being prepared.

Mr. Hale moved to recess to the call of the chair at 12:09 P.M.

The House reconvened at 12:31 P.M.

The following bill was introduced:

HB 588 — An Act to amend Title 6, Delaware Code, entitled "Commerce and Trade" by providing for a rate of interest not in excess of 8 per cent per annum. Introduced by Reps. Stabler and Slawik. Mr. Stabler moved to suspend rules by voice vote. Motion carried. Mr. Stabler explained the bill.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cicione, Dodge, Ferguson, Frederick, Gooding, Hale, Leshner, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 23.

NAYS — Blendt — 1.

NOT VOTING — Evans, Gray, Harrington, Phillips — 4.

ABSENT — Cashman, Castle, Eskridge, Fonville, Hammond, Hart, Heckert — 7.

HB 588 having received the constitutional majority was declared passed by the House .

HR 115 — Relative to the Death of Former State Representative Morris Simon.

WHEREAS, the House of Representatives of the 124th General Assembly of the State of Delaware has learned with regret of the passing of Morris Simon, a former member of the House; and

WHEREAS, former State Representative Morris Simon served his state faithfully and well during his terms in the General Assembly of the State of Delaware; and

WHEREAS, the members of the House desire to express in this public manner their own feelings and the sense of loss which is felt throughout the entire State of Delaware.

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 124th General Assembly of the State of Delaware that the members give expression of the regret they experienced at the passing of Morris Simon; and

BE IT FURTHER RESOLVED that the family of the deceased has the full sympathy of the members of the House of Representatives of the 124th General Assembly of the State of Delaware which is extended by sending a copy of this resolution to the members of his immediate family; and

BE IT FURTHER RESOLVED that the text of this resolution be made a part of the Journal of the proceedings of the House of Representatives of the 124th General Assembly of the State of Delaware.

Introduced by Reps. Hale, Zimmerman and all Members of the House. Adopted by voice vote.

HR 116 — Relative to the Illness of State Representative Norman A. Eskridge.

WHEREAS, the House of Representatives of the 124th General Assembly of the State of Delaware has learned with deep regret of the illness of State Representative Norman A. Eskridge of Seaford; and

WHEREAS, the members of the House desire to express in this public manner their best wishes for his speedy recovery.

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 124th General Assembly of the State of Delaware that the members thereof extend their sincere best wishes for a speedy recovery to State Representative Norman A. Eskridge from his illness; and

BE IT FURTHER RESOLVED that this expression be conveyed to State Representative Norman A. Eskridge and a copy of this resolution be forwarded to him at the Nanticoke Memorial Hospital in Seaford; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journal of the House of Representatives of the 124th General Assembly of the State of Delaware.

Introduced by Rep. Zimmerman and all Members of the House. Adopted by voice vote.

Mr. Hale moved to recess to the call of the chair. Motion carried. The House recessed at 1:42 P.M.

Due to the temporary absence of the Speaker, Representative Hale took the Speaker's Chair. The Acting Speaker called the House to order at 1:32 p.m. Mr. Dodge moved to adjourn thereby ending the 14th Legislative Day.

15TH LEGISLATIVE DAY (2nd Session)

The Acting Speaker called the House to order at 1:33 P.M., on Tuesday, June 4, 1968.

There was a prayer by the Chaplain Reverend Walter H. Stone.

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

The Roll Call revealed 30 members present, 5 absent.

Members present: Bartleson, Brown, Burton, Cashman, Cicone, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Zimmerman, Mr. Speaker Hering—30.

Absent: Benson, Blendt, Castle, Eskridge, Stabler — 5.

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

Communications:

Veto Message from the Governor on **HB 566**.

May 31, 1968

To the House of the 124th General Assembly
of the State of Delaware:

On May 22, 1968, I received House Bill No. 566 as amended by House Amendment 1 and 2, entitled:

"An Act to amend Title 6, Delaware Code, Entitled "Commerce and Trade" providing for a Rate of Interest not in excess of 8 per cent per annum."

I respectfully return House Bill No. 566 as amended by House Amendment 1 and 2 to the House of Representatives without my approval.

I do this because certain financial institutions questioned the construction that might be placed on Section 3 of this Bill which reads as follows:

Section 3. "Sections 1 and 2 of this Act shall become effective immediately upon passage of this bill and shall terminate as of October 1, 1969, whereupon the provisions of §2301, Title 6, Delaware Code, in effect prior to passage of this Act shall become reinstated."

Some out-of-state institutions felt that the language therein could be interpreted as allowing an interest rate between 6 and 8% on mortgages executed after passage of this Act only up to date of October 1, 1969, and these mortgages would then have to reflect an interest rate of no more than 6% for the balance of the mortgage's term. This clearly was not the intent of the Legislature nor the construction which I place on it. However, if some lending institutions would refuse to accept Delaware mortgages because of their fear that the language of Section 3 could be so interpreted the bill would not serve its purpose of relieving the present tight money situation. Rather than leave this question in doubt and possibly defeating the purpose of the Bill, I called attorneys from all large lending institutions in Delaware to my office for a conference at which clear and unambiguous language revising Section 3 was agreed upon.

A bill incorporating this new Section 3, namely House Bill No. 588 was then introduced and passed by the General Assembly. House Bill No. 588 has since been signed into law.

Respectfully submitted,
CHARLES L. TERRY, JR.
Governor

Memorandum from the Governor's Office No. 47.

To: Senator Anthony C. Moore, Mr. G. Francis Downs, Mr. Daniel Ross, Mr. George Cripps, Dr. Lorin P. Sebrell, Mr. F. Earl McGinnes, Mr. Ned Davis, Mrs. Mary J. Daily, Clerk of the House, Secretary of the Senate, Mrs. Teresa Messick, Legislative Reference Bureau for all folders.

From: Robert Thurston Barrett, Administrative Assistant
The Governor signed the following legislation on May 24, 1968:

HB 248 — Vo-Tech Education opened to all pupils 14 years of age or over)

HB 477 — (Summer Driver Education opened to all who are 15 on or before July 15th)

SB 112 — (Certified Mail Substituted for Registered Mail as to service of complaints by WAR)

SB 291 with **HA 1** — (Vanity Tag Bill)

The Governor signed the following legislation on May 28, 1968:

HB 32 — (Exemption for certain elderly persons extended to School Capitation Taxes)

HB 37 — (30 Delaware Code, Section 1195 Repealed)

HB 299 — (Sick leave benefits for school employees modified)

HB 588 — (Mortgage Interest Bill)

House Bill No. 166 as amended by Senate Amendment No. 1 became law in the absence of action by the Governor on Saturday, May 25, 1968.

The following bills were reported out of committee: Miscellaneous: **SB 350**, 3 favorable, 2 on merits; **SB 68**, 4 favorable, 1 on merits; Commerce and Corporations: **HB 469**, 4 on merits; Banking and Insurance: **HB 487**, 4 on merits; Fish, Oyster and Game: **HB 537**, 5 favorable.

The following prefiled bills were introduced:

HB 589 — An Act to amend Chapter 313, Volume 53, Laws of Delaware, by authorizing the Delaware Soil and Water Conservation Commission to advance funds to County Soil and Water Conservation Districts to purchase equipment and related facilities on condition that such advances be reimbursed. Introduced by Reps. Blendt and Leshner. Referred to the Committee on Agriculture.

HB 590 — An Act to amend Section 9207, Subchapter I, Chapter 92, Delaware Code relating to bonds for Justice of the Peace. Introduced by Reps. Benson and Heckert. Referred to the Committee on Judiciary.

HB 591 — An Act to amend Section 9222, Subchapter II, Chapter 92, Title 10, Delaware Code, relating to bonds for Clerks in Justice of the Peace Courts. Introduced by Reps. Benson and Heckert. Referred to the Committee on Judiciary.

HB 592 — An Act to amend Title 16, Delaware Code by adding a Chapter 27, thereto relating to the fitting and dispensing of hearing aids, providing for the licensing of persons fitting and dispensing of hearing aids, placing regulation of such persons under the State Board of Health, defining unethical conduct by such persons, providing grounds and procedures for suspension or revocation of a license, defining

certain prohibited acts and practices by such persons, creating an Advisory Council on hearing aids to the State Board of Health, providing penalties for violation of the Chapter, and making a supplementary appropriation to the State Board of Health to carry out the provisions of this Chapter. Introduced by Rep. Benson. Referred to the Committee on Revised Statutes.

HB 593 — An Act to amend Chapter 27, Title 6, of the Delaware Code by adding new Section relating to indemnity and hold harmless provisions in, or collateral to, or in connection with, construction, alteration, maintenance and demolition contracts. Introduced by Reps. Murphy, Frederick, Slawik, Hart, Gooding, Riddagh, Sebrell, Pagano, Harrington and Cashman. Referred to the Committee on Commerce and Corporations.

HB 594 — An Act to amend Title 21, Delaware Code, relating to motor vehicles by adding a New Chapter 83 entitled "Commercial Driver Training School Licensing". Introduced by Reps. Murphy, Frederick, Hale, Heckert, Slawik, Hart, Gooding, Riddagh, Ferguson, Sebrell, Pagano, Harrington, Cashman and Zimmerman. Referred to the Committee on Highways and Public Safety.

HB 595 — An Act to amend Section 309 and Section 304 (2), Title 4, Delaware Code, relating to scope of regulations made by the Delaware Liquor Commission; amendment of the Delaware Liquor Commission Regulations by the General Assembly; and more particularly imposing restrictions upon the Delaware Liquor Commission as to regulation of pool tables, pinball machines, and shuffleboards in business places selling alcoholic liquors. Introduced by Reps. Pleasanton, Brown and Quillen. Referred to the Committee on Miscellaneous.

HB 596 — An Act to amend Title 14, Delaware Code, relating to education by providing for certification and salary for substitute teachers and appropriation therefor. Introduced by Reps. Heckert, Sebrell, Gooding, Hart, Evans and Blendt. Referred to the Committee on Educations.

SB 355 — An Act to amend Chapter 21, Title 14, Delaware Code, relating to persons qualified to vote in Local School Bond Elections. Introduced by Senator Isaacs. Referred to the Committee on Education.

SB 381 — An Act making a supplementary appropriation to the Department of Public Welfare. Introduced by Senator Cook. Referred to the Committee on Appropriations.

HA 1 to HB 449 — Introduced by Rep. Pagano. Placed with bill.

HA 1 to SB 157 — Introduced by Rep. Cashman. Placed with bill.

The House recessed at 1:51 P.M.

The House reconvened at 3:10 P.M.

Memorandum No. 48 from the Governor's Office was read.

To: Senator Anthony C. Moore, Mr. G. Francis Downs, Mr. Daniel Ross, Mr. George Cripps, Dr. Lorin P. Sebrell, Mr. F. Earl McGinnes, Mr. Ned Davis, Mrs. Mary J. Daily, Clerk of the House, Secretary of the Senate, Mrs. Teresa Messick, Legislative Reference Bureau for all folders.

From: Robert Thurston Barrett, Administrative Assistant
The Governor signed the following legislation on May 29, 1968:

HB 526 — (\$2,000 Supplementary Appropriation - State Development Department for Jaycees National Convention)

SB 351 — (\$82,000 Supplementary Appropriation - Departments of Elections)

The following bills were reported out of committee: Revised Statutes: **HB 521**, 2 favorable, 2 on merits; **SB 359**, 2 favorable, 2 on merits; Health and Welfare: **HB 586**, 2 favorable, 3 on merits; **SB 157**, 5 favorable, 1 on merits; **SB 334**, 4 favorable, 1 on merits.

The following bills were introduced and assigned to committee:

HB 597 — An Act to amend Subchapter VI, Title 20, Delaware Code, relative to death benefits payable to the widows or personal representative of a member of the Delaware National Guard killed while on state duty. Introduced by Rep. Cicione. Referred to the Committee on Miscellaneous.

HA 1 to **HB 155** — Introduced by Rep. Pagano. Placed with bill.

HA 1 to **HB 565** — Introduced by Rep. Benson. Placed with bill.

HA 3 to **HB 349** — Introduced by Rep. Leshner. Placed with bill.

HR 117 — Appropriating money out of the General Fund of the State Treasury to pay certain expenses of the present session of the 124th General Assembly. Introduced by Rep. Sebrell. Adopted by voice vote.

On motion of Mr. Cicione the following bill was given a final reading and placed before the House for consideration:

HS 1 for **HB 7** — An Act to amend Title 6, Delaware by adding a Chapter 44 thereto providing the prohibition of certain kinds of commercial activity on Sunday.

On motion of Mr. Cicione **HA 1** for **HS 1** for **HB 7** was adopted by voice vote.

On motion of Mr. Cashman **HA 2** to **HS 1** for **HB 7** was stricken.

Mr. Dodge moved to recommit the bill as amended. Mr. Benson moved to table Mr. Dodge's motion to recommit. Mr. Speaker laid the bill aside for study and an opinion of the

House Attorneys as to the debatability of a motion to recommit and whether or not a motion to table takes priority.

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

HB 349 — An Act to amend Title 14, Delaware Code, relating to Education by providing for the education and training of children of certain deceased military veterans.

On motion of Mr. Leshner **HA 2** was stricken. On further motion of Mr. Leshner **HA 3** was adopted by voice vote.

HB 349 with **HA 3** was then voted on and the Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Zimmerman, Mr. Speaker Hering — 31.

ABSENT — Blendt, Castle, Eskridge, Stabler.

HB 349 with **HA 3** having received a constitutional majority was declared passed by the House.

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

HB 479 — An Act to amend Title 14, Delaware Code, entitled "Education" by providing for a limited tax on new residential construction.

On further motion of Mr. Hale **HA 1** to **HB 479** was adopted by voice vote.

Mr. Leshner moved to recommit the bill. Mr. Hale moved to table Mr. Leshner's motion to recommit the bill.. Motion prevailed. Mr. Leshner moved to table **HB 479**.

Roll Call to table **HB 479** with **HA 1** revealed:

YEAS — Brown, Burton, Cashman, Cicione, Ferguson, Fonville, Frederick, Gray, Harrington, Leshner, McMahon, Phillips, Riddagh, Sebrell, Shockley, Slawik, Zimmerman, Mr. Speaker Hering — 18.

NAYS — Bartleson, Benson, Dodge, Evans, Ferguson, Gooding, Hale, Hart, Heckert, Murphy, Pagano, Pleasanton, Quillen — 12.

ABSENT — Blendt, Castle, Eskridge, Hammond, Stabler — 5.

HB 479 with **HA 1** having received a majority vote to table was declared tabled.

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

HB 543 — An Act directing the State Highway Dept. to undertake a suburban residential development road and connecting road reconstruction program and authorizing the State of Delaware to issue Bonds and Notes in the aggregate

amount of fifteen million dollars to finance the cost thereof and appropriating the moneys thereby borrowed to the State Highway Department for the purposes specified.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Pleasanton Quillen, Riddagh, Sebrell, Shockley, Slawik, Mr. Speaker Hering — 29.

NOT VOTING — Phillips, Zimmerman — 2.

ABSENT — Blendt, Castle, Eskridge, Stabler — 4.

HB 543 having received a three-fourths majority was declared passed by the House.

The House Attorneys, Mr. Stone and Mr. Kelsey, gave the opinions that a motion to recommit is debatable and a motion to table takes priority. Mr. Benson, therefore, asked that his motion to table the motion to recommit **HS 1** for **HB 7** be acted upon. A Roll Call on this motion revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Cicione, Evans, Frederick, Gooding, Harrington, Hart, Quillen, Sebrell, Mr. Speaker Hering — 14.

NAYS — Dodge, Hale, Heckert, Leshner, McMahon, Murphy, Pagano, Pleasanton, Riddagh, Shockley, Zimmerman — 11.

NOT VOTING — Ferguson, Fonville, Gray, Hammond, Phillips, Slawik — 6.

ABSENT — Blendt, Castle, Eskridge, Stabler — 4.

This motion, not having received a constitutional majority of those present was declared lost.

Mr. Dodge's motion to recommit **HS 1** for **HB 7** was then before the House. Roll Call on this motion revealed:

YEAS — Dodge, Gray, Hale, Hammond, Heckert, Phillips, Pleasanton, Riddagh, Shockley, Zimmerman — 9.

NAYS — Bartleson, Benson, Brown, Burton, Cashman, Cicione, Evans, Ferguson, Fonville, Frederick, Gooding, Harrington, Hart, Leshner, McMahon, Murphy, Pagano, Quillen, Sebrell, Slawik, Mr. Speaker Hering — 21.

NOT VOTING — Phillips — 1.

ABSENT — Blendt, Castle, Eskridge, Stabler — 4.

The motion, not having received a majority of those present was declared lost.

Mr. Dodge moved to table **HS 1** for **HB 7**. A Roll Call on this motion revealed:

YEAS — Dodge, Gray, Hale, Hammond, Heckert, Pagano, Phillips, Pleasanton, Riddagh, Shockley, Zimmerman — 11.

NAYS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Eskridge, Evans, Ferguson, Fonville, Frederick, Gooding, Harrington, Hart, Leshner, McMahon, Murphy, Quillen, Sebrell, Slawik, Stabler, Mr. Speaker Hering — 20.

ABSENT — Blendt, Castle, Eskridge, Stabler — 4.

Mr. Dodge's motion to table **HS 1** for **HB 7** not having a constitutional majority was declared lost.

Mr. Dodge introduced **HA 3** to **HS 1** for **HB 7**.

Mr. Cicione moved to table **HA 3** to **HS 1** for **HB 7**. Roll Call on this motion revealed:

YEAS — Bartleson, Benson, Cashman, Cicione, Evans, Fonville, Frederick, Gooding, Hart, Leshner, Mr. Speaker Hering — 11.

NAYS — Brown, Burton, Dodge, Ferguson, Gray, Hale, Hammond, Harrington, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Zimmerman — 19.

NOT VOTING — Phillips — 1.

ABSENT — Blendt, Castle, Eskridge, Stabler — 4.

The motion to table **HA 3** not having received a majority was declared lost.

Mr. Dodge moved to adoption of **HA 3** to **HS 1** for **HB 7**. Roll Call revealed:

YEAS — Dodge, Ferguson, Gray, Hale, Hammond, Harrington, Heckert, McMahon, Murphy, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Zimmerman — 18.

NAYS — Bartleson, Benson, Cashman, Cicione, Evans, Fonville, Frederick, Gooding, Hart, Leshner, Pagano, Mr. Speaker Hering — 12.

NOT VOTING — Slawik — 1.

ABSENT — Blendt, Castle, Eskridge, Stabler — 4.

HA 3 having received a majority was declared adopted.

On motion of Mr. Cicione a roll call was taken on **HS 1** for **HB 7** with **HA 1** and **HA 3**.

Mr. Cicione moved that the roll call be tabled. Mr. Hale moved that a roll call be taken on Mr. Cicione's motion. The roll call on that motion revealed:

YEAS — Bartleson, Benson, Brown, Cashman, Cicione, Evans, Gooding, Harrington, Leshner, Quillen, Sebrell — 11.

NAYS — Burton, Dodge, Ferguson, Fonville, Frederick, Gray, Hale, Hart, Heckert, McMahon, Murphy, Pagano, Pleasanton, Riddagh, Shockley, Slawik, Zimmerman, Mr. Speaker Hering — 18.

NOT VOTING — Phillips — 1.

ABSENT — Blendt, Castle, Eskridge, Hammond, Stabler — 4.

The motion to table the roll call not having received a majority was declared lost.

The roll call on the bill as amended was then announced as follows:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Cicione, Evans, Gooding, Harrington, Hart, Leshner, Quillen, Sebrell — 13.

NAYS — Dodge, Ferguson, Fonville, Frederick, Gray, Hale, Heckert, McMahon, Murphy, Pagano, Pleasanton, Riddagh, Shockley, Zimmerman, Mr. Speaker Hering — 15.

NOT VOTING — Phillips, Slawik — 2.

ABSENT — Blendt, Castle, Eskridge, Hammond, Stabler — 5.

HS 1 for **HB 7** with **HA 1** and **HA 3** not having received a constitutional majority was declared lost.

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

HB 155 with **HA 1** — An Act to amend Subchapter X, Chapter 41, Title 21, Delaware Code, regulating parking of commercial vehicles in exclusively residential districts.

On motion of Mr. Pagano **HA 1** was adopted by voice vote.

Roll Call on the bill as amended:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Dodge, Evans, Ferguson, Fonville, Gooding, Hale, Hart, Heckert, Leshner, McMahon, Pagano, Quillen, Riddagh, Sebrell, Shockley, Slawik, Mr. Speaker Hering — 22.

NAYS — Cicione, Harrington, Phillips, Zimmerman — 4.

NOT VOTING — Frederick, Gray, Pleasanton — 3.

ABSENT — Blendt, Castle, Eskridge, Hammond, Murphy, Stabler — 6.

HB 155 with **HA 1** having received a constitutional majority was declared passed by the House.

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

HB 450 — An Act to amend Section 2702, Title 21, Delaware Code, relating to operator's and chauffeur's licenses, by requiring licenses issued to drivers under 21 years to be printed on a distinguishably different colored paper stock.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Mr. Speaker Hering — 30.

NOT VOTING — Zimmerman — 1.

ABSENT — Blendt, Castle, Eskridge, Stabler — 4.

HB 450 having received a constitutional majority was declared passed by the House.

On motion of Mr. Pagano **HB 449** with **HA 1** was stricken.

On motion of Mr. Cashman **HB 281** with **SA 3** having previously been given a final reading, was lifted from the Speaker's Desk. Mr. Cashman introduced **HA 1** to **HB 281**. **HA 1** was adopted by voice vote. On further motion of Mr. Cashman **SA 3** to **HB 281** was adopted by voice vote.

Roll Call on **HB 281** as amended with **HA 1** and **SA 3** revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Cicione, Dodge, Evans, Fonville, Frederick, Gray, Hale, Hart, McMahon, Murphy, Pagano, Pleasanton, Riddagh, Sebrell, Slawik, Mr. Speaker Hering — 22.

NAYS — Ferguson, Gooding, Hammond, Harrington, Leshner, Shockley, Zimmerman — 7.

NOT VOTING — Heckert, Phillips — 2.

ABSENT — Blendt, Castle, Eskridge, Quillen, Stabler — 5.

HB 281 with **HA 1** and **SA 3** having received a constitutional majority was declared passed by the House.

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

HB 515 — An Act to amend Section 7424, Subchapter 11, Title 29, Delaware Code relating to the elimination of the requirement of filing a debt statement.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Cashman, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Zimmerman, Mr. Speaker Hering — 30.

NOT VOTING — Burton — 1.

ABSENT — Blendt, Castle, Eskridge, Stabler — 4.

HB 515 having received a constitutional majority was declared passed by the House.

On motion of Mr. Quillen **HB 496** was stricken.

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

HB 562 — An Act to amend Section 111, Title 17, Delaware Code, relating to the composition of the State Highway Department by providing for a Department of fourteen members apportioned to direct relationship to the apportionment of the General Assembly Representative Districts.

Roll Call revealed:

YEAS — Bartleson, Benson, Cashman, Cicione, Evans, Ferguson, Fonville, Frederick, Gooding, Hale, Hammond, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Shockley, Slawik, Mr. Speaker Hering — 20.

NAYS — Brown, Burton, Dodge, Gray, Harrington, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Zimmerman — 11.

ABSENT — Blendt, Castle, Eskridge, Stabler — 4.

HB 562 having received a constitutional majority was declared passed by the House.

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

HB 525 — An Act to amend Subchapter III, Chapter 11, Title 28, Delaware Code, relating to the Bingo Control Commission in order to revise its organization, personnel and compensation for members and staff.

On motion of Mr. Hale **HB 525** was recommitted by voice vote.

The House recessed at 5:57 P.M. until Wednesday, June 5, 1968.

16TH LEGISLATIVE DAY — (2nd Session)

The Speaker called the House to order at 1:57 P.M. on Wednesday, June 5, 1968.

There was a prayer by the Chaplain Reverend Charles Covington.

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

The Roll Call revealed 32 members present, 3 absent.

Members present: Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

Absent: Blendt, Eskridge, Ferguson — 3.

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

The following bills were reported out of committee: Revised Statutes: **HB 592**, 4 favorable, 1 on merits; Miscellaneous: **HB 577**, 5 favorable; **HB 597**, 5 favorable, 1 on merits; Commerce and Corporations: **HB 593**, 6 on merits.

The following bills were introduced and assigned to committee:

HB 598 — An Act to amend Part II, Title 30, Delaware Code by adding thereto a new chapter 16 relating to a tax credit for the installation of a proven anti-water pollution facility by an individual or corporation. Introduced by Rep. Dodge. Referred to the Committee on Commerce and Corporations.

HB 599 — An Act to amend Section 8303, Chapter 83, Part V, Title 11, Delaware Code relating to the salaries of State Police and providing for a supplemental appropriation to carry out the provisions of this act. Introduced by Reps. Frederick, Riddagh, Gray, Burton, Quillen, Benson, Ferguson, Hart, Murphy, Cashman, Zimmerman and Pagano. Referred to the Committee on Highways and Public Safety.

HB 600 — An Act to amend Section 503, Title 31, Delaware Code, relating to eligibility for welfare assistance. Introduced by Reps. Slawik, Evans, Brown, Pleasanton, Benson,

Harrington, Shockley, Ferguson, Cashman, Zimmerman, McMahon Gooding, Phillips, Hammond, Fonville and Sebrell. Referred to the Committee on Health and Welfare.

HB 601 — An Act to amend Title 16, Delaware Code to provide for the regulation and licensure of clinical laboratories. Introduced by Reps. Sebrell and Cashman. Referred to the Committee on Health and Welfare.

HB 602 — An Act to amend Title 31, Delaware Code, relating to welfare, by empowering the Department of Public Welfare to enter into contractual agreements for private day care centers and making a supplementary appropriation therefor. Introduced by Reps. Quillen, Cashman and Evans. Referred to the Committee on Labor.

HB 603 — An Act to amend Section 2002, Title 14, Delaware Code, relating to State Board of Education establishment of School Building Construction Manual and minimum specifications thereof, and making a supplementary appropriation therefor. Introduced by Rep. Sebrell. Referred to the Committee on Public Buildings and Lands.

HB 604 — An Act to amend Part VIII, Title 8, of the Delaware Code entitled "Meat and Poultry Products Inspection Act" to provide for the conformity of Delaware Law with the Federal Meat Inspection Act to be effected by amending and repealing existing laws pertaining thereto. Introduced by Reps. Cicione and Pagano. Referred to the Committee on Miscellaneous.

HB 605 — An Act making a supplementary appropriation to the Delaware State Police for food supplies during a State of an Emergency. Introduced by Reps. Brown, Murphy, Gray, Benson, Leshner, Bartleson, Harrington, Gooding and Phillips. Referred to the Committee on Highways and Public Safety.

HB 606 — An Act to amend Section 2301 (a) Title 30, Delaware Code, relating to licensing and regulation of non-resident auctioneers. Introduced by Reps. Dodge and Burton. Referred to the Committee on Commerce and Corporations.

HB 607 — An Act making a supplementary appropriation to the State Park Commission for the purpose of implementing the recreation assistance fund established by Title 7, Section 4706, Delaware Code. Introduced by Reps. Castle, Evans and Slawik. Referred to the Committee on Public Buildings and Lands.

HB 608 — An Act making a supplementary appropriation to the Public Archives Commission. Introduced by Rep. Zimmerman. Referred to the Committee on Public Buildings and Lands.

HR 118 — WHEREAS, United States Senator Robert F. Kennedy of New York was seriously wounded early today by an assassin's bullet in Los Angeles; and

WHEREAS, such acts of wanton violence as this one, and others that have occurred in recent months and years, are alien to the American tradition of open and peaceful expression of opinion; and

WHEREAS, this Nation and this State have been shocked by the needless actions of this assassin; and

WHEREAS, the Kennedy family has repeatedly experienced tragedy that has already taken the lives of two sons;

NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 124th General Assembly that Senator Kennedy is wished a complete and speedy recovery from his injuries; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the wife of Senator Kennedy as an appreciation of the concern felt by all Delawareans.

On motion of Mr. Cashman **HR 118** was adopted unaminously by voice vote. Mr. Cashman then made a motion for a silent prayer in memory to Senator Robert F. Kennedy. Motion carried.

HS 1 for HB 590 — An Act to amend Section 9207, Subchapter I, Chapter 92, Title 10, Delaware Code, relating to bonds for Justice of the Peace. Introduced by Rep. Benson. Referred to the Committee on Judiciary.

HA 1 to HB 547 — Introduced by Rep. Sebrell. Placed with bill.

HA 1 to HB 537 — Introduced by Rep. Stabler. Placed with bill.

HA 1 to HB 344 — Introduced by Rep. Zimmerman. Placed with bill.

HA 1 to HB 373 — Introduced by Rep. Stabler. Placed with bill.

Mr. Hale took the chair as Acting Speaker.

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

HB 485 — An Act making a supplementary appropriation to the Constitutional Revision Commission.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Blendt, Eskridge, Ferguson — 3.

HB 485 having received a constitutional majority was declared passed by the House.

Mr. Hering resumed the Chair.

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

HB 521 — An Act to amend Section 512, Title 4, Delaware Code, relating to the sale of alcoholic beverages to guests of club members.

YEAS — Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Fonville, Gray Hammond, Harrington, Hart, Heckert, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 25.

NOT VOTING — Frederick, Leshner, Phillips, Bartleson, Benson — 5.

ABSENT — Blendt, Eskridge, Ferguson, Gooding, Hale — 5.

HB 521 having received a constitutional majority was declared passed by the House.

The House recessed at 2:30 P.M. Reconvened at 4:08 P.M.

The following bills were reported out of committee: Education: **HB 596**, 5 favorable; **HB 530**, 5 favorable; **HB 529**, 5 favorable; **HB 577**, 4 favorable, 1 on merits; **HB 536**, 3 favorable, 1 on merits, 1 unfavorable; Highways and Public Safety: **HB 344** with **HA 1**, 1 favorable, 3 on merits; **HB 599**, 5 favorable; **HB 605**, 5 favorable; Judiciary: **HB 580**, 5 favorable; Commerce and Corporations: **HB 544**, 5 on merits; Appropriations: **HB 599**, 6 favorable, 3 on merits; Miscellaneous: **HB 584**, 4 favorable; **HB 585**, 4 favorable; **HB 595**, 1 favorable, 3 on merits.

A Messenger from the Senate returned the following bills, all having been passed by the Senate: **HB 471**, **HB 541**, **HB 234**, **HB 415**, **HJR 10**, **HCR 30** and delivered the following and requesting the concurrence of the House: **SB 408**, **SB 353**, **SB 303** with **SA 1**, **SB 389** with **SA 1**, **SB 384**, **SB 280**, **SB 20** with **SA 1**, **SB 383**, **SJR 5**, and **SCR 34**.

HB 609 — An Act to amend Chapter 19, Title 15, Delaware Code relating to the registration by members of the Government Service of the United States. Introduced by Reps. Cicione, Pagano and Gooding. Referred to the Committee on Elections.

HB 610 — An Act to amend Subchapter IV, Chapter 19, Title 10, Delaware Code, relating to judicial reports. Introduced by Reps. Stabler and Castle. Referred to the Committee on Judiciary.

HA 2 to **HB 373** — Introduced by Rep. Stabler. Placed with bill.

HA 1 to **HB 486** — Introduced by Rep. Hering. Placed with bill.

HA 1 to **HB 579** — Introduced by Rep. Zimmerman. Placed with bill.

HR 119 — Relative to the Death of Robert A. Barnes, Representative of the 103rd General Assembly.

WHEREAS, the House of Representatives of the 124th General Assembly of the State of Delaware has learned with regret of the passing of Robert A. Barnes, a member of the 103rd General Assembly.

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

NOW, THEREFORE,

BE IT RESOLVED, that the family of the deceased has the full sympathy of the members of the House of Representatives of the 124th General Assembly of the State of Delaware which is extended by sending a copy of this Resolution to Mrs. Robert A. Barnes.

BE IT FURTHER RESOLVED, that the text of this Resolution be made a part of the Journal of the proceedings of the House of Representatives of the 124th General Assembly of the State of Delaware.

SB 408 — An Act authorizing the State of Delaware to borrow money to be used by the Department of Mental Health for the construction of the Sussex County Treatment Unit and to issue bonds and notes therefore and appropriating the moneys to the Department of Mental Health. Introduced by Senator Cook. Referred to the Committee on Public Buildings and Lands.

SB 353 — An Act making a supplementary appropriation to the Governor for use in a Safety Campaign. Introduced by Senators Manning and Cook. Referred to the Committee on Highways and Public Safety.

SB 330 with SA 1 — An Act to amend Chapter 41, Title 15, Delaware Code, relating to the merger of Election Districts. Introduced by Senator Manning. Referred to the Committee on Elections.

SB 389 with SA 1 — An Act to amend Chapter 17, Title 14, Delaware Code, relating to the definition of "Units" as affecting the education of pupils with low reading achievement in elementary and secondary schools and making an appropriation therefor from the General Fund. Introduced by Senator Dineen. Referred to the Committee on Education.

SB 384 — An Act to amend Title 4, Delaware Code, relating to the regulation of alcoholic liquors in clubs. Introduced by Reps. Steele, Grier and Carney. Referred to the Committee on Revised Statutes.

SB 280 — An Act to amend Section 4182, Title 21, Delaware Code, relating to motorcycle safety helmets, seats, footrests and handlebars. Introduced by Rep. Cook. Referred to the Committee on Highways and Public Safety.

SB 20 with SA 1 — An Act to amend Chapter 51, Title 29, Delaware Code, by providing hospitalization, medical, and surgical benefits for state employees. Introduced by Reps.

Carney and Dineen. Referred to the Committee on Appropriations.

SB 383 — An Act to provide for state supported Kindergartens by amending Section 1703, Chapter 17, Title 14, Delaware Code. Introduced by Reps. Isaacs and Holloway. Referred to the Committee on Education.

SJR 5 — Memorializing Congress to investigate and implement the provisions of President George Washington's Will which look toward the establishment of National University. Introduced by Senators Foltz and McCullough. Referred to the Committee on Public Buildings and Lands.

SCR 34 — Expressing the sorrow of the Senate and the House of Representatives of the 124th General Assembly on learning of the attempted assassination of United States Senator, Robert F. Kennedy. Introduced by Senator Steen. On motion of Mr. Cashman **SCR 34** was adopted by voice vote.

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

HB 547 with **HA 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 motion of Mr. Sebrell **HA 1** to **HB 547** was adopted by voice vote.

Roll Call on the bill as amended revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Blendt, Eskridge, Ferguson — 3.

HB 547 with **HA 1** having received a constitutional majority was declared passed by the House.

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

HB 375 — An Act to amend Section 2330 (d), Chapter 23, Title 19, Delaware Code, relating to compensation for death under Workmen's Compensation. Roll Call revealed:

YEAS — Bartleson, Brown, Cashman, Castle, Cicione, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

NOT VOTING — Benson, Dodge — 2.

ABSENT — Blendt, Burton, Eskridge, Ferguson — 4.

HB 375 having received a constitutional majority was declared passed by the House.

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

HB 537 with **HA 1** — An Act to amend Chapter 5, Title 7, Delaware Code, relating to licenses.

On motion of Mr. Stabler **HA 1** to **HB 537** was adopted by voice vote.

Roll Call on the bill as amended revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Blendt, Eskridge, Ferguson — 3.

HB 537 with **HA 1** having received a constitutional majority was declared passed by the House.

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

HB 409 — An Act to amend Chapter 25, Title 6, Delaware Code, relating to the delivery of unsolicited merchandise.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Blendt, Eskridge, Ferguson — 3.

HB 409 having received a constitutional majority was declared passed by the House.

On motion of Mr. Benson **SS 1** for **SB 92** was given final reading. On motion of Mrs. Heckert **SS 1** for **SB 92** was tabled due to its content being questionably applicable to the requirements of this session.

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

SB 68 — An Act to amend Title 20, Delaware Code, Section 122 (c), changing the appointment of the Adjutant General of the Delaware National Guard from a term of nine years to serve at the Pleasure of the Governor. Introduced by Senator duPont.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Mr. Speaker Hering — 26.

NAYS — Hammond, McMahon, Shockley, Zimmerman — 4.

NOT VOTING — Fonville, Slawik — 2.

SB 68 having received a constitutional majority was declared passed by the House.

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

SB 157 with **HA 1** — An Act to amend Title 16, Delaware Code, to provide for the development, establishment and enforcement of standards for the construction, maintenance and operation of hospitals and the licensing thereof. Introduced by Senators Manning, Dineen, Carney and Steele.

On motion of Mr. Cashman **HA 1** was adopted by voice vote.

Roll Call on the bill as amended revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Blendt, Eskridge, Ferguson — 3.

SB 157 with **HA 1** having received a constitutional majority was declared passed by the House.

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

SB 350 — An Act to amend Title 4, Delaware Code, to permit the issuance by the Alcoholic Beverage Control Commission of a license for the sale of alcoholic beverages to Ships Chandlers. Introduced by Senator Dineen.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Castle, Cicione, Dodge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 30.

NAYS — Cashman — 1.

NOT VOTING — Phillips — 1.

ABSENT — Blendt, Eskridge, Ferguson — 3.

SB 350 having received a constitutional majority was declared passed by the House.

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

SB 128 with **SA 2, 3**, and **HA 2** — An Act to amend Title 31, Delaware Code, entitled "Welfare" by changing the definition of Medical Care and by providing for a Medical Advisory Committee. Introduced by Senators Dineen and Bookhammer.

On motion of Mr. Evans **HA 2** was adopted by voice vote.

Roll Call on the bill as amended revealed:

YEAS — Bartleson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, Mc-

Mahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31.

ABSENT — Benson, Blendt, Eskridge, Ferguson — 4.

SB 128 with **SA 2, 3** and **HA 2** having received a constitutional majority was declared passed by the House.

Mr. Hale took the Speaker's Chair as Acting Speaker.

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

HB 486 with **HA 1** — An Act to amend Title 5, Part III, Delaware Code, relating to building and loan associations, in order to modernize the Building and Loan Association Code to conform with current business practices.

On further motion by Mr. Hering, Mr. Anthony Emory, Council for State Savings and Loan was granted privilege of the floor.

On motion of Mr. Hering **HA 1** was adopted by voice vote.

Roll Call on the bill as amended revealed:

YEAS — Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Fonville, Frederick, Gooding, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

NOT VOTING — Gray — 1.

ABSENT — Bartleson, Blendt, Eskridge, Ferguson, Hammond — 5.

HB 486 with **HA 1** having received a constitutional majority was declared passed by the House.

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

HB 579 with **HA 2** — An Act to amend Title 6, Delaware Code, entitled Commerce and Trade related to usury.

On motion of Mr. Zimmerman **HA 2** was introduced and adopted by voice vote. On further motion of Mr. Zimmerman **HA 1** was stricken.

Roll Call on the bill as amended revealed:

YEAS — Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 30.

ABSENT — Bartleson, Blendt, Eskridge, Ferguson, Hammond — 5.

HB 579 with **HA 2** having received a constitutional majority was declared passed by the House.

The following was reported out of committee: Public Buildings and Lands: **SB 408**, 5 favorable.

The House recessed at 5:30 P.M. until Tuesday, June 11, 1968.

17TH LEGISLATIVE DAY (2nd Session)

The Speaker called the House to order at 2:08 P.M., on Tuesday, June 11, 1968.

There was a prayer by the Chaplain Reverend T. William Werner.

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

The Roll Call revealed 34 members present, 1 absent.

Members present: Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Hammond, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 34.

Absent: Eskridge — 1.

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

Mr. Cashman thanked the legislative staff for the party held May 21st in honor of the Representatives.

The following Memorandum from the Governor's Office was read:

Memorandum No. 49

TO: Senator Anthony C. Moore, Mr. G. Francis Downs, Mr. Daniel Ross, Mr. George Cripps, Dr. Lorin P. Sebrell, Mr. F. Earl McGinnes, Mr. Ned Davis, Mrs. Mary J. Daily, Clerk of the House, Secretary of the Senate. Mrs. Teresa Messick, Legislative Reference Bureau for all folders.

From: Robert Thurston Barrett, Administrative Assistant

The Governor signed the following legislation on June 3, 1968:

HB 438 with HA 2 — (Educational Advancement Act)

SS 1 for SB 313 as amended by SA 1, 2, 3 and HA 1 — (State Housing Act)

Senate Bill No. 295 vetoed by the Governor on January 8, 1968, the veto having been subsequently overridden by both Houses of the General Assembly, has been delivered to the Governor's office.

A messenger from the Senate returned **HB 497 with HA 1, HB 498, HB 499 with HA 1, HB 500, HB 281 with HA 1 and additional SA 3, HB 533 with HA 1 and additional SA 1 and SA 2, HB 325 with HA 1, 3, 5, 6 and additional SA 6 and SA 7, HB 508, HB 5, HB 87, HB 337, HB 313 with HA 1, HB 225, HB 205, HB 78, HB 4, HB 2 with HA 1, and HB 487 with HA 1**, all having passed the Senate; and **SB 407, SB 368, SB 370, SB 360 with SA 1 and SA 2, SB 325, SB 394, SS 1 to SB 176**, all having passed the Senate and requesting the concurrence of the House.

The following bills were introduced and assigned to committee:

HB 611 — An Act to amend Chapter 3, Title 24, Delaware Code, relating to the authorizing of the Board of Examiners in Registration of Architects to adopt regulations establishing qualifications for eligibility to take examinations, and eliminating the authority to grant certificates of registration based on practical experience without examination. Introduced by Rep. Bartleson. Referred to the Committee on Commerce and Corporations.

HB 612 — An Act making a supplementary appropriation to the State Archivist for the Administration of the Veterans' Military Pay Act No. III House Bill No. 275, as amended). Introduced by Reps. Slawik and Cicione. Referred to the Committee on Miscellaneous.

HB 613 — An Act to amend Title 31, Delaware Code, relating to Child Welfare by empowering the Department of Public Welfare to establish and aid private, nonprofit facilities for Child Day Care Centers and making a supplementary appropriation therefor. Introduced by Reps. Evans, Castle, Hering, Hammond, Cashman, Fonville, Slawik, Referred to the Committee on Labor.

HB 614 — An Act to amend Chapter 81, Part V, Title 14, Delaware Code, relating to Higher Education Advisory Commission, Membership, Quorum and Public Hearings. Introduced by Rep. Heckert. Referred to the Committee on Education.

HB 615 — An Act to amend Chapter 41, Title 7, Delaware Code, relating to drainage organizations, by substituting a new Subchapter II, by eliminating boards of Ditch Commissioners and by striking from various sections of said Chapter 41, the phrase "Board of Tax Ditch Commissioners" and related phrases indicating the several Boards, and substituting therefor, in such places, the phrase, "Board of District Supervisors", and by striking from sections of said Chapter 41, the phrase, "State Drainage Engineer", and substituting therefor the phrase "Delaware Soil and Water Commission" or "Commission", and by authorizing "Boards of Viewers" to be used by the Superior Court of the State of Delaware. Introduced by Rep. Cashman. Referred to the Committee on Agriculture.

HA 1 to HB 451 — Introduced by Rep. Leshner. Placed with bill.

SB 368 — 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 citizens of the State of Delaware; and all records of the governing bodies of Municipalities, Counties and School Districts and all other Boards, Bureaus, Commissions or Organizations supported wholly or in part by public funds or expending public funds, shall be public and open to personal inspection

by any citizen of the State of Delaware, and providing penalties for violation of this Act. Introduced by Senator Foltz. Referred to the Committee on Judiciary.

SB 370 — An Act to amend Chapter 27, Title 24 of the Delaware Code by changing the definition of lands surveyor to mean professional land surveyor. Introduced by Senator Foltz. Referred to the Committee on Commerce and Corporations.

SB 407 — An Act making a supplementary appropriation to the Delaware Commission of Shell Fisheries. Introduced by Senators Isaacs and Grier. Referred to the Committee on Fish, Oyster and Game.

SB 360 — An Act to amend Section 704, Title 21, Delaware Code, relating to jurisdiction of Motor Vehicle Offenses. Introduced by Senator Cook. Referred to the Committee on Judiciary.

HB 533 as amended by **SA 1** and **SA 2**. Referred to the Committee on Fish, Oyster and Game.

HB 325 as amended by **SA 6** and **SA 7**. Referred to the Committee on Highways and Public Safety.

HB 616 — An Act to amend Section 2107, Title 21, Delaware Code, relating to information to be contained upon automobile registration cards, by adding the odometer reading at the time of inspection. Introduced by Reps. Pagano and Cicione. Referred to the Committee on Highways and Public Safety.

HB 617 — An Act to amend Chapter 55, Title 29, Delaware Code, relating to State Employees Pensions by changing certain refund provisions. Introduced by Reps. Hale and Zimmerman. Referred to the Committee on State, Urban and Municipal Affairs.

HB 618 — An Act proposing an Amendment to Article 5, Section 2, of the Constitution of the State of Delaware, relating to qualifications for voting. Introduced by Reps. Slawik and Murphy. Referred to the Committee on Elections.

HB 619 — An Act proposing an amendment to Article 2, Section 21, of the Constitution of the State of Delaware, relating to the conviction of a crime as a ban to public office. Introduced by Reps. Slawik and Murphy. Referred to the Committee on Revised Statutes.

HB 620 — An Act to amend Chapter 3, Title 1, Delaware Code relating to the interference with the activities of an Educational Institution, and providing penalties for violation thereof. Introduced by Reps. Heckert, Castle, Gooding and Benson. Referred to the Committee on Education.

HB 621 — An Act proposing an Amendment to Article V, Section 2, of the Constitution of the State of Delaware by amending the age requirements for voting in National Presidential Elections. Introduced by Rep. Castle. Referred to the Committee on Elections.

HB 622 — An Act to amend Section 2, Chapter 290, Volume 56, Laws of Delaware, relating to reversion date of any unexpected funds appropriated to the respective Departments of Elections for New Castle, Kent and Sussex Counties. Introduced by Reps. Cicione, Phillips, Castle, Hering, Gooding, McMahan, Fonville. Referred to the Committee on Elections.

HB 623 — An Act to amend Section 1056 (b), Title 14, Delaware Code, relating to school property; use, control and management. Introduced by Reps. Murphy, Brown, Cashman, Benson, Hale, Sebrell, Frederick, Pagano, Stabler, Cicione, Heckert, Hart, Slawik, Riddagh, Quillen, Burton and Gray. Referred to the Committee on Education.

HCR 34 — Making Directors on the part of the State for the Farmers Bank of the State of Delaware ineligible to borrow money from said bank. Introduced by Reps. Ferguson and Cashman. On motion of Mr. Ferguson **HCR 34** was adopted by voice vote.

SS 1 for SB 176 — An Act to amend Chapter II, Title 30, Delaware Code, to provide that certain expenses of higher education shall be deductible. Introduced by Senator Steele. Referred to the Committee on Revenue and Taxation.

SB 325 — An Act to amend Section 2942, Title 21, Delaware Code, relating to proof of future financial responsibility under the Motor Vehicle Safety Responsibility Law. Introduced by Senator Cook. Referred to the Committee on Highways and Public Safety.

SB 394 — An Act to amend Chapter 9 and 11, Title 10, Delaware Code, to increase the number of Judges of the Family Court of the State of Delaware in and for New Castle County; to provide for a Chief Judge of said Court, his salary and duties; and to authorize the assignment of any Judge of said Court to serve temporarily as a Judge of the Family Court of Kent and Sussex Counties upon the request of a Judge of the latter Court. Introduced by Senators Manning and Carney. Referred to the Committee on Judiciary.

HB 624 — An Act defining the relationship between Chapter 59, Title 29, Delaware Code, establishing the Merit System of Personnel Administration for the employees of the State, and Chapter 13, Title 19, Delaware Code, recognizing the right of public employees to organize, by amending Chapter 59, Title 29, Delaware Code, and repealing Section 1312, Chapter 13, Title 19, Delaware Code. Introduced by Reps. Cashman, Slawik, Cicione, Benson, Ferguson and Gooding. Referred to the Committee on Revised Statutes.

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

SA 6 and **SA 7** to **HB 325**. **SA 6** was adopted by voice vote on motion of Mr. Stabler. **SA 7** was adopted by voice vote on motion of Mr. Stabler.

Roll Call on **HB 325** as amended revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Yleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

NOT VOTING — Phillips — 1.

ABSENT — Eskridge, Hammond — 2.

HB 325 with **HA 1, 3, 5** and **SA 6, 7** having received a constitutional majority was declared passed by the House.

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

HB 373 — An Act making a supplementary appropriation to the Delaware Code Revision Commission.

On motion of Mr. Stabler **HA 1** was adopted by voice vote. On motion of Mr. Stabler **HA 2** was adopted by voice vote.

Roll Call on **HB 373** as amended revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

ABSENT — Eskridge, Hammond — 2.

HB 373 with **HA 1** and **HA 2** having received a constitutional majority was declared passed by the House.

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

HB 344 with **HA 1** — An Act directing the State Highway Department to undertake a feasibility study of a north-south, east-west toll highway network through the state.

On motion of Mr. Zimmerman **HA 1** was adopted by voice vote. Mr. Zimmerman deferred action on the bill in order to prepare an additional amendment.

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

HB 592 — An Act to amend Title 16, Delaware Code by adding a Chapter 27 thereto relating to the fitting and dispensing of hearing aids, providing for the licensing of persons fitting and dispensing of hearing aids, placing regulation of such persons under the State Board of Health, defining unethical conduct of such persons, providing grounds and procedures for suspension or revocation of a license, defining certain prohibited acts and practices by such persons, creating an Advisory Council on hearing aids to the State Board of Health, providing penalties for violation of the Chapter and making a supplementary appropriation to the State Board of Health to carry out the provisions of this chapter.

Roll Call revealed:

YEAS — Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Bartleson, Eskridge, Hammond — 3.

HB 592 having received a constitutional majority was declared passed by the House.

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

HB 597 — An Act to amend Subchapter VI, Title 20, Delaware Code, relative to death benefits payable to the widows or personal representative of a member of the Delaware National Guard killed while on State Duty.

Roll Call revealed:

YEAS — Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Bartleson, Eskridge, Hammond — 3.

HB 597 having received a constitutional majority was declared passed by the House.

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

HB 557 — An Act to amend Title 11, Chapter 41, Section 4104, of the Delaware Code by adding thereto two new Subsections authorizing the State Treasurer to remit fines and/or costs to persons whose conviction has subsequently been set aside by the Justice of the Peace Court and the Court of Common Pleas wherein the fine and/or costs are paid, and providing for the necessary procedure and certification therefor.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

ABSENT — Eskridge, Hammond — 2.

HB 557 having received a constitutional majority was declared passed by the House.

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

HB 577 — An Act to amend Delaware Code, Title 14, by providing authorization for establishing and financing year-round school programs in public schools.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Cashman, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Hale, Hart, Heckert, McMahon, Phillips, Riddagh, Sebrell, Shockley, Slawik, Stabler — 21.

NAYS — Brown, Leshner, Pagano, Pleasanton, Quillen, Zimmerman, Mr. Speaker Hering — 7.

NOT VOTING — Burton, Castle, Gray, Harrington, Murphy — 5.

ABSENT — Eskridge, Hammond — 2.

HB 577 having received a constitutional majority was declared passed by the House.

The House recessed at 3:23 P.M. and reconvened at 4:40 P.M.

The following bills were reported out of Committee: Appropriations: **SB 334**, 3 favorable, 6 on merits; **SB 408**, 3 favorable, 6 on merits; **HB 587**, 3 favorable, 6 on merits; **HB 596**, 4 favorable, 5 on merits; **HB 536**, 3 favorable, 6 on merits; Highways and Public Safety: **HB 590**, 1 favorable, 5 on merits; **SB 325**, 1 favorable, 4 on merits, 1 unfavorable; **SB 280**, 2 favorable, 4 on merits; **SB 353**, 3 favorable, 3 on merits; Health and Welfare: **HB 600**, 6 favorable; **HB 447**, 3 favorable, 3 on merits; **HB 601**, 2 favorable, 3 on merits; **HB 454**, 1 favorable, 4 on merits; Elections: **HB 622**, 6 favorable; **HB 495**, 2 favorable, 4 on merits; **HB 609**, 2 favorable, 3 on merits; Revised Statutes: **HB 624**, 1 favorable, 4 on merits; **HB 581**, 5 favorable; **SB 384**, 5 favorable; Agriculture & Natural Resources: **HB 578**, 2 favorable, 4 on merits; Miscellaneous: **SB 374**, 4 favorable, 1 on merits, 1 unfavorable.

The following bills were introduced and assigned to committee:

HB 625 — An Act making an appropriation to Donald L. King to reimburse him for damages suffered due to acts of a State Employee. Introduced by Reps. Zimmerman and Hale. Referred to the Committee on State, Urban and Municipal Affairs.

HB 626 — An Act to repeal Section 306, Title 15, Delaware Code, relating to audit for duplication of names within ten days following last registration day. Introduced by Rep. Castle. Referred to the Committee on Elections.

HB 627 — An Act to amend Section 1321, Title 14, Delaware Code, relating to school employees by providing under certain circumstances for Supervisors of Transportation, and making a Supplementary appropriation to the State Board of Education to effectuate the purposes of this act. Introduced by Reps. Hart and Pagano. Referred to the Committee on Education.

HB 628 — An Act making a supplementary appropriation to the State Park Commission for the purposes of administering and implementing the Recreation Assistance Fund estab-

lished by Title 7, Section 4706, Delaware Code. Introduced by Reps. Castle, Slawik. Referred to the Committee on Public Buildings and Lands.

HA 2 to HB 344 — Introduced by Rep. Zimmerman. Placed with bill.

HA 3 to HB 344 — Introduced by Rep. Cicione. Placed with bill.

HA 1 to HB 599 — Introduced by Rep. Benson. Placed with bill.

HCR 35 — Expressing sorrow at the death of Senator Robert F. Kennedy by the Members of the 124th General Assembly. Introduced by Rep. Cashman and All Members of House. On motion of Mr. Cashman **HCR 35** was adopted by voice vote.

Mr. Zimmerman moved to reconsider **HB 344** with **HA 1**. On further motion by Mr. Zimmerman **HA 2** was adopted by voice vote. On motion of Mr. Cicione **HA 3** was stricken. After a roll call on the bill as amended, Mr. Zimmerman moved to table the roll call. Motion carried.

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

HB 536 — An Act to amend Section 5501, Title 14, Delaware Code, relating to establishing scholarships at Delaware College, University of Delaware.

Roll Call revealed:

YEAS — Brown, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gray, Hale, Harrington, Hart, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Sebbrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 25.

NAYS — Heckert, Quillen, Riddagh — 3.

NOT VOTING — Bartleson, Benson, Blendt, Burton — 4.

ABSENT — Eskridge, Gooding, Hammond — 3.

HB 536 having received a constitutional majority was declared passed by the House.

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

SB 408 — An Act authorizing the State of Delaware to borrow money to be used by the Department of Mental Health for the construction of the Sussex County Treatment Unit and to issue bonds and notes therefore and appropriating the money to the Department of Mental Health.

Debt Statement read.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebbrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

ABSENT — Eskridge, Hammond — 2.

SB 408 having received a three-fourth majority was declared passed by the House.

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

SB 334 — With Debt Statement — An Act to authorize the State of Delaware to loan moneys to hospitals for the improvement of hospital 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 Hospital Improvement Fund to be administered by the State Board of Health.

On motion of Mr. Sebrell **HA 1** to **SB 334** was adopted by voice vote.

Roll Call on **SB 334** as amended revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

NOT VOTING — Leshner — 1.

ABSENT — Eskridge, Hammond — 2.

SB 334 with **HA 1** having received a three-fourths majority was declared passed by the House.

Mr. Hale took the Chair as Acting Speaker.

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

HB 586 — An Act making a supplementary appropriation to the Department of Public Welfare for the fiscal year ending June 30, 1968.

On motion of Mr. Evans privilege of the floor was granted Mr. Ronald Miller, Executive Director of the State Department of Public Welfare. Mr. Miller spoke for the bill and answered questions.

Roll Call revealed:

YEAS — Bartleson, Blendt, Brown, Cashman, Castle, Cicione, Evans, Ferguson, Fonville, Frederick, Gooding, Hale, Harrington, Hart, Leshner, McMahon, Murphy, Pagano, Phillips, Shockley, Slawik, Stabler, Mr. Speaker Hering — 23.

NAYS — Benson, Burton, Dodge, Pleasanton, Quillen, Riddagh, Sebrell, Zimmerman — 8.

NOT VOTING — Gray, Heckert — 2.

ABSENT — Eskridge, Hammond — 2.

HB 586 having received a constitutional majority was declared passed by the House.

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

HB 546 — An Act to amend Chapter 80, Volume 56, Laws of Delaware, relating to the payment of benefits to

children whose parent is totally disabled from disease or wound as a result of service in Viet Nam or other armed conflict of the United States.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Pagano, Phillips, Pleasanton, Quillen, Riddag, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Eskridge, Hammond, Murphy — 3.

HB 546 having received a constitutional majority was declared passed by the House.

Mr. Hering resumed the Speaker's Chair.

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

HB 599 — An Act to amend Section 8303, Chapter 83, Part V, Title 11, Delaware Code relating to the salaries of State Police and providing for a supplementary appropriation to carry out the provisions of this Act.

On motion of Mr. Benson **HA 1** to **HB 599** was adopted by voice vote. By request of the Speaker, Attorney F. L. Peter Stone, was asked to give an opinion as to the legal interpretation of the bill, as amended.

Roll Call on the bill as amended revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddag, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31.

NOT VOTING — Burton, Sebrell — 2.

ABSENT — Eskridge, Hammond — 2.

HB 599 with **HA 1** having received a constitutional majority was declared passed by the House.

A messenger from the Senate returned to the House **HB 514** with **SA 2**, having passed the Senate. Mr. Hale moved to suspend the rules in order to consider **HB 514** with **SA 2**. Motion carried.

HB 514 as amended by **SA 2** — An Act to provide summer employment for certain youths of this State and to make a supplementary appropriation therefor.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddag, Sebrell, Shockley, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 33.

ABSENT — Eskridge, Hammond — 2.

HB 514 with **SA 2** having received a constitutional majority was declared passed by the House.

The following bills were reported out of committee: Fish, Oyster and Game: **HB 533** with **SA 1** and **SA 2**, 4 favorable; Highways and Public Safety: **HB 616**, 4 favorable, 2 on merits.

The House recessed at 6:04 P.M., until Monday, June 17, 1968.

The Speaker called the House to order at 2:05 P.M., Monday, June 17, 1968. Mr. Hale moved to adjourn thereby ending the 17th Legislative Day.

18TH LEGISLATIVE DAY (2nd Session)

The Speaker called the House to order at 2:06 P.M. on June 17, 1968.

There was a prayer by the Chaplain Reverend J. William Werner.

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

The Roll Call revealed 32 members present, 3 absent.

Members present: Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

Absent: Eskridge, Hammond, Shockley — 3.

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

A messenger from the Senate delivered **SB 369**, **SB 385**, **SB 223**, **SB 346**, **SB 387** having passed the Senate and asking concurrence of the House.

The following was reported out of committee: Revised Statutes: **HB 571**, 3 on merits, 1 unfavorable.

The following prefiled bills and resolutions were introduced:

HB 629 — An Act to amend Section 2707, Title 21, Delaware Code, to substitute a new section requiring a special license for school bus drivers, designating qualifications therefor and providing a supplementary appropriation to the State Board of Education to implement such new procedures. Introduced by Rep. Hart. Referred to the Committee on Highways and Public Safety.

HB 630 — An Act to amend Chapter II, Title 19, Delaware Code, relating to wage payment and collection. Introduced by Reps. Cashman and Slawik. Referred to the Committee on Revised Statutes.

HB 631 — An Act to appropriate moneys to certain hospitals and the Department of Public Welfare for certain health services. Introduced by Reps. Bartleson and Shockley. Referred to the Committee on Appropriations.

HB 632 — An Act making a supplementary appropriation to the Delaware State Development Department for Program Development and Delaware Participation in the Bicentennial Celebrations Attendant to the Independence of the United States as proposed for the Philadelphia Region in 1976. Introduced by Reps. Gooding, Hale and Zimmerman. Referred to the Committee on Miscellaneous.

HR 120 — Relating to Rule 29 of the Permanent Rules of the House of Representatives of the 124th General Assembly concerning required vote on motions before the House of Representatives. Introduced by Rep. Hering. Deferred consideration until after recess.

SB 369 — An Act to amend Title 6, Delaware Code, by adding a Chapter 38 thereto providing for broadcasting certain public notices. Referred to the Committee on Judiciary.

SB 385 — An Act making an appropriation to Alfred I. duPont School District No. 7, for the purpose of constructing sidewalks and acquiring the necessary rights-of-way therefor within the school district at specified locations. Introduced by Senator Steele. Referred to the Committee on Appropriations.

SB 223 — 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. Introduced by Senator duPont. Referred to the Committee on Revenue and Taxation.

SB 346 — An Act to amend Chapter 243, Volume 56, Laws of Delaware as amended, entitled, "An Act to amend Title 29, Part II, Delaware Code, relating to the General Assembly by providing for the composition and reapportionment thereof" also being Chapter 6, Title 29, Delaware Code relating to the terms of Office of Senate Members. Introduced by Senator Holloway. Referred to the Committee on Elections.

SB 387 — An Act to withdraw from the State Board of Health jurisdiction over the approval of plans for the construction of new sewage systems or alterations thereto and to vest authority solely in the Water and Air Resources Commission by adding a new section known as Section 6307 to Title 7, Chapter 63, Delaware Code, and by amending Title 16, Section 1506, Delaware Code. Introduced by Senators Foltz and Cook. Referred to the Committee on Public Buildings and Lands.

HR 121 — Authorizing payment of amount due the following companies for supplies and services furnished the 124th General Assembly. Introduced by Rep. Sebrell. Adopted by voice vote.

HA 1 to SB 353 — Introduced by Rep. Murphy. Placed with bill.

The Speaker welcomed the young men attending Boys' State and Dr. Park W. Huntington of the American Legion.

Mr. Zimmerman moved to lift the roll call on **HB 344**. Motion carried. Roll Call on the bill, as amended, revealed:

YEAS — Blendt, Brown, Burton, Cicione, Dodge, Ferguson, Gooding, Gray, Harrington, McMahon, Murphy, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Shockley, Slawik, Stabler, Zimmerman — 21.

NAYS — Bartleson, Benson, Cashman, Castle, Evans, Frederick, Hale, Hart, Heckert, Leshar, Pagano, Mr. Speaker Hering — 12.

ABSENT — Eskridge, Hammond — 2.

HB 344 with **HA 1** and **HA 2** having received a constitutional majority was declared passed by the House.

Mr. Cashman moved to recommit **HB 451**. Motion carried.

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

HB 580 — An Act to amend Section 675, Chapter 3, Title 11, Delaware Code, relating to revocation of service contracts and exemption from liability.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshar, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Eskridge, Hammond, Shockley — 3.

HB 580 having received a constitutional majority was declared passed by the House.

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

SB 384 — An Act to amend Title 4, Delaware Code, relating to the regulation of alcoholic liquors in clubs. Introduced by Senators Steele, Grier and Carney.

Roll Call revealed:

YEAS — Benson, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshar, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 28.

NAYS — Bartleson, Blendt — 2.

NOT VOTING — Frederick, Phillips — 2.

ABSENT — Eskridge, Hammond, Shockley — 3.

SB 384 having received a constitutional majority was declared passed by the House.

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

HB 544 — 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.

Mr. Slawik introduced **HA 1** and on motion by Mr. Slawik **HA 1** to **HB 544** was adopted by voice vote. Privilege of the floor was granted Mr. Peter Walsh, House Attorney. The Speaker ruled that **HB 544** should be considered by the Appropriation Committee for approval or guidance. Mrs. Heckert moved to recommit the bill. Motion prevailed and **HB 544** with **HA 1** was recommitted to the Commerce and Corporations Committee.

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

HB 593 — An Act to amend Chapter 27, Title 6, of the Delaware Code by adding a new section relating to indemnity and hold harmless provisions in, or collateral to, or in connection with, construction, alteration, maintenance and demolition contracts.

Roll Call revealed:

YEAS — Brown, Burton, Cashman, Cicione, Dodge, Evans, Ferguson, Frederick, Gooding, Harrington, Hart, McMahon, Murphy, Pagano, Quillen, Riddagh, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 20.

NOT VOTING — Bartleson, Benson, Blendt, Castle, Fonville, Gray, Hale, Heckert, Leshar, Phillips, Pleasanton, Sebrell — 12.

ABSENT — Eskridge, Hammond, Shockley — 3.

HB 593 having received a constitutional majority was declared passed by the House.

Mr. Hering deferred his leadership on the following bill to Mrs. Gooding. On motion of Mrs. Gooding the following bill was given a final reading and placed before the House for consideration:

HB 480 — An Act to amend Chapter 81, Title 10, Delaware Code, relating to limitations of actions.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshar, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Zimmerman, Mr. Speaker Hering — 31.

ABSENT — Eskridge, Hammond, Shockley, Stabler — 4.

HB 480 having received a constitutional majority was declared passed by the House.

A messenger from the Senate delivered **HJR 3** with **SA 1** having passed the Senate.

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

HB 529 — An Act to amend Section 2143 (c), Subchapter III, Chapter 21, Title 21, Delaware Code, relating to inspection of vehicles, by making an exception for school buses to the power of the Motor Vehicle Department to waive inspection requirements as to a vehicle fleet.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Eskridge, Hammond, Shockley — 3.

HB 529 having received a constitutional majority was declared passed by the House.

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

HB 530 — An Act to amend Subchapter III, Chapter 21, Title 21, Delaware Code, relating to inspection of vehicles by adding a new section providing a twice yearly special inspection of school buses.

Privilege of the floor was granted Mr. John Annett, former member of the House, and owner of a fleet of school buses. Privilege of the floor was granted Captain Downey, Motor Vehicle Division of the Delaware State Police. Privilege of the floor was granted Mr. Leon Hart, Department of Public Instruction of the State Board of Education.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31.

ABSENT — Eskridge, Hammond, Quillen, Shockley — 4.

HB 530 having received a constitutional majority was declared passed by the House.

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

HB 581 — An Act to amend Section 8323, Title 11, Delaware Code, relating to State Police Pensioners who are employed by this State in any capacity after retirement.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Leshner, McMahon,

Murphy, Pagano, Phillips, Pleasanton, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 29.

NOT VOTING — Ferguson — 1.

ABSENT — Eskridge, Hammond, Heckert, Quillen, Shockley — 5.

HB 581 having received a constitutional majority was declared passed by the House.

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

HB 624 — An Act defining the relationship between Chapter 59, Title 29, Delaware Code, establishing the Merit System of Personnel Administration for the employees of the State, and Chapter 13, Title 19, Delaware Code, recognizing the right of public employees to organize, by amending Chapter 59, Title 29, Delaware Code, and repealing Section 1312, Chapter 13, Title 19, Delaware Code.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 32.

ABSENT — Eskridge, Hammond, Shockley — 3.

HB 624 having received a constitutional majority was declared passed by the House.

On motion of Mr. Cashman **HB 493** was stricken.

Mr. Benson was given privilege of the floor. He read the Statement of Policy adopted by the State of Delaware State Personnel Commission.

State of Delaware
STATE PERSONNEL COMMISSION
Statement of Policy

WHEREAS it is the best interest of the State government that all Boards, Commissions, Agency heads, State employees and employee representatives affected by the State Merit System be advised at the earliest possible date concerning the personnel matter the State Personnel Commission believes best and properly administered in a uniform manner at the State level as distinguished from those matters the Commission believes may be determined at the individual agency level, and

WHEREAS it is the desire of the State Personnel Commission to exercise its statutory duties and responsibilities so as to develop and administer a comprehensive Merit System that is compatible with the statutory right of State employees to organize and bargain collectively, now, therefore:

BE IT RESOLVED by the State Personnel Commission that the policies and guidelines set forth below are hereby promulgated as the policies and guidelines of the State Per-

sonnel Commission and shall be distributed to the State agencies and State employees affected thereby:

1. Rules and regulations in the following areas shall be uniform and shall be determined at the State level. Prior to the initial promulgation of such rules and regulations, and prior to any changes therein, the State Personnel Commission will meet with any State Officers, employees or employee representatives affected thereby who request such a meeting and will discuss in good faith any such rules and regulations:

- a. Position Classification Plan.
- b. Uniform Pay Plan.
- c. Competitive examinations, appointment of highest ranking candidates, eligibility lists and rejection for unfitness.
- d. Number of days of leave of absence with pay (vacation, sick and special leave).
- e. Promotions, only to the extent of determining that the person being promoted meets the position classification requirements (by evaluation or, if appropriate, by non-competitive examination) and, in the event there is no qualified employee in the agency in which the vacancy exists, by holding competitive inter-agency examinations.
- f. Inter-agency transfers.

II. Rules and regulations in the following areas shall have general application unless otherwise determined at the agency level within the specific statutory limitations noted. This means that such areas are clearly within the scope of collective bargaining between organized groups of employees and their respective agency heads. It also means that in the absence of a collective bargaining agreement any agency head is free to make his determinations in such areas:

- a. Promotions, except that the Director shall determine, by evaluation or non-competitive examination: that the person being promoted meets the position classification requirements, and shall hold competitive inter-agency examinations in the event no employee in the agency meets such requirements.
- b. Probation regulations, except the period of probation shall not exceed 12 months, the probationary employee shall be entitled to appropriate performance reports warning of any poor performance, and the appointing authority shall notify the Personnel Director in writing concerning the services of the probationary employee within 10 days prior to the expiration of the employee's probationary period.
- c. Emergency employment not to exceed 30 days with or without examination, with the consent of the Personnel Director.

- d. Provisional employment without competitive examination when no appropriate eligible list is available except that no such provisional employment shall continue longer than six months. The six month limitation need not be applicable until July 1, 1969.
- e. All **intra-agency** transfers where no change in classification is involved.
- f. Reinstatement of persons who resign in good standing or who are laid off without fault or delinquency on their part, subject to the approval of the Personnel Director on each reinstatement.
- g. Performance Records.
- h. **Intra-agency** layoffs, transfers or reduction in rank because of lack of funds or work, or abolition of a position, or material change in duties or organization, and for the reemployment of employees so laid off.
- i. Disciplinary measures including fines of not more than 10 days' pay or suspension from service without pay for not more than 30 days.
- j. Discharge or reduction in rank or grade after the probationary period except that such employee shall have the right of appeal set forth in the statute.
- k. Employee grievances and complaints; optional use of outside mediation or arbitration services.
- l. Work schedules, call-in provisions, attendance regulations and rest periods.
- m. Leaves of absence without pay.
- n. Development and operation of programs to improve work effectiveness and morale of employees in State service, including training, safety, health, welfare, counseling, recreation and employee relations.

III. There are certain usual areas of employer-employee relations and employee working conditions not specifically mandated to the State Personnel Commission. In some cases these areas are specifically treated in the Delaware Code. The State Personnel Commission cannot or will not make rules and regulations in these areas and, within statutory limits, matters in such areas may be determined at the agency level. The list set forth below is intended to be illustrative and not necessarily inclusive; it is only set forth for the purpose of making this a more comprehensive statement of policy:

- a. Legal holidays.
- b. Pay days, payroll procedures and payroll deductions.
- c. Workmen's Compensation and Unemployment Insurance.
- d. Employees' Pension System.
- e. Medical, surgical and life insurance benefits.
- f. Union shop agreements.

Where specific practices are mandated in the State Code to bodies other than the State Personnel Commission these will be incorporated in Commission rules, regulations or operating manuals with appropriate statutory reference.

Adopted: February 6, 1968

Mr. Benson also read a statement on behalf of the sponsors in answer to questions which were raised in discussing the bill.

June 17, 1968

Questions have been raised about the effect of several sections of **HB 624**.

I have spoken to the other sponsors of the Bill, Representatives Benson and Cashman, and they have authorized me to make this statement in answer to these questions.

A question was asked about the position of the Personnel Commission and of the American Federation of State, County and Municipal Employees with respect to the Bill. The Bill was requested by AFSCME.

A letter dated June 13, 1968 from the Chairman of the Personnel Commission cited the intention of the AFSCME and the Commission's views of the Bill. I quote from the Chairman's letter, which was written in response to Representative Benson's request for the Commission's views:

"Representatives of Council 81 of the American Federation of State, County and Municipal Employees have conferred with the chairman and director of the Commission indicating their belief in the desirability of putting into statutory form the substance of the Commission's **Statement of Policy** on the relationship between the merit system law and the law providing to public employees in Delaware the right to organize and to bargain collectively.

"The representatives of Council 81 indicated that in their opinion this subject was sufficiently sensitive and important in nature that it should be covered by legislation. They also indicated that passage of such legislation would represent a long-term statement of the relative jurisdictions of the two statutes.

"On this basis, we have reviewed **HB 624**; we believe it incorporates the substance of the present **Statement of Policy** of the Commission and does not impair the integrity of a sound and progressive merit system. Accordingly, the Commission has no objection to its passage."

The letter from the Chairman has the unanimous approval of the Personnel Commission.

I am asking that a copy of the Commission's Policy Statement be filed with the transcript of my remarks.

In answer to another question, Section 7 of **HB 624**, which provides the relative jurisdictions of the merit system and of the collective bargaining law, is not intended to affect

the Commission's authority under **general** provisions of the merit system law such as the definition of "terms" or the description of the "classified service".

A question was also asked about the import of the words "to negotiate in good faith", which appear in Section 7 (e) of **HB 624**.

Previously, **HB 493** would have required the Commission to "confer and negotiate to decision". The words were changed to those as in **HB 624**, on the express understanding that the term "to negotiate in good faith" means to discuss or confer in good faith, with no obligation of any kind, express or implied that any agreement must flow from such discussions.

In answer to another question, Section 5 of **HB 624**, which would amend Section 5916 of the Merit System law by limiting the pay plan to salary and pay schedules, would, of course, permit the Commission to promulgate appropriate implementing rules relating to the lists containing salary and pay classifications.

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

HB 447 — An Act to amend Section 122, Title 16, Delaware Code, relating to State Board of Health by granting the power to regulate Medical Examinations for Food Handlers.

Roll Call revealed:

YEAS — Bartleson, Blendt, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Mr. Speaker Hering — 28.

NAYS — Zimmerman — 1.

NOT VOTING — Brown, Phillips — 2.

ABSENT — Benson, Eskridge, Hammond, Shockley — 4.

HB 447 having received a constitutional majority was declared passed by the House.

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

SB 374 — An Act to repeal Sections 712 and 713, Title 4, Delaware Code, relating to Regulatory Provisions concerning the sale of alcoholic liquor. Introduced by Senator Holloway.

Roll Call revealed:

YEAS — Benson, Brown, Burton, Cashman, Cicione, Dodge, Evans, Fonville, Gray, Harrington, Hart, McMahon, Murphy, Pagano, Pleasanton, Quillen, Riddagh, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 21.

NAYS — Bartleson, Blendt, Frederick — 3.

NOT VOTING — Ferguson, Heckert, Leshner, Sebrell — 1.

SB 374 having received a constitutional majority was declared passed by the House.

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

HB 609 — An Act to amend Chapter 19, Title 15, Delaware Code, relating to the registration by members of the Government Service of the United States.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31.

ABSENT — Eskridge, Gray, Hammond, Shockley — 4.

HB 609 having received a constitutional majority was declared passed by the House.

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

HB 622 — An Act to amend Section 2, Chapter 290, Volume 56, Laws of Delaware, relating to reversion date of any unexpended funds appropriated to the respective Departments of Elections for New Castle, Kent and Sussex Counties.

Roll Call revealed:

YEAS — Bartleson, Benson, Blendt, Brown, Burton, Cashman, Castle, Cicione, Dodge, Evans, Ferguson, Fonville, Frederick, Gooding, Hale, Harrington, Hart, Heckert, Leshner, McMahon, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 31.

ABSENT — Eskridge, Gray, Hammond, Shockley — 4.

HB 622 having received a constitutional majority was declared passed by the House.

The House recessed at 4:33 P.M. until 7:30 P.M.

The House reconvened at 7:40 P.M., June 17, 1968.

The Speaker reassigned **HB 629** to the Education Committee.

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

HJR 3 with **SA 1** — Establishing a committee to make a thorough, unrestricted, long-range investigation into state finances.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Dodge, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 26.

ABSENT — Blendt, Cicione, Eskridge, Evans, Ferguson, Fonville, Hammond, McMahon, Shockley — 9.

HJR 3 with **SA 1** having received a constitutional majority was adopted by the House.

The following bills were reported out of committee: Public Buildings and Lands: **HB 608**, 1 favorable, 3 on merits; Miscellaneous: **HB 612**, 1 favorable, 3 on merits; **HB 548**, 1 favorable, 4 on merits; Education: **HB 446**, 3 favorable, 1 on merits; **HB 614**, 1 favorable, 5 on merits; **HB 620**, 5 favorable; **HB 623**, 4 favorable, 1 on merits; **HB 627**, 3 favorable, 3 on merits; **HB 629**, 3 favorable, 3 on merits; Revenue and Taxation: **SB 75**, 4 on merits; **SB 173**, 3 favorable, 1 on merits; **SS 1** for **SB 176**, 4 favorable; **SB 266**, 4 favorable; **SS 1** for **SB 317**, 4 on merits; **SB 67**, 4 on merits; **SS 1** for **SB 48**, 2 on merits, 2 unfavorable; Revised Statute: **HB 381**, 3 favorable, 2 on merits; **SB 231**, 5 on merits; **HB 460**, 4 favorable.

A messenger from the Senate delivered **HB 318** with **HA 1** and **2**, **HB 317** with **HA 1** and **SA 1** added, and **HB 316** with **HA 1**, **2** and **SA 1** added having passed the Senate and **SB 412**, **SB 365**, **SB 406**.

The following bills were introduced and assigned to committee:

HB 633 — An Act to amend Chapter 5, Title 17, Delaware Code, entitled "Highways, Roads and Bridges generally", relating to construction bonds and the disposition of proceeds thereof. Introduced by Rep. Stabler. Referred to the Committee on Highways and Public Safety.

HB 634 — An Act making an appropriation to the Historical Society of Delaware. Introduced by Rep. Stabler. Referred to the Committee on Public Buildings and Lands.

HB 638 — An Act to provide Summer Employment for certain improverished elderly of this State and to make a supplementary appropriation therefor. Introduced by Reps. Hart, Pagano, Slawik and Gooding. Referred to the Committee on Appropriations.

HB 636 — An Act to amend Chapter 3, Title 11, Delaware Code, by adding a new section making it a misdemeanor to loiter on state supported school or university property. Introduced by Reps. Heckert, Hale, Hart and Sebrell. Referred to the Committee on Education.

HA 1 to **SB 12** — Introduced by Rep. Riddagh. Placed with bill.

SB 365 — An Act to amend Title 21, Delaware Code, clarifying and improving the law regarding drivers of motor vehicles meeting, overtaking or passing school buses to further insure the safety of children. Introduced by Senator Steele. Referred to the Committee on Highways and Public Safety.

SB 406 — An Act to amend Chapter II, Title 14, Delaware Code, relating to change in boundaries of special school districts and school districts. Introduced by Senator Robbins. Referred to the Committee on Education.

SS 1 for **SB 388** — Introduced by Senator duPont. Referred to the Committee on Elections.

SB 382 with HA 1 — An Act to amend Title 29, Chapter 7, Delaware Code, relating to the withholding of Federal Income Tax, State Income Tax, Social Security, and State Employee's Pension from the compensation of the Members and Officers of the General Assembly and to make payment thereof in accordance with Federal and State Law. Introduced by Senators Manning and Moore. Referred to the Committee on State, Urban and Municipal Affairs.

On motion of Mr. Benson **HB 316 with HA 1, 2 and SA 1** was brought before the House for consideration.

HB 316 with HA 1, 2 and SA 1 — An Act to amend Title II, Subchapter XVI, Delaware Code, relating to deadly weapons and firearms by adding a new section making it a crime for certain persons to purchase or possess firearms.

On further motion of Mr. Benson the roll call on this bill as amended was tabled.

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

HB 317 with SA 1 — An Act to amend Title 11, Subchapter XVI, Delaware Code, relating to deadly weapons and firearms, by adding a new section making it a felony, and providing that anyone over the age of 16 years so accused shall be tried as an adult.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Dodge, Frederick, Gooding, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 25.

NOT VOTING — Gray — 1.

ABSENT — Blendt, Cicione, Eskridge, Evans, Ferguson, Fonville, Hammond, McMahon, Shockley — 9.

HB 317 with SA 1 having received a constitutional majority was declared passed by the House.

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

HB 533 with HA 1 and SA 1 and SA 2 — An Act to amend Title 7, Delaware Code, by repealing Part II relating to the Shell Fisheries Commission and its jurisdiction, and revising Part I in order that the Board of Game and Fish Commissioners hereafter assume certain functions formerly the responsibility of the Shell Fisheries Commission and accomplishing certain other additions to, revisions and codification of the authority of the Board of Game and Fish Commissioners by further amendment of Title 7 and Title 23 relating to navigation and waters, and authorizing the acquisition of a new watch boat for the expanded water patrol duties of the Board and making an appropriation therefor.

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Dodge, Gray, Hale, Hart, Heckert, Murphy, Pleasanton, Quillen, Riddagh, Sebrell, Stabler, Mr. Speaker Hering — 18.

NAYS — Gooding, Harrington, Phillips, Slawik, Zimmerman — 5.

NOT VOTING — Frederick, Leshner, Pagano — 3.

ABSENT — Blendt, Cicione, Eskridge, Evans, Ferguson, Fonville, Hammond, McMahon, Shockley — 9.

HB 533 with **HA 1**, **SA 1** and **SA 2** having received a constitutional majority was declared passed by the House.

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

HB 594 — An Act to amend Title 21, Delaware Code, relating to motor vehicles by adding a new Chapter 83 entitled "Commercial Driver Training School Licensing".

June 4, 1968

Hon. Joseph R. Murphy
Representative, Delaware Legislature
171 Brookside Blvd. Brookside
Newark, Delaware 19711

Dear Rep. Murphy:

I would like to go on record supporting legislation that would certify driving schools in the State of Delaware.

I am sure you realize that we have no control over any type of commercial driver training schools but I would highly recommend such schools, pertaining to instructing and training Delaware residents to better qualify them to operate a motor vehicle. This would help to increase safety on our highways.

I hope this bill becomes a law in the near future.

Very truly yours,
Russell W. Whitby
Motor Vehicle Commissioner

RWW:fh

Roll Call revealed:

YEAS — Bartleson, Benson, Brown, Burton, Cashman, Castle, Dodge, Frederick, Gooding, Gray, Hale, Harrington, Hart, Heckert, Leshner, Murphy, Pagano, Phillips, Pleasanton, Quillen, Riddagh, Sebrell, Slawik, Stabler, Zimmerman, Mr. Speaker Hering — 26.

ABSENT — Blendt, Cicione, Eskridge, Evans, Ferguson, Fonville, Hammond, McMahon, Shockley — 9.

HB 594 having received a constitutional majority was declared passed by the House.

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

SB 280 — An Act to amend Section 4128, Title 21, Delaware Code, relating to motorcycle safety helmets, seats, footrests and handlebars. Introduced by Senator Cook.