

WHEREAS, the members of the House of Representatives and the Senate of the 126th General Assembly, along with millions of other Americans are deeply concerned over the growing number of Americans listed as "prisoners of war" or "missing in action"; and

WHEREAS, there is a great need for ways and means of generating sympathy and corresponding action so that these men — many of whom departed their homes months and years ago — may be returned soon to their loved ones at home, or that current information regarding these men may be obtained; and

WHEREAS, the Prisoner of War Committee of Delaware is working diligently to fulfill the aforementioned goals by informing the public in numerous ways, not the least being the benefit basketball game on March 10, 1971, between the Delaware Blue Bombers of the Eastern Professional Basketball League and a team of Delaware legislators and other State officials coached by Governor Russell W. Peterson; and

WHEREAS, the members of both Houses of the 126th General Assembly wish to commend the P.O.W. Commission of Delaware and all others who made the game a success.

NOW THEREFORE,

BE IT RESOLVED that the members of both Houses of the 126th General Assembly of the State of Delaware extend sincere thanks and congratulations to the P.O.W. Committee of Delaware for promoting the benefit basketball game, to the many other persons who contributed to its success, including the members and officials of the two participating teams, the referees, school officials of St. Marks High School who made the excellent gymnasium facilities available for the game, the fans who attended the game, the Delaware State Police who had men on duty at the game, Delaware businessmen who supported the game through block purchases of tickets, and to all other persons involved.

BE IT FURTHER RESOLVED that the text of this Resolution be spread upon the minutes of both the Senate and House of Representatives of the 126th General Assembly and copies be sent to Governor Russell W. Peterson, Mr. Steven Rothschild of the Prisoner of War Commission of Delaware, to Colonel George J. Bundek, Superintendent of the Delaware State Police, to Mr. Joseph Horwitz, principal owner of the Delaware Blue Bombers, the Reverend James Dulaney, principal of St. Marks High School, and to William Kapa and Louis Moser, referees for the game.

The Resolution was assigned to the Committee on Community Affairs.

Senator Schlör introduced SB 160 which was given its first reading by title only, entitled:

SB 160 — “An Act to Amend Section 2151 (2), Title 21, Delaware Code, Relating to Motor Vehicle Registration Fees.” Assigned to Committee on Public Safety.

Senator McCullough introduced **SB 161** which was given its first reading by title only, entitled:

SB 161 — “An Act Proposing an Amendment to Article 4, Section 30, of the Constitution of the State of Delaware, Relating to Justices of the Peace and Judges of Legislative Courts; Appointment by Governor; Terms of Office by Providing for Appointment of Justices of the Peace by the Chief Justice of the Delaware Supreme Court.” Assigned to Committee on Judiciary and Elections.

Senator McCullough introduced **SS 1** for **SB 94**.

Senator McCullough moved that the Substitute Bill be adopted in lieu of the original Bill. Hearing no objection, the motion prevailed.

Senator McCullough introduced **SB 162** which was given its first reading by title only, entitled:

SB 162 — “An Act to Amend Chapter 11, Title 30, Delaware Code, Relating to State Income Tax to Provide for an Increase in Personal Exemptions and Credits for Dependents.” Assigned to Committee on Finance.

On motion of Senator Steele **SB 114** was taken up for consideration and given its second reading by title only in order to pass the Senate.

SB 114 — “An Act Authorizing the Treasurer of the State of Delaware to Advance \$190,000 to the Department of Health and Social Services to expedite the renovation of the Dorsey Lewis Building at the Delaware State Hospital, and to Appropriate \$137,500 to the Department of Health and Social Services for Operating Expenses for the Fiscal Year Beginning July 1, 1971 and Ending June 30, 1972, for the development of the State’s new “Institute of Human Behavior”.

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

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

ABSENT: Messrs. Cicione, duPont, Grier — 3.

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

Senator Manning introduced **SR 27**, co-sponsored by Senator Grier, which was given its reading by title only, as follows:

SR 27 — “To Debit Senate Travel Account for Legislators’ Mileage of the Present Session of the 126th General Assembly.”

Senator Manning moved that the Resolution be adopted.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, Elliott, Foltz, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Steele — 16.

ABSENT: Messrs. duPont, Hickman, Slawik — 3.

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

Senator Manning introduced **SR 28**, co-sponsored by Senator Grier, which was given its reading by title only, as follows:

SR 28 — "Authorizing Payments for Services Rendered by the Staff of the Senate for the 126th General Assembly."

Senator Manning moved that the Resolution be adopted.

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

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

ABSENT: Messrs. duPont and Hickman — 2.

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

Senator Slawik introduced **SB 163**, co-sponsored by Senator Cicione, which was given its first reading by title only, entitled:

SB 163 — "An Act to Amend Section 1311, Chapter 13, Title 14, Delaware Code, Relating to the Standard Work Week for School Custodians." Assigned to Committee on Education.

On motion of Senator Steele **HB 85 w/ HA 1** was taken up for consideration and given its second reading by title only in order to pass the Senate.

HB 85 w/ HA 1 — "An Act Making a Supplementary Appropriation to the Secretary of State for Automation of the Franchise Tax Department and the Corporation Department."

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

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, Elliott, Foltz, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele — 15.

ABSENT: Messrs. Cicione, duPont, Grier, Isaacs — 4.

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

On motion of Senator Castle SB 99 was taken up for consideration and given its second reading by title only in order to pass the Senate.

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

Senator Castle moved that consideration of the Bill be deferred. Hearing no objection, the motion prevailed.

On motion of Senator Elliott SB 141 was taken up for consideration and given its second reading by title only in order to pass the Senate.

SB 141 — “An Act to Amend Title 29 of the Delaware Code, Providing for Release of Postmortem and Autopsy Reports, Notification of Relatives and Release of Remains of Deceased to the Immediate Family.”

Senator Manning moved that the Bill be tabled until Tuesday, March 30.

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

YEAS: Messrs. Cicione, Foltz, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning — 7.

NAYS: Messrs. Castle, (Mrs.) Conner, Cook, Elliott, Hale, Robbins, Slawik, Steele — 8.

NOT VOTING: Mr. McCullough — 1.

ABSENT: Messrs. duPont, Grier and Schlor — 3.

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

Senator Elliott moved that consideration of SB 141 be deferred. Hearing no objection, the motion prevailed.

Senator McCullough introduced SB 164 which was given its first reading by title only, entitled:

SB 164 — “An Act to Amend Title 15, Delaware Code, Relating to the Reporting of Contributions to and the Expenditure of Candidates for Election, and Providing Penalties for the Violations Thereof.” Assigned to Committee on Judiciary and Elections.

Senator Isaacs moved that the Senate recess for 15 minutes at 3:45 p.m. Hearing no objection, the motion prevailed.

The Senate reconvened at 4:05 p.m.

Senator Foltz introduced SB 165 which was given its first reading by title only, entitled:

SB 165 — “An Act to Amend Chapter 11, Title 28 of the Delaware Code, Relating to Sports and Amusements, and Providing for Bingo Licensing Fees.” Assigned to Committee on Administrative Services.

Senator Cicione introduced SJR 9, co-sponsored by Senators Castle, Conner, Cook, Elliott, Foltz, Hart, Hickman, Holloway, Isaacs, Manning, McCullough, Robbins, Slawik and Schlor, which was given its first reading by title as follows:

SJR 9 — “Memorializing President and Mrs. Richard M. Nixon, Respectfully Urging that They Accept a Wedding Cake as a Gift from the People of the State of Delaware.”

WHEREAS, Governor Peterson and the members of the 126th General Assembly of the State of Delaware have learned that Patricia Nixon, daughter of the President of the United States, and her fiance, Edward F. Cox, have decided upon a June wedding this year; and

WHEREAS, the renowned Three Little Bakers of Delaware, on behalf of the people of “The State That Started A Nation”, have previously offered in a letter to the White House dated January 27, 1971, to prepare and bake the cake for “Tricia’s and Ed’s” wedding day, as a tangible and lasting expression of the very deep affection they hold for their President and his family; and

WHEREAS, the Three Little Bakers of Delaware are nationally acclaimed baking specialists, having provided delectable birthday delicacies for the late President, John F. Kennedy, and Speed Driver Champion, Mario Andretti; victory cakes for the World Heavy weight Champion, Joe Frazier; the world’s most publicized wedding cake for the nuptials of entertainer Tiny Tim; the world’s largest (16 feet tall) cake for a Dinah Shore T.V. special, and most recently, a ten foot tall “this is your life” cake presented to Delaware’s own, Dorothy A. Kabis, Treasurer of the United States, at a testimonial dinner held in her honor; and

WHEREAS, the Three Little Bakers of Delaware have offered their services without remuneration yet with the understanding that proper security measures must be taken, including Secret Service or F.B.I. representatives on the premises during the baking of such a cake;

NOW THEREFORE,

BE IT RESOLVED by the Senate and the House of Representatives of the 126th General Assembly of the State of Delaware, together with the approval of the Governor, that a request be forwarded to the newlyweds-to-be, Patricia Nixon and Edward F. Cox, respectfully urging their careful consideration of the invitation by the Three Little Bakers of Delaware to bake the cake marking the happy occasion of their marriage.

BE IT FURTHER RESOLVED that the members of the 126th General Assembly, along with Governor Russell W. Peterson, ask President and Mrs. Richard M. Nixon, daughter “Tricia” and son-in-law-to-be, Ed, to accept the wedding cake as a memento of the warm and sincere esteem and affection of the people of the First State to the members of the First Family of our great nation.

BE IT FURTHER RESOLVED that copies of the text of this resolution be spread upon the minutes of the Senate and House of Representatives and copies forwarded to President and Mrs. Nixon, and to Ed Cox and his June bride to-be, Tricia.

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

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

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

ABSENT: Messrs. duPont and Hickman — 2.

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

On the question, "Shall the Resolution (SJR 9) be adopted?", the yeas and nays were ordered which, being taken, were as follows:

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

ABSENT: Messrs. duPont and Hickman — 2.

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

Senator Elliott moved that SB 124 be stricken from the calendar. Hearing no objection, the motion prevailed.

Senator Elliott moved that SB 119 be stricken from the calendar. Hearing no objection, the motion prevailed.

Senator Isaacs moved that SB 86 be lifted from the table. Hearing no objection, the motion prevailed.

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

YEAS: Messrs. Cicione, Elliott, Foltz, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele — 13.

NOT VOTING: Messrs. Castle, (Mrs.) Conner, Hart — 3.

ABSENT: Messrs. Cook, duPont, Grier — 3.

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

Senator Hickman moved that the roll call on SB 43 be lifted. Hearing no objection, the motion prevailed.

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

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

NOT VOTING: Messrs. Holloway, McCullough, Robbins, Schlor — 4.

ABSENT: Messrs. Cook and Slawik — 2.

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

On motion of Senator Isaacs SB 150 was taken up for consideration and read the second time by title only in order to pass the Senate.

SB 150 — “An Act to Amend Subchapter Liii, Chapter 8, Title II of the Delaware Code, providing for Persons Trespassing upon and/or Damaging or Defacing Buildings and Grounds on State Supported Schools, Colleges and Universities and Providing Penalties Therefor.”

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Slawik, Steele — 15.

NOT VOTING: Mr. Schlör — 1.

ABSENT: Messrs. duPont, Grier, (Mrs.) Manning — 3.

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

Senator Cicione, on behalf of the Committee on Labor and Industrial Relations to whom had been referred SB 72, reported the same back to the Senate: 3 Favorable; 2 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred SB 128, reported the same back to the Senate: 2 Favorable; 4 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred SB 131, reported the same back to the Senate: 5 Merits; 1 Unfavorable.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred SB 146, reported the same back to the Senate: 3 Favorable; 3 Merits.

Senator Schlör introduced SB 166 which was given its first reading by title only, entitled:

SB 166 — “An Act Agreeing to a Proposed Amendment to Article 2, Section 17, of the Constitution of the State of Delaware Relating to Lotteries and Other Gambling, by Eliminating the Requirement that Betting on Races May Only be Done at Race Tracks.” Assigned to Committee on Administrative Services.

Senator McCullough introduced SB 167 which was given its first reading by title only, entitled:

SB 167 — “An Act Making a Supplementary Appropriation in the Amount of \$34,000 to the De La Warr School District for Additional Fuel Expenses.” Assigned to Committee on Finance.

Senator Holloway introduced SR 29, co-sponsored by Senators Castle, Cicione, Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, Manning, McCullough, Robbins, Schlör, Slawik, Steele, with title as follows:

SR 29 — “Expressing the Best Wishes of the Senate for a Speedy Recovery to Hospitalized Senate Attorney, Joe Yucht.”

Senator Holloway moved that the Resolution be adopted.

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

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

ABSENT: Messrs. duPont and Hickman — 2.

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

Senator Elliott introduced **SA 1** to **SB 141**.

Senator Elliott moved that the Amendment be adopted.

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

YEAS: Messrs. Cicione, (Mrs.) Conner, Cook, Elliott, Foltz, Grier, Hart, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik — 13.

NAYS: Messrs. Castle and Steele — 2.

NOT VOTING: Messrs. Hale and Holloway — 2.

ABSENT: Messrs. duPont and Hickman — 2.

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

Senator Elliott moved that **SB 141 w/ SA 1** (action on which had been deferred) now be taken up for consideration in order to pass the Senate. Hearing no objection, the motion prevailed.

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

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

ABSENT: Messrs. duPont and Hickman — 2.

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

The Chair presented **SJR 7 w/HA 1**.

Senator Elliott moved that the Resolution as amended be adopted.

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

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

ABSENT: Messrs. duPont and Grier — 2.

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

Lt. Governor Bookhammer asked the Secretary to read the following telegram which he had received from U.S. Senator William V. Roth, Jr.:

Hon Eugene D Bookhammer

Millsboro Rehoboth Highway Lewes Del

I heartily congratulate you and all members of the General Assembly for the prompt action which you have taken in ratifying the proposed constitutional amendment lowering the voting age to 18.

Such swift consideration on your part clearly demonstrates how responsive our legislative bodies can be in matters concerning important segments of the population. All Delawareans have good reason to be proud of the concern which your approval of this amendment shows.

William V. Roth, JR. USS, Washington, D.C.

Senator Foltz moved that the Telegram be made part of the Senate Record. Hearing no objection, the motion prevailed.

Senator Grier moved that the Senate recess until Tuesday, March 30, 1971 at 1:30 p.m. Hearing no objection, the motion carried and the Senate recessed at 4:45 p.m.

Senator Grier moved that the Senate adjourn until 2:05 p.m. Tuesday, March 30, 1971. Hearing no objection, the Senate adjourned.

16TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:05 p.m., Tuesday, March 30, 1971, President Pro Tem duPont presiding.

Prayer by the Chaplain, Rev. Godfrey.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

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

ABSENT: Mr. Holloway — 1.

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

Senator Steele introduced SB 168 which was given its first reading by title only, entitled:

SB 168 — "An Act to Provide a Supplementary Appropriation to the Department of Finance." Assigned to Committee on Finance.

Senator Hickman introduced SB 169 which was given its first reading by title only, entitled:

SB 169 — “An Act to Provide a Supplementary Appropriation to the Department of Public Safety.” Assigned to Committee on Finance.

Senator Hale introduced **SB 170** which was given its first reading by title only, entitled:

SB 170 — “An Act Making a Supplementary Appropriation to the Educational Contingency Fund to Meet Deficiencies in Regular Appropriations for Mandated Education Programs.” Assigned to Committee on Finance.

Senator Slawik introduced **SB 171**, co-sponsored by Senators Castle, Cicione and Hart, which was given its first reading by title only, entitled:

SB 171 — “An Act to Amend Chapter 5, Title 31 of the Delaware Code Pertaining to Old Age Assistance Under the State Public Assistance Code.” Assigned to Committee on Health and Social Services.

Senator Castle introduced **SB 172** which was given its first reading by title only, entitled:

SB 172 — “An Act to Provide a Supplementary Appropriation to the Courts of the State of Delaware.” Assigned to Committee on Finance.

Senator Cicione introduced **SB 173** which was given its first reading by title only, entitled:

SB 173 — “An Act Making a Supplementary Appropriation to the Educational Contingency Fund to Meet the Deficiency in the Regular Appropriation for Transportation of Nonpublic-nonprofit School Pupils.” Assigned to Committee on Finance.

Senator McCullough introduced **SB 174** which was given its first reading by title only, entitled:

SB 174 — “An Act to Amend Title 11 of the Delaware Code Relating to the Selling of Coats and Other Wearing Apparel Made from the Skins of Seals.” Assigned to Committee on Judiciary and Elections.

Senator Slawik introduced **SA 1 to SB 72**. Senator Slawik moved that the amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Elliott introduced **SA 1 to SB 154**. Senator Elliott moved that the amendment be placed with the Bill. Hearing no objection, the motion prevailed.

The Secretary read the following message from the House:

3—30—71

Mr. President:

The House wishes to inform the Senate that it has passed **HB 87 w/ HA 1, HB 132, HB 134, HB 135, HB 136, HB 137, HB 141 w/ HA 1, HCR 8 and HJR 6** and requests the concurrence of the Senate.

The House also passed **SB 97 w/ HA1** and is returning same to the Senate.

The Chair presented **HJR 6** which was given its first reading by title only, entitled:

HJR 6 — “Relating to Participation in a Federally-funded “Alcoholic Safety Action Program.” Assigned to Committee on Health and Social Services.

The Chair presented **HCR 8** with tile as follows:

HCR 8 — “Relating to a Supplemental Appropriation to Legislative Council for Impending Expenditures for Fiscal 1971.”

Senator Grier moved that **HCR 8** be adopted.

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

YEAS: Messrs. Castle, Cicione, Cook, duPont, Elliott, Grier, Hale, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 13.

ABSENT: (Mrs.) Conner, Messrs. Foltz, Hart, Hickman, Holloway, Isaacs — 6.

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

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

HB 87 — “An Act to Amend Subchapter V, Chapter 17, Title 24, Delaware Code, Providing for Immunity of Members of the Medical Examiners of Delaware to Include the Osteopathic Examiner of the Medical Council.” Assigned to Committee on Health and Social Services.

HB 132 — “An Act to Amend Title 21, Delaware Code, Entitled “Motor Vehicles” to Provide for Special Registration Plates for Fire Trucks.” Assigned to Committee on Public Safety.

HB 134 — “An Act to Amend Title 10, Section 148, Delaware Code, to Reduce the Appeal Time to the Supreme Court from a Final Judgment of the Superior Court in Civil Actions from 60 days to 30 days.” Assigned to Committee on Judiciary and Elections.

HB 135 — “An Act to Amend Title 10, Section 147, Delaware Code, to Reduce the Appeal Time to the Supreme Court from the Superior Court in Criminal Actions from 60 days to 30 days.” Assigned to Committee on Judiciary and Elections.

HB 136 — “An Act to Amend Title 10, Section 145, Delaware Code, to reduce the appeal time to the Supreme Court from a final Judgment of the Court of Chancery from 60 days to 30 days.” Assigned to Committee on Judiciary and Elections.

HB 137 — “An Act to Amend Title 10, Section 9904 of the Delaware Code by Reducing an Application for Appeal from 60 days to 30 days.” Assigned to Committee on Judiciary and Elections.

HB 141 w/ HA 1 — “An Act to Amend Chapter 84, Title 29 of the Delaware Code Relating to Decisions by the Council on Highways.” Assigned to Committee on Highways, Transportation and Insurance.

On motion of Senator Steele, **SB 140** was taken up for consideration and given its second reading by title only in order to pass the Senate.

SB 140 — “An Act to Amend Chapter 51, Title 29, Delaware Code, by Including under Health Care Insurance Coverage Individuals Receiving Retirement or Disability Benefits under Chapter 39, Title 14, Delaware Code.”

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hickman, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 15.

ABSENT: Messrs. Foltz, Hart, Holloway and Isaacs — 4.

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

On motion of Senator Steele, **HB 91** was taken up for consideration and given its second reading by title only in order to pass the Senate.

HB 91 — “An Act Making Supplementary Appropriations to the Department of Justice for the Purpose of Providing Additional Salaries, Contractual Services, Supplies and Materials and Capital Outlay.”

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

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 13.

ABSENT: Messrs. Cicione, Foltz, Hart, Hickman, Holloway, Isaacs — 6.

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

On motion of Senator Steele, **HJR 4 w/ HA 1** was taken up for consideration and given its second reading by title only in order to pass the Senate.

HJR 4 w/ HA 1 — “Relating to Infractions of Delaware Tax Laws by Vendors.”

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

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 13.

ABSENT: Messrs. Cicione, Foltz, Hart, Hickman, Holloway, Isaacs — 6.

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

On motion of Senator Hale, SB 135 was taken up for consideration and given its second reading by title only in order to pass the Senate.

SB 135 — "An Act to Amend Title 11, Delaware Code Relating to Bribery of Public Servants and Political Party Officials."

Senator Isaacs moved that SB 135 be tabled.

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

YEAS: Messrs. Cicione, Cook, Elliott, Foltz, Hart, Isaacs, McCullough, Robbins, Schlör — 9.

NAYS: Messrs. Castle, (Mrs.) Conner, duPont, Grier, Hale, (Mrs.) Manning, Slawik, Steele — 8.

ABSENT: Messrs. Hickman and Holloway — 2.

The question, having failed to receive the required constitutional majority, was decided in the negative, and the motion was lost.

Senator Isaacs again moved that SB 135 be tabled.

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

YEAS: Messrs. Cicione, Cook, Elliott, Foltz, Hart, Isaacs, McCullough, Robbins, Schlör, Slawik — 10.

NAYS: Messrs. Castle, (Mrs.) Conner, duPont, Grier, Hale, Hickman, (Mrs.) Manning, Steele — 8.

ABSENT: Mr. Holloway — 1.

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

Senator Cicione introduced **SB 175**, co-sponsored by Senator Slawik, which was given its first reading by title only, entitled:

SB 175 — "An Act to Amend Subchapter 1, Chapter 55, Title 29 of the Delaware Code Relating to the State Employees' Pension Plan." Assigned to Committee on Finance.

At 3:15 p.m., Senator Grier moved that the Senate recess for five minutes. Hearing no objection, the motion prevailed.

The Senate reconvened at 4:05 p.m.

Senator Cicione introduced **SB 176**, co-sponsored by Senator Slawik, which was given its first reading by title only, entitled:

SB 176 — "An Act to Amend Subchapter III, Chapter 31, Title 19, of the Delaware Code, Making it Mandatory that Proprietary Trade or Training Schools Refund Monies Secured as Down Payment to Students who do not Attend the Course of Instruction and Also Making it Mandatory that Proprietary Trade or Training Schools Establish Escrow Accounts of all Monies Paid

for Tuition until Such Time as Students Complete the Course of Instruction." Assigned to Committee on Education.

Senator Manning introduced SA 1 to SB 102.

Senator Manning moved that the amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Robbins introduced SR 30, entitled:

SR 30 — "In Reference to Election of Officers."

Senator Robbins moved that the Resolution be adopted.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele — 16.

ABSENT: Messrs. Hickman, Holloway and (Mrs.) Manning — 3.

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

Senator Cicione introduced SB 177, co-sponsored by Senator Slawik, which was given its first reading by title only, entitled:

SB 177 — "An Act to Amend Part II, Title 6 of the Delaware Code, Pertaining to Proprietary Trade or Training Schools." Assigned to Committee on Labor and Industrial Relations.

Senator Slawik introduced SCR 14, co-sponsored by Senators Cook, Holloway, McCullough, Robbins and Schlör, which was given its first reading as follows:

SCR 14 — "Heralding and Welcoming Maine Senator Edmund S. Muskie on His Visit to Delaware on the Occasion of the 1971 Jefferson-Jackson Day Dinner."

WHEREAS, the Members of the 126th General Assembly of the State of Delaware wish to acknowledge the fact that Edmund S. Muskie, the Junior Senator from the great state of Maine, is coming to Delaware on March 31, 1971, for his second visit to the First State in less than a week; and

WHEREAS, Senator Muskie took his seat in the United States Senate on January 3, 1959, after a highly successful tenure from 1955 to 1959 as Governor of the Pine Tree State; and

WHEREAS, Senator Muskie has gained a world-wide reputation as a champion of clean air, clean water, and an overall clean environment; and

WHEREAS, in his role as chairman of the Senate Public Works has worked closely with his friend, Senator J. Caleb Boggs of Delaware to work toward a goal of assuring an atmosphere devoid of pollution where men, women, and children, and other living things could live a full and happy life; and

WHEREAS, Senator Muskie, the Democratic Vice Presidential candidate in 1968, and currently, one of the brightest lights on the political horizon, is one of the most sought after speakers in this country, and

WHEREAS, Senator Muskie, is not only held in high esteem by his dear wife and five younger Muskies, but by millions of Americans throughout this land; and

WHEREAS, Senator Muskie has accepted the invitation to speak on the occasion of Delaware's 1971 Jefferson—Jackson Day Dinner.

NOW THEREFORE,

BE IT RESOLVED that the members of the Senate of the 126th General Assembly, the House of Representative concurring therein, bid a fond welcome from "The State That Started a Nation" to the renowned Senator from "The Land of Rocky Coasts and Lobsters".

BE IT FURTHER RESOLVED that the text of this resolution be spread upon the Journals of the Senate and House and that a copy be delivered to Senator Edmund S. Muskie upon his arrival in Wilmington.

Senator Slawik moved that SCR 14 be adopted.

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

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

ABSENT — Mr. Holloway — 1.

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

Senator Castle introduced SJR 10 which was given its first reading by title only, entitled:

SJR 10 — "Encouraging the Protection of the Environment, the Stabilization of the Population, and the Preservation of the Natural Resources of the State of Delaware." Assigned to Committee on Natural Resources and Environmental Control.

Senator McCullough introduced SB 178 which was given its first reading by title only, entitled:

SB 178 — "An Act Making a Supplementary Appropriation to the Department of Highways and Transportation for the Installation of Sidewalks in the City of New Castle." Assigned to Committee on Highways and Transportation.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred SB 129, reported the same back to the Senate: 2 Favorable; 3 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred SB 174, reported the same back to the Senate: 2 Favorable; 3 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred HB 134, reported the same back to the Senate: 3 Favorable; 2 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred **HB 135**, reported the same back to the Senate: 3 Favorable; 2 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred **HB 136**, reported the same back to the Senate: 3 Favorable; 2 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred **HB 137**, reported the same back to the Senate: 3 Favorable; 2 Merits.

On motion of Senator Manning **SB 146** was taken up for consideration and given its second reading by title only in order to pass the Senate:

SB 146 — “An Act to Amend Title 31, Chapter 52, Delaware Code, Relating to Interstate Compact on Juveniles Providing Amendments Relating to Out-of-state confinement, Rendition and Empowering Designation of Administrator.”

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

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

ABSENT: Messrs. Hickman and Holloway — 2.

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

Senator Slawik introduced **SA 1** to **SB 72**.

Senator Slawik moved that the Amendment be adopted.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele — 16.

ABSENT: Messrs. Hickman, Holloway, and (Mrs.) Manning — 3.

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

On motion of Senator Slawik, **SB 72 w/ SA 1** was taken up for consideration and given its second reading by title only in order to pass the Senate.

SB 72 w/ SA 1 — “An Act to Amend Title 29 of the Delaware Code, for a Method of Payment of State Officials and Employees, and Designating every Other Friday as the time such Employees are Paid.”

Senator Slawik requested the privilege of the floor for John A. Campanelli of the Delaware State Labor Council to speak on **SB 72**. Hearing no objection, the privilege was granted.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele — 16.

ABSENT: Messrs. Hickman, Holloway and (Mrs.) Manning — 3.

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

Senator Foltz introduced SB 179 which was given its first reading by title only, entitled:

SB 179 — "An Act to Amend Title 18, Chapters 13 and 29 of the Delaware Code, Relating to the Establishment of Separate Accounts by Domestic Life Insurers for Amounts Paid to Such Insurers to Provide Life Insurance or Annuity Benefits Payable in Fixed or Variable Dollar Amounts, or Both." Assigned to Committee on Highways, Transportation and Insurance.

On motion of Senator Foltz, SB 97 w/ HA 1 was taken up for consideration in order to pass the Senate.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele — 16.

ABSENT: Messrs. Hickman, Holloway and (Mrs.) Manning — 3.

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

The Chair presented HB 103 which was given its first reading by title only, entitled:

HB 103 — "An Act to Amend an Act Entitled: "An Act to Re-incorporate the Town of Clayton" by Extending the Limits of Said Town." Assigned to Committee on Community Affairs.

The Secretary read the following message from the House:

3—30—71

Mr. President:

The House wishes to inform the Senate that it has passed HB 103 and requests the concurrence of the Senate.

The House also passed SB 106 and is returning same to the Senate.

Senator Steele, on behalf of the Committee on Finance to whom had been referred SB 168, reported the same back to the Senate: 5 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred SB 169, reported the same back to the Senate: 5 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred SB 172, reported the same back to the Senate: 5 Merits.

Senator Hale, on behalf of the Committee on Education to whom had been referred HB 65, reported the same back to the Senate: 2 Favorable; 3 Merits.

Senator Hale, on behalf of the Committee on Education to whom had been referred HB 32, reported the same back to the Senate: 2 Favorable; 3 Merits.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred HB 45, reported the same back to the Senate: 2 Favorable; 3 Merits.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred HJR 6, reported the same back to the Senate: 1 Favorable; 4 Merits.

Senator Grier moved that the Senate adjourn until 1:30 p.m., Wednesday, March 31, 1971. Hearing no objection, the Senate adjourned at 4:50 p.m.

17TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:00 p.m., Wednesday, March 31, 1971, Lt. Governor Bookhammer presiding.

Prayer by Reverend Staton.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

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

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

Senator Hickman introduced SB 180 which was given its first reading by title only, entitled:

SB 180 — "An Act to Amend Chapter 1, Title 23, Delaware Code, Relating to Navigation and Waters, and Providing Pilotage Rates for Duly Licensed Pilots." Assigned to Committee on Community Affairs.

Senator Hickman introduced SA 1 to SB 169.

Senator Hickman moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Steele introduced SA 1 to HB 105.

Senator Steele moved that the amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Slawik introduced SB 181 which was given its first reading by title only, entitled:

SB 181 — "An Act to Amend Subsection 901 (e), Title 19, Delaware Code, Relating to the Definition of Employee Covered by the Minimum Wage Law of Delaware, by Removing Agricultural Employees and Employees Engaged in Fishing from the Exclusion from Minimum Wage Coverage." Assigned to Committee on Labor.

Senator McCullough introduced SR 31 with title as follows:

SR 31 — "Requesting the Senate Members of the Joint-finance Committee to Use Their Influence on Said Joint-finance Committee to Fully Fund the Budget for School Equalization Funds."

Senator McCullough moved that the Resolution be adopted.

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

YEAS: Messrs. Cook, Elliott, Foltz, Hart, Holloway, McCullough, Robbins, Schlör, Slawik — 9

NAYS: Messrs. Castle, (Mrs.) Conner, Grier, Hale, Steele — 5.

NOT VOTING: Messrs. duPont, Hickman, (Mrs.) Manning — 3.

ABSENT: Messrs. Cicione and Isaacs — 2.

So the question, having failed to receive the required constitutional majority, was lost.

The Secretary read the following communication from U.S. Senator J. Caleb Boggs:

March 22, 1971

Mrs. Barbara A. Konopik
Executive Secretary of the Senate
State of Delaware
320 Dove Drive
Newark, Delaware 19711

Dear Mrs. Konopik:

Thank you very much for your letter enclosing a copy of Senate Concurrent Resolution No. 9 which was adopted by the General Assembly early this month.

It was most helpful to me to have this Resolution as I introduced a bill in the Senate Friday, with the cosponsorship of Senator Roth, to construct a new St. Georges Bridge. I placed this Concurrent Resolution into the Record at that time in order to bring to the attention of my colleagues in the Senate the strong arguments expressed by the Delaware Legislature on the subject of the St. Georges Bridge.

I am enclosing a copy of the Congressional Record for Friday, March 19th.

With high regards and best wishes, I am

Sincerely,

(Signed) J. Caleb Boggs

JCB:bdp

Encl.

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

Senator Holloway introduced SB 182 which was given its first reading by title only, entitled:

SB 182 — "An Act to Amend Part VII, Title 16, Delaware Code, by Creating a New Chapter 76 Dealing with Escalators." Assigned to Committee on Health and Social Services.

Senator Holloway introduced SB 183 which was given its first reading by title only, entitled:

SB 183 — "An Act to Amend Title 16 of the Delaware Code Relating to the Free Use of Toilet Facilities." Assigned to Committee on Health and Social Services.

Senator Steele, on behalf of the Committee on Finance to whom had been referred HB 115, reported the same back to the Senate: 4 Merits.

Senator Manning introduced SB 184 which was given its first reading by title only, entitled:

SB 184 — "An Act to Provide a Supplementary Appropriation to the Department of Community Affairs and Economic Development." Assigned to Committee on Finance.

Senator Conner introduced SB 185, co-sponsored by Senators Cicione, Hickman, Holloway, and Slawik, which was given its first reading by title only, entitled:

SB 185 — "An Act to Amend Chapter 35, Title 24, of the Delaware Code Relating to Psychologists; Providing for a Board of Examiners of Psychologists; License Required to Practice Psychology; and Prohibition Against the Use of the Title "Psychologist;" and the Granting of the Privilege of Withholding Confidential Communications." Assigned to Committee on Health and Social Services.

On motion of Senator Steele, SB 23 was taken up for consideration and given its second reading by title only in order to pass the Senate.

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

Senator Steele requested the privilege of the floor for Thomas J. Graham, representing PPG Industries, to speak on SB 23. Hearing no objection, the motion prevailed.

Senator Steele moved that consideration of SB 23 be deferred. Hearing no objection, the motion prevailed.

On motion of Senator Castle, HB 134 was taken up for consideration and given its second reading by title only in order to pass the Senate.

HB 134 — “An Act to Amend Title 10, Section 148, Delaware Code, to Reduce the Appeal Time to the Supreme Court from a Final Judgment of the Superior Court in Civil actions from 60 days to 30 days.”

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

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

ABSENT: Messrs. Hart and Schlor — 2.

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

Senator Cook introduced SB 186, co-sponsored by Senator Robbins, which was given its first reading by title only, entitled:

SB 186 — “An Act to Amend Chapter 136, Volume 54, Laws of Delaware, by Changing the Amount of the Floating Debt of the City of Harrington.” Assigned to Committee on Public Safety.

On motion of Senator Castle, HB 135 was taken up for consideration and given its second reading by title only in order to pass the Senate.

HB 135 — “An Act to Amend Title 10, Section 147, Delaware Code, to Reduce the Appeal Time to the Supreme Court from the Superior Court in Criminal Actions from 60 days to 30 days.”

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

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

ABSENT: Messrs. Hart and Schlor — 2.

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

On motion of Senator Castle, HB 136 was taken up for consideration and given its second reading by title only in order to pass the Senate.

HB 136 — “An Act to Amend Title 10, Section 145, Delaware Code, to Reduce the Appeal Time to the Supreme Court from a Final Judgment of the Court of Chancery from 60 days to 30 days.”

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

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

NAYS: Messrs. Hart and Schlor — 2.

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

On motion of Senator Steele, SB 168 was taken up for consideration and given its second reading by title only in order to pass the Senate.

SB 168 — “An Act to Provide a Supplementary Appropriation to the Department of Finance.”

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

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hickman, (Mrs.) Manning, McCullough, Robbins, Slawik, Steele — 13.

NOT VOTING: Messrs. Cicione, Foltz, Hart, Holloway, Isaacs — 5.

ABSENT: Mr. Schlor — 1.

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

On motion of Senator Hickman, HJR 6 was taken up for consideration and given its second reading by title only in order to pass the Senate.

HJR 6 — “Relating to Participation in a Federally-funded “Alcoholic Safety Action Program.”

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

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

ABSENT: Mr. Schlor — 1.

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

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred HB 103, reported the same back to the Senate: 5 Favorable; 1 Merits.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred HB 132, reported the same back to the Senate: 4 Favorable; 2 Merits.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred HJR 5, reported the same back to the Senate: 4 Favorable; 2 Merits.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred **HB 107**, reported the same back to the Senate: 3 Favorable; 3 Merits.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred **SB 171**, reported the same back to the Senate: 5 Favorable; 1 Merits.

Senator Hale introduced **SB 187** which was given its first reading by title only, entitled:

SB 187 — “An Act Authorizing the State of Delaware to Borrow Money to be Used for the Purchase of Motor Vehicles for the Transportation of Pupils to and from Schools in School Districts in the State and to Issue Notes Therefor and Appropriating the Money Borrowed to the State Board of Education.” Assigned to Committee on Finance.

The Secretary read the following message from the House:

3—31—71

Mr. President:

The House wishes to inform the Senate that it has passed **HB 117**, **HS 1** for **HB 68** and **HCR 14** and requests the concurrence of the Senate.

The House also passed **SB 89**, **SB 108** and **SCR 14** and is returning same to the Senate.

The Chair presented **HCR 14** which was given its reading as follows:

HCR 14 — “Congratulating Joseph Anton Burger, Recipient of the Delaware Jaycees’ Outstanding Young Man of the Year Award.”

WHEREAS, the members of the 126th General Assembly of the State of Delaware are pleased to learn that the Delaware Jaycees has presented its Outstanding Young Man of the Year Award to Joseph Anton Burger of Townsend; and

WHEREAS, Mr. Burger has distinguished himself in church, civic and community activities; and

WHEREAS, Mr. Burger has especially distinguished himself in the field of farming, having been selected Delaware’s Outstanding Young Farmer in 1966; and

WHEREAS, the members of the 126th General Assembly of the State of Delaware wish to extend their congratulations to Mr. Burger.

NOW THEREFORE,

BE IT RESOLVED by the members of the House of Representatives of the 126th General Assembly of the State of Delaware, the Senate concurring therein, that their warmest congratulations are extended to Joseph Anton Burger, recipient of the Delaware Jaycees’ Outstanding Young Man of the Year Award.

BE IT FURTHER RESOLVED that a copy of this Resolution be entered upon the Journals of the House of Representatives and the Senate of the 126th General Assembly of the State of Delaware, and that a copy be forwarded to James Anton Burger and the Delaware Jaycees.

The Resolution was assigned to Committee on Executive.

The Chair introduced **HS 1** for **HB 68** with title as follows:

HS 1 for **HB 68** — "An Act to Amend Chapter 59, Title II, Delaware Code to Enlarge the Jurisdiction of Justices of the Peace to Include Violations of Ordinances, Codes and Regulations of the Governments of the Several Counties." Assigned to Committee on Judiciary and Elections.

The Chair presented **HB 117** which was given its first reading by title only, as follows:

HB 117 — "An Act to Amend Title 30, Delaware Code, Chapter 52, by Changing the Registration Dates in and Period of Applicability of the Motor Carriers Fuel Purchase Law." Assigned to Committee on Finance.

Senator Grier moved that the Senate adjourn until 1:30 p.m., Thursday, April 1, 1971. Hearing no objection, the motion prevailed and the Senate adjourned at 4:05 p.m.

18TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:20 p.m., Thursday, April 1, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Godfrey.

Pledge of Allegiance to the Flag.

By roll call the following Senators were present:

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

ABSENT: Mr. McCullough — 1.

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

Senator Cook introduced **SB 188** which was given its first reading by title only, entitled:

SB 188 — "An Act to Amend Section 5501, Title 29, Delaware Code, Relating to the Definition of "Credited Service" under the State Employees' Pension Plan." Assigned to Committee on Finance.

Senator Elliott introduced **SB 189** which was given its first reading by title only, entitled:

SB 189 — "An Act to Amend Chapter 5, Title 7 of the Delaware Code, to Raise the Licensing Agents Bonds to \$5,000." Assigned to Committee on Natural Resources and Environmental Control.

Senator Elliott introduced **SB 190** which was given its first reading by title only, entitled:

SB 190 — “An Act to Amend Title 7 of the Delaware Code Relating to Public Lands.” Assigned to Committee on Natural Resources and Environmental Control.

Senator Conner introduced **SB 191**, co-sponsored by Senators Cicione and Slawik, which was given its first reading by title only, entitled:

SB 191 — “An Act to Amend Chapter 3, Title 31 of the Delaware Code, Permitting the Division of Social Services to Continue Payments and Allocations for Dependent or Neglected Children after the Children Have Been Legally Adopted.” Assigned to Committee on Health and Social Services.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **HB 105**, reported the same back to the Senate: 1 Favorable; 3 Merits.

The Secretary read the following message from the House:
Mr. President:

The House wishes to inform the Senate that it has passed **HCR 15** and requests the concurrence of the Senate.

The Chair presented **HCR 15** which was given its reading by title only, as follows:

HCR 15 “Requesting President Richard M. Nixon to Grant Clemency to Lt. William L. Calley, Jr., Convicted of My Lai Murder Charge.”

Senator Elliott moved that the Resolution be adopted.

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

YEAS: Messrs. Cicione, Cook, Elliott, Grier, Hart, Hickman, Holloway, Isaacs, Robbins, Schlör, Slawik, Steele — 12.

NOT VOTING: Messrs. Castle, (Mrs.) Conner, duPont, Foltz, Hale, (Mrs.) Manning — 6.

ABSENT: Mr. McCullough — 1.

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

On motion of Senator Steele, **HB 41** was taken up for consideration and given its second reading by title only in order to pass the Senate.

HB 41 — “An Act to Amend Title 4 of the Delaware Code, Relating to the Importation of Alcoholic Liquors.”

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, Foltz, Grier, Hale, Hart, Hickman, Holloway, Robbins, Schlör, Steele — 13.

NAYS: Messrs. Elliott, (Mrs.) Manning and Slawik — 3.

NOT VOTING: Messrs. duPont and Isaacs — 2.

ABSENT: Mr. McCullough — 1.

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

Senator Robbins introduced SR 32, co-sponsored by Senators Cook, duPont, Elliott, Grier, Hale, Hickman, Isaacs, Manning, Slawik and Steele, which was given its reading by title only, entitled:

SR 32 — “Expressing Grave Concern over the so-called “My Lai” Trial Recently Completed at Ft. Benning, Georgia and Calling for Legal Volunteers from Delaware and Other States to Assist in the Defendant’s Appeal.”

Senator Robbins moved that the Resolution be adopted.

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

YEAS: Messrs. Castle, Cook, duPont, Elliott, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele — 14.

NOT VOTING: (Mrs.) Conner — 1.

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

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

Senator Slawik introduced SR 33, co-sponsored by Senator Holloway, which was given its reading by title only, as follows:

SR 33 — “Memorializing President Richard M. Nixon to Immediately Withdraw all American Troops from South Vietnam and to Grant Executive Clemency to Lt. William L. Calley, Jr. Recently Convicted of the My Lai Murder Charges.”

Senator Slawik moved that the Resolution be adopted.

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

YEAS: Messrs. Foltz, Holloway and Slawik — 3.

NAYS: Mr. Hickman — 1.

NOT VOTING: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hart, Isaacs, (Mrs.) Manning, Robbins, Schlör, Steele — 14.

ABSENT: Mr. McCullough — 1.

So the question failed to receive the constitutional majority and the Resolution was lost.

On motion of Senator Hickman, HB 132 was taken up for consideration and given its second reading by title only in order to pass the Senate.

HB 132 — “An Act to Amend Title 21, Delaware Code, Entitled “Motor Vehicles” to provide for Special Registration Plates for Fire Trucks.”

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

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

ABSENT: Mr. McCullough — 1.

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

On motion of Senator Manning, **HB 107 w/ HA 1** was taken up for consideration and given its second reading by title only as follows:

HB 107 w/ HA 1 — "An Act to Amend Chapter 51, Title 9, Delaware Code, Relating to Street and Highway Lighting in Unincorporated Communities and Villages in Kent County."

Senator Manning moved that consideration of the Bill be deferred. Hearing no objection, the motion prevailed.

On motion of Senator Cicione, **SJR 3** was taken up for consideration and given its second reading by title only in order to be adopted by the Senate.

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

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

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

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

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

On motion of Senator Hale, **HB 32** was taken up for consideration and given its second reading by title only in order to pass the Senate.

HB 32 — "An Act to Amend Title 14 of Delaware Code, Changing the Name of the "Delaware Institute of Technology" to "Delaware Technical and Community College."

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

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

ABSENT: Mr. McCullough — 1.

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

Senator Manning moved that **HB 107 w/ HA 1** be lifted. Hearing no objection, the motion prevailed.

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

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

ABSENT: Mr. McCullough — 1.

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

On motion of Senator Manning, **HJR 5** was taken up for consideration and given its second reading by title only in order to pass the Senate.

HJR 5 — "Expressing Concern for American Prisoners of War and Commending the Prisoner of War Commission of Delaware, Governor Russell W. Peterson and All the Persons Who Planned or Participated in the P.O.W. Benefit Basketball Game."

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

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

ABSENT: Mr. McCullough — 1.

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

On motion of Senator Hale, **HB 65 w/ HA 1** was taken up for consideration and given its second reading by title only in order to pass the Senate.

HB 65 w/ HA 1 — "An Act to Amend Chapter 6, Title 14 of the Delaware Code Authorizing the Payments of Tuition for Inmates of Children's Homes or Institutions."

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

YEAS: Messrs. Cicione, (Mrs.) Conner, duPont, Grier, Hale, Hart, Hickman, (Mrs.) Manning, Slawik, Steele — 10.

NOT VOTING: Messrs. Castle, Cook, Elliott, Holloway, Isaacs, Robbins, Schlör — 7.

ABSENT: Messrs. Foltz and McCullough — 2.

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

Senator Hale introduced SS 1 for SB 151.

Senator Hale moved that the Substitute Bill be adopted in lieu of the original. Hearing no objection, the motion prevailed.

On motion of Senator Castle, HB 137 was taken up for consideration and given its second reading by title only in order to pass the Senate.

HB 137 — “An Act to Amend Title 10, Section 9904 of the Delaware Code by reducing an Application for Appeal from 60 days to 30 days.”

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

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

ABSENT: Messrs. Foltz and McCullough — 2.

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

Senator Cicione moved that SB 149 be stricken from the calendar. Hearing no objection, the motion prevailed.

Senator Manning announced that the Senate will be called to order at 2:30 p.m. daily.

Senator duPont announced that at 2:00 p.m., Wednesday, April 7, U. of D. students would meet with the Senate for discussion of on-going activities and role of students at the University of Delaware.

Senator Conner announced that the Committee on Health and Social Services would caucus on Tuesday, April 6 at 11:30 a.m. in the Chamber Caucus Room, in regard to Blue Cross Rates.

Senator Isaacs, chairman of the Committee on Natural Resources and Environmental Control, announced a committee meeting at 6:00 p.m., Tuesday, April 13 with the Secretary of Natural Resources.

Senator Isaacs announced that representatives of the Shell Refinery Company will be in Dover Wednesday, April 14.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred SB 111, reported the same back to the Senate: 5 Merits.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred HB 67, reported the same back to the Senate: 5 Merits.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred SB 130, reported the same back to the Senate: 1 Favorable; 4 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred SB 100, reported the same back to the Senate: 2 Favorable; 5 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred **SB 101**, reported the same back to the Senate: 2 Favorable; 4 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred **SB 102**, reported the same back to the Senate: 2 Favorable; 4 Merits.

Senator Grier moved that the Senate recess until 2:30 p.m., Tuesday, April 6, 1971. Hearing no objection, the motion prevailed and the Senate recessed at 4:05 p.m.

The Senate reconvened at 2:45 p.m., Tuesday, April 6, 1971.

Senator duPont introduced **SJR 11** which was given its first reading by title only, as follows:

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

Senator duPont moved that Rule 9 be suspended for the purpose of considering **SJR 11**.

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

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

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

So on the question, "Shall the Resolution (**SJR 11**) be adopted?", the yeas and nays were ordered which, being taken, were as follows:

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

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

Senator Hart introduced **SB 192** which was given its first reading by title only, entitled:

SB 192 — "An Act to Amend Chapter 39, Title 18, Delaware Code, Relating to Insurer's Right to Impose Deductible or Renewal." Assigned to Committee on Highways, Transportation and Insurance.

Senator Cicione introduced **SA 1** to **SB 176**.

Senator Cicione moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Cicione introduced SB 193, co-sponsored by Senator Slawik, which was given its first reading by title only, entitled:

SB 193 — “An Act to Amend Title 6 of the Delaware Code, Prohibiting the Sale of Detergents Containing Over 8.7 Per Cent Phosphorus by Weight after January 1, 1972 and Detergents Containing any Phosphorus After January 1, 1973.” Assigned to Committee on Agriculture.

Senator Hart introduced SB 194, co-sponsored by Senator Holloway, which was given its first reading by title only, entitled:

SB 194 — “An Act to Authorize the State of Delaware to Loan Moneys to Nursing Homes for the Improvement of Nursing Home Facilities and Authorizing the State of Delaware to Borrow Money to be Used Therefor and to Issue Bonds and Notes Therefor and Appropriating the Money Borrowed to the Nursing Home Improvement Fund to be Administered by the State Board of Health.” Assigned to Committee on Finance.

Senator Cicione introduced SB 195, co-sponsored by Senators Elliott, Hart, Holloway, Isaacs, Robbins and Slawik, which was given its first reading by title only, entitled:

SB 195 — “An Act to Propose an Amendment to Article I of the Constitution of the State of Delaware, Relating to the Refusal of Delaware Citizens to Serve in the United States Armed Services.” Assigned to Joint Committee on Constitutional Revision.

On motion of Senator Elliott, SCR 15 was taken up for consideration and given its second reading by title only, as follows:

SCR 15 — “Requesting the Department of Highways and Transportation to Exempt all School District Vehicles from the Motor Pool Project Presently Being Organized.”

Senator Elliott moved that the Resolution be tabled. Hearing no objection, the motion prevailed.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred HS 1 for HB 68 referred the same back to the Senate: 4 Favorable; 1 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred SB 92, reported the same back to the Senate: 5 Merits.

Senator Grier moved that the Senate adjourn until 2:55 p.m. April 6, 1971. Hearing no objection, the motion prevailed and the Senate adjourned at 2:55 p.m.

19TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:55 p.m. Tuesday, April 6, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Godfrey.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

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

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

Senator duPont, on behalf of the Committee on Executive to whom had been referred **HCR 14**, reported the same back to the Senate: 3 Favorable; 3 Merits.

On motion of Senator Steele, **HB 115** was taken up for consideration and given its second reading by title only in order to pass the Senate.

HB 115 — "An Act to Provide a Supplementary Appropriation to the Department of Health and Social Services."

Senator Manning requested the privilege of the floor for Representative Harkins to speak on **HB 115**. Hearing no objection, the motion prevailed and the privilege was granted.

Senator Foltz moved that **HB 115** be tabled. Hearing no objection, the motion prevailed.

Senator Steele introduced **SA 1** to **HB 105**.

Senator Steele moved that the Amendment be adopted.

Senator Steele moved that the roll call on the adoption be tabled. Hearing no objection, the motion prevailed.

On motion of Senator Steele, **HB 105 w/ HA 1** was taken up for consideration and given its second reading by title only in order to pass the Senate.

HB 105 w/ HA 1 — "An Act to Amend Chapter 80, Title 9, of the Delaware Code, Relating to County Tax Rates."

Senator Steele moved that the Bill be tabled. Hearing no objection, the motion prevailed.

On motion of Senator Cicione, **SB 130** was taken up for consideration and given its second reading by title only in order to pass the Senate.

SB 130 — "An Act to Amend Chapter 7, Title 21 of the Delaware Code Relating to the Enforcement, Arrest, Bail and Appeal for Motor Vehicle Violations."

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

YEAS: Messrs. Castle, Cicione, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, Slawik, Steele — 14.

NAYS: Messrs. McCullough and Schlor — 2.

NOT VOTING: Messrs. Isaacs and Robbins — 2.

ABSENT: (Mrs.) Conner — 1.

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

Senator Manning announced that **SB 100, SB 101, and SB 102** (Family Court Bills) would come up for vote next Tuesday, April 13, 1971.

On motion of Senator Manning, **HB 103** was taken up for consideration and given its second reading by title only in order to pass the Senate.

HB 103 — “An Act to Amend an Act Entitled: “An Act to Reincorporate the Town of Clayton” by Extending the Limits of Said Town.”

Senator Manning requested the privilege of the floor for Representative Riddagh to speak on **HB 103**. Hearing no objection, the motion prevailed and the privilege was granted.

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

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

NOT VOTING: Mr. Schlör — 1.

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

Senator Hale introduced **SS 2** for **SB 151**.

Senator Hale moved that the Substitute Bill be adopted in lieu of the original. Hearing no objection, the motion prevailed.

On motion of Senator Slawik **SB 128** was taken up for consideration and given its second reading by title only in order to pass the Senate.

SB 128 — “An Act to Amend Title 11, Chapter 45 of the Delaware Code Relating to Appeals from a Conviction before an Alderman or Mayor.”

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

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

ABSENT: (Mrs.) Conner — 1.

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

The Secretary read the following letters:

March 31, 1971

Mrs. Barbara A. Konopik
Secretary of the Senate
State of Delaware Senate
320 Dove Drive
Newark, Delaware 19711

Dear Mrs. Konopik:

Senator Magnuson has referred your letter of March 16, 1971, with which you enclosed a copy of Senate Concurrent Resolution No. 9 of the Delaware General Assembly, concerning the St. Georges Bridge, to this Committee for information and consideration.

I can assure you that at such time as legislation is referred to this Committee concerning this matter, it will be considered and acted upon at the earliest opportunity.

With kind regards,

Truly,

(Signed) Jennings Randolph
Chairman

April 1, 1971

To the Senate of the
126th General Assembly
of the State of Delaware

I have received from the General Services Administration a certified copy of a Resolution of Congress (SJRes. 7) entitled "Joint Resolution proposing an amendment to the Constitution of the United States extending the right to vote to citizens eighteen years of age or older," passed during the first session of the Ninety-Second Congress of the United States.

With a copy of the Resolution came a request that I submit it to the General Assembly for such action as it might take. I have informed the Administrator of the General Services Administration that Delaware is pleased to inform him that our General Assembly was the first to ratify the amendment after its passage by the Congress.

I want to take this opportunity to congratulate the General Assembly most heartily for its prompt action in ratifying the 18-year-old-vote amendment. I hope all Delawareans are as proud of this action as I am.

Sincerely,

(Signed) Russell W. Peterson
Governor

Senator duPont moved that the two letters be made part of the record. Hearing no objection, the motion prevailed.

Senator Steele introduced SB 196 which was given its first reading by title only, entitled:

SB 196 — “An Act Authorizing the Treasurer of the State of Delaware to Advance \$190,000 to the Department of Health and Social Services to Expedite the Renovation of the Dorsey Lewis Building at the Delaware State Hospital, and to Make a Supplementary Appropriation of \$137,500 to the Department of Health and Social Services for Operating Expenses for the Development of the State’s New “Institute of Human Behavior.” Assigned to Committee on Finance.

The Secretary read the following message from the House:

4—5—71

Mr. President:

The House wishes to inform the Senate that it has passed **HB 111, HB 124, HB 159, HB 160, HB 161, HB 162 w/ HA 1, HB 165 w/ HA 1, HB 129 w/ HA 1 and 2, HB 144 w/ HA 1**, and requests the concurrence of the Senate.

The House also passed **SB 49 w/ SA 1, SB 88, SB 140, SB 146, SB 90, SJR 5 and SJR 6** and is returning the same to the Senate.

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

HB 111 — “An Act to Amend Chapter 25, Title 16, Delaware Code, by Removing Certain Restrictions on the Purchase of Supplies Intended for the Prevention of Conception or Venereal Disease.” Assigned to Committee on Health and Social Services.

HB 124 w/ HA 1 — “An Act Authorizing and Making a Supplemental Appropriation to the Marshallton-McKean School Board to Pay Certain Obligations incurred in a Prior Fiscal Year.” Assigned to Committee on Education.

HB 129 w/ HA 1 — 2 — “An Act to Amend Title 14, Delaware Code, Providing for a School’s Legal Tax Rate After a County Real Estate Reassessment.” Assigned to Committee on Education.

HB 144 w/ HA 1 — “An Act to Amend Chapter 41, Title 21, Delaware Code and Chapter 3, Title 11, Delaware Code, Relating to Pedestrian Walking on Highways or Soliciting Rides.” Assigned to Committee on Public Safety.

HB 159 — “An Act to Amend Subchapter 1 of Chapter 21, Title 21, Delaware Code, Relating to Departmental Records of Registered Vehicles.” Assigned to Committee on Public Safety.

HB 160 — “An Act to Amend Subchapter 1 of Chapter 27, Title 21, Delaware Code, Relating to Permanent License.” Assigned to Committee on Public Safety.

HB 161 — "An Act to Amend Subchapter 11 of Title 21, Delaware Code, Relating to Duration of Temporary Registration Plates." Assigned to Committee on Public Safety.

HB 162 w/ HA 1 — "An Act to Amend Subchapter VI of Chapter 21, Title 21, Delaware Code Relating to Replacement Fees for Number and Registration Plates." Assigned to Committee on Public Safety.

HB 165 — "An Act to Amend Chapter 3, Section 309, Title 21, Delaware Code Relating to Saturday as a Legal Holiday." Assigned to Committee on Public Safety.

Senator duPont announced that on Wednesday, April 7, the students of the University of Delaware would make a presentation before the General Assembly at 2:00 p.m.

Senator Grier moved that the Senate adjourn until 2:00 p.m. Wednesday, April 7, 1971. Hearing no objection, the motion prevailed and the Senate adjourned at 4:25 p.m.

20TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:11 p.m., Wednesday, April 7, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Godfrey.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

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

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

Senator Conner introduced **SB 197**, co-sponsored by Senator Slawik, which was given its first reading by title only, entitled:

SB 197 — "An Act to Amend Chapters 31 and 33, Title 19, Delaware Code, Relating to Unemployment Compensation." Assigned to Committee on Labor.

Senator Elliott introduced **SB 198** which was given its first reading by title only, entitled:

SB 198 — "An Act to Amend Chapter 45, Title 21 of the Delaware Code, Relating to Penalties Imposed upon Trucks Having a Size and Weight in Excess of that Prescribed by Law." Assigned to Committee on Public Safety.

Senator Elliott introduced **SB 199** which was given its first reading by title only, entitled:

SB 199 — "An Act to Amend Chapter 45, Title 21 of the Delaware Code, Relating to Size and Weight of Vehicles and Truck Loads." Assigned to Committee on Public Safety.

Senator Manning introduced SS 1 for SB 184.

Senator Manning moved that the Substitute be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Castle introduced SB 200 which was given its first reading by title only, entitled:

SB 200 — "An Act to Initiate Unification of the Delaware Courts by Amending Titles 9, 10 and 11 of the Delaware Code to Abolish the Courts of Common Pleas, and to Authorize Additional Superior Court Judges." Assigned to Committee on Judiciary and Elections.

Senator Cicione introduced SB 201, co-sponsored by Senators Conner, Hart and Slawik, which was given its first reading by title only, entitled:

SB 201 — "An Act to Amend Part VI, Title 16 of the Delaware Code Exempting Certain Policemen, from Civil Liability when Rendering Emergency Care, First Aid and Rescue in the Performance of their Official Duties Except in Certain Instances." Assigned to Committee on Judiciary and Elections.

Senator Conner introduced SB 202, co-sponsored by Senators Cicione and Slawik, which was given its first reading by title only, entitled:

SB 202 — "An Act to Amend Title 30, Chapter 23, Delaware Code, by Allowing Exemption from License Requirements for Small Day Care Homes and Small Day Care Group Homes." Assigned to Committee on Health and Social Services.

Senator Slawik introduced SB 203 which was given its first reading by title only, entitled:

SB 203 — "An Act to Amend Title 15 of the Delaware Code Relating to Hours at Polling Places." Assigned to Committee on Judiciary and Elections.

Senator Slawik introduced SB 204 which was given its first reading by title only, entitled:

SB 204 — "An Act to Amend Title 15 of the Delaware Code Relating to the Election of a Deputy Administrative Director of the Departments of Elections." Assigned to Committee on Judiciary and Elections.

Senator duPont introduced SCR 16 which was given its reading by title only, as follows:

SCR 16 — "Appointing Directors on the Part of the State for the Farmers Bank of the State of Delaware."

Senator duPont moved that the Resolution be adopted.

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

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

NOT VOTING: Mr. Robbins — 1.

ABSENT: Mr. Hickman — 1.

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

Senator Cicione introduced **SB 205** which was given its first reading by title only, entitled:

SB 205 — “An Act to Amend Chapter 7, Part 11, Title 29 of the Delaware Code Relating to the General Assembly of the State of Delaware, and Providing Protection to its Duly Elected Members.” Assigned to Committee on Executive.

Senator duPont introduced the following students from the University of Delaware who presented an informative program on University activities: Frances J. Kardos, George Hale, Melanie Griffin, Kenneth W. Caves, John L. Digges, Richard H. Ryan and Raymond Jacobsen, Jr.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 196**, reported the same back to the Senate: 5 Merits.

Senator Isaacs, on behalf of the Committee on Natural Resources and Environmental Control to whom had been referred **HB 17**, reported the same back to the Senate: 6 Merits.

Senator Isaacs, on behalf of the Committee on Natural Resources and Environmental Control to whom had been referred **SB 190**, reported the same back to the Senate: 5 Merits, 1 Unfavorable.

Senator Isaacs, on behalf of the Committee on Natural Resources and Environmental Control to whom had been referred **SB 6**, reported the same back to the Senate: 6 Merits.

Senator Isaacs, on behalf of the Committee on Natural Resources and Environmental Control to whom had been referred **SB 189**, reported the same back to the Senate: 6 Merits.

Senator Isaacs, on behalf of the Committee on Natural Resources and Environmental Control to whom had been referred **SB 27**, reported the same back to the Senate: 6 Merits.

Lt. Governor Bookhammer announced that **SB 195** which had been originally assigned to Joint Committee on Constitutional Revision, was reassigned to Committee on Executive.

The Secretary read the following message from the House:

4/7/71

Mr. President:

The House wishes to inform the Senate that it has passed **HCR 16** and requests the concurrence of the Senate.

The Chair introduced **HCR 16**.

HCR 16 — “Commending Three Ambulance Crew Members of the Camden-Wyoming Fire Company for Their Expert Action at the Scene of a Maryland Auto Accident.”

WHEREAS, it has been brought to the attention of the 126th General Assembly of the State of Delaware that three members of the Camden-Wyoming Fire Company ambulance crew quite probably saved the lives of two accident victims the crew came upon while on a routine run from Fairfax, Virginia to Dover on April 3, 1971; and

WHEREAS, the three attendants who acted quickly and adeptly after arriving upon the scene of a two-car collision near Centerville, Maryland, have been identified as Lloyd Cooper, Lee Short, and Roland Wilkerson; and

WHEREAS, the crash victims who were assisted by ambulance crew members Cooper, Short, and Wilkerson are reportedly on the mend though still listed in serious condition at Memorial Hospital in Easton, Maryland.

NOW, THEREFORE:

BE IT RESOLVED by the members of the House of Representatives of the 126th General Assembly, the Senate concurring herein, that Camden-Wyoming Fire Company ambulance crew members Lloyd Cooper, Lee Short, and Roland Wilkerson be highly commended for their deep concern and swift, decisive, action upon encountering the seriously injured automobile accident victims of the aforementioned Maryland crash.

BE IT FURTHER RESOLVED that the text of this resolution be spread upon the Journals of both the House and Senate and copies forwarded to the Messrs. Cooper, Short, and Wilkerson and to the chief of the Camden-Wyoming Fire Company.

Senator Foltz moved that the Resolution be adopted.

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

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

ABSENT: Mr. Slawik — 1.

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

On motion of Senator duPont HCR 14 was taken up for consideration and read a second time by title only in order to be adopted by the Senate.

HCR 14 — "Congratulating Joseph Anton Burger, recipient of the Delaware Jaycees' Outstanding Young Man of the Year Award."

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

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

ABSENT: Mr. Slawik — 1.

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

On motion of Senator Steele, **HB 115** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 115 — “An Act to Provide a Supplementary Appropriation to the Department of Health and Social Services.”

Senator Steele requested the privilege of the floor for Dr. Albert Ingram, Secretary of the Department of Health and Social Services, and Mr. Joseph Bradshaw of the same Department. Hearing no objection, the motion prevailed and the privileges were granted.

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

YEAS: Messrs. Castle, Cook, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 15.

NOT VOTING: Messrs. Cicione, Hart, Isaacs — 3.

ABSENT: (Mrs.) Conner — 1.

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

Senator Isaacs introduced **SB 206**, co-sponsored by Senators Cicione, Elliott, Hickman, Holloway, Isaacs and Robbins, which was given its first reading by title only, entitled:

SB 206 — “An Act to Amend 302 and 303, Chapter 3, Title 29, Delaware Code by Transferring the Responsibility for the State’s Boundaries from the Chief Engineer of the Highway Department to the Secretary of Natural Resources and Environmental Control in Conjunction with the Director of the Division on Archives and Cultural Affairs.” Assigned to Committee on Natural Resources and Environmental Control.

On motion of Senator Hickman, **SB 180** was taken up for consideration and given its second reading by title only in order to pass the Senate.

SB 180 — “An Act to Amend Chapter 1, Title 23, Delaware Code, Relating to Navigation and Waters, and Providing Pilotage Rates for Duly Licensed Pilots.”

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

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

ABSENT: (Mrs.) Conner — 1.

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

On motion of Senator Isaacs, **SB 92** was taken up for consideration and given its second reading by title only in order to pass the Senate.

SB 92 — “An Act to Amend Chapter 83, Title 29, Delaware Code, Relating to Duties of the Division of Accounting of the Department of Finance.”

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

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

NOT VOTING: Mr. duPont — 1.

ABSENT: (Mrs.) Conner — 1.

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

On motion of Senator Castle, **HS 1** for **HB 68** was taken up for consideration and given its second reading by title only in order to pass the Senate.

HS 1 for **HB 68** — “An Act to Amend Chapter 59, Title 11, Delaware Code to Enlarge the Jurisdiction of Justices of the Peace in New Castle County to include Violations of Ordinances, Codes and Regulations.”

Senator Castle moved that consideration of the Bill be deferred. Hearing no objection, the motion prevailed.

Senator Manning introduced **SA 1** to **SB 101**.

Senator Manning moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Manning introduced **SA 2** to **SB 102**.

Senator Manning moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Elliott introduced **SA 1** to **SB 199**.

Senator Elliott moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Lt. Governor Bookhammer introduced to the Senate Kurt Betts as the first 18-year-old to register in Kent County.

Senator Hart, on behalf of the Committee on Highways, Transportation and Insurance to whom had been referred **HB 141**, reported the same back to the Senate: 1 Favorable; 5 Merits.

Senator Grier moved that the Senate adjourn until 2:30 p.m. Thursday, April 8, 1971. Hearing no objection, the Senate adjourned at 4:40 p.m.

21ST LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:05 p.m. Thursday, April 4, 1971, Lt. Governor Bookhammer presiding.

Prayer by Reverend Gray G. Walker.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

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

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

Senator Schlör introduced SS 1 for SB 125 with title as follows:

SS 1 for SB 125 — "An Act to Amend Title 15 of the Delaware Code Relating to Primary Elections."

Senator Schlör moved that the Substitute be adopted in lieu of the original Bill. Hearing no objection, the motion prevailed.

Senator Slawik introduced SB 207 which was given its first reading by title only, entitled:

SB 207 — "An Act to Amend Title 15 of the Delaware Code Relating to Mobile Registration Days." Assigned to Committee on Judiciary and Elections.

Senator Slawik introduced SB 208, co-sponsored by Senators Cicione and McCullough, which was given its first reading by title only, as follows:

SB 208 — "An Act Proposing Certain Amendments to Article II of the Constitution of the State of Delaware Vesting Legislative Power in the General Assembly and Reserving Legislative Power to the People." Assigned to Committee on Executive.

Senator Castle introduced SCR 17 which was given its reading by title only, as follows:

SCR 17 — "Saluting the Victory of Miss Joyce Lynn Schneider in the Delaware American Legion Oratorical Competition and Wishing Her Well in the National Contest."

Senator Castle requested the privilege of the floor for William W. Craig, Chairman of the Oratorical Committee for the American Legion. Hearing no objection, the privilege was granted.

Mr. Craig introduced to the Senate Miss Joyce Lynn Schneider, winner of the American Legion State Oratorical Contest of 1971, and she gave her winning oratorical presentation.

Senator Castle moved that the Resolution (SCR 17) be adopted.

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

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

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

Senator Holloway introduced **SB 209** which was given its first reading by title only, as follows:

SB 209 — "An Act to Amend Chapter 39, Title 18, Delaware Code, Relating to Casualty Insurance, to Add a New Subchapter Providing for Group Casualty Insurance." Assigned to Committee on Highways, Transportation and Insurance.

Senator Foltz introduced **SB 210** which was given its first reading by title only, as follows:

SB 210 — "An Act to Amend Title 11, Chapter 43, Delaware Code, Relating to Paroles and Providing Psychiatric Examinations." Assigned to Committee on Judiciary and Elections.

Senator Foltz introduced **SB 211** which was given its first reading by title only, as follows:

SB 211 — "An Act to Amend Title 11, Chapter 43, Relating to the Board of Parole, Compensation by Members and Meetings, and Making an Appropriation Therefore." Assigned to Committee on Finance.

Senator Elliott introduced **SA 1** to **SB 48**.

Senator Elliott moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Cook introduced **SA 1** to **HB 144**.

Senator Cook moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Slawik introduced **SA 1** to **SB 152**.

Senator Slawik moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Castle introduced **SB 212**, co-sponsored by Senator Slawik, which was given its first reading by title only, as follows:

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

On motion of Senator Castle the Bill was laid on the table without objection.

Senator Foltz introduced **SB 213** which was given its first reading by title only, as follows:

SB 213 — “An Act to Amend Title 11, Delaware Code, Chapter 43, Abolishing Fixed Terms of Imprisonment, and Providing Indeterminate Sentences for Crime, and Providing an Appropriation for its Implementation.” Assigned to Committee on Judiciary and Elections.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred **HB 144**, reported the same back to the Senate: 1 Favorable; 4 Merits; 1 Unfavorable.

Senator Isaacs, on behalf of the Committee on Natural Resources and Environmental Control to whom had been referred **SB 206**, reported the same back to the Senate: 6 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SS1** for **SB 184**, reported the same back to the Senate: 5 Merits.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred **SB 191**, reported the same back to the Senate: 3 Favorable; 2 Merits.

A message from the Governor’s office was delivered and read by the Secretary, as follows:

4—8—71

Mr. President:

The Office of the Governor has delivered the following letters of executive appointments and requests confirmation by the Senate.

April 8, 1971

To the Senate of the 126th General Assembly
of the State of Delaware:

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

G. Francis Autman, Jr., Esq.
1109 Westview Terrace
Dover, Delaware 19901

to be a member of the
Consumer Affairs Board,
for a four-year term from
date of confirmation.
(New)

Mrs. W. June Abrams
797 Montclair Drive—Apt. 9
Claymont, Delaware 19703

to be a member of the
Consumer Affairs Board,
for a three-year term from
date of confirmation.
(New)

Mrs. Honey Golby
1307 Tulane Road
Green Acres
Wilmington, Delaware

to be a member of the
Consumer Affairs Board,
for a two-year term from
date of confirmation.
(New)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

April 8, 1971

To the Senate of the 126th General Assembly
of the State of Delaware:

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

Charles L. Simms 2913 North Harrison Street Wilmington, Delaware 19802	to be a member of the Delaware Institute of Technology, for a three-year term from date of confirmation. (Reappointment)
Dr. Edward W. Comings 509 Windsor Drive Newark, Delaware	to be a member of the Delaware Institute of Technology, for a three-year term from date of confirmation. (Reappointment)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

The letters of appointment were assigned to Committee on Executive.

The Secretary read the following message from the House:

4/8/71

Mr. President:

The House wishes to inform the Senate that it has passed **HB 82**, **HB 183 w/ HA 1**, **HB 184 w/ HA 1**, **HB 186** and **HCR 17** and requests the concurrence of the Senate.

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

HB 82 — "An Act to Amend Chapter 22, Title 25, Delaware Code, Relating to Unit Properties, to Limit the Circumstances under Which Partition Shall Lie After Substantial Total Destruction of a Building." Assigned to Committee on Judiciary and Elections.

HB 183 w/ HA 1 — "An Act to Amend Chapter 5, Title 9 of the Delaware Code relating to Suburban Community Improvements with Regard to Bond Elections." Assigned to Committee on Community Affairs.

HB 184 w/ HA 1 — "An Act to Amend Subchapter 1, Chapter 5, Title 9 of the Delaware Code Pertaining to Suburban Communities Improvements by Removing the Interest Rate Ceiling on Bonds." Assigned to Committee on Community Affairs.

HB 186 — "An Act to Amend Title 19, Delaware Code, Providing for the Amount of Wages Upon Which Death Compensation Shall be Based."

Assigned to Committee on Labor and Industrial Relations.

The Chair presented **HCR 17** which was given its reading by title only, as follows:

HCR 17 — “Memorializing the Head of State and the Legislative Body of Each of the Signatory Nations of the Geneva Convention Relative to the Treatment of Prisoners of War and to the Delegates of the State of Delaware in the Congress of the United States for Their Information.”

Senator duPont moved that the Resolution be adopted.

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

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

ABSENT: Mr. Cicione — 1.

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

On motion of Senator Steele, **SB 196** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 196 — “An Act Authorizing the Treasurer of the State of Delaware to Advance \$190,000 to the Department of Health and Social Services to Expedite the Renovation of the Dorsey Lewis Building at the Delaware State Hospital, and to make a Supplementary Appropriation of \$137,500 to the Department of Health and Social Services for Operating Expenses for the Development of the State’s New “Institute of Human Behavior.”

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

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

ABSENT: Mr. Hickman — 1.

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

On motion of Senator Isaacs, **HB 17** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 17 — “An Act to Amend Title 7, Delaware Code, Chapter 5, Section 512, Relating to Term of License.”

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

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

NAYS: Mr. McCullough — 1.

ABSENT: Mr. Hickman — 1.

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

On motion of Senator Castle, **SB 212** was lifted from the table without objection.

Senator Castle moved that Rule 9 be suspended in order to consider **SB 212**.

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

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

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

Senator Castle requested the privilege of the floor for Mr. Joe Yucht, President of New Castle County Board of Elections, to speak on **SB 212**. Hearing no objection, the motion prevailed and the privilege was granted.

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

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

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

On motion of Senator Conner, **HB 45** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 45 — "An Act to Amend Title 30, Chapter 23, Delaware Code, by Allowing Exemption from License Requirements for Day Care Centers to Certain Non-profit Organizations."

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

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

NAYS: Messrs. Foltz and McCullough — 2.

NOT VOTING: Mr. Isaacs, and Mr. Schlör — 2.

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

Senator Hickman introduced **SA 1** to **SB 169**.

Senator Hickman moved that the Amendment be adopted.

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

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, Steele — 12.

NAYS: Messrs. Foltz, McCullough, Robbins, Schlör, Slawik — 5.

NOT VOTING: Mr. Isaacs — 1.

ABSENT: Mr. Cicione — 1.

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

On motion of Senator Hickman, SB 169 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 169 w/ SA 1 — "An Act to Provide a Supplementary Appropriation to the Department of Public Safety."

Senator Hickman moved that SB 169 w/ SA 1 be tabled.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hickman, (Mrs.) Manning, Steele — 9.

NAYS: Messrs. Cook, Foltz, Hart, Robbins, Schlör, Slawik — 6.

NOT VOTING: Messrs. Holloway, Isaacs, McCullough — 3.

ABSENT: Mr. Cicione — 1.

So the motion failed to receive the required constitutional majority and was lost.

Therefore, on the question, "Shall the Bill (SB 160 w/ SA 1) pass the Senate?", the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hickman, (Mrs.) Manning, Steele — 8.

NAYS: Messrs. Cook, Foltz, Hart, Holloway, McCullough, Robbins, Schlör, Slawik — 8.

NOT VOTING: Messrs. Castle and Isaacs — 2.

ABSENT: Mr. Cicione — 1.

So the question was decided in the negative and the Bill, having failed to receive the required constitutional majority, was lost.

The Secretary read the following message from the House:
4/8/71

Mr. President:

The House wishes to inform the Senate that it has passed SCR 17 and is returning same to the Senate.

On motion of Senator Elliott, SB 189 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 189 — “An Act to Amend Chapter 5, Title 7 of the Delaware Code, to Raise the Licensing Agents Bonds to \$5,000.”

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hart, Hickman, Isaacs, (Mrs.) Manning, Steele — 12.

NOT VOTING: Messrs. Cook, Holloway, McCullough, Robbins, Schlör, Slawik — 6.

ABSENT: Mr. Hale — 1.

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

On motion of Senator Elliott, **SB 190** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 190 — “An Act to Amend Title 7 of the Delaware Code Relating to Public Lands.”

On motion of Senator Elliott, consideration of the Bill was deferred without objection.

On motion of Senator Castle, the roll call on **HS 1** for **HB 68** was lifted.

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

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

NAYS: Mr. Isaacs — 1.

NOT VOTING: Mr. Schlör — 1.

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

Senator Grier moved that the Senate recess until Tuesday, April 13, 1971, at 2:30 p.m. Hearing no objection, the motion prevailed and the Senate recessed at 5:05 p.m.

Senator Grier moved that the Senate adjourn until 2:40 p.m., Tuesday, April 13, 1971. Hearing no objection, the Senate adjourned at 2:40 p.m., April 13, 1971.

22ND LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:40 p.m., Tuesday, April 13, 1971, Lt. Governor Bookhammer presiding.

Prayer by Reverend Gray G. Walker.

Pledge of allegiance to the flag.

By roll call, the following Senators were present:

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

ABSENT: Mr. Isaacs — 1.

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

The Secretary announced that a memo from Fletcher E. Campbell, Jr., Counsel to the Governor, indicated that the following legislation had been signed by the Governor:

SB 137 — 3-30-71; **HB 48 w/ HA 1, 5, 6, 8** — 3-30-71; **HJR 6** — 4-1-71; **SB 106** — 4-1-71; **HB 85 w/ HA 1** — 4-5-71; **SB 108** — 4-6-71; **HB 91** — 4-6-71; **HB 32** — 4-8-71; **HB 136** — 4-9-71; **HB 134** — 4-9-71; **HB 135** — 4-9-71; **SB 97 w/ HA 1** — 4-9-71; **SB 89** — 4-9-71; **SJR 7 w/ HA 1** — 4-9-71; **HCR 6 w/ HA 1, SA 1** — 4-9-71; **HCR 8** — 4-9-71; **HJR 4 w/ HA 1** — 4-10-71; **HB 41** — 4-11-71; **HJR 5** — 4-11-71; **SJR 6** — 4-11-71; **HB 107 w/ HA 1** — 4-11-71; **SB 140** — 4-11-71; **SB 88** — 4-11-71; **HB 115** — 4-11-71; **SJR 5** — 4-11-71; **SB 146** — 4-11-71; **HB 103** — 4-11-71; **SB 90** — 4-11-71; **HB 65 w/ HA 1** — 4-11-71; **HCR 14** — 4-11-71; **HCR 16** — 4-11-71; **SB 49 w/ SA 1** — 4-11-71; **HB 137** — 4-11-71; **HB 132** — 4-11-71.

Senator duPont moved that the memo be duplicated and distributed to all of the members of the Senate. Hearing no objection, the motion prevailed.

Senator Steele introduced **SB 214** which was given its first reading by title only, entitled:

SB 214 — "An Act to Amend Title 14, Delaware Code, by Enacting a New Chapter Relating to Private Business Schools." Assigned to Committee on Finance.

Senator Slawik introduced **SB 215** which was given its first reading by title only, entitled:

SB 215 — "An Act to Amend Title 15 of the Delaware Code Relating to Registration of Certain Persons at Their Place of Residence." Assigned to Committee on Judiciary and Elections.

Senator Slawik introduced **SB 216** which was given its first reading by title only, entitled:

SB 216 — "An Act to Amend Title 15 of the Delaware Code Relating to the Procedure for Registration as a Voter." Assigned to Committee on Judiciary and Elections.

Senator Slawik introduced **SB 217** which was given its first reading by title only, entitled:

SB 217 — "An Act to Amend Title 15 of the Delaware Code Relating to an Audit of the Names of Persons who have not Voted." Assigned to Committee on Judiciary and Elections.

Senator Slawik introduced **SB 218** which was given its first reading by title only, entitled:

SB 218 — “An Act to Amend Title 15 of the Delaware Code Relating to Mobile Registration Days by the Boards of Election.” Assigned to Committee on Judiciary and Elections.

Senator Slawik introduced **SB 219** which was given its first reading by title only, entitled:

SB 219 — “An Act to Amend Title 15 of the Delaware Code Relating to the Removal of Names of Persons Disqualified from Voting.” Assigned to Committee on Judiciary and Elections.

Senator Slawik introduced **SB 220** which was given its first reading by title only, entitled:

SB 220 — “An Act to Amend Title 15 of the Delaware Code Relating to the Powers and Duties of the State Election Commissioner.” Assigned to Committee on Judiciary and Elections.

Senator Hart introduced **SB 221** which was given its first reading by title only, entitled:

SB 221 — “An Act to Authorize the Division of Highways to Install a Traffic Light at the Intersection of Augusta Drive and Chestnut Hill Road, New Castle County and Appropriating the Necessary Funds for the Installation thereof.” Assigned to Committee on Public Safety.

Senator Castle introduced **SB 222** which was given its first reading by title only, entitled:

SB 222 — “An Act to Amend Title 8 of the Delaware Code Relating to Corporations by Making Certain Changes in Sections 103, 158, 222, 228, 251, 255, 381 and 391.” Assigned to Committee on Executive.

Senator Cicione introduced **SA 3 to SB 100**.

Senator Cicione moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Slawik introduced **SA 4 to SB 100**.

Senator Slawik moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Slawik introduced **SA 1 to SB 203**.

Senator Slawik moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Cicione introduced **SJR 12** which was given its first reading by title only, entitled:

SJR 12 — “Giving Formal Approval to the Wearing of Mini-skirts and Pants Suits by Female Employees Working for Agencies of the State of Delaware.” Assigned to Committee on Labor.

Senator Cicione introduced **SB 223** which was given its first reading by title only, entitled:

SB 223 — “An Act to Amend Chapter 7, Title 19 of the Delaware Code Prohibiting any Employment Practice which Would Allow an Employee’s Job or Job Future to be Affected by Unsolicited Letters from Creditors.” Assigned to Committee on Labor.

Senator Holloway introduced SR 34, co-sponsored by Senator Foltz, with title as follows:

SR 34 — “Expressing Belated Birthday Wishes to Senator J. Donald Isaacs.”

Senator Holloway moved that the Resolution be laid on the table. Hearing no objection, the motion prevailed.

Senator Cicione introduced SB 224 which was given its first reading by title only, entitled:

SB 224 — “An Act to Amend Chapter 43, Title 21 of the Delaware Code, Relating to Vehicle Rear Wheel Flaps or Shields.” Assigned to Committee on Public Safety.

Senator Cicione introduced SA 2 to SB 101.

Senator Cicione moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred HB 87, reported the same back to the Senate: 3 Favorable; 3 Merits.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred HB 111, reported the same back to the Senate: 1 Favorable; 5 Merits.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred SB 182, reported the same back to the Senate: 6 Merits.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred SB 183, reported the same back to the Senate: 6 Merits.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred SB 202, reported the same back to the Senate: 6 Favorable.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred SS 2 for SB 151, reported the same back to the Senate: 6 Merits.

Senator Hickman moved that SB 169 w/ SA 1 which had previously failed to pass the Senate, be restored to the Calendar.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, Steele — 10.

NAYS: Messrs. Cicione, Cook, Foltz, Hart, McCullough, Robbins, Schlör, Slawik — 8.

ABSENT: Mr. Isaacs — 1.

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

Senator Manning moved that SA 1 to SB 100, which had been placed with the Bill, now be adopted.

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

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hart, Hickman, (Mrs.) Manning, Robbins, Slawik, Steele — 13.

NAYS: Messrs. Cicione, Elliott, Holloway, McCullough, Schlor — 5.

ABSENT: Mr. Isaacs — 1.

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

Senator Holloway moved that SA 2 to SB 100, which had been placed with the Bill, now be adopted.

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

YEAS: Messrs. Cicione, (Mrs.) Conner, Cook, Elliott, Foltz, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik — 12.

NAYS: Messrs. Castle, duPont, Grier, Hale, Hart, Steele — 6.

ABSENT: Mr. Isaacs — 1.

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

Senator Cicione introduced SA 3 to SB 100.

Senator Cicione moved that the Amendment be adopted.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, Elliott, Foltz, Grier, Hart, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik — 15.

NAYS: Messrs. duPont, Hale, Steele — 3.

ABSENT: Mr. Isaacs — 1.

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

Senator Manning moved that the list of the members of the Family Court Committee be read in full. Hearing no objection, the motion prevailed.

The names of the Family Court Committee members are as follows:

Edmund N. Carpenter, II, Esquire, Chairman
 The Honorable Margaret R. Manning
 The Honorable Herman M. Holloway
 The Honorable Frank R. Grier,
 The Honorable W. Laird Stabler, Jr.
 The Honorable Marion I. Seibel
 The Honorable W. Neal Moerschel
 Sidney Balick, Esquire
 Brigadier General Fred W. Vetter, Jr.
 Mr. John J. Moran

Dr. Albert L. Ingram, Jr.
 Mr. Eddie Fischer
 Mrs. Robert H. Robinson
 Dr. Caibourne Smith
 Houston Wilson, Esquire
 Charles K. Keil, Esquire
 Richard R. Wier, Jr., Esquire
 Mrs. Margaret Fuchs
 Victor F. Battaglia, Esquire
 Ben T. Castle, Esquire
 The Honorable Elwood F. Melson, Jr.
 The Honorable Roger D. Kelsey
 Mr. Joseph Dell'Olio
 Jerome O. Herlihy, Esquire
 Mrs. W. Henry duPont
 Mr. Roosevelt Franklin
 Dr. Earl C. Jackson
 Mr. William J. O'Rourke
 Murray M. Schwartz, Esquire

Senator Slawik introduced SA 4 to SB 100.

Senator Slawik moved that the Amendment be adopted.

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

YEAS: Messrs. Cicione, Cook, Holloway, McCullough, Robbins, Schlör, Slawik — 7.

NAYS: (Mrs.) Conner, duPont, Hale, Hickman, (Mrs.) Manning, Steele — 6.

NOT VOTING: Messrs. Castle, Elliott, Foltz, Grier, Hart — 5.

ABSENT: Mr. Isaacs — 1.

So the question was decided in the negative and the Amendment, having failed to receive the required constitutional majority, was lost.

Senator Cicione introduced SA 5 to SB 100.

Senator Cicione moved that the Amendment be adopted.

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

YEAS: Messrs. Cicione and McCullough — 2.

NAYS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, (Mrs.) Manning, Robbins, Schlör, Steele — 11.

ABSENT: Messrs. Grier, Hart, Hickman, Holloway, Isaacs, Slawik — 6.

So the question was decided in the negative and the Amendment, having failed to receive the required constitutional majority, was lost.

Senator Elliott requested the privilege of the floor for Judge Roger Kelsey of the Kent County Family Court to speak on SB 100. Hearing no objection, the privilege was granted.

Senator Cicione introduced SA 6 to SB 100.

Senator Cicione moved that the Amendment be tabled. Hearing no objection, the motion prevailed.

Senator Cicione introduced SA 7 to SB 100.

Senator Cicione moved that the Amendment be tabled. Hearing no objection, the motion prevailed.

Senator Cook moved that the Senate recess for fifteen minutes. Hearing no objection, the motion prevailed.

The Senate reconvened fifteen minutes later.

Senator Robbins introduced SA 8 to SB 100, co-sponsored by Senators Cook, Holloway, McCullough, Schlör and Slawik.

Senator Robbins moved that the Amendment be adopted.

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

YEAS: Messrs. Cook, Holloway, McCullough, Robbins, Schlör, Slawik — 6.

NAYS: Messrs. Castle, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hart, Hickman, (Mrs.) Manning, Steele — 10.

NOT VOTING: Mr. Elliott — 1.

ABSENT: Messrs. Cicione and Isaacs — 2.

So the question was decided in the negative and the Amendment, having failed to receive the required constitutional majority, was lost.

Senator Slawik introduced SA 9 to SB 100, co-sponsored by Senators Cook, Holloway, McCullough, Robbins and Schlör.

Senator Slawik moved that the Amendment be adopted.

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

YEAS: Messrs. Cook, Holloway, McCullough, Robbins, Schlör, Slawik — 6.

NAYS: Messrs. Foltz, Hickman, Steele — 3.

NOT VOTING: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Grier, Hart, (Mrs.) Manning — 7.

ABSENT: Messrs. Cicione, Hale and Isaacs — 3.

So the question was decided in the negative and the Amendment, having failed to receive the required constitutional majority, was lost.

On motion of Senator Manning, SB 100 w/ SA 1, SA 2, SA 3 was taken up for consideration and given its second reading by title only, in order to pass the Senate.

SB 100 w/ SA 1, SA 2, SA 3 — "An Act to Establish a Family Court for the State of Delaware by Merging into one Court the Family Court of the State of Delaware in and for New Castle County and the Family Court of Kent and Sussex Counties and to Provide for Its Organization, Duties, Powers, Jurisdiction and Procedures."

Senator Manning moved that the Bill be tabled. Hearing no objection, the motion prevailed.

Senator Grier moved that the Senate adjourn until 2:30 p.m., Wednesday, April 14, 1971. Hearing no objection, the motion prevailed and the Senate adjourned at 5:45 p.m.

23RD LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:40 p.m., Wednesday, April 14, 1971, Lt. Governor Bookhammer presiding. Prayer by the Chaplain, Rev. Godfrey.

Pledge of allegiance to the flag.

By roll call, the following Senators were present:

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

ABSENT: Mr. Foltz — 1.

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

Senator Conner introduced SB 225, co-sponsored by Senators Hickman and Holloway, which was given its first reading by title only, entitled:

SB 225 — "An Act to Amend Title 14, Delaware Code, Relating to Sabbatical Leave Provisions for Certified Professional Employees of the Public School System." Assigned to Committee on Education.

Senator Elliott introduced SB 226 which was given its first reading by title only, entitled:

SB 226 — "An Act to Amend Title 16, Delaware Code, Relating to the Control of Dangerous Substances and Prescribing for Such Violations; and to Amend Miscellaneous Provisions of Chapter 23, Title 11, Delaware Code, Relating to Seizure and Forfeiture of Certain Vehicles." Assigned to Committee on Health and Social Services.

Senator Slawik introduced SB 227 which was given its first reading by title only, entitled:

SB 227 — "An Act to Amend Title 9 of the Delaware Code Relating to the Term of the County Executive of New Castle County." Assigned to Committee on Community Affairs.

Senator Cicone introduced SB 228 which was given its first reading by title only, entitled:

SB 228 — "An Act to Amend Chapter 23, Title 19 of the Delaware Code Relating to Payments for Injuries or Death and Incidental Benefits." Assigned to Committee on Labor and Industrial Relations.

Senator Elliott introduced SS 1 for SB 199.

Senator Elliott moved that the Substitute be adopted in lieu of the original Bill. Hearing no objection, the motion prevailed.

Senator Elliott introduced SS 1 for SB 190.

Senator Elliott moved that the Substitute be adopted in lieu of the original Bill. Hearing no objection, the motion prevailed.

Senator McCullough introduced SA 4 to SB 118.

Senator McCullough moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred HB 125, reported the same back to the Senate: 5 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred HB 117, reported the same back to the Senate: 5 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred HB 46, reported the same back to the Senate: 5 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred SB 211, reported the same back to the Senate: 1 Favorable; 3 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred SB 214, reported the same back to the Senate: 1 Favorable; 4 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred SB 173, reported the same back to the Senate: 2 Merits, 3 Unfavorable.

Senator Steele, on behalf of the Committee on Finance to whom had been referred SB 60, reported the same back to the Senate: 4 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred SB 170, reported the same back to the Senate: 5 Merits.

On motion of Senator Castle, SB 99 was taken up for consideration and read a second time by title only, in order to pass the Senate.

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

Senator Castle requested the privilege of the floor for James H. Kennedy, Director of Revenue, to speak on SB 99. Hearing no objection, the privilege was granted.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, Elliott, Grier, Hale, Hart, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 15.

NOT VOTING: Mr. Isaacs — 1.

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

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

On motion of Senator Castle, **SB 103** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 103 — “An Act to Revise the Trust Law Relating to Trusts Classified as Private Foundations for Federal Income Tax Purposes.”

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

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

NOT VOTING: Mr. Isaacs — 1.

ABSENT: Mr. Hickman — 1.

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

Senator Slawik moved that **SB 163** be stricken from the Calendar. Hearing no objection, the motion prevailed.

Senator Cicione moved that **SB 109 w/ SA 1, 2** be stricken from the Calendar. Hearing no objection, the motion prevailed.

On motion of Senator Elliott, **SS1 for SB 190** was taken up for consideration and read a second time by title only in order to pass the Senate.

SS 1 for SB 190 — “An Act to Amend Title 7 of the Delaware Code Relating to Public Lands.”

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

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

ABSENT: Mr. Foltz — 1.

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

Senator Slawik introduced **SA 10 to SB 100**.

Senator Slawik moved that the Amendment be adopted.

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

YEAS: Messrs. Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik — 15.

NAYS: Messrs. Hale and Steele — 2.

NOT VOTING: Mr. Castle — 1.

ABSENT: Mr. Foltz — 1.

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

Senator Cicione introduced SA 11 to SB 100.

Senator Cicione moved that the Amendment be adopted.

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

YEAS: Messrs. Cicione, Cook, Hart, Isaacs — 4.

NAYS: Messrs. Castle, (Mrs.) Conner, duPont, Grier, Hale, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele — 11.

ABSENT: Messrs. Elliott, Foltz, Hickman, Slawik — 4.

So the question was decided in the negative and the Amendment, having failed to receive the required constitutional majority, was lost.

Senator Hickman introduced SA 12 to SB 100.

Senator Hickman moved that the Amendment be stricken. Hearing no objection, the motion prevailed.

Senator McCullough introduced SA 13 to SB 100.

Senator McCullough moved that the Amendment be adopted.

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

YEAS: Messrs. Cicione, Cook, Holloway, McCullough, Robbins, Schlör, Slawik — 7.

NAYS: Messrs. Castle, (Mrs.) Conner, duPont, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Steele — 10

NOT VOTING: Mr. Elliott — 1.

ABSENT: Mr. Foltz — 1.

So the question was decided in the negative and the Amendment, having failed to receive the required constitutional majority, was lost.

On motion of Senator Manning SB 100 w/ SA 1, 2, 3, 10 was lifted from the table without objection.

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

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

NOT VOTING: Mr. Cicione — 1.

ABSENT: Mr. Foltz — 1.

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

Senator Manning introduced SA 1 to SB 102.

Senator Manning moved that the Amendment be adopted.

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

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

NOT VOTING: Mr. Cicone — 1.

ABSENT: Mr. Foltz — 1.

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

On motion of Senator Manning, SB 102 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 102 w/ SA 1 — "An Act to Amend Chapter 9, Title 10, concerning the Jurisdiction of the Family Court and Transfer of Cases from Superior Court to Family Court."

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

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

NOT VOTING: Mr. Cicone — 1.

ABSENT: Mr. Foltz — 1.

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

Senator Manning introduced SA 1 to SB 101.

Senator Manning moved that the Amendment be adopted.

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

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

ABSENT: Mr. Foltz — 1.

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

Senator Cicone introduced SA 2 to SB 101.

Senator Cicone moved that the Amendment be adopted.

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

YEAS: Messrs. Cicone, Cook, Elliott, McCullough, Robbins, Schlör, Slawik — 7.

NAYS: Messrs. Castle, (Mrs.) Conner, duPont, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, Steele — 9.

NOT VOTING: Messrs. Hart and Isaacs — 2.

ABSENT: Mr. Foltz — 1.

So the question was decided in the negative and the Amendment, having failed to receive the required constitutional majority, was lost.

On motion of Senator Manning SB 101 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 101 w/ SA 1 — “An Act to Amend Title 21, Delaware Code, Chapter 7, Relating to the Jurisdiction of Certain Courts over Children Sixteen or Seventeen Years Old charged with Violations of the Motor Vehicle Laws.”

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

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

NOT VOTING: Mr. Cicione — 1.

ABSENT: Mr. Foltz — 1.

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

On motion of Senator Isaacs, SB 206 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 206 — “An Act to Amend s302 and s303, Chapter 3, Title 29, Delaware Code by transferring the Responsibility for the State’s Boundaries from the Chief Engineer of the Highway Department to the Secretary of Natural Resources and Environmental Control in Conjunction with the Director of the Division of Archives and Cultural Affairs.”

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

YEAS: (Mrs.) Conner, Messrs. Cook, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele — 15.

NOT VOTING: Mr. Castle — 1.

ABSENT: Messrs. Cicione, Foltz and (Mrs.) Manning — 3.

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

On motion of Senator Holloway, SR 34 was lifted from the table.

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

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, McCullough, Robbins, Schlör, Slawik, Steele — 15.

NOT VOTING: Mr. Isaacs — 1.

ABSENT: Messrs. Cicione, Foltz and (Mrs.) Manning — 3.

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

On motion of Senator Hart, **HB 141 w/ HA 1** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 141 w/ HA 1 — “An Act to Amend Chapter 84, Title 29 of the Delaware Code Relating to Decisions by the Council on Highways.”

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

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

ABSENT: Messrs. Cicione and Foltz — 2.

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

Senator Hale, on behalf of the Committee on Education to whom had been referred **HB 124**, reported the same back to the Senate: 2 Favorable; 2 Merits.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred **HB 183**, reported the same back to the Senate: 1 Favorable; 5 Merits.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred **HB 184**, reported the same back to the Senate: 1 Favorable; 5 Merits.

Senator Conner introduced **SA 1 to SB 197**.

Senator Conner moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Elliott introduced **SB 229** which was given its first reading by title only, entitled:

SB 229 — “An Act to Amend Chapter 1, Title 27 of the Delaware Code by Adding Sections 119 and 120 to Protect the Property Rights of Certain Church Congregations in the State of Delaware.” Assigned to Committee on Judiciary and Elections.

Senator Steele introduced **SB 230** which was given its first reading by title only, entitled:

SB 230 — “An Act to Amend Part VII, Title 16 of the Delaware Code Requiring the Use of Safety Glazing Materials in Hazardous Locations in Residential, Industrial, Commercial or Public Buildings as a Means of Protecting the Public Against Death and Injury Caused by Splintered Glass.” Assigned to Committee on Public Safety.

Senator Isaacs introduced SB 231 which was given its first reading by title only, entitled:

SB 231 — “An Act Instructing the Director of the Division of Archives and Cultural Affairs to Publish the Boundaries of Delaware.” Assigned to Committee on Natural Resources and Environmental Control.

Senator Holloway introduced SB 232 which was given its first reading by title only, entitled:

SB 232 — “An Act to Amend Title 13 of the Delaware Code Relating to Interracial Marriages.” Assigned to Committee on Judiciary and Elections.

The Secretary read the following message from the House:

4-13-71

Mr. President:

The House wishes to inform the Senate it has passed HB 189, HCR 18 and HCR 19 and requests the concurrence of the Senate.

The House also passed SB 113 and is returning same to the Senate.

The Chair introduced HB 189 which was given its first reading by title only, as follows:

HB 189 — “An Act to Amend An Act Entitled “An Act to Incorporate the Town of Ocean View in Sussex County, Delaware”, being Chapter 649, Volume 18, Laws of Delaware, as Amended, Relating to the Annual Salary Paid to Members of the Town Council. Assigned to Committee on Community Affairs.

The Chair introduced HCR 18 which was given its first reading by title only, as follows:

HCR 18 — “Urging the Adoption of President Nixon’s Revenue-sharing Plan.” Assigned to Committee on Executive.

The Chair introduced HCR 19 which was given its first reading by title only, as follows:

HCR 19 — “Pertaining to the Introduction of Legislation During the First Session of the 126th General Assembly.” The Resolution was laid on the table.

Senator Grier moved that the Senate adjourn until 2:30 p.m., Thursday, April 15, 1971. Hearing no objection, the Senate adjourned at 5:05 p.m.

24TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:00 p.m., Thursday, April 15, 1971, Lt. Governor Bookhammer presiding.

Prayer by Rev. Gray Walker.

Pledge of allegiance to the flag.

By roll call, the following Senators were present:

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

ABSENT: Mr. Foltz — 1.

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

Senator Elliott introduced SA 1 to SB 4.

Senator Elliott moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Slawik introduced SB 233 which was given its first reading by title only, entitled:

SB 233 — "An Act to Amend Chapter 9, Title 29, Delaware Code, in Respect to Mandatory Committee Hearings on Legislative Bills at the Request of the Sponsor." Assigned to Committee on Executive.

Senator Castle introduced SS 1 for SB 172.

Senator Castle moved that the Substitute be adopted in lieu of the original Bill. Hearing no objection, the motion prevailed.

Senator Hickman introduced SS 1 for SB 169.

Senator Hickman moved that the Substitute be adopted in lieu of the original Bill. Hearing no objection, the motion prevailed.

Senator Holloway introduced SR 35, co-sponsored by Senators Cook, McCullough, Robbins, Schlör and Slawik, entitled:

SR 35 — "Requesting an Honorary Membership to the Delaware Bar for Senator Anthony J. Cicione."

Senator Holloway moved that the Resolution be adopted.

Senator Slawik moved that the roll call on the Resolution be tabled.

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

YEAS: Messrs. Cook, duPont, McCullough, Robbins, Schlör — 5.

NAYS: Messrs. Castle, Cicione, (Mrs.) Conner, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, Steele — 10.

NOT VOTING: Mr. Slawik — 1.

ABSENT: Messrs. Elliott, Foltz and Hickman — 3.

So the question was decided in the negative and the motion, having failed to receive the required constitutional majority, was lost.

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

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 15.

NOT VOTING: Mr. Cicione — 1.

ABSENT: Messrs. Elliott, Foltz and Hickman — 3.

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

The Secretary read the following message from the House:

April 14, 1971

Mr. President:

The House wishes to inform the Senate that it has passed **HB 29**, **HB 109** and **HB 191** and requests the concurrence of the Senate.

The House also passed **SB 180** and **SB 196 w/ HA 1** and is returning same to the Senate.

Senator Steele moved that **SB 196** which had previously passed the Senate be taken up for reconsideration as amended by **HA 1** in order to pass the Senate.

On the question, "Shall the Bill (**SB 196 w/ HA 1**) pass the Senate?", the yeas and nays were ordered which, being taken, were as follows:

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

NOT VOTING: Mr. Schlor — 1.

ABSENT: Mr. Foltz — 1.

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

The Chair introduced **HB 29** which was given its first reading by title only, as follows:

HB 29 — "An Act to Amend Title 21, Delaware Code, Relating to Projections from Periphery of Tires." Assigned to Committee on Public Safety.

Senator Elliott introduced **SB 234** which was given its first reading by title only, entitled:

SB 234 — "An Act to Amend Chapter 63, Title 29, Delaware Code, Relating to an Annual Appropriation to the Counties for Loss of Real Estate Taxes when Land is Acquired by the State." Assigned to Committee on Judiciary and Elections.

Senator Elliott introduced **SR 36**, entitled:

SR 36 — "In Reference to Election of Officers."

Senator Elliott moved that the Resolution be adopted.

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

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

ABSENT: Mr. Foltz — 1.

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

The Chair introduced **HB 109** which was given its first reading by title only, entitled:

HB 109 — “An Act to Amend Section 4067, Subchapter VI, Chapter 40, Title 31, Delaware Code, Relating to the Housing Development Fund of the Delaware State Housing Authority by Increasing the Amount of Said Fund.” Assigned to Committee on Community Affairs.

The Chair introduced **HB 191** which was given its first reading by title only, entitled:

HB 191 — “An Act to Amend Part V, Title 29 of the Delaware Code Relating to Public Officers and Employees, and Providing for a Uniform Facsimile Signatures of Public Officials Act.” Assigned to Committee on Judiciary and Elections.

Senator duPont, on behalf of the Committee on Executive to whom had been referred the nomination for appointments by the Governor, reported the same back to the Senate as follows: Mr. Autman: 4 Favorable, 2 Merits; Mrs. Abrams: 4 Favorable, 2 Merits; Mrs. Golby: 4 Favorable, 2 Merits; Mr. Sims: 6 Favorable; Dr. Coming: 6 Favorable.

Senator duPont, on behalf of the Committee on Executive to whom had been referred **SB 222**, reported the same back to the Senate: 3 Favorable; 3 Merits.

Senator duPont, on behalf of the Committee on Executive to whom had been referred **HCR 18**, reported the same back to the Senate: 6 Merits.

On motion of Senator Conner, **HB 111** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 111 — “An Act to Amend Chapter 25, Title 16, Delaware Code, by Removing Certain Restrictions on the Purchase of Supplies Intended for the Prevention of Conception or Venereal Disease.”

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

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, Robbins, Slawik, Steele — 14.

NAYS: Mr. Isaacs — 1.

NOT VOTING: Messrs. Cicione, McCullough and Schlör — 3.

ABSENT: Mr. Foltz — 1.

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

On motion of Senator Castle **SS 1** for **SB 172** was taken up for consideration and read a second time by title only in order to pass the Senate.

SS 1 for SB 172 — “An Act to Provide a Supplementary Appropriation to the Courts of the State of Delaware.”

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 16.

NOT VOTING: Mr. Isaacs — 1.

ABSENT: Messrs. Foltz and Hart — 2.

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

Senator Slawik introduced **SA 1 to SB 129**.

Senator Slawik moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Cook introduced **SB 235** which was given its first reading by title only, entitled:

SB 235 — “An Act to Amend Title 29, Chapter 51, Delaware Code, Relating to Salary Deductions for Hospitalization Insurance and Dues.” Assigned to Committee on Judiciary and Elections.

Senator Schlör introduced **SB 236**, co-sponsored by Senator Isaacs, which was given its first reading by title only, entitled:

SB 236 — “An Act to Amend Title 10 of the Delaware Code Relating to the Determination of Just Compensation in Condemnations.” Assigned to Committee on Judiciary and Elections.

On motion of Senator Steele, **HB 46** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 46 — “An Act to Grant the Widow of a Deceased Member of the State Judiciary who was Receiving a Pension on December 29, 1967 all Benefits Provided by Chapter 198, Volume 56, Laws of Delaware.”

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

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 15.

NOT VOTING: Mr. Isaacs — 1.

ABSENT: Messrs. Cicione, Foltz and Hart — 3.

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

On motion of Senator Steele, **HB 117** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 117 — “An Act to Amend Title 30, Delaware Code, Chapter 52, by Changing the Registration Dates in and Period of Applicability of the Motor Carriers Fuel Purchase Law.”

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

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

NAYS: Messrs. Isaacs and Schlor — 2.

NOT VOTING: Mr. Robbins — 1.

ABSENT: Messrs. Cicione, Elliott, Foltz and Hart — 4.

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

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred **SB 230**, reported the same back to the Senate: 6 Merits.

Senator Grier moved that the Senate recess until Tuesday, April 20, 1971 at 2:30 p.m. Hearing no objection, the motion prevailed and the Senate recessed at 3:55 p.m.

Senator duPont moved that the Senate adjourn until 3:00 p.m., Tuesday, April 20, 1971. Hearing no objection, the Senate adjourned at 3:00 p.m.

25TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:00 p.m., Tuesday, April 20, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Walker.

Pledge of allegiance to the flag.

By roll call, the following Senators were present:

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

Absent: Mr. Grier — 1.

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

Senator Isaacs introduced **SA 3 to SB 143**.

Senator Isaacs moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Holloway introduced **SA 1 to SB 182**.

Senator Holloway moved that the amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Slawik introduced **SB 237** which was given its first reading by title only, entitled:

SB 237 — “An Act to Amend Title 21 of the Delaware Code Relating to the Revocation of Driver’s License for the Operation of a Motor Vehicle Containing Drugs.” Assigned to Committee on Public Safety.

Senator Manning introduced **SB 238**, co-sponsored by Senator Holloway, which was given its first reading by title only, entitled:

SB 238 — “An Act Adopting a Housing Code for the State of Delaware, Establishing Minimum Standards Governing the Condition and Maintenance of Structures Covered by this Code, with Certain Exemptions and Provisions for Hardships; Establishing Minimum Standard Governing Supplied Utilities and Facilities and Other Physical Things and Conditions Essential to Make Structures Covered by This Code Habitable; Fixing Certain Responsibilities and Duties of Owners and Occupants of Structures Covered by this Code; Authorizing the Inspection of Structures Covered by this Code and Providing for the Condemnation of Structures Covered by This Code Deemed Unfit for Human Habitation and Use; Establishing Responsibilities and Procedures for Enforcement, Providing for Appeals, and Fixing Penalties for Violations.” Assigned to Committee on Community Affairs.

Senator Cicione introduced **SJR 13**, co-sponsored by Senator Conner which was given its first reading by title only, entitled:

SJR 13 — “Saluting the Jewish War Veterans on Their 75th National and 25th State Anniversaries.” Assigned to Committee on Executive.

Senator duPont announced that the Department of Mental Health would hold a dinner for the members of the Legislature at 11:30 a.m., April 27, 1971 at the Hub in Dover, Delaware.

The Secretary read the following letter from the U.S. Department of Transportation:

Apr 15 1971

Mrs. Barbara A. Konopik
Executive Secretary of the Senate
State of Delaware
320 Dove Drive
Newark, Delaware 19711

Dear Mrs. Konopik:

Your letter of March 16, 1971, to Secretary Volpe, concerning Senate Concurrent Resolution No. 9 regarding the closing of the St. Georges Bridge over the Chesapeake and Delaware Canal for repairs from September 1971 to June 1972 has been referred to the Federal Highway Administration.

Since the date of the resolution, however, legislation authorizing the construction of a high-level bridge at St. Georges has been introduced into the United States Congress by Senator Boggs and Congressman duPont. We would suggest, therefore,

that the Delaware Department of Highways and Transportation again contact the Corps of Engineers to see if there is a possibility of keeping the bridge in use for light vehicles at least by making temporary repairs to the deck and of delaying the currently programed permanent repairs until such time as the additional crossing that would be authorized by the legislation introduced by Senator Boggs and Congressman duPont is available to carry the U.S. Route 13 traffic.

By copy of this letter, we are informing our division office in Dover, Delaware, of the problem. You may expect that that office will be in contact with the Delaware Department of Highways and Transportation in regard to the situation and will provide whatever assistance is possible under the circumstances.

Sincerely yours,
For the Administrator
(Signed) M. F. Maloney
Acting Associate Administrator for
Engineering and Traffic Operations

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

Lt. Governor Bookhammer extended greetings to the Senior Citizen Ladies of St. Stephens Lutheran Church who were present in the Senate Chamber.

Senator Isaacs, on behalf of the Committee on Natural Resources and Environmental Control to whom had been referred SB 231, reported the same back to the Senate: 5 Favorable; 1 Merits.

Senator Isaacs, on behalf of the Committee on Natural Resources and Environmental Control to whom had been referred SB 143, reported the same back to the Senate: 6 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred SB 57, reported the same back to the Senate: 3 Favorable; 3 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred SB 139, reported the same back to the Senate: 6 Merits.

On motion of Senator Steele, SB 230 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 230 — "An Act to Amend Part VII, Title 16 of the Delaware Code Requiring the Use of Safety Glazing Materials in Hazardous Locations in Residential, Industrial, Commercial or Public Buildings as a Means of Protecting the Public Against Death and Injury Caused by Splintered Glass."

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

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele — 14.

NAYS: Mr. McCullough — 1.

ABSENT: Messrs. Cicione, Foltz, Grier and Hart — 4.

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

On motion of Senator Steele, SB 22 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 22 — “An Act Concurring in the Proposed Amendment to Articles III and XV of the Constitution of the State of Delaware to Abolish the Office of Coroner.”

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Hale, Hickman, Holloway, (Mrs.) Manning Schlör, Slawik, Steele — 13.

NAYS: Messrs. McCullough and Robbins — 2.

NOT VOTING: Messrs. Hart and Isaacs — 2.

ABSENT: Messrs. Foltz and Grier — 2.

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

On motion of Senator Steele, SB 98 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 98 — “An Act to Amend Chapter 299, Volume 57, Laws of Delaware known as the “Annual Capital Improvement Act of 1970” by Providing an Alternative to Alterations of Certain Facilities at the Woods Haven-Kruse School.”

On motion of Senator Steele, consideration of the Bill was deferred without objection.

Senator Cook moved that SA 1 to HB 144 w/ HA 1 which had previously been placed with the Bill, now be adopted.

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

YEAS: Messrs. Cook, duPont, Isaacs, Robbins, Schlör — 5.

NAYS: Messrs. Castle, Cicione, (Mrs.) Conner, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, Slawik — 9.

NOT VOTING: Messrs. McCullough and Steele — 2.

ABSENT: Messrs. Elliott, Foltz, Grier — 3.

So the question was decided in the negative and the Amendment, having failed to receive the required constitutional majority, was lost.

On motion of Senator Hickman, HB 144 w/ HA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 144 w/ HA 1 — “An Act to Amend Chapter 41, Title 21, Delaware Code and Chapter 3, Title 11, Delaware Code, Relating to Pedestrians walking on Highways or Soliciting Rides.”

Senator Hickman requested the privilege of the floor for Representative Daniel Weiss and Senate Attorneys Ramunno and Yucht to speak on the Bill. Hearing no objection, the privilege was granted.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Slawik, Steele — 14.

NAYS: Messrs. Cook, McCullough and Schlor — 3.

ABSENT: Messrs. Foltz and Grier — 2.

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

Senator Elliott introduced SB 239 which was given its first reading by title only, as follows:

SB 239 — "An Act to Amend Title 3, Delaware Code, Chapter 71, Section 7108 Relating to the Feeding of Garbage." Assigned to Committee on Agriculture.

Senator Elliott introduced SA 5 to SB 118.

Senator Elliott moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator duPont introduced SB 240, co-sponsored by Senators Holloway, Manning and Slawik, which was given its first reading by title only, as follows:

SB 240 — "An Act Authorizing and Making a Supplemental Appropriation to the Department of Justice for the Purpose of Paying the Legal Costs and Expenses of Effecting Reapportionment." Assigned to Committee on Finance.

Senator Holloway introduced SA 1 to SB 183.

Senator Holloway moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Elliott introduced SCR 18 which was given its first reading by title only, as follows:

SCR 18 — "Relating to the Purchase of Lands by the Department of Natural Resources and Environmental Control for Recreational Purposes."

Senator Elliott moved that SCR 18 be stricken from the Calendar. Hearing no objection, the motion prevailed.

Senator Holloway introduced SA 1 to SS 1 for SB 66.

Senator Holloway moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

On motion of Senator Conner, HB 87 w/ HA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 87 w/ HA 1 — “An Act to Amend Subchapter V, Chapter 17, Title 24, Delaware Code, Providing for Immunity of Members of the Medical Examiners of Delaware to Include the Osteopathic Examiner of the Medical Council.”

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

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Hale, Hart, Holloway, Isaacs, McCullough, Robbins, Schlor, Slawik, Steele — 14.

NAYS: (Mrs.) Manning — 1.

Absent: Messrs. Cicione, Foltz, Grier, Hickman — 4.

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

On motion of Senator Conner, **HB 125** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 125 — “An Act to Amend Titles 16 and 29, Delaware Code Relating to the Powers of the Division of Physical Health and the Division of Environmental Control.”

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, Robbins, Slawik, Steele — 14.

NAYS: Messrs. McCullough and Schlor — 2.

ABSENT: Messrs. Foltz, Grier and Hickman — 3.

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

On motion of Senator Manning, **SS 1 for SB 184** was taken up for consideration and read a second time by title only in order to pass the Senate.

SS 1 for SB 184 — “An Act to Provide a Supplementary Appropriation to the Department of Community Affairs and Economic Development.”

Senator Manning requested the privilege of the floor for Mrs. Frances West, Director, Department of Consumer Affairs, and also for Robert Halbrook, Secretary, Department of Community Affairs and Economic Development. Hearing no objection, the privileges were granted.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Hale, Holloway, (Mrs.) Manning, Slawik, Steele — 11.

NAYS: Mr. Robbins — 1.

NOT VOTING: Messrs. Foltz, Hart, Isaacs, McCullough, Schlor — 5.

ABSENT: Messrs. Grier and Hickman — 2.

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

Senator Holloway introduced SB 241 which was given its first reading by title only, as follows:

SB 241 — “An Act to Amend Title 10, Chapter 39, Delaware Code, Relating to Contributory Negligence in Personal Injury Actions and Diminution of Damages.” Assigned to Committee on Judiciary and Elections.

Senator Holloway introduced SA 1 to SB 182.

Senator Holloway moved that the Amendment be adopted.

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

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

ABSENT: Mr. Grier — 1.

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

On motion of Senator Holloway, SB 182 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 182 w/ SA 1 — “An Act to Amend Part VII, Title 16, Delaware Code, by Creating a New Chapter 76, Dealing with Escalators.”

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

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

ABSENT: Mr. Grier — 1.

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

Senator Hale moved that SB 135 which had previously been tabled now be taken up for consideration.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Foltz, Hale, Hickman, Holloway, (Mrs.) Manning, Steele - 10.

NAYS: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Foltz, Hale, Hickman, Holloway, (Mrs.) Manning, Steele - 10.

ABSENT: Messrs. Cicione, Grier and Hart - 3.

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

Senator Hale then moved that the roll call on SB 135 be tabled.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Foltz, Hale, Hickman, Holloway, (Mrs.) Manning, Steele - 9.

NAYS: Messrs. Elliott and Slawik - 2.

NOT VOTING: Messrs. Elliott and Slawik - 2.

ABSENT: Messrs. Cicione, Grier and Hart - 3.

So the question was decided in the negative and the motion, having failed to receive the required constitutional majority, was lost.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Hale, (Mrs.) Manning, Steele - 6.

NOT VOTING: Messrs. Cook, Elliott, Foltz, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik - 10.

ABSENT: Messrs. Cicione, Grier and Hart - 3.

So the question was decided in the negative and the Bill, having failed to receive the required constitutional majority, was lost.

On motion of Senator duPont, HCR 19 which had been laid on the table, was taken up for consideration in order to pass the Senate.

Senator duPont moved that the roll call on HCR 19 be tabled.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Foltz, Hale, Hickman, Holloway, (Mrs.) Manning - 9.

NAYS: Messrs. Cook, McCullough, Robbins, Schlör, Slawik, Steele - 6.

NOT VOTING: Mr. Isaacs - 1.

ABSENT: Messrs. Cicione, Grier and Hart - 3.

So the question was decided in the negative and the motion, having failed to receive the required constitutional majority, was lost.

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

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Hale, Hickman, Holloway, (Mrs.) Manning — 9.

NAYS: Messrs. McCullough, Robbins and Slawik — 3.

NOT VOTING: Messrs. Foltz, Isaacs, Schlör, Steele — 4.

ABSENT: Messrs. Cicione, Grier and Hart — 3.

So the question was decided in the negative and the Resolution, having failed to receive the required constitutional majority, was lost.

Senator Schlör introduced SCR 19 with title as follows:

SCR 19 — "Providing for the Establishment of a Joint Committee to Study the Feasibility of the Utilization of School Facilities for 12 Months Each Year."

On motion of Senator Schlör, the Resolution was tabled without objection.

Senator Manning announced that on May 5, 1971 at 8:00 p.m. there would be a Legislative Hearing by the Joint Committees on SB 238 (State Wide Housing Code.)

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred SB 200, reported the same back to the Senate: 2 Merits; 3 Unfavorable.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred SB 201, reported the same back to the Senate: 5 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred SB 229, reported the same back to the Senate: 6 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred SB 232, reported the same back to the Senate: 2 Favorable; 2 Merits.

The Secretary read the following message from the House:

4-20-71

Mr. President:

The House wishes to inform the Senate that it has passed HB 152 w/ HA 1, 2; HB 163 w/ HA 1 and HJR 9 and requests the concurrence of the Senate. Also SB 212 was defeated in the House.

Senator Elliott announced that there would be a Legislative Prayer Breakfast at the Hub Restaurant 8:30 a.m., April 21.

Senator duPont moved that the Senate adjourn until 2:30 p.m., Wednesday, April 21, 1971. Hearing no objection, the Senate adjourned at 6:20 p.m.

26TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:00 p.m., Wednesday, April 21, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Godfrey.

Pledge of allegiance to the flag.

By roll call, the following Senators were present:

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

ABSENT: Mr. Slawik — 1.

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

Senator Elliott introduced SA 1 to SB 234.

Senator Elliott moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Elliott introduced SB 242 which was given its first reading by title only, as follows:

SB 242 — "An Act to Require the Department of Natural Resources and Environmental Control to Obtain Approval by the General Assembly before Purchasing Lands for Recreational Purposes when Such Lands Exceed a Certain Pecuniary Value." Assigned to Committee on Natural Resources and Environmental Control.

Senator Isaacs introduced SA 1 to SB 229.

Senator Isaacs moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Hart introduced SB 243 which was given its first reading by title only, as follows:

SB 243 — "An Act to Amend Title 14, Delaware Code, Relating to the Definition of Professional Employees." Assigned to Committee on Education.

The Secretary read the following message from the House:
Mr. President:

The House wishes to inform the Senate that it has passed HCR 21 and requests the concurrence of the Senate.

Senator Hale introduced SR 37 with title as follows:

SR 37 — "Relating to Senate Bill No. 135."

Senator Hale moved that the Resolution be adopted.

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

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

NAYS: Messrs. McCullough and Schlör — 2.

ABSENT: Messrs. Cook and Slawik — 2.

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

The Secretary read the following message from Senator J. Caleb Boggs:

April 19, 1971

Mrs. Barbara A. Konopik
Secretary of the Senate
Legislative Hall
Dover, Delaware 19901
Dear Mrs. Konopik:

Mrs. Boggs and I, my brother, Calvin, and his wife and all the Boggs family wish to gratefully acknowledge receipt from you of Senate Joint Resolution No. 6 of the 126th General Assembly of the State of Delaware.

The adoption of this resolution was most kind and thoughtful in expressing sympathy and honoring the memory of my mother, Mrs. Edgar J. Boggs of Cheswold, Delaware, on the occasion of her passing.

We send our deepest thanks to each and every Member of the Senate and of the House of Representatives and to the Governor.

With highest regards and continued best wishes, I am

Sincerely,
(Signed) J. Caleb Boggs

JCB:c

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

Lt. Governor Bookhammer introduced to the Senate Marie Devgo from Costa Rica. Miss Devgo is a AFS student living with Mr. and Mrs. Ray Pusey.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred HB 109, reported the same back to the Senate: 2 Favorable; 3 Merits.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred HB 189, reported the same back to the Senate: 5 Merits.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred SB 227, reported the same back to the Senate: 5 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred SB 240, reported the same back to the Senate: 3 Merits; 2 Unfavorable.

The Chair introduced HB 152 w/ HA 1, 2 which was given its first reading by title only, as follows:

HB 152 w/ HA 1, 2 — "An Act to Amend Title 3, Delaware Code, by Creating a New Chapter to be Designated as Chapter 56 Relating to the Issuing, Administration, Enforcement and Determination of Marketing Programs on Agricultural Commodities Imposing Powers and Duties on the State Department of Agriculture Providing for the Creation and

Operation of Committees Prescribing the Contents of Programs and Providing for the Imposition and Collection of Fees.” Assigned to Committee on Agricultural.

The Chair introduced HB 163 w/ HA 1 which was given its first reading by title only, as follows:

HB 163 w/ HA 1 — “An Act to Amend Section 3507, Title 11, Delaware Code, and Section 4176 (a), Title 21, Delaware Code, Relating to Evidence of Weight of Alcohol in the Blood of a Person Alleged to Have Driven, Operated or Had in Actual Physical Control a Motor Vehicle While under the Influence of Intoxicating Liquor or Drugs.” Assigned to Committee on Public Safety.

The Chair introduced HJR 9 which was given its first reading by title only, as follows:

HJR 9 — “Directing the State Board of Education to Establish a Program of Safety Education in the Elementary and Secondary Schools of This State.” Assigned to Committee on Education.

The Chair introduced HCR 21 with title as follows:

HCR 21 — “Relating to April 22nd as Earth Day and the Week of April 19th as Earth Week.”

Senator duPont moved that the Resolution be adopted.

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

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

NOT VOTING: Mr. McCullough — 1.

ABSENT: Messrs. Elliott and Slawik — 2.

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

Senator Steele moved that HCR 19 which had been tabled, be now restored to the Calendar.

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

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

NOT VOTING: Messrs. McCullough and Schlör — 2.

ABSENT: Mr. Slawik — 1.

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

Senator duPont moved that HCR 19 be adopted.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Steele — 14.

NAYS: Messrs. Foltz, McCullough, Robbins, Schlör — 4.

ABSENT: Mr. Slawik — 1.

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

Senator duPont introduced SR 38 entitled:

SR 38 — “To Debit Senate Travel Account for Legislators’ Mileage of the Present Session of the 126th General Assembly.”

Senator duPont moved that the Resolution be adopted.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hart, (Mrs.) Manning, Robbins, Schlör, Steele — 13.

NAYS: Mr. McCullough — 1.

NOT VOTING: Mr. Isaacs — 1.

ABSENT: Messrs. Foltz, Hickman, Holloway, Slawik — 4.

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

Senator duPont introduced SR 39 entitled:

SR 39 — “Authorizing Payments for Services Rendered by the Staff of the Senate for the 126th General Assembly.”

Senator duPont moved that the Resolution be adopted.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hart, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele — 15.

ABSENT: Messrs. Foltz, Hickman, Holloway, Slawik — 4.

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

Senator Steele moved that SB 23 be stricken from the Calendar. Hearing no objection, the motion prevailed.

Senator Cicione moved that SB 56, SB 195 and SB 116 be stricken from the Calendar. Hearing no objection, the motion prevailed.

Senator Cicione introduced SA 1 to SB 228.

Senator Cicione moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

On motion of Senator Manning, HB 184 w/ HA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 184 w/ HA 1 — “An Act to Amend Subchapter 1, Chapter 5, Title 9 of the Delaware Code Pertaining to Suburban Communities Improvements by Removing the Interest Rate Ceiling on Bonds.”

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, Elliott, Foltzz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Scholor, Steele — 16

NAYS: Mr. McCullough — 1.

ABSENT: Messrs. duPont and Slawik — 2.

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

On motion of Senator Manning, **HB 183 w/ HA 1** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 183 w/ HA 1 — “An Act to Amend Chapter 5, Title 9 of the Delaware Code Relating to Suburban Community Improvements with Regard to Bond Elections.”

Senator Manning requested the privilege of the floor for Joseph Yucht, Senate Attorney, to speak on the Bill. Hearing no objection, the privilege was granted.

Senator Manning moved that the Bill be tabled. Hearing no objection, the motion prevailed.

Senator Manning then moved that the Bill be lifted. Hearing no objection the motion prevailed.

So on the the question, “Shall the Bill pass the Senate?”, the yeas and nays were ordered which, being taken, were as follows:

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

NOT VOTING: Mr. Holloway — 1.

ABSENT: Messrs. McCullough and Slawik — 2.

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

Senator Holloway introduced **SS 2 for SB 66**.

Senator Holloway moved that the Substitute be adopted in lieu of the Original Bill. Hearing no objection, the motion prevailed.

On motion of Senator Hickman, **SS 1 for SB 169** was taken up for consideration and read a second time by title only in order to pass the Senate.

SS 1 for SB 169 — “An Act to Provide a Supplementary Appropriation to the Department of Public Safety.”

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

YEAS: Messrs. Cicione, (Mrs.) Conner, Cook, duPont, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, Steele — 11.

NAYS: Messrs. McCullough, Robbins and Schlor — 3.

NOT VOTING: Messrs. Castle, Elliott, Foltz, Hart — 4.

ABSENT: Mr. Slawik — 1.

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

On motion of Senator Cicione, SB 139 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 139 — "An Act Making a Supplementary Appropriation to the Department of Community Affairs and Economic Development for Flags."

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

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

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

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

Senator Isaacs introduced SA 1 to SB 229.

Senator Isaacs moved that the Amendment be adopted.

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

YEAS: Messrs. Cicione, Cook, duPont, Elliott, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Steele — 12.

NOT VOTING: Messrs. Castle, (Mrs.) Conner, Foltz, Grier, Hale — 5.

ABSENT: Messrs. Holloway and Slawik — 2.

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

On motion of Senator Elliott, SB 229 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 229 w/ SA 1 — "An Act to Amend Chapter 1, Title 27 of the Delaware Code by Adding Sections 119 and 120 to Protect the Property Rights of Certain Church Congregations in the State of Delaware."

Senator Elliott requested the privilege of the floor for Rev. Silas Dukes and Samuel Tyndall to speak on the Bill. Hearing no objection, the privileges were granted.

Senator Conner requested the privilege of the floor for Rev. Godfrey to speak on the Bill. Hearing no objection, the privilege was granted.

Senator Elliott then moved that the Bill be tabled. Hearing no objection, the motion prevailed.

Senator Isaacs introduced SR 40 entitled:

SR 40 — "In Reference to Election of Officers."

Senator Isaacs moved that the Resolution be adopted.

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

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

ABSENT: Messrs. Hickman and Slawik — 2.

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

On motion of Senator Isaacs, SB 231 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 231 — "An Act Instructing the Director of the Division of Archives and Cultural Affairs to Publish the Boundaries of Delaware."

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

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

NOT VOTING: Mr. Schlör — 1.

ABSENT: Messrs. Hickman and Slawik — 2.

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

On motion of Senator Hale, HB 124 w/ HA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 124 w/ HA 1 — "An Act Authorizing and Making a Supplemental Appropriation to the Marshallton-McKean School Board to Pay Certain Obligations Incurred in a Prior Fiscal Year."

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

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

ABSENT: Messrs. Hickman and Slawik — 2.

So the question was decided in the affirmative and the Bill, having received the required constitutional majority, passed the

Senate and was ordered back to the House.

Senator Isaacs moved that SA 3 to SB 143 which had been placed with the Bill now be adopted.

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

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

ABSENT: Messrs. Hickman and Slawik — 2.

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

On motion of Senator duPont, SB 143 w/ SA 3 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 143 w/ SA 3 — "An Act to Amend Title 29, Delaware Code, Chapter 80 by creating a New Subsection Relating to the Powers and Duties of the Secretary of Natural Resources and Environmental Control Facilities."

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

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

ABSENT: Messrs. Hickman and Slawik — 2.

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

Senator duPont moved that the appointment by the Governor of Mr. Autman be confirmed by the Senate.

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

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

ABSENT: Messrs. Hickman and Slawik — 2.

So the question was decided in the affirmative and the appointment, having received the required constitutional majority, was confirmed.

Senator duPont moved that the appointment by the Governor of Mrs. Abrams be confirmed by the Senate.

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

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Steele — 16.

ABSENT: Messrs. Cicione, Hickman and Slawik — 3.

So the question was decided in the affirmative and the appointment, having received the required constitutional majority, was confirmed.

Senator duPont moved that the appointment by the Governor of Mrs. Golby be confirmed by the Senate.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, Schlör, Steele — 13.

NAYS: Messrs. McCullough and Robbins — 2.

NOT VOTING: Mr. Cook — 1.

ABSENT: Messrs. Cicione, Hickman and Slawik — 3.

So the question was decided in the affirmative and the appointment, having received the required constitutional majority, was confirmed.

Senator duPont moved that the appointment by the Governor of Mr. Sims be confirmed by the Senate.

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

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele — 16.

ABSENT: Messrs. Cicione, Hickman and Slawik — 3.

So the question was decided in the affirmative and the appointment, having received the constitutional majority, was confirmed.

Senator duPont moved that the appointment by the Governor of Dr. Comings be confirmed by the Senate.

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

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

ABSENT: Messrs. Hickman and Slawik — 2.

So the question was decided in the affirmative and the appointment, having received the required constitutional majority, was confirmed.

On motion of Senator Schlör, SCR 19 was lifted without objection.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Holloway, Isaacs,

(Mrs.) Manning, Robbins, Schlör — 15.

NAYS: Mr. Steele — 1.

NOT VOTING: Mr. McCullough — 1.

ABSENT: Messrs. Hickman and Slawik — 2.

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

Senator Isaacs, on behalf of the Committee on Natural Resources and Environmental Control to whom had been referred SB 242, reported the same back to the Senate: 5 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred HB 191, reported the same back to the Senate: 2 Favorable; 3 Merits.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred HB 160, reported the same back to the Senate: 5 Merits.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred HB 159, reported the same back to the Senate: 5 Merits.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred HB 162, reported the same back to the Senate: 5 Merits.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred HB 165, reported the same back to the Senate: 5 Merits.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred HB 161, reported the same back to the Senate: 5 Merits.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred SB 221, reported the same back to the Senate: 2 Favorable; 3 Merits.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred SB 237, reported the same back to the Senate: 2 Favorable; 3 Merits.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred SS1 for SB 199, reported the same back to the Senate: 5 Merits.

Senator duPont, on behalf of the Committee on Executive to whom had been referred SJR 13, reported the same back to the Senate: 6 Merits.

The Secretary read the following message from the House:
Mr. President:

The House wishes to inform the Senate that it has passed HB 210 and requests the concurrence of the Senate.

The Chair introduced HB 210 which was given its first reading by title only, as follows:

HB 210 — "An Act to Amend Chapter 60, Title 7, Delaware Code, Relating to Water and Air Resources and Certain Procedures Relating to Rules Set Forth in Said Chapter." Assigned to Committee on Natural Resources and Environmental Control.

Senator Grier moved that the Senate adjourn until Thursday, April 22, 1971 at 2:30 p.m. Hearing no objection, the motion prevailed and the Senate adjourned at 5:30 p.m.

27TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:40 p.m., Thursday, April 22, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Godfrey.

Pledge of allegiance to the flag.

By roll call, the following Senators were present:

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

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

Senator Robbins introduced **SA 1 to SB 27**.

Senator Robbins moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Robbins introduced **SA 2 to SB 27**.

Senator Robbins moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Robbins introduced **SA 3 to SB 27**.

Senator Robbins moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Isaacs introduced **SCR 20** which was read by title only, as follows:

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

Senator Isaacs moved that the Resolution be adopted.

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

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

NOT VOTING: Messrs. Castle, (Mrs.) Conner, Foltz, Holloway — 4.

ABSENT: Mr. Hickman — 1.

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

Senator duPont introduced SB 244 which was given its first reading by title only, as follows:

SB 244 — “An Act to Amend Chapter 9, Title 19, Delaware Code, to Authorize the Department of Labor to Establish the Minimum Wage to be Paid Full-time Students.” Assigned to Committee on Labor.

Senator Holloway introduced SB 245 which was given its first reading by title only, as follows:

SB 245 — “An Act to Amend the Rules of Court of the Delaware Code, Relating to Rule 3 of the Rules Governing Criminal Practice in the Courts of the Justices of the Peace of the State of Delaware.” Assigned to Committee on Judiciary and Elections.

Senator Cicione introduced SB 246, co-sponsored by Senator Slawik, which was given its first reading by title only, as follows:

SB 246 — “An Act to Amend Chapter 29, Title 14 of the Delaware Code Relating to Transportation of School Pupils.” Assigned to Committee on Education.

Senator Holloway introduced SR 41 entitled:

SR 41 — “Saluting Secretaries in the State of Delaware on the Occasion of National Secretaries’ Week.”

Senator Holloway moved that the Resolution be adopted.

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

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

NOT VOTING: Mr. McCullough — 1.

ABSENT: Mr. Foltz — 1.

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

The Secretary read the following message from the House:
Mr. President:

The House wishes to inform the Senate that it has passed **HB 139 w/ HA 1, 2, 3; HJR 8** and requests the concurrence of the Senate.

The Chair introduced **HB 139 w/ HA 1, 2 3** which was given its first reading by title only, as follows:

HB 139 w/ HA 1, 2, 3 — “An Act to Amend Chapter 1 of Title 10, Delaware Code, by Creating the Administrative Office of the Courts and Transferring to that Office the Office of Deputy Administrator for the Justice of the Peace Courts and Making a Supplementary Appropriation Therefor.” Assigned to Committee on Judiciary and Elections.

The Chair introduced **HJR 8** which was given its first reading by title only, as follows:

HJR 8 — "Providing for the Establishment of a Revenue Study Commission." Assigned to Committee on Finance.

On motion of Senator Hale, **SB 170** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 170 — "An Act Making a Supplementary Appropriation to the Educational Contingency Fund to meet Deficiencies in Regular Appropriations for Mandated Education Programs."

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

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

ABSENT: Mr. Foltz — 1.

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

On motion of Senator Cicione, **SB 173** was taken up for consideration and read a second time by title only in order to pass the Senate.

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

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

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

ABSENT: Mr. Foltz — 1.

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

On motion of Senator Conner, **SB 191** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 191 — "An Act to Amend Chapter 3, Title 31 of the Delaware Code, Permitting the Division of Social Services to Continue Payments and Allocations for Dependent or Neglected Children After the Children have been Legally Adopted."

Senator Conner requested the privilege of the floor for Miss Elizabeth Townsend of the Children's Bureau of Delaware to speak on the Bill. Hearing no objection, the privilege was granted.

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

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

ABSENT: Mr. Isaacs — 1.

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

Senator Slawik introduced **SB 247** which was given its first reading by title only, as follows:

SB 247 — “An Act to Amend Title 15, Delaware Code, by Providing for the Conducting of Presidential Primary Elections in Presidential Election Years, and to Amend Said Title 15 Insofar as it Is Inconsistent Herewith.” Assigned to Committee on Judiciary and Elections.

Senator Steele introduced **SA 1** to **HB 109**, co-sponsored by Senators, Cicione, Cook, Hart, Hickman, Isaacs, McCullough and Robbins.

Senator Steele moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Holloway introduced **SB 248** which was given its first reading by title only, as follows:

SB 248 — “An Act to Amend Title 25 of the Delaware Code Providing for a Termite Inspection in the Sale of Real Estate.” Assigned to Committee on Judiciary and Elections.

On motion of Senator Conner, **SB 202** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 202 — “An Act to Amend Title 30, Chapter 23, Delaware Code, by Allowing Exemption from License Requirements for Small Day Care Homes and Small Day Care Group Homes.”

Senator Conner presented a communication from James Kennedy and requested that it be placed with the Bill for information purposes.

Senator Conner moved that consideration of **SB 202** be deferred. Hearing no objection, the motion prevailed.

Senator Hickman introduced **SB 249** which was given its first reading by title only, as follows:

SB 249 — “An Act to Amend An Act Being Chapter 166, Volume 37, Laws of Delaware Entitled “An Act to Reincorporate the Town of Selbyville” as Amended, by Repealing Chapter 165, Volume 41, Laws of Delaware and Adding a New Subsection to Section 4, Chapter 166, Volume 37, Laws of Delaware, Authorizing the Borrowing Against Anticipated Revenue.” Assigned to Committee on Community Affairs.

On motion of Senator Cicione, **SJR 13** was taken up for consideration and read a second time by title only in order to pass the Senate.

SJR 13 — “Saluting the Jewish War Veterans on their 75th National and 25th State Anniversaries.”

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, McCullough, Robbins, Schlör, Slawik, Steele — 16.

ABSENT: Messrs. Hart, (Mrs.) Manning and Isaacs — 3.

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

On motion of Senator duPont HCR 18 was taken up for consideration and read a second time by title only in order to pass the Senate.

HCR 18 — "Urging the Adoption of President Nixon's Revenue-Sharing Plan."

Senator duPont moved that the roll call on the Resolution be tabled. Hearing no objection, the motion prevailed.

Senator Schlör introduced SB 250 which was given its first reading by title only, as follows:

SB 250 — "An Act to Amend Title 31 of the Delaware Code Relating to the Demolition of Residential Properties by the Various Authorities." Assigned to Committee on Health and Social Services.

On motion of Senator Castle, HB 191 was taken up for consideration and read a second time by title only in order to pass the Senate.

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

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

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, McCullough, Robbins, Schlör, Slawik, Steele — 14.

ABSENT: Messrs. Cicione, Hickman, Holloway, Isaacs, (Mrs.) Manning — 5.

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

On motion of Senator Slawik SB 57 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 57 — "An Act Agreeing to a Proposed Amendment to the Constitution of the State of Delaware."

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

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

NAYS: Mr. McCullough — 1.

ABSENT: Mr. Cicione — 1.

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

Senator Slawik moved that **SB 152** be stricken from the Calendar. Hearing no objection, the motion prevailed.

Senator Isaacs moved that Rule 9 be suspended for the purpose of considering **HB 210**.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele — 15.

NOT VOTING: Messrs. Cook and Foltz — 2.

ABSENT: Messrs. Cicione and Slawik — 2.

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

On motion of Senator Isaacs, **HB 210** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 210 — “An Act to Amend Chapter 60, Title 7, Delaware Code, Relating to Water and Air Resources and Certain Procedures Relating to Rules Set Forth in said Chapter.”

Senator Isaacs requested the privilege of the floor for Representative Kenneth Boulden to speak on **HB 210**. Hearing no objection, the privilege was granted.

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

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

ABSENT: Mr. Cicione — 1.

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

On motion of Senator Hickman, **HB 159** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 159 — “An Act to Amend Subchapter 1 of Chapter 21, Title 21, Delaware Code, Relating to Departmental Records of Registered Vehicles.”

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

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

ABSENT: Mr. Cicione — 1.

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

On motion of Senator Hickman, HB 160 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 160 — "An Act to Amend Subchapter 1 of Chapter 27, Title 21, Delaware Code, Relating to Permanent License."

Senator Hickman moved that consideration of the Bill be deferred. Hearing no objection, the motion prevailed.

On motion of Senator Hickman, HB 161 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 161 — "An Act to Amend Subchapter 11 of Title 21, Delaware Code, Relating to Duration of Temporary Registration Plates."

Senator Hickman moved that consideration of the Bill be deferred. Hearing no objection, the motion prevailed.

On motion of Senator Hickman, HB 162 w/ HA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 162 w/ HA 1 — "An Act to Amend Subchapter VI of Chapter 21, Title 21, Delaware Code Relating to Replacement Fees for Number and Registration Plates."

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

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hickman, Steele — 10

NAYS: Messrs. Isaacs, McCullough, Robbins, Schlör — 4.

NOT VOTING: Messrs. Hart, Holloway, (Mrs.) Manning, Slawik — 4.

ABSENT: Mr. Cicione — 1.

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

Senator Cook introduced SB 251 which was given its first reading by title only, as follows:

SB 251 — "An Act to Amend Chapter 63, Title 29, Delaware Code, Relating to the Budget Commission." Assigned to Committee on Executive.

Senator Elliott introduced SS 1 for SB 65.

Senator Elliott moved that the Substitute be adopted in lieu of the Original Bill. Hearing no objection, the motion prevailed.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred SB 235, reported the same back to the Senate: 6 Merits.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred HB 29, reported the same back to the Senate: 5 Merits.

Senator Hart, on behalf of the Committee on Highways, Transportation and Insurance to whom had been referred SB 179, reported the same back to the Senate: 1 Favorable; 4 Merits.

Senator Foltz, on behalf of the Committee on Administrative Services to whom had been referred SB 165, reported the same back to the Senate: 2 Favorable; 4 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred HB 139, reported the same back to the Senate: 6 Merits.

Senator Holloway moved that SA 1 to SB 183, which had been placed with the Bill, now be stricken. Hearing no objection, the motion prevailed.

On motion of Senator Holloway, SB 183 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 183 — “An Act to Amend Title 16 of the Delaware Code Relating to the Free Use of Toilet Facilities.”

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

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

NAYS: Mr. Robbins — 1.

NOT VOTING: Mr. Schlor — 1.

ABSENT: Mr. Elliott — 1.

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

Senator Cicione, on behalf of the Committee on Labor and Industrial Relations to whom had been referred SB 228, reported the same back to the Senate: 2 Favorable; 3 Merits.

Senator Grier moved that the Senate recess until 2:30 p.m., Tuesday, April 27, 1971. Hearing no objection, the Senate recessed at 4:55 p.m.

Senator duPont moved that the Senate adjourn until 2:58 p.m., Tuesday, April 27, 1971. Hearing no objection, the Senate adjourned at 2:58 p.m., April 27, 1971.

28TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:58 p.m., Tuesday, April 27, 1971, Lt. Governor Bookhammer presiding.

Prayer by Rev. Gray Walker.

Pledge of allegiance to the flag.

By roll call, the following Senators were present:

PRESENT: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele — 17.

ABSENT: Messrs. Elliott and Grier — 2.

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

Senator Hickman introduced SB 252 which was given its first reading by title only, entitled:

SB 252 — "An Act to Amend an Act Entitled: "An Act to Incorporate the Town of Fenwick Island, Delaware" Relating to Assessments and Collection of Taxes." Assigned to Committee on Community Affairs.

Senator Cicione introduced SB 253 which was given its first reading by title only, entitled:

SB 253 — "An Act to Amend Chapter 27, Title 25 of the Delaware Code Relating to Mechanics Liens, and Providing a Method by Which Subcontractors Shall be Paid for Work Satisfactorily Completed." Assigned to Committee on Judiciary and Elections.

Senator Cicione introduced SB 254 which was given its first reading by title only, entitled:

SB 254 — "An Act to Amend Part II, Chapter 35, Title 6 of the Delaware Code Relating to Building Construction Payments." Assigned to Committee on Judiciary and Elections.

Senator Steele introduced SA 1 to HB 139.

Senator Steele moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Cicione introduced SB 255 which was given its first reading by title only, entitled:

SB 255 — "An Act to Amend Part VI, Title 16 of the Delaware Code Exempting Certain Firemen, Policemen, and Volunteer Ambulance and Rescue Squad Personnel from Civil Liability when Rendering Emergency Care, First Aid and Rescue in the Performance of Their Official Duties except in Certain Instances." Assigned to Committee on Health and Social Services.

Senator Isaacs introduced SB 256 which was given its first reading by title only, entitled:

SB 256 — “An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to Employment Formula and Salary Schedules for Certain Professional Personnel Employed by the School District.” Assigned to Committee on Education.

Senator Isaacs introduced **SJR 14**, which was given its first reading by title only, as follows:

SJR 14 — “Relating to the Boundaries of Delaware.” Assigned to Committee on Natural Resources and Environmental Control.

Senator Castle announced that there would be a Governor’s Conference on the Administration of Justice, Saturday from 8:30 to 4:30 at Wilcastle.

Senator Isaacs, on behalf of the Committee on Natural Resources and Environmental Control to whom had been referred **HB 7**, reported the same back to the Senate: 4 Merits; 1 Unfavorable.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred **SB 226**, reported the same back to the Senate: 6 Merits.

The Secretary read the following message from the House:

4/27/71

Mr. President:

The House wishes to inform the Senate that it has passed: **HB 138; HB 187 w/ HA 1; HB 188; HB 215; HB 176; HCR 22; HCR 23 and HJR 7** and the requests the concurrence of the Senate.

The House also passed: **SB 128; SB 141 w/ SA 1; SB 206; SB 168; SJR 3; SJR 11 and SCR 20** and is returning the same to the Senate.

Senator duPont introduced **SR 42** as follows:

SR 42 — “Extending Congratulations to Senator Manning on the Occasion of the Birth of Her First Grandson.”

WHEREAS, the Senate has learned of the arrival at the Wilmington Hospital of 8 pounds of masculine “Manning” smile;

WHEREAS, Senator Manning by this event has reached the high and exalted pinnacle of “grandmotherhood”; and

WHEREAS, Senator Manning is justly proud of her son Bill serving in the Armed Forces and his wife, Marty, and now the beginning of a third generation; and

WHEREAS, the Senate knows that Nathan Manning will come by naturally a zest for life, a winning spirit, and a sense of responsible citizenship wholly in keeping with the Manning tradition.

NOW, THEREFORE

BE IT RESOLVED, that the Senate take due note of the arrival of Nathan Manning and extend to Senator Manning and her son and his wife their hearty congratulations.

BE IT FURTHER RESOLVED that this resolution be spread across the pages of the Journal and a copy delivered to Senator Manning and Mr. and Mrs. William Manning.

Senator duPont moved that the Resolution be adopted.

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

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

ABSENT: Messrs. Elliott, Foltz and Grier — 3.

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

The Chair introduced the following House Bills which were given first reading by title only:

HB 138 — "An Act Proposing an Amendment to Article I, Section 4 of the Constitution of the State of Delaware Relating to Trial by Jury." Assigned to Committee on Judiciary and Elections.

HB 176 — "An Act to Amend Section 8105, Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power by Exempting Lands and Improvements of the Rutherford Civic Association, Inc., from Assessment and Taxation." Assigned to Committee on Finance.

HB 187 w/ HA 1 — "An Act to Amend Title 4, Delaware Code, Section 512, Relating to the Removal of Partially Consumed Bottles of Alcoholic Liquor from Clubs, Restaurants, Hotels, Dinner Theaters, or Horse Racetracks." Assigned to Committee on Judiciary and Elections.

HB 188 — "An Act to Amend Chapter 31, Title 3, Delaware Code Relating to Milk, Cream and Other Milk Products Concerning Method of Sampling and Testing." Assigned to Committee on Agriculture.

HB 215 — "An Act Making a Supplemental Appropriation to the Division of Social Services for Public Assistance Grants." Assigned to Committee on Finance.

Senator Isaacs introduced SB 257, co-sponsored by Senator Cicione, which was given its first reading by title only, entitled:

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

Senator Isaacs moved that Rule 9 be suspended for the purpose of considering SB 257.

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

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

ABSENT: Messrs. Elliott and Grier — 2.

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

So therefore, on the question, "Shall the Bill (SB 257) pass the Senate?", the yeas and nays were ordered which, being taken, were as follows:

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

ABSENT: Messrs. Elliott and Grier — 2.

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

The Chair introduced **HJR 7** which was given its first reading by title only, as follows:

HJR 7 — "Encouraging the Protection of the Environment, the Stabilization of the Population, and the Preservation of the Natural Resources of the State of Delaware." Assigned to Committee on Natural Resources and Environmental Control.

The Chair introduced **HCR 22** which was given its first reading by title only, as follows:

HCR 22 — "Relating to Notification to the Secretary of State of First-leg Passage of Proposed Constitutional Amendments." Assigned to Committee on Executive.

The Chair presented **HCR 23** with title as follows:

HCR 23 — "Praising the Wilmington High School Basketball Team for a Record-breaking Season and its Coach for Being Selected "Coach-of-the-year."

Senator Castle moved that the Resolution be adopted.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Hale, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele — 15.

ABSENT: Messrs. Elliott, Grier, Hart and (Mrs.) Manning — 4.

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

Senator Cicione moved that **SB 201** be stricken from the Calendar. Hearing no objection, the motion prevailed.

On motion of Senator Castle, **HB 139 w/ HA 1, 2, 3** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 139 w/ HA 1, 2, 3, — "An Act to Amend Chapter 1 of Title 10, Delaware Code, by Creating the Administrative Office of the Courts and transferring to that Office the Office of Deputy Administrator for the Justice of the Peace Courts and Making a Supplementary Appropriation therefor."

Senator Steele introduced SA 1 to HB 139 w/ HA 1, 2, 3.

Senator Steele moved that the Amendment be adopted.

Senator Steele moved that the roll call on the adoption of the Amendment be tabled.

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

YEAS: Messrs. Cicione, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, Robbins, Steele — 9.

NAYS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, (Mrs.) Manning, McCullough, Schlör, Slawik — 8.

ABSENT: Messrs. Elliott and Hale — 2.

So the question was decided in the negative and the motion, having failed to receive the required constitutional majority, was lost.

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

YEAS: Messrs. Cicione, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, Steele — 8.

NAYS: Messrs. Castle, (Mrs.) Conner, Cook, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik — 8.

NOT VOTING: Mr. duPont — 1.

ABSENT: Messrs. Elliott and Grier — 2.

So the question was decided in the negative and the Amendment, having failed to receive the required constitutional majority, was lost.

Senator Castle requested the privilege of the floor for Chief Justice Daniel Wolcott to speak on HB 139 w/ HA 1, 2, 3. Hearing no objection, the privilege was granted.

At 4:25 p.m., Senator Foltz moved that the Senate recess for a five-minute period to caucus. Hearing no objection, the motion prevailed.

The Senate reconvened at 5:05 p.m.

Senator Cicione introduced SA 2 to HB 139 w/ HA 1, 2, 3.

Senator Foltz moved that further action on HB 139 w/ HA 1, 2, 3 be deferred.

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

YEAS: Messrs. Cicione, duPont, Foltz, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Robbins, Steele — 10.

NAYS: Messrs. Castle, (Mrs.) Conner, Cook, Schlör, Slawik — 5.

ABSENT: Messrs. Elliott, Grier, Holloway, McCullough — 4.

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

On motion of Senator Castle, **SB 200** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 200 — “An Act to Initiate Unification of the Delaware Courts by Amending Titles 9, 10 and 11 of the Delaware Code to Abolish the Courts of Common Pleas, and to Authorize Additional Superior Court Judges.”

Senator Castle requested the privilege of the floor for Judge Herrman and Judge Quillen to speak on the Bill. Hearing no objection, the privilege was granted.

Senator Castle moved that the roll call on **SB 200** be tabled.

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

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Foltz, Hale, Holloway, (Mrs.) Manning, McCullough, Schlör, Steele — 11.

NAYS: Messrs. Cicione, Hart, Isaacs, Robbins — 4.

NOT VOTING: Mr. Slawik — 1.

ABSENT: Messrs. Elliott, Grier and Hickman — 3.

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

Senator duPont moved that the Senate recess until 2:30 p.m., Wednesday, April 28, 1971. Hearing no objection, the motion prevailed and the Senate recessed at 6:00 p.m.

Senator duPont moved that the Senate adjourn until 3:00 p.m., Wednesday, April 28. Hearing no objection, the Senate adjourned at 3:00 p.m., April 28, 1971.

29TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:00 p.m., Wednesday, April 28, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Godfrey.

Pledge of allegiance to the flag.

By roll call, the following Senators were present:

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

ABSENT: Mr. Grier — 1.

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

Senator Hart introduced **SA 1** to **HB 116 w/ HA 2, 3**.

Senator Hart moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Isaacs introduced **SA 2** to **HB 116 w/ HA 2, 3**.

Senator Isaacs moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Isaacs introduced **SB 258** which was given its first reading by title only, as follows:

SB 258 — “An Act to Amend Chapters 9 and 11, Title 7, Delaware Code, Relating to Fishing and the Catching Devices that May be Used in Certain Areas.” Assigned to Committee on Natural Resources and Environmental Control.

Senator Holloway introduced **SB 259**, co-sponsored by Senators Castle and Schlör, which was given its first reading by title only, as follows:

SB 259 — “An Act to Amend Title 31, Chapter 43, Delaware Code, Known as the “Housing Authority Law”, by Providing for the Appointment of One Additional Member of the Housing Authority of the City of Wilmington.” Assigned to Committee on Health and Social Services.

Senator Conner introduced **SA 2** to **SB 197**.

Senator Conner moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Holloway introduced **SS 1** for **SB 183**.

Senator Holloway moved that the Substitute Bill be laid on the table. Hearing no objection, the motion prevailed.

Senator Cicione introduced **SA 1** to **HB 139 w/ HA 1, 2, 3**.

Senator Cicione moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Cicione introduced **SR 43**, entitled:

SR 43 — “In Reference to Election of Officers.”

Senator Cicione moved that the Resolution be adopted.

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

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

ABSENT: Messrs. Grier and Hickman — 2.

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

Senator Hickman introduced **SB 260** which was given its first reading by title only, as follows:

SB 260 — “An Act to Amend an Act Being Chapter 166, Volume 37, Laws of Delaware Entitled “An Act to Reincorporate the Town of Selbyville” as Amended, by Increasing the Amount of Taxes that May be Raised in Any One Year.” Assigned to Committee on Community Affairs.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **HB 215**, reported the same back to the Senate: 2 Merits; 3 Unfavorable.

Senator Steele, on behalf of the Committee on Finance to whom had been referred SB 187, reported the same back to the Senate: 1 Favorable; 3 Merits; 1 Unfavorable.

The Secretary read the following message from the House:
4/27/71

Mr. President:

The House wishes to inform the Senate that it has passed **HB 23; HB 154; HB 116 w/ HA 2, 3 and HB 197 w/ HA 2** and requests the concurrence of the Senate.

The Chair introduced the following House Bills which were given first reading by title only and then assigned to committee:

HB 23 — “An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of Jefferson Farms Swim Club, Inc., from Assessment and Taxation.” Assigned to Committee on Community Affairs.

HB 116 w/ HA 2, 3 — “An Act to Amend Section 1154, Title 30, Delaware Code, by Adding the Requirement for Employers to Make Monthly Deposits of State Personal Income Taxes withheld from Employees.” Assigned to Committee on Finance.

HB 154 — “An Act to Amend Section 8105, Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power by Exempting Lands and Improvements of the Radnor Green Civic Association, Inc. from Assessment and Taxation.” Assigned to Committee on Community Affairs.

HB 197 w/ HA 2 — “An Act to Amend Subchapter 11, Chapter 5, Title 28 of the Delaware Code Relating to Licenses to Conduct Harness Racing Meets.” Assigned to Committee on Judiciary and Elections.

Senator Steele introduced SA 1 to HB 109.

Senator Steele moved that the Amendment be adopted.

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

YEAS: Messrs. Cicione, Hickman, McCullough, Robbins, Steele — 5.

NAYS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Foltz, Holloway, (Mrs.) Manning, Schlör, Slawik — 9.

NOT VOTING: Messrs. Elliott, Hart and Isaacs — 3.

ABSENT: Messrs. Grier and Hale — 2.

So the question was decided in the negative and the Amendment, having failed to receive the required constitutional majority, was lost.

On motion of Senator Manning, **HB 109** was taken up for consideration and read a second time by title only in order to pass the Senate.

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

Senator Manning requested the privilege of the floor for Robert Holbrook, Secretary of Community Affairs and Economic Development. Hearing no objection, the privilege was granted.

Senator Holloway requested the privilege of the floor for Paul C. Stokes to speak on the Bill. Hearing no objection, the privilege was granted.

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

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hickman, Holloway, (Mrs.) Manning, Schlor, Slawik — 12.

NAYS: Messrs. McCullough, Robbins and Steele — 3.

NOT VOTING: Messrs. Cicione, Hart and Isaacs — 3.

ABSENT: Mr. Grier — 1.

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

Senator Steele introduced **SCR 21**, co-sponsored by Senators Cicione, Cook, Hart, Hickman, Isaacs, McCullough and Robbins, which was given its first reading by title only, as follows:

SCR 21 — "To Petition the Congress of the United States to Call a Convention for the Purpose of Proposing an Amendment to the Constitution of the United States."

Senator Steele moved that consideration of the Resolution be deferred. Hearing no objection, the motion prevailed.

Senator Slawik introduced **SB 261**, co-sponsored by Senators Cicione and Hart, which was given its first reading by title only, as follows:

SB 261 — "An Act Making a Supplementary Appropriation to Optimist Club of Wilmington — Operation Firecracker Account." Assigned to Committee on Finance.

On motion of Senator Manning, **HB 189** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 189 — "An Act to Amend an Act entitled "An Act to Incorporate the Town of Ocean View in Sussex County, Delaware", being Chapter 649, Volume 18, Laws of Delaware, as Amended, Relating to the Annual Salary Paid to Members of the Town Council."

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Slawik, Steele — 13.

NAYS: Messrs. McCullough and Robbins — 2.

NOT VOTING: Messrs. Isaacs and Schlor — 2.

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

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

Senator Slawik introduced SB 262, co-sponsored by Senator Steele, which was given its first reading by title only, as follows:

SB 262 — “An Act Agreeing to a Proposed Amendment to Section 1, Article VIII of the Constitution of the State of Delaware, Relating to the Exemption from Taxation of Real Property.”

Senator Slawik moved that Rule 9 be suspended for the purpose of considering SB 262.

On the question, “Shall the motion prevail?”, the yeas and nays were ordered which, being taken, were as follows:

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

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

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

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

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

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

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

On motion of Senator Hickman, **HB 29** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 29 — “An Act to Amend Title 21, Delaware Code, Relating to Projections from Periphery of Tires.”

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

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hickman, (Mrs.) Manning, Robbins, Steele — 11.

NAYS: Messrs. Isaacs, McCullough, Schlor — 3.

NOT VOTING: Messrs. Cicione and Hart — 2.

ABSENT: Messrs. Grier, Holloway and Slawik — 3.

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

Senator Holloway introduced **SR 44** as follows:

SR 44 — “Relating to the Quality and Kinds of Children’s Programming on Television.”

WHEREAS, members of the Senate of the State of Delaware believe that commercial broadcasters have rarely used television to benefit our nation's children; and

WHEREAS, some thirty (30) percent of Americans are under thirteen (13) years of age and spend more of their time watching television than any other age group; and

WHEREAS, pre-school children are the single heaviest television audience in the United States; and

WHEREAS, President Richard M. Nixon stated in his message on education in recognition of the value of television as a teaching device that "our goal must be to increase the use of the television medium to stimulate the desire to learn and to help teach."

NOW THEREFORE,

BE IT RESOLVED by the Senate of the 126th General Assembly of the State of Delaware that the Federal Communications Commission require all T.V. broadcasters as part of their responsibility to local communities to provide at least fifty (50) percent of a station's program hours for children beyond being primarily entertainment and that this programming be made available throughout the week, particularly in the after-school hours and in early-morning prime time.

BE IT FURTHER RESOLVED in addition to the programming for the crucial pre-school years, programs be designed for the six to nine and ten to twelve age groups who are now ignored.

BE IT FURTHER RESOLVED that the Federal Communications Commission require that children's television be racially and ethnically integrated for the racial attitudes of children are formed in the pre-school years when television viewing is greatest.

BE IT FURTHER RESOLVED that as part of the license renewal application broadcasters should file with the Federal Communications Commission statements of the cognitive, emotional and other developments they intend to result from such programming and once a year the broadcaster should also file a research report evaluating the benefit, if any, derived by children of his community from this programming.

BE IT FURTHER RESOLVED that a copy of this Resolution be made a part of the Journal of the Senate of the 126th General Assembly and that copies be forwarded to Mr. Thomas P. F. Hoving, Chairman, National Citizens Committee for Broadcasting, 1145 19th Street, N.W., Suite 506, Washington, D.C.; Federal Communications Commission, Washington, D.C. and to Delaware's Congressional delegation.

Senator Hollowway moved that the Resolution be laid on the table. Hearing no objection, the motion prevailed.

On motion of Senator Isaacs, HB 7 w/ HA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 7 w/ HA 1 — “An Act to Amend Title 7 of the Delaware Code, Relating to the Illegal Slaughtering of Animal Species on the Verge of Extinction, Empowering the Division of Fish and Wildlife to Designate Endangered Species and Prohibiting the Sale of Certain Animal Skins.”

Senator Isaacs asked for the privilege of the floor for Rep. Quillen to speak on the Bill. Hearing no objection, the privilege was granted.

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

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

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

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

Senator Isaacs, on behalf of the Committee on Natural Resources and Environmental Control to whom had been referred **SJR 10**, reported the same back to the Senate: 6 Merits.

Senator Isaacs, on behalf of the Committee on Natural Resources and Environmental Control to whom had been referred **SJR 14**, reported the same back to the Senate: 4 Favorable; 2 Merits.

Senator Hale, on behalf of the Committee on Education to whom had been referred **SB 154**, reported the same back to the Senate: 5 Merits.

Senator Hale, on behalf of the Committee on Education to whom had been referred **SB 243**, reported the same back to the Senate: 5 Favorable.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **HB 116 w/ HA 2, 3**, reported the same back to the Senate: 2 Merits; 3 Unfavorable.

Senator Hale, on behalf of the Committee on Education to whom had been referred **HB 121**, reported the same back to the Senate: 4 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred **HB 197**, reported the same back to the Senate: 1 Favorable; 5 Merits.

Senator Holloway requested personal privilege of the floor to explain his debate on **HB 109** with apologies. Hearing no objection, the privilege was granted.

Senator McCullough moved that the apology be accepted. Hearing no objection, the motion prevailed.

Senator duPont moved that the Senate adjourn until 2:30 p.m., Thursday, April 29, 1971. Hearing no objection, the motion prevailed and the Senate adjourned at 5:45 p.m.

30TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:00 p.m., Thursday, April 29, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Walker.

Pledge of allegiance to the flag.

By roll call, the following Senators were present:

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

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

Senator Steel introduced SA 3 to HB 139.

Senator Steele moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Steele introduced SB 263 which was given its first reading by title only, as follows:

SB 263 — "An Act Agreeing to a Proposed Amendment to Articles III and XV of the Constitution of the State of Delaware to Abolish the Office of Coroner."

Senator Steele moved that Rule 9 be suspended for the purpose of considering SB 263.

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

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

NAYS: Messrs. McCullough and Robbins — 2.

ABSENT: Messrs. Hart and Hickman — 2.

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

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

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

NAYS: Messrs. McCullough and Robbins — 2.

ABSENT: Messrs. Cicione and Hickman — 2.

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

The following telegram was read from the Secretary of the Delaware Association of Police:

Lieut Gov Eugene Bookhammer Members of the Senate
State Senate Dover Delaware

The DAP cordially invites you and the members of the Senate to
the Annual Ball held Hotel duPont 9 PM Friday May 7 1971

Anthony J Celano Sec.

Senator Steele, on behalf of the Committee on Finance to
whom had been referred SB 261, reported the same back to the
Senate: 4 Merits.

Senator Manning, on behalf of the Committee on Com-
munity Affairs to whom had been referred HB 23, reported the
same back to the Senate: 2 Favorable; 3 Merits.

Senator Manning, on behalf of the Committee on Com-
munity Affairs to whom had been referred SB 260, reported the
same back to the Senate: 4 Favorable; 2 Merits.

Senator Foltz introduced SB 264 which was given its first
reading by title only, as follows:

SB 264 — "An Act to Amend Chapter 11, Title 12 of the
Delaware Code Relating to the Escheat of Postal Savings System
Accounts." Assigned to Committee on Judiciary and Elections.

On motion of Senator Steele, HB 215 was taken up for
consideration and read a second time by title only in order to pass
the Senate.

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

Senator Steele requested the privilege of the floor for Dr.
Albert Ingram to speak on HB 215. Hearing no objection, the
privilege was granted.

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

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

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

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

Senator Isaacs introduced SB 265 which was given its first
reading by title only, as follows:

SB 265 — "An Act Making a Supplementary Appropriation
to the Department of Natural Resources and Environmental
Control for the Purpose of Moving Oysters to Public Grounds."
Assigned to Committee on Finance.

On motion of Senator Steele, SB 98 was taken up for
consideration and read a second time by title only in order to pass
the Senate.

SB 98 — "An Act to Amend Chapter 299, Volume 57, Laws
of Delaware known as the "Annual Capital Improvement Act of
1970" by Providing an Alternative to Alterations of Certain
Facilities at the Woods Haven-Kruse School."

Senator Steele requested the privilege of the floor for Dr. Albert Ingram to speak on the Bill. Hearing no objection, the privilege was granted.

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

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

ABSENT: Mr. Hickman — 1.

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

At 3:30 p.m. President Pro Tem duPont, presiding.

On motion of Senator Steele, SB 110 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 110 — "An Act to Amend Chapter 736, Volume 57, Laws of Delaware, Known as the "Annual Capital Improvement Act of 1971" by Providing an Alternative to Alterations of Certain Facilities at the Woods Haven-Kruse School."

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

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

ABSENT: Mr. Hickman — 1.

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

On motion of Senator Cicione, SB 228 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 228 — "An Act to Amend Chapter 23, Title 19 of the Delaware Code Relating to Payments for Injuries or Death and Incidental Benefits."

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik — 16.

NOT VOTING: Mr. Steele — 1.

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Steele introduced SA 3 to HB 139.

Senator Steele moved that the Amendment be adopted.

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

YEAS: Messrs. Cicione, Elliott, Foltz, Hale, Hart, Hickman, Isaacs, Robbins, Steele — 9.

NAYS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Grier, Holloway, (Mrs.) Manning, McCullough, Schlör, Slawik — 10.

So the question was decided in the negative and the Amendment, having failed to receive the required constitutional majority, was lost.

On motion of Senator Castle, HB 139 w/ HA 1, 2, 3 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 139 w/ HA 1, 2, 3 — "An Act to Amend Chapter 1 of Title 10, Delaware Code, by Creating the Administrative Office of the Courts and Transferring to that Office the Office of Deputy Administrator for the Justice of the Peace Courts and Making a Supplementary Appropriation Therefor."

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

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Holloway, (Mrs.) Manning, McCullough, Schlör, Slawik — 12.

NAYS: Messrs. Cicione, Foltz, Hart, Isaacs, Robbins, Steele — 6.

ABSENT: Mr. Hickman — 1.

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

Senator Isaacs moved that the Senate recess for a ten-minute period at 3:45 p.m. Hearing no objection, the motion prevailed.

The Senate reconvened at 3:55 p.m.

On motion of Senator Castle, HB 197 w/ HA 2 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 197 w/ HA 2 — "An Act to Amend Subchapter 11, Chapter 5, Title 28 of the Delaware Code Relating to Licenses to Conduct Harness Racing Meets."

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

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

NOT VOTING: Messrs. Elliott and Hickman — 2.

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

On motion of Senator Isaacs, **SJR 14** was taken up for consideration and read a second time by title only in order to pass the Senate.

SJR 14 — “Relating to the Boundaries of Delaware.”

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

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

ABSENT: Mr. Slawik — 1.

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

Senator Isaacs moved that **SA 2** to **HB 116 w/ HA 2, 3** be stricken. Hearing no objection, the motion prevailed.

Senator Steele asked for the privilege of the floor for Mr. Joseph Cashman to speak on **HB 116 w/ HA 2, 3**. Hearing no objection, the privilege was granted.

Senator Isaacs introduced **SA 3** to **HB 116 w/ HA 2, 3**.

Senator Isaacs moved that the Amendment be adopted.

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

YEAS: Messrs. Elliott, Foltz, Hart, Hickman, Isaacs, Robbins — 6.

NAYS: (Mrs.) Conner, Messrs. duPont, Hale, (Mrs.) Manning, McCullough, Schlör, Steele — 7.

NOT VOTING: Messrs. Castle, Cook, Grier — 3.

ABSENT: Messrs. Cicione, Holloway, Slawik — 3.

So the question was decided in the negative and the Amendment, having failed to receive the required constitutional majority, was lost.

Senator Foltz introduced **SB 266**, co-sponsored by Senator Holloway, which was given its first reading by title only, as follows:

SB 266 — “An Act to Amend Title 29, Delaware Code, Chapter 69, Relating to Procurement of Materiel and Award of Contracts for Public Works by State Agencies by Requiring that All Contractors Provide Equality of Employment Opportunities for All Employees and Job Applicants.” Assigned to Committee on Judiciary and Elections.

Senator Cicione introduced **SR 45**, co-sponsored by Senators Castle, Conner, Cook, duPont, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, Manning, McCullough, Robbins, Schlör, Slawik, Steele.

SR 45 — “Expressing the Fondest of Birthday Wishes from the Senate to Laurel Senator David H. Elliott.”

WHEREAS, the breezes off-shore from Burton's Island, deep in the heart of Sussex County, have carried the word that the area's most famous swine herder, David H. (for hearty) Elliott is celebrating his 39th birthday on this day; and

WHEREAS, Senator Elliott, quiet and affable as he is known to be by his senatorial colleagues manages to find himself in newspaper headlines ranging from the Wilmington New-Journal papers southward to Kent County and the Delaware State News, and even further south to the sheets of the Sussex Countian; and

WHEREAS, Senator Elliott is held in high esteem by the other eighteen members of the Senate of the 126th General Assembly and by his constituents in and around his favorite town of Laurel.

NOW, THEREFORE

BE IT RESOLVED by the members of the 126th General Assembly of the State of Delaware that the fondest of happy birthday wishes be directed to Delaware's most successful Maryland outdoorsman, Senator David H. (for honest) Elliott on this important celebration of his birth which took place on April 29, 1932, in Georgetown, the County seat of (yes, that's right) Sussex County, Delaware.

BE IT FURTHER RESOLVED that the text of this birthday resolution be spread upon the minutes of the Senate and a copy delivered to Senator Elliott, the acknowledged "protector of Burton's Island".

Senator Grier moved that the Resolution be adopted.

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

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

ABSENT: Mr. Cicione — 1.

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

Senator Holloway introduced SB 267, co-sponsored by Senators Conner, Hart, McCullough and Slawik, which was given its first reading by title only, as follows:

SB 267 — "An Act to Amend Chapter 39, Title 10, Delaware Code, Pertaining to Comparative Negligence in Civil Actions and Damages Recoverable." Assigned to Committee on Judiciary and Elections.

Senator Hart moved that SA 1 to HB 116 w/ HA 2, 3, which had formerly been placed with the Bill, now be adopted.

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

YEAS: Messrs. Elliott, Foltz, Hart, Hickman, Isaacs, McCullough, Robbins, Slawik — 8.

NAYS: (Mrs.) Manning and Mr. Steele — 2.

NOT VOTING: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Grier, Hale, Schlor — 7.

ABSENT: Messrs. Cicione and Holloway — 2.

So the question was decided in the negative and the Amendment, having failed to receive the required constitutional majority, was lost.

Senator Cook introduced SA 4 to HB 116 w/ HA 2, 3.

Senator Cook moved that the Amendment be adopted.

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

YEAS: Messrs. Cook, Foltz, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlor, Slawik — 10

NAYS: Messrs. Castle, (Mrs.) Conner, duPont, Grier, Hale, (Mrs.) Manning, Steele — 7.

ABSENT: Messrs. Cicione and Elliott — 2.

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

Senator Steele moved that HB 116 w/ HA 2, 3, SA 4 be deferred.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Grier, Hale, Hickman, (Mrs.) Manning, Steele — 8.

NAYS: Messrs. Cook, Elliott, Foltz, Hart, Isaacs, McCullough, Robbins, Schlor — 8.

NOT VOTING: Messrs. Holloway and Slawik — 2.

ABSENT: Mr. Cicione — 1.

So the question was decided in the negative and the motion, having failed to receive the required constitutional majority, was lost.

Senator Steele moved that the Senate recess until the call of the Chair.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Grier, Hale, Hickman, (Mrs.) Manning, Steele — 8.

NAYS: Messrs. Cook, Elliott, Foltz, Hart, Holloway, Isaacs, McCullough, Robbins, Schlor, Slawik — 10

ABSENT: Mr. Cicione — 1.

So the question was decided in the negative and the motion, having failed to receive the required constitutional majority, was lost.

Senator Steele moved that HB 116 w/ HA 2, 3, SA 4 be tabled.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, Steele — 9.

NAYS: Messrs. Cook, Elliott, Foltz, Hart, Isaacs, McCullough, Robbins, Schlör, Slawik — 9.

ABSENT: Mr. Cicione — 1.

So the question was decided in the negative and the motion, having failed to receive the required constitutional majority, was lost.

At 5:05 p.m. the Chair declared a 10-minute recess.

The Senate reconvened at 5:35 p.m.

Senator Steele introduced SA 5 to HB 116 w/ HA 2, 3, SA 4.

Senator Cook moved that the Amendment be tabled.

Senator Steele moved that the roll call on the tabling motion be tabled.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Grier, Hale, Hickman, (Mrs.) Manning, Steele — 8.

NAYS: Messrs. Cook, Elliott, Foltz, Hart, Isaacs, McCullough, Robbins, Schlör, Slawik — 9.

NOT VOTING: Mr. Holloway — 1.

ABSENT: Mr. Cicione — 1.

So the question was decided in the negative and the motion, having failed to receive the required constitutional majority, was lost.

Therefore, on the question, "Shall the motion (to table SA 5 to HB 116 w/ HA 2, 3, SA 4) be adopted?", the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Cook, Elliott, Foltz, Hart, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik — 10.

NAYS: Messrs. Castle, (Mrs.) Conner, duPont, Grier, Hale, Hickman, (Mrs.) Manning, Steele — 8.

ABSENT: Mr. Cicione — 1.

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

Senator Steele moved that the Senate recess until the call of the Chair.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, Steele — 9.

NAYS: Messrs. Cook, Elliott, Foltz, Hart, Isaacs, McCullough, Robbins, Schlör, Slawik — 9.

ABSENT: Mr. Cicione — 1.

So the question was decided in the negative and the motion, having failed to receive the required constitutional majority, was lost.

On motion of Senator Hart, HB 116 w/ HA 2, 3, SA 4 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 116 w/ HA 2, 3, SA 4 — “An Act to Amend Section 1154, Title 30, Delaware Code, by Adding the Requirement for Employers to Make Monthly Deposits of State Personal Income Taxes withheld from Employees.”

Senator Steele moved that the roll call on the Bill be tabled.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Grier, Hale, Hickman, (Mrs.) Manning, Steele — 8.

NAYS: Messrs. Cook, Elliott, Foltz, Hart, Isaacs, McCullough, Robbins, Schlör, Slawik — 9.

NOT VOTING: Mr. Holloway — 1.

ABSENT: Mr. Cicione — 1.

So the question was decided in the negative and the motion, having failed to receive the required constitutional majority, was lost.

Senator Steele moved that the Senate recess until 2:00 p.m., Tuesday.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Grier, Hale, Hickman, (Mrs.) Manning, Steele — 8.

NAYS: Messrs. Cook, Elliott, Foltz, Hart, Isaacs, McCullough, Robbins, Schlör, Slawik — 9.

NOT VOTING: Mr. Holloway — 1.

ABSENT: Mr. Cicione — 1.

So the question was decided in the negative and the motion, having failed to receive the required constitutional majority, was lost.

Therefore, on the question, “Shall the Bill (HB 116 w/ HA 2, 3, SA 4) pass the Senate?”, the yeas and nays were ordered which, being taken, were as follows:

NAYS: Messrs. Castle, Cook, Elliott, Foltz, Hart, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele — 11.

NOT VOTING: (Mrs.) Conner, Messrs. duPont, Grier, Hale, Hickman, Holloway, (Mrs.) Manning — 7.

ABSENT: Mr. Cicione — 1.

So the question was decided in the negative and the Bill, having failed to receive the required constitutional majority, was lost.

The Secretary read the following message from the House:

4/29/71

Mr. President:

The House wishes to inform the Senate that it has passed **SB 257 w/ HA 1** and is returning same to the Senate.

Senator Isaacs moved that **SB 257** as amended by **HA 1** be taken up for consideration.

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

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

NAYS: Mr. duPont and (Mrs.) Manning — 2.

ABSENT: Mr. Cicione — 1.

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

Senator Isaacs introduced **SCR 22** which was given its first reading by title only, as follows:

SCR 22 — "Providing for the Establishment of a Committee of the General Assembly for the Purpose of Investigating Complaints Relating to the Water Conditions at Glasgow Trailer Court."

Senator Isaacs moved that the Resolution be tabled. Hearing no objection, the motion prevailed.

Senator Isaacs introduced **SB 268** which was given its first reading by title only, as follows:

SB 268 — "An Act to Amend Chapters 19 and 21 of Title 7, Delaware Code Relating to the Tonging of Oysters in the Delaware Bay and Providing for Penalty Thereof." Assigned to Committee on Natural Resources and Environmental Control.

Senator Holloway introduced **SA 1** to **SB 267**.

Senator Holloway moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

The Secretary read the following message from the House:

4/29/71

Mr. President:

The House wishes to inform the Senate that it has passed **HB 158 w/ HA 1; HB 172; HB 180; HB 181; HB 192 w/ HA 1; HB 229; HB 234 w/ HA 1** and requests the concurrence of the Senate.

The House also passed **SS 1/ SB 172 w/ HA 1; SB 191** and is returning same to the Senate.

The Chair introduced the following House Bills which were given first reading by title only and assigned to various committees:

HB 158 w/ HA 1 — “An Act to Amend Chapter 3, Section 310, Title 21, Delaware Code Relating to Automobile and License Records.” Assigned to Committee on Agriculture.

HB 172 — “An Act to Amend Title 30, Chapter 23, Delaware Code, by Allowing Exemption from License Requirements for Certain Nonprofit Senior Citizens Centers.” Assigned to Committee on Health and Social Services.

HB 180 — “An Act to Amend Subchapter 11 of Chapter 29, Title 21, Delaware Code, Relating to Custody, Disposition and Return of Security.” Assigned to Committee on Judiciary and Elections.

HB 181 — “An Act to Amend Title 18, Chapter 13, of the Delaware Code Pertaining to Obligations and Stock in Which Insurers May Invest.” Assigned to Committee on Highways, Transportation and Insurance.

HB 192 — “An Act to Amend Chapter 73, Title 16, Delaware Code, by Creating a New Subchapter to Cover the Ownership, Use and Filling of Liquefied Petroleum Gas Containers.” Assigned to Committee on Public Safety.

HB 229 — “An Act to Amend Title 21, Chapter 21, Subchapter IV, Reducing Registration Fees for Motor Vehicles Owned by Persons over 62 Years of Age.” Assigned to Committee on Finance.

HB 234 — “An Act to Amend Chapter 23, Title 19 of the Delaware Code Relating to Additional Payments for Injuries or Death and Incidental Benefits.” Assigned to Committee on Highways, Transportation and Insurance.

Senator Castle moved that **SS1** for **SB 172 w/HA 1** be laid on the table. Hearing no objection, the motion prevailed.

Senator Conner moved that **SB 259** be reassigned from the Committee on Health and Social Services to the Committee on Community Affairs. Hearing no objection, the motion prevailed.

On motion of Senator Cook, **SB 235** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 235 — “An Act to Amend Title 29 Chapter 51, Delaware Code, Relating to Salary Deductions for Hospitalization Insurance and Dues.”

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

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

ABSENT: Mr. Cicione — 1.

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

Senator Cicione, on behalf of the Committee on Labor and Industrial Relations to whom had been referred **SJR 12**, reported the same back to the Senate: 3 Favorable; 2 Merits.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred **SB 198**, reported the same back to the Senate: 6 Merits.

The Secretary read the following message from the House:
4/29/71

Mr. President:

The House wishes to inform the Senate that it has passed **HB 131 w/ HA 1; HB 194; HB 243** and requests the concurrence of the Senate.

The House also passed **SB 170; SCR 5 w/ HA 1 and SJR 13** and is returning same to the Senate.

The Chair assigned **SCR 5** as amended by **HA 1** to the Committee on Highways, Transportation and Insurance.

The Chair introduced the following House Bills which were given first reading by title only then assigned to various committees:

HB 131 w/ HA 1 — "An Act to Amend Article 2, Section 17 of the Constitution of the State of Delaware by Eliminating the Prohibitions Against Certain Types of Lotteries." Assigned to Committee on Executive.

HB 194 — "An Act to Amend Chapter 647, Volume 57, Laws of Delaware, Allowing Unexpended Funds Appropriated Therein to be Used to Build a Hangar for the State Police Helicopter." Assigned to Committee on Finance.

HB 243 — "An Act to Amend Title 14 of the Delaware Code by Eliminating the Posting of Assessment Lists and Hearing Objections Thereto." Assigned to Committee on Community Affairs.

Senator Grier moved that the Senate recess until 2:00 p.m., Tuesday, May 4, 1971. Hearing no objection, the motion prevailed and the Senate recessed at 6:15 p.m.

Senator Grier moved that the Senate adjourn until 2:40 p.m., Tuesday, May 4, 1971. Hearing no objection, the Senate adjourned at 2:40 p.m., May 4.

31ST LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:40 p.m., Tuesday, May 4, 1971, Lt. Governor Bookhammmmer presiding.

Prayer by the Chaplain, Rev. Walker.

Pledge of allegiance to the flag.

By roll call, the following Senators were present:

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

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

Senator duPont introduced **SCR 23**, entitled:

SCR 23 — "Appointing Directors on the Part of the State for the Famers Bank of the State of Delaware for the Branch at Georgetown."

Senator duPont moved that the Resolution be adopted.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele — 13.

ABSENT: Messrs. Cicione, Cook, Elliott, Foltz, Holloway, Slawik — 6.

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

Senator Hale introduced **SJR 15**, co-sponsored by Senators Castle, McCullough, Slawik and Steele, which was given its first reading by title only, as follows:

SJR 15 — "Relating to Proclaiming the Month of May 1971 as Older Americans Month." Assigned to Committee on Executive.

Senator duPont introduced **SB 269**, co-sponsored by Senator Hickman, which was given its first reading by title only, as follows:

SB 269 — "An Act to Amend Chapter 30, Title 30, Delaware Code, Relating to Automobile Dealer Handling Fee and License Fee." Assigned to Committee on Finance.

Senator duPont introduced **SB 270** which was given its first reading by title only, as follows:

SB 270 — "An Act to Amend Chapter 3, Title 1 of the Delaware Code, Providing for Standard Definitions and Nomenclature in the Description of the Various Units of the Executive Branch of the State Government." Assigned to Committee on Judiciary and Elections.

Senator duPont introduced **SB 271**, co-sponsored by Senator Hickman, which was given its first reading by title only, as follows:

SB 271 — "An Act to Amend Chapter 21, Title 21 of the Delaware Code Authorizing the Director of the Division of Motor Vehicles to Allow Franchised Automotive Dealers to Inspect Vehicles Under Certain Circumstances." Assigned to Committee on Public Safety.

Senator duPont introduced SB 272 which was given its first reading by title only, as follows:

SB 272 — "An Act to Amend Title 21, Delaware Code, Chapter 27, Sections 2732 and 2737, Relating to Driving Under the Influence by Inserting Words Relating to Operating or Having a Motor Vehicle in Actual Physical Control." Assigned to Committee on Public Safety.

The Secretary read the following message from the House:
Mr. President:

The House wishes to inform the Senate that it has passed **HCR 24** and requests the concurrence of the Senate.

Senator Robbins introduced **SR 46** with title as follows:

SR 46 — "In Reference to Election of Officers."

Senator Robbins moved that the Resolution be adopted.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Grier, Hale, Hart, Hickman, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 13.

ABSENT: Messrs. Cicione, Cook, Elliott, Foltz, Holloway, Isaacs — 6.

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

Lt. Governor Bookhammer introduced to the Senate two delegates to Girls' State — Jennifer Brennan and Vickie Timmons of Indian River High School.

Senator Foltz introduced **SB 273** which was given its first reading by title only, as follows:

SB 273 — "An Act to Amend Chapter 7, Title 4 of the Delaware Code Relating to the Sale of Alcoholic Liquors on Thanksgiving Day." Assigned to Committee on Administrative Services.

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

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

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

YEAS: (Mrs.) Conner, Messrs. Cook, duPont, Elliott, Grier, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik — 13.

NAYS: Mr. Castle — 1.

NOT VOTING: Mr. Steele — 1.

ABSENT: Messrs. Cicione, Foltz, Hale and Holloway — 4.

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

On motion of Senator Hickman, **SB 260** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 260 — “An Act to Amend an Act Being Chapter 166, Volume 37, Laws of Delaware Entitled “An Act to Reincorporate the Town of Selbyville” as Amended, by Increasing the Amount of Taxes that May be Raised in Any One Year.”

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

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

ABSENT: Mr. Holloway — 1.

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

On motion of Senator Cicione, **SJR 12** was taken up for consideration and read a second time by title only in order to be adopted by the Senate.

SJR 12 — “Giving Formal Approval to the Wearing of Mini-skirts and Pants Suits by Female Employees Working for Agencies of the State of Delaware.”

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

YEAS: Messrs. Castle, Cicione, duPont, Elliott, Foltz, Grier, Hart, Isaacs, Schlör, Slawik, Steele — 11.

NOT VOTING: (Mrs.) Conner, Messrs. Cook, Hale, Hickman, (Mrs.) Manning McCullough, Robbins — 7.

ABSENT: Mr. Holloway — 1.

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

Senator duPont moved that **HB 116 w/ HA 2, 3, SA 4** be restored to the calendar.

Senator duPont moved that the roll call on the motion be tabled.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hickman, (Mrs.) Manning, Steele — 10.

NAYS: Messrs. Cook, Foltz, Hart, Isaacs, McCullough, Robbins, Schlör, Slawik — 8.

ABSENT: Mr. Holloway — 1.

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

On motion of Senator Hale, **HB 121** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 121 — “An Act to Amend Title 14, Section 1913, Delaware Code, Relating to “Objections to Assessment list; posting; hearing”.

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

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

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

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

Senator Elliott introduced **SA 1** to **SB 154** co-sponsored by Senators Cicione, Conner, Grier, Hickman, Isaacs, Robbins, Slawik and Steele.

Senator Elliott moved that the Amendment be adopted.

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

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

ABSENT: Mr. Holloway — 1.

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

On motion of Senator Elliott, **SB 154 w/ SA 1** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 154 w/ SA 1 — “An Act to Amend Title 14 of the Delaware Code, Concerning Moral and Spiritual Emphasis in the Public Schools of the State of Delaware.”

Senator Elliott moved that the following letter, concerning **SB 154 w/ SA 1**, be read to the Senate and made part of the Record. Hearing no objection, the motion prevailed.

State of Delaware
DEPARTMENT OF PUBLIC INSTRUCTION
DOVER, DELAWARE 19901

March 24th 1971

Honorable David H. Elliott
State Senator Legislative Hall
Dover, Delaware

Dear Senator Elliott:

I have reviewed the draft of the bill to revise the code to provide in the public schools for instruction in the principles of morality and justice. I fully support such instruction and study and strongly endorse this bill which would permit such instruction in the public schools of our State. You have provided for those students who would not want to participate in such instruction and it is my opinion that most parents would want to have such instruction provided for their children.

Very truly yours,

(Signed) Kenneth C. Madden
State Superintendent

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

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

ABSENT: Messrs. Holloway and Slawik — 2.

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

The Secretary informed the Senate that Legislative Advisory No. 4 from Fletcher E. Campbell, Jr., Counsel to the Governor, indicated that the Governor approved the following legislation on the indicated dates:

HB 45 (4-18-71); HS 1 for HB 68 (4-18-71); HB 141 w/ HA 1 (4-18-71); HCR 17 (4-18-71); SB 113 (4-18-71); HB 17 (4-22-71); HCR 19 (4-27-71); HCR 21 (4-27-71); HB 111 (4-27-71); HB 117 (4-27-71); HB 183 w/HA 1 (4-28-71); HB 184 w/HA 1 (4-28-71); HB 210 (4-28-71); SB 196 w/ HA 1 (4-28-71); SB 257 w/ HA 1 (4-29-71); HB 46 (4-30-71); HB 87 w/ HA 1 (4-30-71); HB 46 (4-30-71); HB 87 w/ HA 1 (4-30-71); HB 124 w/ HA 1 (4-30-71); HB 125 (4-30-71); SB 180 (4-30-71).

On motion of Senator duPont, HCR 24 was taken up for consideration and read a second time by title only in order to be adopted by the Senate.

HCR 24 — "Providing for a Joint House-Senate Committee to Investigate Busing of Certain Students Ineligible for Free State Bus Transportation."

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

YEAS: Messrs. Castle, Cook, duPont, Elliott, Foltz, Grier, Isaacs, Schlör — 8.

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

NOT VOTING: (Mrs.) Conner, Messrs. Hale, Hart, McCullough, Robbins, Slawik, Steele — 7.

ABSENT: Messrs. Cicione and Holloway — 2.

So the question was decided in the negative and the Resolution, having failed to receive the required constitutional majority, was lost.

Senator Cicione introduced SB 274, co-sponsored by Senators Robbins and Steele and Honorary co-sponsors Representatives Berndt and Harrington, which was given its first reading by title only, as follows:

SB 274 — "An Act to Amend Part I, Title 18 of the Delaware Code Relating to the Establishment of a Group Life Insurance Plan for Employees of the State of Delaware." Assigned to Committee on Highways, Transportation and Insurance.

At 3:15 p.m., Senator Grier moved that the Senate recess for 30 minutes. Hearing no objection, the motion prevailed.

The Senate reconvened at 3:45 p.m.

Senator Cicione introduced SB 275, co-sponsored by Senators Holloway and Slawik, which was given its first reading by title only, as follows:

SB 275 — "An Act to Amend Chapter 9, Title 20 of the Delaware Code, Making it Illegal for any Cemetery or Memorial Park to Refuse to Inter the Remains of Any Member of the Armed Forces of the United States or any Veteran of the Armed Forces of the United States who Actively Served and Received an Honorable Discharge." Assigned to Committee on Executive.

Senator Cicione introduced SB 276 which was given its first reading by title only, as follows:

SB 276 — "An Act to Amend Title 7 of the Delaware Code, Authorizing the Designation of Certain Rivers within This State as Scenic Rivers and to Authorize the Protection of Rivers so Designated." Assigned to Committee on Natural Resources and Environmental Control.

Senator duPont introduced SB 277 which was given its first reading by title only, as follows:

SB 277 — "An Act to Amend Title 21, Delaware Code, Chapters 27 and 41, Relating to Driving, Operating or Having in Actual Physical Control a Motor Vehicle While Under the Influence of Intoxicating Liquor, Drug or Combination Thereof." Assigned to Committee on Public Safety.

Senator Castle, on behalf of the Committee on Judiciary to whom had been referred SB 264, reported the same back to the Senate: 4 Merits.

Senator duPont, on behalf of the Committee on Executive to whom had been referred SJR 15, reported the same back to the Senate: 4 Favorable; 2 Merits.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred HB 172,, reported the same back to the Senate: 3 Favorable; 3 Merits.

Senator Elliott introduced SA 1 to SS 1 for SB 199.

Senator Elliott moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Foltz introduced SA 1 to SB 179.

Senator Foltz moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator duPont moved that the roll call on the motion to restore HB 116 w/ HA 2, 3, SA 4 be lifted.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hickman, (Mrs.) Manning, Steele — 10.

NAYS: Messrs. Cook, Foltz, Hart, Isaacs, McCullough, Robbins, Schlör, Slawik — 8.

NOT VOTING: Mr. Holloway — 1.

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

Therefore, on the question, "Shall the motion (to rescind the roll call on HB 116 w/ HA 2, 3, SA 4) be adopted?", the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hickman, (Mrs.) Manning, Steele — 10.

NAYS: Messrs. Cook, Foltz, Hart, Isaacs, McCullough, Robbins, Schlör, Slawik — 8.

NOT VOTING: Mr. Holloway — 1.

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

Senator duPont moved that roll call on SA 4 to HB 116 w/ HA 2, 3 be stricken.

Senator duPont moved to postpone indefinitely the reading of the very important report of the Economy Commission.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Grier, Hale, Hickman, (Mrs.) Manning, Steele — 8.

NAYS: Messrs. Cook, Foltz, Hart, Isaacs, McCullough, Robbins, Schlör, Slawik — 8.

NOT VOTING: Messrs. Cicione, Elliott, Holloway — 3.

So the question was decided in the negative and the motion, having failed to receive the required constitutional majority, was lost.

Senator Grier moved that the Senate adjourn until 2:00 p.m., Wednesday, May 5, 1971. Hearing no objection, the motion prevailed and the Senate adjourned at 4:45 p.m.

32ND LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:50 p.m., Wednesday, May 5, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Godfrey.

Pledge of allegiance to the flag.

By roll call, the following Senators were present:

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

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

Senator Grier introduced SB 278, co-sponsored by Senators Elliott and Hickman, which was given its first reading by title only, as follows:

SB 278 — "An Act to Amend Chapter 70, Title 9 of the Delaware Code Relating to the Salary to be Paid Each Councilman of the County Council of Sussex County." Assigned to Committee on Community Affairs.

Senator duPont introduced SB 279 which was given its first reading by title only, as follows:

SB 279 — "An Act to Amend Subchapter XVI, Chapter 3, Title 11 of the Delaware Code Relating to Deadly Weapons and Firearms." Assigned to Committee on Public Safety.

Senator Steele introduced SB 280 which was given its first reading by title only, as follows:

SB 280 — "An Act to Amend Title 14, Chapter 27, Section 2702, Delaware Code, to Prescribe More Precisely the School Entering Ages." Assigned to Committee on Education.

Senator Cicione introduced SA 1 to SB 224.

Senator Cicione moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Conner introduced SB 281, co-sponsored by Senators Cicione, Hickman and McCullough, which was given its first reading by title only, as follows:

SB 281 — "An Act Making a Supplementary Appropriation to the Department of Highways and Transportation for the Installation of a Traffic-control Device, and Including the Installation of Four Red Lights." Assigned to Committee on Public Safety.

Senator Schlör introduced SB 282 co-sponsored by Senators Cook and Isaacs, which was given its first reading by title only, as follows:

SB 282 — “An Act to Amend Chapter 9, Title 4 of the Delaware Code Relating to the Confiscation of Vehicles Used in the Transportation of Untaxed Alcoholic Liquors.” Assigned to Committee on Administrative Services.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred **SB 210**, reported the same back to the Senate: 6 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred **SB 213**, reported the same back to the Senate: 5 Merits; 1 Unfavorable.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 269**, reported the same back to the Senate: 6 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **HB 194**, reported the same back to the Senate: 3 Favorable; 3 Merits.

The Secretary read the following message from the House:
5-5-71

Mr. President:

The House wishes to inform the Senate that it has passed **HB 200** and requests the concurrence of the Senate.

The House also passed **SS 1** for **SB 184 w/ HA 1** and is returning same to the Senate.

On motion of Senator Manning, **SS 1** for **SB 184** as amended by **HA 1** was taken up for reconsideration in order to pass the Senate.

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

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

So the question was decided in the affirmative and the Bill, as so amended, passed the Senate.

The Chair introduced **HB 200** which was given its first reading by title only, as follows:

HB 200 — “An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1972. Assigned to Committee on Finance.

Senator Manning, on behalf of the Committee on Community Affairs, to whom had been referred **SB 249** reported same back to the Senate: 1 Favorable; 4 Merits; 1 Unfavorable.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred **HB 192** reported same back to the Senate: 6 Merits.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred **HB 163**, reported same back to the Senate: 5 Merits; 1 Unfavorable.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred SB 252, reported the same back to the Senate: 1 Favorable; 5 Merits.

Lt. Governor Bookhammer introduced to the Senate David Lort and Larry Evans, delegates to the Boys' State from Indian River High School.

On motion of Senator Conner, HB 172 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 172 — "An Act to Amend Title 30, Chapter 23, Delaware Code, by Allowing Exemption from License Requirements for Certain Nonprofit Senior Citizens Centers."

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

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

ABSENT: Mr. Hart — 1.

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

On motion of Senator Castle, SB 222 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 222 — "An Act to Amend Title 8 of the Delaware Code Relating to Corporations by Making Certain Changes in Sections 103, 158, 222, 228, 251, 255, 381 and 391."

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

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

NAYS: Messrs. Isaacs and Schlör — 2.

ABSENT: (Mrs.) Manning — 1.

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

Senator Elliott introduced SJR 16, as follows:

SJR 16 — "Relating to Advisory Councils to the Various Cabinet Departments."

WHEREAS, recognition was given to the concept of citizen participation in State Government in making the transition from a commission form of government to a cabinet form of government; and

WHEREAS, it was concluded that the cabinet form of government should retain some meaningful way in which to involve citizens; and

WHEREAS, it was further concluded by the Task Force on reorganization, as well as the General Assembly that the concept of citizen participation could best serve everyone concerned in an advisory capacity to the Governor, Secretaries and Division Heads; and

WHEREAS, it was statutorily provided that the various advisory councils would be made up of persons who had previously served on boards and commissions and that such advisory councils would have the responsibility of helping their respective departments and divisions to plan and coordinate programs as well as to advise and serve as a public watchdog; and

WHEREAS, it has been brought to the attention of the members of the 126th General Assembly that many advisory councils do not have meetings, and that in many instances advisory councils are not consulted by department and divisional heads and are not made aware of programs and projects of the department as to enable them to evaluate such programs, as well as to act as a sounding board for departmental officials; and

WHEREAS, it was the intent of the General Assembly in its passage of legislation creating the cabinet form of government to incorporate the concept of citizen participation via the advisory council method.

NOW, THEREFORE:

BE IT RESOLVED by the Senate and House of Representatives of the 126th General Assembly of the State of Delaware that the Secretaries of the various departments are hereby directed to request the various Divisional Directors to hold monthly meetings of the existing advisory councils to each Department; however, if the various chairmen of the advisory councils, after consulting with the respective Divisional Directors, feel that there is no major reason or cause to warrant a monthly meeting, then the chairman of such advisory council may waive such monthly meeting.

BE IT FURTHER RESOLVED that Division Heads make every available effort to keep the members of the various advisory councils informed and abreast of the policies, programs, and projects within the respective divisions even to the extent of notifying the members by mail.

BE IT FURTHER RESOLVED that this Resolution be entered on the Journals of both the Senate and House of Representatives and that copies be forwarded to all Departmental Secretaries and Divisional Directors as well as chairmen of the various existing advisory councils. Assigned to Committee on Executive.

Senator Elliott introduced SA 1 to HB 158.

Senator Elliott moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Hart introduced SB 283 which was given its first reading by title only, as follows:

SB 283 — “An Act to Amend Section 1154, Title 30, Delaware Code, Relating to a Credit to Employers for Making Monthly Payments of Taxes Withheld from Employees.”

Senator Hart moved that Rule 9 be suspended for the purpose of considering **SB 283**.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Hart, Hickman, Holloway, Slawik, Steele — 11.

NAYS: Messrs. Cook, Hale, McCullough, Robbins, Schlör — 5.

ABSENT: Messrs. Grier, Isaacs, (Mrs.) Manning — 3.

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

Therefore, on the question, “Shall the Bill pass the Senate?”, the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Slawik, Steele — 14.

NAYS: Messrs. Cook, McCullough, Robbins, Schlör — 4.

ABSENT: Mr. Grier — 1.

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

Senator Hickman introduced **SB 284** which was given its first reading by title only, as follows:

SB 284 — “An Act to Amend § 1052(a), Title 14, Delaware Code, Relating to School Boards and Members of School Boards of Reorganized School Districts.” Assigned to Committee on Education.

Senator duPont moved that the roll call on SA 4 to HB 116 w/ HA 2, 3 be reconsidered.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Hale, Hart, Hickman, (Mrs.) Manning, Steele — 11.

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

NOT VOTING: Messrs. Holloway and Isaacs — 2.

ABSENT: Mr. Grier — 1.

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

Therefore, on the question, “Shall the Amendment (SA 4 to HB 116 w/ HA 2, 3) be adopted?”, the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Cook, McCullough, Robbins, Schlör, Slawik — 5.

NAYS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Hale, Hart, Hickman, (Mrs.) Manning, Steele — 11.

NOT VOTING: Messrs. Holloway and Isaacs — 2.

ABSENT: Mr. Grier — 1.

So the question was decided in the negative and the Amendment, having failed to receive the required constitutional majority, was lost

On motion of Senator duPont, HB 116 w/ HA 2, 3 was taken up for reconsideration in order to pass the Senate.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, Steele — 12.

NAYS: Messrs. Cook, Isaacs, McCullough, Robbins, Schlör, Slawik — 6.

ABSENT: Mr. Grier — 1.

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

Senator Steele introduced SB 285 which was given its first reading by title only, as follows:

SB 285 — "An Act to Amend Chapter 469, Volume 56, Laws of Delaware, Known as the "Annual Capital Improvement Act of 1969" by Extending the Deadline for Starting the Newark State Service Center Project." Assigned to Committee on Finance.

Senator Cook introduced SB 286 which was given its first reading by title only, as follows:

SB 286 — "An Act to Amend Section 5522, Title 29, Delaware Code, Relating to the Definition of Eligibility for Service Pension Under the State Employees' Pension Plan." Assigned to Committee on Finance.

On motion of Senator Slawik, SB 261 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 261 — "An Act Making a Supplementary Appropriation to Optimist Club of Wilmington — Operation Firecracker Account."

Senator Slawik requested the privilege of the floor for Remo P. Romagnoli and Andrew J. Casey of the Wilmington Optimist Club to speak on SB 261. Hearing no objection, the privilege was granted.

Senator Slawik moved that the roll call on the Bill be tabled. Hearing no objection, the motion prevailed.

On motion of Senator Steele SB 111 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 111 — “An Act to Amend Chapter 469, Volume 56, Laws of Delaware, known as the “Annual Capital Improvement Act of 1969”, by providing an Alternative to the Construction of a Sewerage Treatment Plant at the Hospital for the Mentally Retarded.”

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

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

ABSENT: Messrs. Grier, Hart and Schlor — 3.

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

Senator Robbins moved that **SA 2** to **SB 27** which had been previously placed with the Bill, now be adopted.

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

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

ABSENT: Messrs. Grier, Hart and Schlor — 3.

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

On motion of Senator Robbins, **SB 27 w/ SA 2** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 27 w/ SA 2 — “An Act Amending Title 7, Subchapter 11, Delaware Code, as It Pertains to the Sale or Lease of Subaqueous Lands.”

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

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

ABSENT: Messrs. Grier and Schlor — 2.

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

Senator Steele, on behalf of the Committee on Finance to whom had been referred **HB 200**, reported the same back to the Senate: 2 Favorable; 4 Merits.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred **SB 255**, reported the same back to the Senate: 2 Favorable; 4 Merits.

Senator duPont moved that the Senate adjourn until 2:00 p.m. Thursday, May 6, 1971. Hearing no objection, the motion prevailed and the Senate adjourned at 4:25 p.m.

33RD LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:40 p.m., Thursday, May 6, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Gray Walker.

Pledge of allegiance to the flag.

By roll call, the following Senators were present:

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

ABSENT: Mr. Hart — 1.

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

Senator Cicione introduced SB 287, Honorary co-sponsor Rep. Harkins, which was given its first reading by title only, as follows:

SB 287 — "An Act Making a Supplementary Appropriation to the Department of Highways and Transportation for the Installation of a Traffic Light at the Intersection of Faulkland Road and Oak Hill Drive." Assigned to Committee on Public Safety.

Senator Elliott introduced SB 288 which was given its first reading by title only, as follows:

SB 288 — "An Act to Permit Woodbridge School District to Transfer Certain Funds from its Local Debt Service Account to its 1969 and 1970 Minor Capital Improvement Accounts." Assigned to Committee on Finance.

Senator Cicione introduced SB 289, co-sponsored by Senator Steele, which was given its first reading by title only, as follows:

SB 289 — "An Act to Amend Title 14, Chapter 36, Delaware Code, to Provide for Educational Aid to Children of Deceased State Police Officers and to Provide an Initial Appropriation therefor." Assigned to Committee on Finance.

Senator Steele introduced SB 290 which was given its first reading by title only, as follows:

SB 290 — "An Act Authorizing the Incumbent State Treasurer to Transfer Certain Balances in Accounts of the State of Delaware to the Credit of the General Fund of the State of Delaware." Assigned to Committee on Finance.

Senator Steele introduced SA 1 to SB187.

Senator Steele moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Robbins introduced SB 291 which was given its first reading by title only, as follows:

SB 291 — “An Act to Amend Section 511, Chapter 5, Title 31, Delaware Code, Relating to Administration of State Public Assistance.” Assigned to Committee on Health and Social Services.

Senator Isaacs introduced **SB 292**, co-sponsored by Senator Conner which was given its first reading by title only, as follows:

SB 292 — “An Act to Amend Chapter 51, Title 16, Delaware Code, Relating to the Qualifications of the Heads of Certain Institutions.” Assigned to Committee on Health and Social Services.

Senator Foltz introduced **SB 293**, co-sponsored by Senator Holloway, which was given its first reading by title only, as follows:

SB 293 — “An Act to Amend Title 19, Delaware Code, Chapter 7, Subchapter II, Relating to Discrimination in Employment and Making A Supplementary Appropriation to the Department of Labor to Implement This Act.” Assigned to Committee on Labor and Industrial Relations.

The Secretary read the following letter of veto on **SB 206** from the Governor:

May 6, 1971

To the Senate of the
126th General Assembly
of the State of Delaware

On April 27, 1971, I received Senate Bill No. 206 entitled:
AN ACT TO AMEND § 302 and § 303, CHAPTER 3, TITLE 29, DELAWARE CODE BY TRANSFERRING THE RESPONSIBILITY FOR THE STATE'S BOUNDARIES FROM THE CHIEF ENGINEER OF THE HIGHWAY DEPARTMENT TO THE SECRETARY OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL IN CONJUNCTION WITH THE DIRECTOR OF THE DIVISION OF ARCHIVES AND CULTURAL AFFAIRS.

I am returning this bill without my signature for the following reasons:

Although I completely endorse the aims of Senate Bill No. 206, the bill contains a technical error which would render it impossible to implement. Sections 1 and 3 of the bill purport to substitute a new State officer for the functions now, the bill assumes, performed by the “Chief Engineer of the State Highway Department”. However, 53 Delaware Laws, Chapter 255, a 1961 amendment to the Code, substituted the position of the “Director of Operations of the State Highway Department” for the “Chief Engineer of the State Highway Department” wherever any reference to the Chief Engineer appeared in § 302 and § 303 of Title 29. Therefore, Senate Bill No. 206 attempts to delete certain Code references which no longer exist. Furthermore, it is not evident on the face of the bill that the General Assembly would have intended to make the same changes attempted in Senate Bill No. 206 had it been aware of the 1961 Code changes.

Since the aim of Senate Bill No. 206 is laudable, I urge that the bill be redrafted with appropriate corrections and repassed. I assure you that such a corrected version of Senate Bill No. 206 would receive my full support and signature.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

The Secretary read the following message from the House:

5-6-71

Mr. President:

The House wishes to inform the Senate that it has passed **HB 209 w/ HA 4** and requests the concurrence of the Senate.

The House also passed **SB 143 w/ SA 3; SB 99; SB 103** and is returning same to the Senate.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred **SB 278**, reported the same back to the Senate: 5 Merits.

The Chair introduced **HB 209** which was given its first reading by title only, as follows:

HB 209 — "An Act to Amend Chapter 43, Title 21 of the Delaware Code Relating to the Escape of Contents from Motor Vehicles, and Providing Penalties Therefor." Assigned to Committee on Public Safety.

Senator Isaacs introduced **SB 294** which was given its first reading by title only, as follows:

SB 294 — "An Act to Amend §302 and §303, Chapter 3, Title 29, Delaware Code, by Transferring the Responsibility for the State's Boundaries from the Director of Operations of the Highway Department to the Secretary of Natural Resources and Environmental Control in Conjunction with the Director of the Division of Archives and Cultural Affairs."

Senator Isaacs moved that Rule 9 be suspended for the purpose of considering **SB 294**.

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

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

NAYS: Mr. McCullough — 1.

ABSENT: Mr. Hart — 1.

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

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

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

NOT VOTING: Mr. McCullough — 1.

ABSENT: Mr. Hart — 1.

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

Senator Isaacs, on behalf of the Committee on Natural Resources and Environmental Control to whom had been referred SB 268, reported the same back to the Senate: 6 Merits.

Senator Isaacs, on behalf of the Committee on Natural Resources and Environmental Control to whom had been referred SB 258, reported the same back to the Senate: 6 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred SB 265, reported the same back to the Senate: 6 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred SB 285, reported the same back to the Senate: 6 Merits.

Senator Slawik moved that the roll call on SB 261 be lifted. Hearing no objection, the motion prevailed.

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

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

NOT VOTING: Messrs. Elliott and Foltz — 2.

ABSENT: (Mrs.) Manning — 1.

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

Senator Hickman introduced Ronald Vickers and Willie G. Thomas, delegates to the Boys' State from Sussex Central High School.

On motion of Senator Foltz SB 210 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 210 — "An Act to Amend Title 11, Chapter 43, Delaware Code, Relating to Paroles and Providing Psychiatric Examinations."

Senator Foltz requested the privilege of the floor for Joseph M. Dell'Olio, representing the Delaware Agency to Reduce Crime, to speak on the Bill. Hearing no objection, the privilege was granted.

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

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hickman, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steel — 15.

ABSENT: Messrs. Cicione, Hart, Holloway and McCullough — 4.

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

On motion of Senator Foltz SB 211 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 211 — “An Act to Amend Title 11, Chapter 43, Relating to the Board of Parole, Compensation by Members and Meetings, and making an appropriation therefor.”

Senator Foltz moved that further consideration of the Bill be deferred. Hearing no objection, the motion prevailed.

On motion of Senator Foltz, SB 213 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 213 — “An Act to Amend Title 11, Delaware Code, Chapter 43, Abolishing Fixed Terms of Imprisonment, and Providing Indeterminate Sentences for Crime, and Providing an Appropriation for its Implementation.”

Senator Foltz requested the privilege of the floor for Joseph M. Dell’Olio, of the Delaware Agency to Reduce Crime, to speak on the Bill. Hearing no objection, the privilege was granted.

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

YEAS: Messrs. Cicione, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, Slawik — 10.

NAYS: Messrs. Castle, Cook, Elliott, Isaacs, McCullough, Robbins, Schlör — 7.

NOT VOTING: Mr. Steele — 1.

ABSENT: Mr. Hart — 1.

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

Senator Elliott introduced SA 1 to SB 211.

Senator Elliott moved that the Amendment be adopted.

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

YEAS: Messrs. Castle, Cicione, Cook, Elliott, Foltz, Grier, Hickman, Isaacs, McCullough, Robbins, Schlör, Slawik — 12.

NAYS: Messrs. duPont, Hale, Holloway, (Mrs.) Manning, Steele — 5.

NOT VOTING: (Mrs.) Conner — 1.

ABSENT: Mr. Hart — 1.

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

On motion of Senator Foltz, SB 211 w/ SA 1, which had been deferred, was lifted without objection.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, Isaacs, McCullough, Schlör, Slawik — 14.

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

ABSENT: Mr. Hart — 1.

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

Senator Elliott introduced SB 295 which was given its first reading by title only, as follows:

SB 295 — "An Act to Amend Section 8105, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of Charity Lodge No. 27, I.O.O.F. from Assessment and Taxation." Assigned to Committee on Community Affairs.

Senator McCullough introduced SR 47, co-sponsored by Senators Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, Isaacs, Manning, Robbins, Schlör, Slawik, Steele.

SR 47 — "Expressing Birthday Wishes to Former President Harry S. Truman of Independence Missouri."

Senator McCullough moved that the Resolution be adopted.

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

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

ABSENT: Mr. Hart — 1.

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

Senator Holloway introduced SR 48 co-sponsored by Senators Castle, Cicione, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, McCullough, Robbins, Schlör, Slawik and Steele.

SR 48 — Saluting Mothers, Particularly Senators Louise T. Conner and Margaret R. Manning, On Their Day, Mother's Day — 1971.

WHEREAS, the date in the year 1971 A.D. set aside to honor all mothers is Sunday, May 9th; and