

WHEREAS, the Senate of the 126th General Assembly wishes to pay tribute to the great institution of motherhood; and

WHEREAS, the Senate of the 126th General Assembly is proud indeed to have among its number two proud and distinguished mothers, namely the Honorable Louise T. Conner and the Honorable Margaret R. Manning.

NOW, THEREFORE:

BE IT RESOLVED by the members of the 126th General Assembly of the State of Delaware that a warm tribute be accorded to all mothers of the First State.

BE IT FURTHER RESOLVED that the male members of the 126th General Assembly of the State of Delaware stand and bow deeply in respect for their colleagues, Senators Conner and Manning, who are not only legislators, but mothers who are loved and respected by their devoted sons and daughters.

BE IT FURTHER RESOLVED that the text of this Resolution be included in the Senate Journal and enough copies be presented to Senators Conner and Manning for distribution to their respective offspring.

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, Cook, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele — 16.

NOT VOTING: (Mrs.) Conner and (Mrs.) Manning — 2.

ABSENT: Mr. Hart — 1.

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

On motion of Senator Foltz, SB 60 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 60 — "An Act to Exempt the Capital School District from Repaying to the State of Delaware Certain Sums not Properly Expended by the Former Dover Special School District."

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 to the House for concurrence.

On motion of Senator Foltz, **SB 165** was taken up for consideration and read a second time by title only in order to pass the Senate.

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.”

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

On motion of Senator Steele, **HB 194** was taken up for consideration and read a second time by title only in order to pass the Senate.

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.”

Senator Steele requested the privilege of the floor for John Milner of the Department of Public Safety to speak on the Bill. Hearing no objection, the privilege was granted.

Senator Steele moved that the roll call on **HB 194** be tabled. Hearing no objection, the motion prevailed.

Senator Cicione introduced **SB 296** which was given its first reading by title only, as follows:

SB 296 — “An Act Making a Supplementary Appropriation to the Department of Public Safety for the Use and Benefit of the Division of State Police to Pay Group Life Insurance Premiums.” Assigned to Committee on Finance.

Senator Hickman introduced **SA 1** to **SB 284**.

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

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred **SB 279**, reported the same back to the Senate: 6 Merits.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred **SB 271**, reported the same back to the Senate: 5 Merits; 1 Unfavorable.

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 256 w/ HA 1, 4, 5** and requests the concurrence of the Senate.

The House also passed **SB 231, SB 260** and **SB 173 w/ HA 1** and is returning same to the Senate.

The Chair presented **HB 256 w/ HA 1, 4, 5** which was given its first reading by title only, as follows:

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

On motion of Senator Steele, **SB 173** which had passed the Senate was taken up for reconsideration as further amended by **HA 1**.

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, Hickman, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 17.

ABSENT: Messrs. Hart and Holloway — 2.

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

Senator Grier moved that the Senate recess until 2:00 p.m., Tuesday, May 11, 1971. Hearing no objection, the motion prevailed and the Senate recessed at 5:25 p.m.

Senator Grier moved that the Senate adjourn until 2:45 p.m., Tuesday, May 11, 1971. Hearing no objection, the Senate adjourned at 2:45 p.m., May 11, 1971.

34TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:45 p.m., Tuesday, May 11, 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, 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 Cicione moved that **SB 109** be stricken from the Calendar. Hearing no objection, the motion prevailed.

Senator Castle introduced **SB 297** which was given its first reading by title only, as follows:

SB 297 — "An Act to Amend Title 15, Delaware Code, Relating to a Portion of the Election Laws, by Making Certain Changes Therein." Assigned to Committee on Judiciary and Elections.

Senator Hart introduced **SB 298** which was given its first reading by title only, as follows:

SB 298 — "An Act to Amend Title 14, Delaware Code, Relating to Negotiations between Boards of Education and Organizations of Public School Employees." Assigned to Committee on Education.

Senator Hart introduced **SB 299** which was given its first reading by title only, as follows:

SB 299 — "An Act to Amend Title 14, Delaware Code, Relating to Negotiations between Boards of Education and Organizations of Public School Employees." Assigned to Committee on Education.

Senator Holloway introduced **SB 300** which was given its first reading by title only, as follows:

SB 300 — "An Act to Amend Title 21, Delaware Code, Relating to the Notice of Removal of Motor Vehicles and the Cost of Storage." Assigned to Committee on Public Safety.

Senator Holloway introduced **SB 301** which was given its first reading by title only, as follows:

SB 301 — "An Act to Amend Title 21 of the Delaware Code Relating to the Notice of Removal of Abandoned Vehicles and the Cost of Storage of Same." Assigned to Committee on Public Safety.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 290**, reported the same back to the Senate: 1 Favorable; 5 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 289**, reported the same back to the Senate: 1 Favorable; 5 Merits.

On motion of Senator Castle, **SS 1** for **SB 172** which had previously passed the Senate, was taken up for reconsideration as amended by **HA 1**.

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, Cook, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele — 16.

NOT VOTING: Mr. McCullough — 1.

ABSENT: (Mrs.) Conner and Mr. Foltz — 2.

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

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 requested the privilege of the floor for Major Edward H. Horney, of the Motor Vehicles Bureau, 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, Cook, duPont, Elliott, Foltz, Grier, Hale, Hickman, Isaacs, (Mrs.) Manning, Steele — 11.

NAYS: Mr. McCullough — 1.

NOT VOTING: Messrs. Cicione, Holloway, Robbins, Schlor, Slawik — 5.

ABSENT: (Mrs.) Conner and Mr. 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 back to the House.

Senator Hickman introduced Cathy Hudson and Linda Johnson who will be delegates to Girls' State from Sussex Central High School.

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 requested the privilege of the floor for Major Horney, of the Bureau of Motor Vehicles, to speak on the Bill. Hearing no objection, the privilege was granted.

Senator Hickman moved that consideration of **HB 161** be deferred. Hearing no objection, the motion prevailed.

On motion of Senator Hickman, **HB 163 w/ HA 1** was taken up for consideration and read a second time by title only in order to pass the Senate.

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.”

Senator Hickman requested the privilege of the floor for Major Horney, of the Motor Vehicles Bureau, to speak on the Bill. Hearing no objection, the privilege was granted.

Senator Castle requested the privilege of the floor for Fletcher Campbell, Legal Counselor to the Governor, 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, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Slawik, Steele — 15.

NAYS: Mr. Schlör — 1.

NOT VOTING: Messrs. McCullough and Robbins — 2.

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 back to the House.

Senator Castle (by request) introduced SB 302 which was given its first reading by title only, as follows:

SB 302 — "An Act to Amend Sections 307 and 1704, Title 15, Delaware Code, Relating to the Audit for Names and the Removal of Names of Persons who Have Not Voted in the Preceding General Election." Assigned to Committee on Judiciary and Elections.

Senator Conner introduced SR 49, co-sponsored by Senators Cicione, Cook, duPont, Elliott, Grier, Hale, Hickman, Holloway, Isaacs, Manning, McCullough, Robbins, Schlör, Slawik and Steele.

SR 49 — "Expressing Happy Birthday Wishes to Helen Elizabeth Baynard, Proprietor of the Legislative Hall Lunch-room."

Senator Conner 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, McCullough, Robbins, Schlör, Slawik, Steele — 18.

ABSENT: Mr. Elliott — 1.

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

On motion of Senator duPont, SB 269 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 269 — "An Act to Amend Chapter 30, Title 30, Delaware Code, Relating to Automobile Dealer Handling Fee and License Fee."

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

YEAS: Messrs. Castle, Cicione, Cook, duPont, Foltz, Grier, Hale, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele—15.

NOT VOTING: (Mrs.) Conner, Mr. Hart and (Mrs.) Manning—3.

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.

On motion of Senator duPont, SB 240 was taken up for consideration and read a second time by title only in order to pass the Senate.

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 Re-apportionment.”

Senator Schlör moved that consideration of the Bill be deferred.

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

YEAS: Messrs. Cook, Foltz, Holloway, McCullough, Robbins, Schlör—6.

NAYS: Messrs. duPont, Grier, Hart, Hickman, (Mrs.) Manning, Steele—6.

NOT VOTING: Messrs. Castle, Cicione, (Mrs.) Conner, Elliott, Hale, Isaacs—6.

ABSENT: Mr. Slawik—1.

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

Senator duPont moved that the roll call on the passage of the Bill be tabled. Hearing no objection, the motion prevailed.

Senator Slawik introduced SB 303, co-sponsored by Senator Conner, which was given its first reading by title only, as follows:

SB 303 — “An Act to Amend Chapters 45 and 46, Title 6, Delaware Code, Relating to Prohibiting the Denial of Equal Rights to Housing and Equal Accommodation because of Sex.” Assigned to Committee on Judiciary and Elections.

On motion of Senator Cicione, SB 255 was taken up for consideration and read a second time by title only in order to pass the Senate.

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.”

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.

Senator McCullough introduced SCR 24, co-sponsored by Senator Slawik.

SCR 24 — "Requesting the Senate and House Education Committees to Meet Jointly to Develop a New Formula for the Distribution of the Educational Advancement Fund."

On motion of Senator McCullough, the Resolution was tabled, without objection.

On motion of Senator Steele, the roll call on HB 194 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, duPont, Elliott, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, Steele — 12.

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

NOT VOTING: Mr. Foltz — 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 back to the House.

Senator Castle introduced SA 1 to SB 259.

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

Senator Hickman moved that the Senate recess for a ten-minute period. Hearing no objection, the motion prevailed.

The Senate reconvened ten minutes later.

Senator Schlör introduced SB 304, co-sponsored by Senator Cicione, which was given its first reading by title only, as follows:

SB 304 — "An Act to Amend Title 14, Delaware Code, by Providing for a New Chapter to be Designated as Chapter 28, Relating to the Establishment of a State Scholarship Program for Children who are Residents of Delaware Attending non-profit, non-public Elementary and Secondary Schools Located within the State of Delaware." Assigned to Committee on Education.

On motion of Senator duPont, the roll call on SB 240 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. Cicione, (Mrs.) Conner, duPont, Grier, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Steele — 10.

NAYS: Messrs. Cook, Elliott, Foltz, Hale, McCullough, Robbins, Schlor, Slawik — 8.

NOT VOTING: Mr. Castle — 1.

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

Senator duPont introduced SA 1 to SB 271.

Senator duPont 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, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, McCullough, Robbins, Slawik, Steele — 15.

NOT VOTING: (Mrs.) Manning and Mr. Schlor — 2.

ABSENT: Messrs. Cook and Holloway — 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 271 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 271 w/ SA 1 — "An Act to Amend Chapter 21, Title 21 of the Delaware Code Authorizing the Director of the Division of Motor Vehicles to Allow Franchised Automotive Dealers to Inspect Vehicles Under Certain Circumstances."

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

YEAS: Messrs. Cicione, Cook, duPont, Elliott, Grier, Hart, Hickman, Holloway, Isaacs, Robbins, Schlor, Slawik, Steele — 13.

NAYS: Messrs. Castle, Foltz, Hale, (Mrs.) Manning — 4.

NOT VOTING: (Mrs.) Conner and Mr. 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 to the House for concurrence.

On motion of Senator Hickman, SB 249 was taken up for consideration and read a second time by title only in order to pass the Senate.

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."

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

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

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

On motion of Senator Hickman, **SB 252** was taken up for consideration and read a second time by title only in order to pass the Senate.

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.”

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

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

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

Senator Isaacs announced that on Wednesday, May 12, there would be a meeting of the Natural Resources and Environmental Control Committee after the day's session. All legislators were invited to the meeting.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred **HB 38**, reported the same back to the Senate: 4 Merits; 2 Unfavorable.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred **SB 292**, reported the same back to the Senate: 1 Favorable; 5 Merits.

Senator Cicione, on behalf of the Committee on Labor and Industrial Relations to whom had been referred **SB 197**, reported the same back to the Senate: 1 Favorable; 5 Merits.

Senator Hart, on behalf of the Committee on Highways, Transportation and Insurance, to whom had been referred **HB 234**, 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 243**, reported the same back to the Senate: 5 Merits.

On motion of Senator Schlör **SB 153** was stricken from the Calendar, without objection.

Senator Elliott announced that there would be a “Prayer Brunch” at The Hub, 11:00 a.m., May 12, 1971. Allen Frear would be the speaker.

The Secretary read the following message from the House:
Mr. President: 5-11-71

The House wishes to inform the Senate that it has passed **HB 36 w/ HA 1**; **HB 252 w/ HA 1** and requests the concurrence of the Senate.

The House also passed **SS 1 / SB 190 w/ HA 1**; **SB 262 w/ HA 1** and is returning same to the Senate.

On motion of Senator Slawik SB 262 was taken up for reconsideration as amended by HA 1.

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, 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 Bill, having received the required constitutional majority, passed the Senate.

On motion of Senator Elliott, SS 1 for SB 190 was taken up for reconsideration as amended by HA 1.

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, Hale, Hart, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 16.

NOT VOTING: Mr. Isaacs — 1.

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.

The Chair introduced the following House Bills which were given first reading by title only and assigned to the various committees:

HB 36 w/ HA 1 — "An Act to Amend Part IV, Chapter 41, Title 15 of the Delaware Code, Relating to Elections; and Providing for Maps Showing Representative Districts to be Located at Each Polling Place." Assigned to Committee on Judiciary and Elections.

HB 252 w/ HA 1 — "An Act to Amend Chapter 11, Title 16, of the Delaware Code Relating to Sanatoria, Rest Homes, Nursing Homes, Boarding Homes and Related Institutions." Assigned to Committee on Health and Social Services.

Senator duPont moved that the Senate adjourn until Wednesday, May 12, 1971. Hearing no objection, the Senate adjourned at 6:00 p.m.

35TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:35 p.m., Wednesday, May 12, 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 Holloway introduced SR 50.

SR 50 — "Relating to the Director of the Office of Personnel."

WHEREAS, the Director of the Office of Personnel is charged with the duty and responsibility of fulfilling the employment needs of the various agencies and departments of the State government; and

WHEREAS, there may presently exist opportunities for employment in certain of said State agencies and departments; and

WHEREAS, there appears to be a growing number of citizens who are presently unemployed, some of whom are skilled and others unskilled but capable of being employed by the State of Delaware; and

WHEREAS, the members of the Senate have received inquiries from their constituents as to the availability of these jobs; and

WHEREAS, the members of the Senate are very much concerned about the problem of unemployment and also desirous of passing on to their constituents information pertaining to State employment.

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 126th General Assembly of the State of Delaware that the Director of the Office of Personnel is requested to mail to all members of the Senate of the 126th General Assembly a list of the job vacancies that exist in all departments and agencies of government of the State of Delaware.

BE IT FURTHER RESOLVED that said list shall be sent to each member of the Senate of the 126th General Assembly on a monthly basis, commencing 30 days after the adoption of this resolution.

BE IT FURTHER RESOLVED that this resolution be made a part of the Journal of the Senate and a copy be sent to the Director of the Office of Personnel.

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, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 17.

ABSENT: Messrs. duPont and Hart — 2.

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

Senator Slawik introduced SR 51, co-sponsored by Senators Castle, Cicione, Hart, Holloway, Isaacs, McCullough, Robbins and Schlör.

SR 51 — "Welcoming Members of the Delaware Council for Senior Citizens to Legislative Hall and Commending Them for Their Interest in the Activities of the General Assembly."

WHEREAS, the Senate of the 126th General Assembly of the State of Delaware has noted with delight the arrival this day at Legislative Hall of a large contingent of Delaware's beloved Senior Citizens; and

WHEREAS, these welcome visitors are numbered among the 60,000 Delawareans who have attained the age of sixty years "young" or over; and

WHEREAS, in the recent past, various Senior Citizen organizations located in the First State have joined hands to form a parent organization, namely, the Delaware Council for Senior Citizens; and

WHEREAS, one of the commendable goals of the D.C.S.C. is to promote and assure fair legislation pertaining to the needs and desires of Senior Citizens; and

WHEREAS, the members of the Senate wish to urge Delaware's Senior Citizens to continue their interest in the activities of the General Assembly as a whole.

NOW, THEREFORE;

BE IT RESOLVED by the Senate of the 126th General Assembly that a warm welcome be extended to the hundreds of representatives of the Delaware Council for Senior Citizens gracing Legislative Hall on this date in May, 1971, the month that has been proclaimed nationally as "Older Americans Month".

BE IT FURTHER RESOLVED that the text of this Resolution be spread upon the minutes of the Senate of the 126th General Assembly of the State of Delaware.

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

ABSENT: Messrs. duPont and Hart — 2.

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

Lt. Governor Bookhammer greeted the Senior Citizens visiting the Senate and introduced Mr. Francis McCann, Sr., Legislative Chairman of the Delaware Senior Citizens Council, who spoke briefly on behalf of the Council.

Senator Slawik moved that a copy of SR 51 be delivered to the President of the Senior Citizens Council. Hearing no objection, the motion prevailed.

Senator Elliott introduced SB 305 which was given its first reading by title only, as follows:

SB 305 — "An Act to Amend Chapter 19, Title 6 of the Delaware Code Relating to Fair Trade Laws Establishing Minimum Prices on the Sale or Resale of Commodities, and Exempting the State of Delaware from Such Restrictions." Assigned to Committee on Agriculture.

Senator Manning introduced SA 1 to HB 165, co-sponsored by Senator Slawik.

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

Senator Cicione introduced SB 306, co-sponsored by Senators Slawik and Isaacs, which was given its first reading by title only, as follows:

SB 306 — "An Act to Amend Chapter 69, Title 29, Delaware Code, Relating to Protection of the Physically Handicapped by Providing for More Effective Enforcement Thereof." Assigned to Committee on Judiciary and Elections.

On motion of Senator Hale, SJR 15 was taken up for consideration and read a second time by title only in order to pass the Senate.

SJR 15 — "Relating to Proclaiming the month of May 1971 as Older Americans Month."

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, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele — 16.

ABSENT: Messrs. Foltz, Hart and (Mrs.) Manning — 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.

Senator Steele, on behalf of the Committee on Finance to whom had been referred SB 288, reported the same back to the Senate: 6 Merits.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred SB 259, reported the same back to the Senate: 4 Merits.

Senator Hickman introduced Lou Ann Betts and David Argo, delegates to Girls' and Boys' State from Cape Henlopen High School.

On motion of Senator Hickman, HB 192 w/ HA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 192 w/ HA 1 — “An Act to Amend Chapter 73, Title 16, Delaware Code, by Creating a New Subchapter to Cover the Ownership, Use and Filling of Liquefied Petroleum Gas Containers.”

Senator Hickman requested the privilege of the floor for Mr. Charles Paradee of the Paradee Gas Company to speak on the Bill. Hearing no objection, the privilege was granted.

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

Senator Foltz introduced SA 1 to SB 179.

Senator Foltz 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, (Mrs.) Manning, McCullough, Robbins, Slawik, Steele — 16.

ABSENT: Messrs. Hickman, Holloway 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 Foltz, SB 179 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 179 w/ SA 1 — “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.”

Senator Foltz requested the privilege of the floor for Mr. Robert Short, Insurance Commissioner, 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, Slawik, Steele — 17.

ABSENT: Messrs. Hickman 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.

On motion of Senator Steele, SB 290 was taken up for consideration and read a second time by title only in order to pass the Senate.

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.”

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, Slawik, Steele — 17.

ABSENT: Messrs. Hickman and 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 to the House for concurrence.

On motion of Senator Grier, SB 278 was taken up for consideration and read a second time by title only in order to pass the Senate.

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."

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, Holloway, (Mrs.) Manning, McCullough, Slawik, Steele — 14.

NOT VOTING: Messrs. Foltz, Isaacs and Robbins — 3.

ABSENT: Messrs. Hickman and 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 to the House for concurrence.

On motion of Senator Isaacs SB 292 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 292 — "An Act to Amend Chapter 51, Title 16, Delaware Code, Relating to the Qualifications of the Heads of Certain Institutions."

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, Slawik, Steele — 17.

ABSENT: Messrs. Hickman and 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 to the House for concurrence.

On motion of Senator Cicione, SB 289 was taken up for consideration and read a second time by title only in order to pass the Senate.

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."

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, Slawik, Steele — 17.

NOT VOTING: Mr. Schlör — 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.

On motion of Senator Manning, SB 80 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 80 — "An Act to Amend Chapter 19, Title 11, of the Delaware Code by Creating a New Section 1913 Relating to Placing a Law Enforcement Officer in Peril."

Senator Castle moved that consideration of the Bill 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, Elliott, Foltz, Hale, Holloway, Isaacs — 7.

NAYS: Messrs. Cicione, Cook, Grier, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele — 8.

NOT VOTING: Mr. Slawik — 1.

ABSENT: Messrs. duPont, Hart 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 Bill pass the Senate?", the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Cicione, Cook, Elliott, Grier, Hale, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele — 11.

NAYS: Messrs. Castle, Foltz, Hart — 3.

NOT VOTING: (Mrs.) Conner, Messrs. Holloway and Slawik — 3.

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.

On motion of Senator McCullough, the roll call on SCR 24 was lifted.

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

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

NAYS: Mr. Castle — 1.

ABSENT: Mr. Steele — 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 Holloway introduced **SB 307** which was given its first reading by title only, as follows:

SB 307 — "An Act to Amend Chapter 1, Title 22 of the Delaware Code Prohibiting Municipalities from Charging More than Ten Dollars for any Single Parking Violation." Assigned to Committee on Community Affairs.

Senator Holloway introduced **SB 308** which was given its first reading by title only, as follows:

SB 308 — "An Act to Amend Chapter 31, Title 24 of the Delaware Code Relating to Undertakers." Assigned to Committee on Administrative Services.

Senator Holloway introduced **SB 309** which was given its first reading by title only, as follows:

SB 309 — "An Act to Amend Chapter 84, Title 11 of the Delaware Code Requiring Prospective Police Officers to Submit to Psychiatric Examinations as a Prerequisite to Employment." Assigned to Committee on Judiciary and Elections.

Senator Elliott introduced **SA 1 to SB 95**.

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

Senator Elliott introduced **SA 1 to HB 131**.

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

Senator Isaacs introduced **SA 1 to SB 165**.

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

Senator Isaacs introduced **SB 310** which was given its first reading by title only, as follows:

SB 310 — "An Act to Amend Subchapter 1, Chapter 47, Title 7 of the Delaware Code Relating to Fees Charged for the Use of Boat Ramps Within Delaware State Parks." Assigned to Committee on Natural Resources and Environmental Control.

On motion of Senator Slawik, **SB 171** was taken up for consideration and read a second time by title only in order to pass the Senate.

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.”

Senator Slawik requested the privilege of the floor for Mr. Francis McCann, Legislative Chairman of the Delaware Senior Citizens Council, 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, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 19.

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

Senator Holloway introduced **SB 311**, co-sponsored by Senator Manning, which was given its first reading by title only, as follows:

SB 311 — “An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to a Property Tax Exemption for a Handicapped Head of a Household.” Assigned to Committee on Community Affairs.

On motion of Senator Manning, **HB 243** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 243 — “An Act to Amend Title 14 of the Delaware Code by Eliminating the Posting of Assessment Lists and Hearing Objections Thereto.”

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, 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 back to the House.

Senator Manning introduced **SA 1** to **HB 192 w/ HA 1**.

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

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

On motion of Senator Hickman, the roll call on **HB 192 w/ HA 1, SA 1** was lifted, 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, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele — 19.

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

Senator Hale introduced **SB 312**, co-sponsored by Senators Cicione, Conner, Holloway, Robbins and Slawik, which was given its first reading by title only, as follows:

SB 312 — "An Act to Amend § 3314, Title 19, Delaware Code, Relating to the Eligibility of Unemployed Individuals to Receive Unemployment Compensation Benefits." Assigned to Committee on Labor and Industrial Relations.

Senator Foltz, on behalf of the Committee on Administrative Affairs to whom had been referred **SB 282**, 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 302**, 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 247**, 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 303**, 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 36**, reported the same back to the Senate: 4 Favorable; 2 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred **SB 297**, reported the same back to the Senate: 2 Favorable; 4 Merits.

Senator Cicione, on behalf of the Committee on Labor and Industrial Relations to whom had been referred **HB 186**, reported the same back to the Senate: 3 Favorable; 1 Merits.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred **SB 295**, reported the same back to the Senate: 5 Merits.

The Secretary read the following message from the House:

5-12-71

Mr. President:

The House wishes to inform the Senate that it has passed **HB 174 w/ HA 1, 2; HB 251; HB 259** and requests the concurrence of the Senate.

The House also passed **SB 42, SB 98, SB 110 and SB 230** 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 the various Committees:

HB 174 — “An Act to Amend Chapter 25, Title 29, Delaware Code Concerning the Department of Justice.” Assigned to Committee on Judiciary and Elections.

HB 251 — “An Act to Amend Title 14 of the Delaware Code, Relating to the Public School System and the Establishment of Full-time Programs.” Assigned to Committee on Education.

HB 259 — “An Act to Amend Title 14, Section 1318, Delaware Code, Relating to Sick Leave of State Employees in the Public School System.” Assigned to Committee on Education.

Senator Grier moved that the Senate adjourn until 2:00 p.m., Thursday, May 13, 1971. Hearing no objection, the motion prevailed and the Senate adjourned at 5:00 p.m.

36TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:15 p.m., Thursday, May 13, 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, 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 **SR 52** entitled:

— “In Reference to Election of Officers.”

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, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 16.

ABSENT: Messrs. Holloway, Isaacs and McCullough — 3.

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

Senator Hale introduced SCR 25 with title as follows:

SCR 25 — "Relative to Post-introductory Examination of Bills Presented to the General Assembly."

Senator Hale moved that the Resolution be stricken. Hearing no objection, the motion prevailed.

Senator Elliott introduced SA 1 to SB 226.

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

Senator Cicione introduced SB 313, co-sponsored by Senator Schlör, which was given its first reading by title only, as follows:

SB 313 — "An Act to Amend Chapter 20, Title 30 of the Delaware Code Relating to Qualifications for Tax Credit Under the Neighborhood Assistance Tax Credit Act." Assigned to Committee on Finance.

Senator Elliott introduced SB 314, co-sponsored by Senators Grier and Hickman, which was given its first reading by title only, as follows:

SB 314 — "An Act to Amend 4336, Title 11, Delaware Code, Increasing the Number of Presentence Officers in Sussex County and Appropriating Money to the Superior Court for Same." Assigned to Committee on Judiciary and Elections.

Lt. Governor Bookhammer introduced Constance Chaconas and Deborah Daisey, delegates to Girls' State from Cape Henlopen High School.

Senator Isaacs introduced SA 1 to SB 268.

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

Senator Isaacs introduced SA 1 to SB 265.

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

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred SB 307, 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 311, reported the same back to the Senate: 3 Favorable; 2 Merits.

Senator Isaacs introduced SA 1 to SB 268.

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. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hart, Isaacs, Robbins, Schlör, Slawik, Steele — 14.

ABSENT: Messrs. Foltz, Hickman, Holloway, (Mrs.) Manning, McCullough — 5.

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

On motion of Senator Isaacs, SB 268 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

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.”

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

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

ABSENT: Messrs. Holloway 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 to the House for concurrence.

Senator Isaacs introduced SA 1 to SB 265.

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. 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 Isaacs, SB 265 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 265 w/ SA 1 — “An Act Making a Supplementary Appropriation to the Department of Natural Resources and Environmental Control for the Purpose of Moving Oysters to Public Grounds.”

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 duPont, SB 279 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 279 — "An Act to Amend Subchapter XVI, Chapter 3, Title 11 of the Delaware Code Relating to Deadly Weapons and Firearms."

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, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 17.

ABSENT: Messrs. Hart 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 Elliott introduced SB 315, co-sponsored by Senators Cicione, Cook, Foltz, Hart, Hickman, Isaacs, Robbins, Schlör and Slawik, which was given its first reading by title only, as follows:

SB 315 — "An Act to Amend Chapter 17, Title 14, Delaware Code, Relating to State Appropriations for Units of Pupils." Assigned to Committee on Finance.

Senator Elliott introduced SS 2 for SB 65, co-sponsored by Senators Cicione, Cook, Foltz, Hart, Hickman, Isaacs, Robbins, Schlör and Slawik.

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

Senator Holloway introduced SB 316 which was given its first reading by title only, as follows:

SB 316 — "An Act to Amend Title 11, Delaware Code, Relating to Periodic Psychological Examination of Police Officers." Assigned to Committee on Judiciary and Elections.

On motion of Senator Elliott, SB 288 was taken up for consideration and read a second time by title only in order to pass the Senate.

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."

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, Robbins, Schlör, Slawik, Steele — 16.

NOT VOTING: Mr. McCullough — 1.

ABSENT: Mr. Hart 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 Schlör SB 153 was restored to the Calendar, without objection.

On motion of Senator Steele, SB 285 was taken up for consideration and read a second time by title only in order to pass the Senate.

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."

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

On motion of Senator Hickman HB 165 w/ HA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 165 w/ HA 1 — "An Act to Amend Chapter 3, Section 309, Title 21, Delaware Code Relating to Saturday as a Legal Holiday."

Senator Hickman requested the privilege of the floor for Major Edward H. Horney, Motor Vehicle Division, 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, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele — 16.

NAYS: Mr. Cicione — 1.

ABSENT: Messrs. Hart 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 Foltz introduced SB 317 which was given its first reading by title only, as follows:

SB 317 — "An Act to Amend Title 18, Delaware Code, by Amending Chapter 25 on Insurance Regarding Mandatory Hearings." Assigned to Committee on Highways, Transportation and Insurance.

On motion of Senator Cicione, HB 186 was taken up for consideration and read a second time by title only in order to pass the Senate.

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

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, Steele — 16.

ABSENT: Messrs. Hart, Isaacs 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 to the House for concurrence.

On motion of Senator Holloway, SB 232 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 232 — “An Act to Amend Title 13 of the Delaware Code Relating to Interracial Marriages.”

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, Foltz, Grier, Hale, Holloway, (Mrs.) Manning, McCullough, Schlör — 11.

NOT VOTING: Messrs. Cicione and Robbins — 2.

ABSENT: Messrs. Elliott, Hart, Hickman, Isaacs, Slawik, Steele — 6.

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

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred HB 174, 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 187, 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 287, reported the same back to the Senate: 2 Favorable; 4 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred HJR 8, reported the same back to the Senate: 1 Favorable; 3 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred SB 306 reported the same back to the Senate: 4 Merits.

Senator Isaacs announced that after the recess there would be a meeting of the Committee on Natural Resources and Environmental Control.

On motion of Senator Schlör, SB 282 was taken up for consideration and read a second time by title only in order to pass the Senate.

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.”

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, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Steele — 15.

ABSENT: Messrs. Foltz, Hickman, McCullough, Slawik — 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.

Senator duPont introduced SR 53 entitled:

SR 53 — "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, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlor, Steele — 15.

ABSENT: Messrs. Foltz, Hickman, McCullough, 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 54 entitled:

SR 54 — "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, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlor, Steele — 15.

ABSENT: Messrs. Foltz, Hickman, McCullough, Slawik — 4.

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

Senator Isaacs introduced SB 318 which was given its first reading by title only, as follows:

318 — "An Act to Amend Subchapter 11, Chapter 21, Title 23 of the Delaware Code Relating to Violations of State Boating Laws." Assigned to Committee on Public Safety.

On motion of Senator Hart, SB 243 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 243 — "An Act to Amend Title 14, Delaware Code, Relating to the Definition of Professional Employees."

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, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlor — 14.

ABSENT: Messrs. Foltz, Hickman, McCullough, Slawik, Steele — 5.

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

Senator Hart, on behalf of the Committee on Highways, Transportation and Insurance to whom had been referred SB 274, reported the same back to the Senate: 3 Favorable; 1 Merits.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred HB 252, reported the same back to the Senate: 4 Favorable.

At 3:55p.m., Senator Grier moved that the Senate recess until Tuesday, May 18, 1971 at 2:00 p.m. Hearing no objection, the motion prevailed.

Senator Grier moved that the Senate adjourn until May 18, 1971. Hearing no objection, the motion prevailed and the Senate adjourned at 2:35 p.m. May 18, 1971.

37TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:35 p.m., Tuesday, May 18, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Clendaniel.

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 Foltz introduced SB 319 which was given its first reading by title only, as follows:

SB 319 — "An Act to Amend Title 18, Delaware Code, by Amending Chapters 1, 5, 17, 21, 23, 25 & 61 on Insurance to Increase Administrative Fines; Amending Chapter 7 to Include Fees for the Newly Created Appraiser License." Assigned to Committee on Highways, Transportation and Insurance.

Senator Isaacs introduced SB 320 which was given its first reading by title only as follows:

SB 320 — "An Act to Amend Subchapter 1, Chapter 21, Title 7 of the Delaware Code Relating to the Use of Certain Fees Received by the Department of Natural Resources and Environmental Control." Assigned to Committee on Natural Resources and Environmental Control.

Senator Hale introduced SS 1 for SB 312.

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

Senator Hale moved that Rule 9 be suspended for the purpose of considering SS 1 for SB 312 with title as follows:

SS 1 for SB 312 — “An Act to Amend s3314, Title 19, Delaware Code, Relating to the Eligibility of Unemployed Individuals to Receive Unemployment Compensation Benefits.”

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

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

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

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

Senator Elliott introduced **SB 321** which was given its first reading by title only, as follows:

SB 321 — “An Act to Amend An Act Being Chapter 42, Volume 53, Laws of Delaware, as Amended, Entitled “An Act Amending, Revising and Consolidating the Charter of the City of Seaford” to Increase the Amount Authorized to be Raised as Taxes.” Assigned to Committee on Community Affairs.

Senator Isaacs introduced **SB 322** which was given its first reading by title only, as follows:

SB 322 — “An Act to Amend Subchapter 11, Chapter 21, Title 23 of the Delaware Code Relating to Safety Equipment Required for Boats Licensed by the State of Delaware.” Assigned to Committee on Natural Resources and Environmental Control.

Senator Holloway introduced **SCR 26**.

SCR 26 — “Relating to the Dissemination of Factual and Authentic Information Relating to day to day Activities of State Government.”

WHEREAS, one of the prime prerequisites to the sustenance of a democratic society is and should be the free dissemination of information particularly those activities relating to publicly elected officials; and

WHEREAS, there is an ever increasing hue and cry on the part of the general citizenry to learn and become more informed and involved in governmental activities on all levels; and

WHEREAS, it is incumbent upon all publicly elected officials that every possible advantage at their disposal be

explored to the end that the general public is kept fully informed of day to day activities of government per se.

NOW, THEREFORE:

BE IT RESOLVED by the Senate of the 126th General Assembly of the State of Delaware, the House of Representatives concurring therein, that the President Pro Tempore of the Senate and the Speaker of the House of Representatives in concert with the Director of Legislative Council explore to the fullest extent the feasibility and possibility of daily or periodically reporting, authentically and in person, either morning or evening, or both, up-to-date live broadcast of governmental activities particularly those related to the legislative branch of government.

BE IT FURTHER RESOLVED that a copy of this Resolution be made part of the Senate and House Journals and that copies be made available to the news media particularly the verbal press so as to solicit ideas and suggestions in which they may have to better inform the public.

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. Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik — 16.

NOT VOTING: Messrs. Castle, Foltz and Steele — 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.

Senator Holloway introduced SB 323 which was given its first reading by title only, as follows:

SB 323 — "An Act Making an Appropriation to the Wilmington School District for the Purpose of Constructing Two Pedestrian Overpasses over New Castle Avenue in Wilmington and Acquiring the Necessary Rights-of-way Therefor." Assigned to Committee on Finance.

Senator Slawik introduced SR 55 co-sponsored by Senators Elliott and Hart.

SR 55 — "Calling Attention to Highlights of the Forthcoming Legislative Invitation Golf Tournament and Banquet and Extending an Invitation to Attend Same to Vice-president Spiro T. Agnew."

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

ABSENT: Mr. Cook — 1.

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

Senator Steele introduced SA 1 to HJR 8.

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

Senator Foltz introduced SB 324 which was given its first reading by title only, as follows:

SB 324 — "An Act to Amend Title 18, Delaware Code by Amending Chapter 31 to Strike the Grandfather Clause Provision for Group Insurance and Prohibiting Fictitious Groups; Amending Chapter 35 to Strike the Grandfather Clause Relating to Group and Blanket Health Insurance Contracts." Assigned to Committee on Highways, Transportation and Insurance.

Senator Castle moved that the following letter which he received from the Superintendent of Wilmington Public Schools be made part of the Record. Hearing no objection, the motion prevailed.

WILMINGTON PUBLIC SCHOOLS

May 11, 1971

The Honorable Michael N. Castle
Member of the General Assembly
1600 N. Broom Street
Wilmington, Delaware 19806

Dear Mike:

At the hearing on April 29 before the House of Representatives, the State Superintendent of Public Instruction stated that "every superintendent knows there are some ineligible pupils riding buses." I thought you would like to know that Wilmington has no ineligible pupils using state subsidized bus transportation; i.e., no ineligible pupil in Wilmington is riding to school at state expense.

School buses are used in Wilmington to transport "special" pupils only — those with physical disabilities and those attending the Opportunity School (trainables). All other eligible pupils use public transportation at the expense of the state. Under this plan, the State Department of Public Instruction pays 15c per pupil per trip, or 30c for a round trip.

Since no elementary pupils live more than a mile from school, none is eligible for bus tickets and, therefore, no tickets are issued. At the secondary level (grades 7—12) there are some 678 pupils eligible for bus tickets; these are pupils who live over two miles from school.

At the beginning of each school year, including the present one, the lists of pupils from each school requesting transportation to and from school are thoroughly scrutinized for ineligibles, and those who fail to meet the 2-mile criterion are removed from the lists and denied tickets. A follow-up investigation of the pupil lists

revealed no evidence of ineligible riders. Therefore, Wilmington should not be included among any school districts violating the transportation regulations of the State Board of Education.

The number of pupils who are issued bus tickets, by schools, is as follows:

Wilmington High	600
Bayard	9
Warner	7
P.S. & Burnett	45
Howard	17
TOTAL	678

It should be pointed out that the amount of money paid to Wilmington for ticket users of public transportation includes only trips actually taken. This represents a financial advantage to the State because in other school districts, the State pays for the entire cost of the bus route, whether the bus hauls 40 pupils some days instead of the usual 60, let's say, assigned to that bus.

There is a disadvantage to the students in that the service provided by public transportation is considerably less convenient than that provided to county pupils. Perhaps this aspect should be considered further.

Sincerely,
(Signed) Gene
Gene A. Geisert
Superintendent

Senator Cicione, on behalf of the Committee on Labor and Industrial Relations to whom had been referred SB 312, reported the same back to the Senate: 2 Favorable; 3 Merits.

Senator Foltz introduced SB 325 which was given its first reading by title only, as follows:

SB 325 — "An Act to Amend Title 18, Delaware Code, By Amending Chapter 17 to Allow Adjusters to be employed by Attorneys, Licensing of Motor Vehicle Physical Damage Appraisers to Require Insurance to be the Principle Business of all Agents and Brokers, Changing Organization and Residency Requirements of Agent and Broker Firms and Corporations and Refundability of License Fees." Assigned to Committee on Highways, Transportation and Insurance.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred HB 26, reported the same back to the Senate: 4 Favorable; 2 Merits.

Senator Cicione introduced SB 326, co-sponsored by Senator Conner, which was given its first reading by title only, as follows:

SB 326 — "An Act Relating to Liens of New Castle County Against Real Estate Within the County." Assigned to Committee on Judiciary and Elections.

Senator Cicione introduced SB 327 which was given its first reading by title only, as follows:

SB 327 — “An Act to Amend Chapter 6, Title 24 of the Delaware Code Relating to Cosmetologists and the Practice of Cosmetology.” Assigned to Committee on Administrative Services.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred **SB 185**, reported the same back to the Senate: 2 Favorable; 4 Merits.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred **SB 318**, reported the same back to the Senate: 3 Favorable; 3 Merits.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred **SB 277**, reported the same back to the Senate: 6 Merits.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred **SB 272**, 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 270 w/ HA 2** and requests the concurrence of the Senate.

The Chair introduced **HB 270 w/ HA 2** which was given its first reading by title only, as follows:

HB 270 w/ HA 2 — “An Act to Amend Titles 18 and 21, Delaware Code, Relating to the Requirement of Insurance on Motor Vehicles; Requiring Insurance Companies to Offer Certain Policy Coverage; Requiring Arbitration of Certain Claims and Providing a Penalty for Violation Thereof.” Assigned to Committee on Highways, Transportation and Insurance.

Lt. Governor Bookhammer accepted Senators Cicione, Conner, Elliott, Hickman, Schlör, Slawik and Steele as Honorary Co-sponsors of **HB 270 w/ HA 2**. There was no objection.

Senator Hickman introduced Martin Westman, a delegate to Boys' State from Cape Henlopen High School.

On motion of Senator Castle, **HB 36 w/ HA 1** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 36 w/ HA 1 — “An Act to Amend Part IV, Chapter 41, Title 15 of the Delaware Code, Relating to Elections; and Providing for Maps Showing Representative Districts, to be Located at Each Polling Place.”

Senator Castle requested the privilege of the floor for Representative Poulterer 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, Isaacs, (Mrs.) Manning, McCullough, Slawik, Steele — 17.

NOT VOTING: Mr. Robbins — 1.

ABSENT: Mr. Schlör — 1.

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

Senator Cicione introduced SB 328 which was given its first reading by title only, as follows:

SB 328 — “An Act to Amend Chapter 4, Title 24 of the Delaware Code Relating to Barbers and Barber Schools.” Assigned to Committee on Administrative Services.

On motion of Senator Castle, **HB 174 w/ HA 1, 2** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 174 w/ HA 1, 2 — “An Act to Amend Chapter 25, Title 29, Delaware Code Concerning the Department of Justice.”

Senator Castle requested the privilege of the floor for Laird Stabler, the Attorney General, 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, Foltz, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, McCullough, Schlör, Steele — 15.

NOT VOTING: Messrs. Cook and Robbins — 2.

ABSENT: Messrs. Isaacs 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 Conner introduced **SB 329**, co-sponsored by Senators Hale and Slawik, which was given its first reading by title only, as follows:

SB 329 — “An Act Amending Chapter 43 of Title 10 in Regard to Witnesses and Evidence in Divorce and Certain Other Proceedings.” Assigned to Committee on Judiciary and Elections.

On motion of Senator Castle, **HB 187 w/ HA 1** was taken up for consideration and read a second time by title only in order to pass the Senate.

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.”

Senator Castle requested the privilege of the floor for Representative Billingsley to speak on the Bill. Hearing no objection, the privilege was granted.

Senator Isaacs moved that further consideration of the Bill be deferred.

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

YEAS: Messrs. Cook, duPont, Elliott, Foltz, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik — 13.

NAYS: Messrs. Castle, Cicione (Mrs.) Conner, Grier, Hale, Steele — 6.

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

Senator duPont introduced SB 330 which was given its first reading by title only, as follows:

SB 330 — “An Act to Amend Chapters 7 and 27, Title 21 of the Delaware Code and Chapter 41, Title 11 of the Delaware Code Concerning Violations and Penalties of the Motor Vehicle Code.” Assigned to Committee on Public Safety.

Senator Isaacs introduced SA 1 to HB 256.

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

Senator Robbins introduced SB 331, co-sponsored by Senators Cook, Elliott, Foltz, Grier, Hickman and Representatives Clendaniel, Cordrey, Derrickson, Dobberstein, Gruwell, Gordy, Harrington, Mears, Moerschel, Riddagh, Quillen and Smith, which was given its first reading by title only, as follows:

SB 331 — “An Act to Amend Section 1706, Title 14, Delaware Code, Relating to Determination of Amount of Division 11 Appropriation” Assigned to Committee on Education.

Senator Conner introduced SB 332, co-sponsored by Senator Slawik, which was given its first reading by title only, as follows:

SB 332 — “An Act to Amend Chapters 45 and 46, Title 6, Delaware Code, Relating to Prohibiting the Denial of Equal Rights to Housing and Equal Accommodations Because of Age or Marital Status.” Assigned to Committee on Judiciary and Elections.

On motion of Senator Cicione, SB 287 was taken up for consideration and read a second time by title only in order to pass the Senate.

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.”

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, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, Schlör, Slawik, Steele — 14.

NAYS: Mr. McCullough — 1.

NOT VOTING: Messrs. Castle, Foltz and Robbins — 3.

ABSENT: (Mrs.) Manning — 1.

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

On motion of Senator Holloway, **SB 311** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 311 — “An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to a Property Tax Exemption for a Handicapped Head of a Household.”

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

On motion of Senator duPont, the roll call on **HCR 18** was lifted without objection.

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

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

NAYS: Messrs. McCullough, Robbins, Slawik and Steele — 4.

NOT VOTING: Messrs. Castle, Foltz, Hart and Schlör — 4.

ABSENT: Mr. Cook — 1.

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

On motion of Senator Slawik, **SB 120** was stricken from the Calendar without objection.

On motion of Senator Slawik, **SB 303** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 303 — “An Act to Amend Chapters 45 and 46, Title 6, Delaware Code, Relating to Prohibiting the Denial of Equal Rights to Housing and Equal Accommodations because of Sex.”

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

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

NOT VOTING: Messrs. Cook, McCullough and Robbins — 3.

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

On motion of Senator Elliott, **SB 295** was stricken from the Calendar without objection.

On motion of Senator Isaacs, **SCR 22** was stricken from the Calendar without objection.

Senator Steele introduced **SA 1** to **HJR 8**.

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

NAYS: Messrs. Foltz, McCullough and Schlör — 3.

NOT VOTING: Mr. Cook — 1.

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

On motion of Senator Steele, HJR 8 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

HJR 8 w/ SA 1 — "Providing for the Establishment of a Revenue Study Commission."

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, Hickman, Holloway, (Mrs.) Manning, Slawik, Steele — 13.

NAYS: Messrs. Foltz, Hart, Isaacs, McCullough, Robbins — 5.

NOT VOTING: Mr. Schlör — 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 Hale, on behalf of the Committee on Education to whom had been referred HB 33, reported the same back to the Senate: 1 Favorable; 3 Merits.

Senator Hale, on behalf of the Committee on Education to whom had been referred HB 251, reported the same back to the Senate: 1 Favorable; 3 Merits.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred SB 281, reported the same back to the Senate: 2 Favorable; 4 Merits.

Senator Steele introduced SB 333 which was given its first reading by title only, as follows:

SB 333 — "An Act to Amend Chapter 26, Title 24, Delaware Code Relating to Physical Therapy." Assigned to Committee on Health and Social Services.

Senator Elliott introduced SA 1 to SJR 16.

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

Senator Grier moved that the Senate adjourn until 2:00 p.m. Wednesday, May 19, 1971. Hearing no objection, the motion prevailed and the Senate adjourned at 5:25 p.m.

38TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:30 p.m., Wednesday, May 19, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Clendaniel.

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

ABSENT: Mr. Hale — 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 SCR 27, co-sponsored by Senators Castle, Cicione, Conner, Cook, duPont, Grier, Hart, Hickman, Holloway, Isaacs, Manning, McCullough, Robbins, and Slawik.

SCR 27 — "Providing a Lexicon for Delaware General Assembly."

Senator Steele 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, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Slawik, Steele — 15.

NOT VOTING: Mr. Foltz — 1.

ABSENT: Messrs. Hale, Hickman and Schlör — 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.

Senator duPont introduced SB 334, co-sponsored by Senator Slawik, which was given its first reading by title only, as follows:

SB 334 — "An Act to Amend Part IV, Chapter 21, Title 5 of the Delaware Code Relating to Small Loans, and Providing for an Increase in the Maximum Rate of Interest Chargeable upon Such Loans." Assigned to Committee on Administrative Services.

Senator Isaacs introduced SB 335 which was given its first reading by title only, as follows:

SB 335 — "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 Traffic Lights Near the Townsend Fire Company Firehouse." Assigned to Committee on Public Safety.

Senator Steele introduced SB 336 which was given its first reading by title only, as follows:

SB 336 — "An Act Directing the Board of Pension Trustees to Conduct Reviews and Actuarial Evaluations of the State Police Pension Plan and the Pension Plan for the Judiciary, and to Make Recommendations to the Second Session of the 126th General Assembly for Appropriate Legislative Action to Improve and to Provide for the Solvency of Such Plans." Assigned to Committee on Finance.

The Secretary read the following message from the House:
5-19-71

Mr. President:

The House wishes to inform the Senate that it has passed **HB 222 w/ HA 3; HB 224 w/ HA 1 and HB 253 w/ HA 2 and HJR 11** and requests the concurrence of the Senate.

The House also passed **SB 294** and is returning same to the Senate.

Senator Steele introduced **SA 1 to SB 315**.

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

The Chair introduced the following House Bills which were given first reading by title only and assigned to the various committees:

HB 222 w/ HA 3 — "An Act to Amend Chapter 16, Title 2 of the Delaware Code Relating to the Powers of Local Transportation Authorities of the Department of Transportation." Assigned to Committee on Highways, Transportation and Insurance.

HB 224 w/ HA 1 — "An Act Making an Appropriation to the Department of Highways and Transportation for the Greater Wilmington Transportation Authority During the Fiscal Year Ending June 30, 1972." Assigned to Committee on Finance.

HB 253 w/ HA 2 — "An Act to Amend Title 16, Delaware Code, by Creating a New Chapter to be Designated as Chapter 68 to Provide for the Regulation of and Standards for Ambulance Service by the State Fire Prevention Commission, and to Provide an Appropriation Therefor, and to Grant Immunity from Suit Under Certain Circumstances." Assigned to Committee on Health and Social Services.

The Chair introduced **HJR 11** which was given its first reading by title only, as follows:

HJR 11 — "Relating to the Dredging of the Channel Leading from Delaware Bay into Murderkill River at Bowers Beach, Delaware." Assigned to Committee on Natural Resources and Environmental Control.

Senator Foltz, on behalf of the Committee on Administrative Services to whom had been referred **SB 273**, 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 SB 321, reported the same back to the Senate: 1 Favorable; 4 Merits.

On motion of Senator Hart, HB 234 w/ HA 1 was taken up for consideration and read a second time by title only in order to pass the Senate:

HB 234 w/ HA 1 — "An Act to Amend Chapter 23, Title 19, of the Delaware Code Relating to Additional Payments for Injuries or Death and Incidental Benefits."

Senator Hart requested the privilege of the floor for Representative Gordy 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, Grier, Hart, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik — 15.

NOT VOTING: Messrs. Foltz, Isaacs and Steele — 3.

ABSENT: Mr. Hale — 1.

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

Senator Conner introduced SB 337, co-sponsored by Senators Castle, Cicione, Holloway and Slawik, which was given its first reading by title only, as follows:

SB 337 — "An Act to Amend Title 19, Delaware Code, ss3318 and ss3323, Relating to Appeals." Assigned to Committee on Labor and Industrial Relations.

Senator Isaacs introduced SB 338 which was given its first reading by title only, as follows:

SB 338 — "An Act Making a Supplementary Appropriation of \$30,000 to the Department of Natural Resources and Environmental Control to be Used in Litigation Involving Public Lands." Assigned to Committee on Finance.

On motion of Senator Castle, HB 26 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 26 — "An Act to Amend Chapter 125, Volume 56 of the Delaware, Lowering the Voting Age of a Resident to Eighteen (18) Years of Age from the Present Requirement of Twenty-one (21) years of age."

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

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

NOT VOTING: Mr. Cook — 1.

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 back to the House.

On motion of Senator Cicione, **SB 306** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 306 — “An Act to Amend Chapter 69, Title 29, Delaware Code, Relating to Protection of the Physically Handicapped by Providing for More Effective Enforcement Thereof.”

Senator Cicione requested the privilege of the floor for James Rosbrow, Secretary of Labor, 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, Hart, Hickman, Holloway, Robbins, Schlör, Slawik, Steele — 15.

NOT VOTING: Messrs. Isaacs and McCullough — 2.

ABSENT: Mr. Hale 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.

Senator Manning introduced **SB 339**, co-sponsored by Senator Holloway, which was given its first reading by title only, as follows:

SB 339 — “An Act to Amend Title 9, Subchapter 11, Relating to Abatement of Property Tax for Certain Citizens.” Assigned to Committee on Community Affairs.

Senator Cook moved that the Senate recess for 30 minutes. Hearing no objection, the motion prevailed and the Senate recessed at 3:30 p.m.

The Senate reconvened at 4:20 p.m.

Senator Manning introduced **SB 340** which was given its first reading by title only, as follows:

SB 340 — “An Act to Create a New Chapter 99, Title 29, Delaware Code, Creating the Delaware American Revolution Bicentennial Commission and Providing a Supplementary Appropriation Therefor.” Assigned to Committee on Community Affairs.

Senator Elliott introduced **SB 341** which was given its first reading by title only, as follows:

SB 341 — “An Act to Amend Chapter 11, Title 30, Delaware Code, Exempting Persons over Sixty-five with Annual Incomes of Less than \$5,000 from State Income Taxes.” Assigned to Committee on Finance.

Senator Cicione introduced **SA 1** to **HB 200**, co-sponsored by Senator Slawik.

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

Senator Schlör introduced SA 1 to **HB 222**.

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

The Secretary read the following letter of nomination and appointment by the Governor:

May 19, 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:

Lewis Trivits
Neals School Road
R.D. No. 1
Seaford, Delaware

to be a member of the Department
of Elections for Sussex County,
State of Delaware, filling the
unexpired term of Samuel C. Pierce,
Jr., resigned, to end August 7,
1971.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

Assigned to Committee on Executive.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred **SB 314**, 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 312**, reported the same back to the Senate: 1 Favorable; 5 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 315**, 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 **HB 270**, reported the same back to the Senate: 3 Favorable; 2 Merits.

Senator Holloway introduced **SB 342** which was given its first reading by title only, as follows:

SB 342 — "An Act Authorizing and Making a Supplemental Appropriation to the Department of Justice for the Purpose of Paying Certain Legal Costs of Desegregating the Public Schools of Delaware." Assigned to Committee on Finance.

Senator duPont, on behalf of the Committee on Executive to whom had been referred the nomination for appointment of Lewis Trivits, reported the same back to the Senate: 5 Favorable.

Senator Conner moved that SA 1 to **SB 197**, 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, Grier, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 16.

NOT VOTING: Mr. Foltz — 1.

ABSENT: Messrs. Elliott and Hale — 2.

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

Senator Conner moved that SA 2 to SB 197, 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, Grier, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 15.

NOT VOTING: Mr. Foltz — 1.

ABSENT: Messrs. Elliott, Hale and Holloway — 3.

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

On motion of Senator Conner SB 197 w/ SA 1, 2 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 197 w/ SA 1, 2 — "An Act to Amend Chapters 31 and 33, Title 19, Delaware Code, Relating to Unemployment Compensation."

Senator Conner requested the privilege of the floor for Frank P. Varola of the Department of Labor and James Rosbrow, Secretary of Labor, to speak on the Bill. 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, Foltz, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 16.

ABSENT: Messrs. Elliott, Grier and Hale — 3.

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

Senator Isaacs introduced SB 343 which was given its first reading by title only, as follows:

SB 343 — "An Act to Amend Chapter 80, Title 29 of the Delaware Code Relating to the Powers, Duties and Functions of the Secretary of the Department of Natural Resources and Environmental Control." Assigned to Committee on Natural Resources and Environmental Control.

Senator Steele introduced SB 344 which was given its first reading by title only, as follows:

SB 344 — “An Act to Amend Chapter 68 of Title 29, Delaware Code Relating to the Duty of the State Treasurer to Maintain a Special Account for the Division of Purchasing of the Department of Administrative Services.” Assigned to Committee on Finance.

On motion of Senator Conner, **HB 252 w/ HA 1** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 252 w/ HA 1 — “An Act to Amend Chapter 11, Title 16, of the Delaware Code Relating to Sanitoria, Rest Homes, Nursing Homes, Boarding Homes and Related Institutions,”

Senator Conner requested the privilege of the floor for Representative Daniel Weiss to speak on the Bill. Hearing no objection, the privilege was granted.

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

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred **SB 339**, 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 **SB 340**, reported the same back to the Senate: 2 Favorable; 3 Merits.

Senator Cook introduced **SR 56**, co-sponsored by Senators duPont, Grier and Schlör.

SR 56 — “Expressing Happy Birthday Wishes to Senator Melvin A. Slawik on His 36th Birthday.”

Senator Cook 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, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 14.

ABSENT: Messrs. Elliott, Grier, Hale, Hart and Isaacs — 5.

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:

5-19-71

Mr. President:

The House wishes to inform the Senate that it has passed **HB 168**; **HS 1** for **HB 30 w/ HA 4, 5**; **HB 230 w/ HA 1** and requests the concurrence of the Senate.

The House also passed **SS 1** for **SB 169 w/ HA 1** and **SJR 14** 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 the various committees:

HS 1 for HB 30 w/ HA 4, 5 — “An Act to Amend Title 16, Delaware Code, Chapter 10, Relating to Reporting of Cases of Abuse to Children.” Assigned to Committee on Health and Social Services.

HB 168 — “An Act to Amend Title 3, Chapter 21, Delaware Code Regulating the Sale and Distribution of Commercial Fertilizers.” Assigned to Committee on Agriculture.

HB 230 w/ HA 1 — “An Act to Amend Subchapter 1 of Chapter 7, Title 7, Delaware Code, Creating a Hunting Season During Which Primitive Weapons May be Used.” Assigned to Committee on Natural Resources and Environmental Control.

Senator duPont moved that the Senate adjourn until Thursday, May 20, 1971 at 2 p.m. Hearing no objection, the motion prevailed and the Senate adjourned at 6:00 p.m.

The Senate met pursuant to adjournment at 2:00 p.m., Thursday, May 20, 1971, Lt. Governor Bookhammer presiding.

Prayer by Rev. Clendaniel.

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, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele — 17.

ABSENT: Messrs. Hale and Slawik — 2.

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 Manning requested the privilege of the floor for Mr. James McKinstry to speak on **SB 340** which would come up for vote next week. Hearing no objection, the privilege was granted.

Senator Holloway introduced to the Senate members of the Secretarial Training Course at Delaware Technical Community College, New Castle County, and requested the privilege of the floor for William A. Faucett, II, to make a few brief remarks regarding the College. Hearing no objection, the privilege was granted.

On motion of Senator Hart, **HB 270 w/ HA 2** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 270 w/ HA 2 — “An Act to Amend Titles 18 and 21, Delaware Code, Relating to the Requirement of Insurance on Motor Vehicles; Requiring Insurance Companies to Offer Certain Policy Coverage; Requiring Arbitration of Certain Claims and Providing a Penalty for Violation thereof.”

On Senator Hart's request, the privilege of the floor was granted without objection to the following persons to speak on the Bill: Vernon McGrew, Delaware Assn. of Independent Insurance Agents; Thomas A. Hughes, National Assn. of Independent Insurers; Leo W. Doyle, National Assn. of Independent Insurers (Chicago Branch); Oliver V. Suddard, a Wilmington Attorney and Robert A. Short, Insurance Commissioner.

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, Hart, Hickman, Isaacs, (Mrs.) Manning, Robbins, Schlör, Steele — 14.

NOT VOTING: Messrs. Foltz and Holloway — 2.

ABSENT: Messrs. Hale, McCullough 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 Hickman introduced SA 1 to HB 38.

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

ABSENT: Messrs. Hale, McCullough and Slawik — 3.

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

On motion of Senator Hickman, HB 38 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 38 w/ SA 1 — "An Act to Require a Certificate of Origin to Accompany Applications for Titles to New Motor Vehicles."

Senator Hickman requested the privilege of the floor for Mrs. Frances M. West, Director of the Division of Consumer Affairs, and William H. Willis, Delaware Automobile Dealers' Association, to speak on the Bill. 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, Elliott, Foltz, Grier, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Steele — 15.

NAYS: Mr. duPont — 1.

ABSENT: Messrs. Hale, McCullough 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 Elliott moved that SA 1 to SB 226 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, Grier, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Steele — 14.

NOT VOTING: Messrs. Foltz and Schlor — 2.

ABSENT: Messrs. Hale, McCullough and Slawik — 3.

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

Senator Elliott introduced SA 2 to SB 226.

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, Grier, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Steele — 14.

NOT VOTING: Messrs. Foltz and Schlor — 2.

ABSENT: Messrs. Hale, McCullough and Slawik — 3.

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 226 w/ SA 1, 2 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 226 w/ SA 1, 2 — "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."

Senator Elliott requested the privilege of the floor for F. Edmond Lynch, Governor's Council on Drug Abuse, 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, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlor, Steele — 16.

ABSENT: Messrs. Hale, McCullough 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 to the House for concurrence.

On motion of Senator duPont, the appointment by the Governor of Lewis Trivits was considered for approval by the Senate.

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

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

ABSENT: Messrs. Hale, McCullough and Slawik — 3.

So the question was decided in the affirmative and the appointment was approved.

On motion of Senator Hickman, SS 1 for SB 169 which had previously passed the Senate was taken up for reconsideration as amended by HA 1.

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. Cicione, (Mrs.) Conner, duPont, Elliott, Grier, Hickman, Holloway, Isaacs, (Mrs.) Manning, Steele — 10.

NAYS: Messrs. Castle, Cook, Foltz, Hart, Robbins, Schlor — 6.

ABSENT: Messrs. Hale, McCullough and Slawik — 3.

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

The Secretary read the following message from the House:
5—20—71

Mr. President:

The House wishes to inform the Senate that it has passed SB 268 w/ SA 1, HA 1 and is returning same to the Senate.

On motion of Senator Isaacs, SB 268 w/ SA 1 which had previously passed the Senate was taken up for reconsideration as amended by HA 1.

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. Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Steele — 12.

NOT VOTING: Messrs. Castle, Foltz, Robbins, Schlor — 4.

ABSENT: Messrs. Hale, McCullough and Slawik — 3.

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

Senator Hickman announced that there would be a meeting of the Joint Public Safety Committee in the Conference Room of the State Highway Department on June 6, with a presentation by Secretary Vetter.

Senator Grier moved that the Senate recess until 2:00 p.m., Tuesday, May 25, 1971. Hearing no objection, the motion prevailed and the Senate recessed at 5:40 p.m.

Senator Grier moved that the Senate adjourn until 2:25 p.m., Tuesday, May 25, 1971. Hearing no objection, the Senate adjourned at 2:25 p.m., May 25.

40TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:25 p.m., Tuesday, May 25, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Clendaniel.

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, Schlör, Slawik, Steele — 18.

ABSENT: Mr. Robbins — 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 Castle introduced SB 345 which was given its first reading by title only, as follows:

SB 345 — "An Act to Amend Titles 4, 11, 17, 21, and 23, Delaware Code, by Conferring Original Jurisdiction upon Justices of the Peace to Hear, Try, and Finally Determine Alleged Violations of Certain Sections Thereof and by Altering the Jurisdictional Limits of Certain Sections thereof and by Changing the Penalties for the Violation of Certain Sections thereof." Assigned to Committee on Judiciary and Elections.

Senator Castle introduced SB 346 which was given its first reading by title only, as follows:

SB 346 — "An Act to Amend Titles 10 and 11, Delaware Code, Relating to Various Responsibilities and Procedural Requirements Involving Justices of the Peace and Justice of the Peace Courts." Assigned to Committee on Judiciary and Elections.

Senator Castle introduced SB 347 which was given its first reading by title only, as follows:

SB 347 — "An Act to Amend Section 426, Title 17, Delaware Code, by Conferring Jurisdiction upon Justices of the Peace for Violations of Said Section." Assigned to Committee on Judiciary and Elections.

Senator Castle introduced SB 348 which was given its first reading by title only, as follows:

SB 348 — "An Act to Amend Titles 10, 11, 16 and 21 of the Delaware Code by Abolishing All Authority of Aldermen, or Mayors to Serve as Judicial Officers." Assigned to Committee on Judiciary and Elections.

Senator Castle introduced **SB 349** which was given its first reading by title only, as follows:

SB 349 — “An Act to Amend s4104, Title 11, Delaware Code, Relating to a Refund of Fines.” Assigned to Committee on Judiciary and Elections.

Senator Castle introduced **SB 350** which was given its first reading by title only, as follows:

SB 350 — “An Act to Amend Section 9611, Title 10, Delaware Code, Relating to Trespass Actions in the Justice of the Peace Courts.” Assigned to Committee on Judiciary and Elections.

Senator Castle introduced **SB 351** which was given its first reading by title only, as follows:

SB 351 — “An Act to Amend Chapters 91 and 92, Title 10, Delaware Code, Pertaining to Justices of the Peace and Their Appointment, the Establishment of a Justice of the Peace Screening Committee and Salaries of Clerical Personnel of the Justice of the Peace Courts.” Assigned to Committee on Judiciary and Elections.

Senator Foltz introduced **SB 352** which was given its first reading by title only, as follows:

SB 352 — “An Act to Amend Title 18, Delaware Insurance Code by Amending Chapter 7, Requiring a Receipt for Payments of Cash.” Assigned to Committee on Highways, Transportation and Insurance.

Senator Conner introduced **SB 353**, co-sponsored by Senator Holloway, which was given its first reading by title only, as follows:

SB 353 — “An Act to Increase the Number of Superior Court Judges.” Assigned to Committee on Finance.

Senator Hart introduced **SB 354** which was given its first reading by title only, as follows:

SB 354 — “An Act to Amend Title 21, Delaware Code, Relating to the Effective Date of the Act Requiring Insurance on Motor Vehicles.” Assigned to Committee on Public Safety.

Senator Cicione introduced **SB 355** which was given its first reading by title only, as follows:

SB 355 — “An Act to Amend Chapter 87, Title 3 of the Delaware Code to Provide for the Licensing of Official Establishments in Association with the Meat and Poultry Products Inspection Act.” Assigned to Committee on Agriculture.

Senator Castle introduced **SB 356** which was given its first reading by title only, as follows:

SB 356 — “An Act Relating to the General Revision of the Criminal Law of this State by Amending Part I, Title 11, Delaware Code, Entitled “Crimes and Criminal Procedure”; by a General Revision of That Part to be Effected by Repealing that Part in its Entirety and Substituting Therefore a New Part; and Further, to

Amend Parts II and III, Title 11, Delaware Code, Relating to Criminal Procedure, Particularly Chapters 19, 27, 29, 35, 37, 39, 43, 47, and 59." Assigned to Committee on Judiciary and Elections.

Senator Hale introduced SB 357 which was given its first reading by title only, as follows:

SB 357 — "An Act to Amend Delaware Code, Title 14, Chapter 13, Relating to Salary Schedules for School Employees." Assigned to Committee on Education.

Senator Hale introduced SB 358 which was given its first reading by title only, as follows:

SB 358 — "An Act to Amend Subchapter III, Chapter 17, Title 24 of the Delaware Code Relating to the Practice of Medicine, Surgery and Osteopathy, and Providing for the Rendering of Health Services by Assistants to Physicians." Assigned to Committee on Health and Social Services.

Senator Steele introduced SB 359 which was given its first reading by title only, as follows:

SB 359 — "An Act to Amend Chapter 55, Title 29, Delaware Code, Entitled "State Employees' Pension Plan"; Chapter 39, Title 14, Delaware Code, Entitled "Teachers' Retirement and Disability Pensions"; and Volume 57, Laws of Delaware, Chapters 702 and 741." Assigned to Committee on Finance.

Senator Steele introduced SB 360 which was given its first reading by title only, as follows:

SB 360 — "An Act to Amend Chapter 70, Title 6, of the Delaware Code Relating to Economic Development and Environmental Facilities, Authorizing the Department of Community Affairs and Economic Development to Issue Bonds with or without the Full Faith and Credit of the State Being Pledged to the Payment Thereof, Limiting the Amount of Bonds to which the Full Faith and Credit of the State may be Pledged, Defining the Purposes for which Such Bonds May be Issued, and Related Matters." Assigned to Committee on Finance.

Senator Steele introduced SB 361 which was given its first reading by title only, as follows:

SB 361 — "An Act to Amend Title 29, Chapter 70, Delaware Code, Relating to Sale of State Owned Material." Assigned to Committee on Finance.

Senator Castle introduced SB 362 which was given its first reading by title only, as follows:

SB 362 — "An Act to Amend Title 11, Delaware Code by Adding a New Subsection (d) to Section 1902 Relating to an Extended Period of Detention After Hearing." Assigned to Committee on Judiciary and Elections.

Senator Hale introduced SS 1 for SB 87.

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

Senator duPont introduced SB 363 which was given its first reading by title only, as follows:

SB 363 — “An Act to Amend Chapter 17, Title 29 of the Delaware Code Relating to the Recording and Publication of Emergency Interim Legislative Successors.” Assigned to Committee on Executive.

Senator Isaacs introduced SA 2 to HB 256 w/ HA 1, 4, 5.

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

Senator Holloway introduced SB 364 which was given its first reading by title only, as follows:

SB 364 — “An Act to Amend Title 25, Chapter 51 of the Delaware Code, by Creating a New § 5114 Requiring a Tenant to Leave Rented Premises Free of Debris When Terminating Occupancy.” Assigned to Committee on Judiciary and Elections.

Senator Holloway introduced SJR 17, entitled:

SJR 17 — “Directing the State Highway Department to Plan for Pedestrian and Cycle Traffic on the State’s Streets, Roads, and Major Thoroughfares”

Senator Holloway moved that Rule 9 be suspended for the purpose of considering passage of the Resolution.

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, Schlör, Slawik, Steele — 16.

NOT VOTING: Mr. McCullough — 1.

ABSENT: Messrs. Hart and Robbins — 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 Resolution (SJR 17) 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, Schlör, Slawik, Steele — 17.

ABSENT: Messrs. Hart and Robbins — 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 Holloway introduced SB 365 which was given its first reading by title only, as follows:

SB 365 — “An Act to Amend Chapter 8, Title 22, Delaware Code, by Including all Those Persons Eighteen Years of Age and Above as “Qualified Voters” for Purposes of Municipal Elections.” Assigned to Committee on Judiciary and Elections.

Senator Holloway introduced **SB 366** which was given its first reading by title only, as follows:

SB 366 — “An Act to Amend Chapter 19, Title 14, and Chapter 11, Title 30, Delaware Code, to Allow an Exemption on Real Estate and Personal Income Taxes to Parents who Send Their Children to Nonpublic Schools.” Assigned to Committee on Education.

Senator Holloway introduced **SR 57**, entitled:

SR 57 — “Calling for Standing Committees of the Senate of the 26th General Assembly to Meet When Necessary in the Interim, Directing the Legislative Council to Employ a Pool of Personnel to Staff These Committees, and Providing a Transfer of Funds for this Purpose.”

On motion of Senator Holloway, consideration of the Resolution was deferred without objection.

Senator Hart introduced **SB 367** which was given its first reading by title only, as follows:

SB 367 — “An Act to Amend Chapter 39, Title 18 of the Delaware Code Relating to Automobile Insurance, and Providing an Insurer’s Right to Impose Deductible on Renewal.” Assigned to Committee on Highways, Transportation and Insurance.

Senator Manning introduced **SB 368** which was given its first reading by title only, as follows:

SB 368 — “An Act to Provide a Supplementary Appropriation to the Division of Economic Development of the Department of Community Affairs and Economic Development to Defray Reasonable Expenses of the Division.” Assigned to Committee on Finance.

Senator Hale introduced **SB 369** which was given its first reading by title only, as follows:

SB 369 — “An Act to Amend Title 14, Delaware Code, by Creating a Council on Education, Providing for an Executive Secretary to the Council on Education, and Providing for Amendments and Corrections to Chapters 81 and 82 of Title 14, Delaware Code.” Assigned to Committee on Education.

Senator Isaacs announced that there would be a public hearing at Legislative Hall on May 26, 1971, 7:30 p.m. on **SB 322**.

Senator Manning introduced to the Senate Susan Glynn, a representative to Girls’ State from John Dickinson High School, Wilmington, Delaware.

Senator Isaacs, on behalf of the Committee on Natural Resources and Environmental Control to whom had been referred **SB 322**, reported the same back to the Senate: 5 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 336**, 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 338, reported the same back to the Senate: 5 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred SB 344, reported the same back to the Senate: 5 Merits.

Senator Elliott, on behalf of the Committee on Agriculture to whom had been referred HB 188, reported the same back to the Senate: 1 Favorable; 4 Merits.

Senator Slawik introduced SB 370 which was given its first reading by title only, as follows:

SB 370 — “An Act Making a Supplementary Appropriation to the Division of Adult Corrections of the Department of Health and Social Services to be Used in Compensating Curtis A. McMurray, Jr.” Assigned to Committee on Finance.

Senator Elliott introduced SB 371 which was given its first reading by title only, as follows:

SB 371 — “An Act to Amend Subchapter 1, Chapter 1, Title 14 of the Delaware Code Relating to Operation of Joint Education Facilities with Bordering States.” Assigned to Committee on Finance.

Senator Slawik introduced SA 1 to SB 247.

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

Senator Conner introduced SB 372, co-sponsored by Senator Slawik, which was given its first reading by title only, as follows:

SB 372 — “An Act to Amend Chapter 15, Title 13, Delaware Code, Relating to Divorce and Annulment.” Assigned to Committee on Judiciary and Elections.

Senator Isaacs, on behalf of the Committee on Natural Resources and Environmental Control to whom had been referred HJR 11, 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 HJR 7, reported the same back to the Senate: 5 Merits.

Senator Elliott, on behalf of the Committee on Agriculture to whom had been referred SB 305, reported the same back to the Senate: 4 Merits.

Senator Isaacs, on behalf of the Committee on Natural Resources and Environmental Control to whom had been referred SB 343, reported the same back to the Senate: 4 Merits.

The Secretary read the following message from the House:

Mr. President:

The House wishes to inform the Senate that it has passed **HB 266**; **HB 287**; **HB 288**; **HB 298**; **HB 202 w/ HA 1, 2**; **HB 264** and requests the concurrence of the Senate.

The House also passed **SB 252** and **SJR 15** and is returning same to the Senate.

The House did not pass **SB 240** and so it lost in the House.

The Chair introduced the following House Bills which were given first reading by title only and assigned to the various committees:

HB 202 w/ HA 1, 2 — “An Act to Amend Chapter 44, Title 21, Delaware Code, Relating to Abandoned Vehicles.” Assigned to Committee on Public Safety.

HB 266 — “An Act to Amend Chapter 7, Title 21, Delaware Code Relating to Arrest Without Warrant for Motor Vehicle Violations.” Assigned to Committee on Public Safety.

HB 287 — “An Act to Amend Chapter 21, Title 5, Delaware Code, Relating to Regulation of Small Loans.” Assigned to Committee on Administrative Service.

HB 288 — “An Act to Amend Chapter 21, Title 5, Delaware Code, Relating to Small Loan Provisions Application to Banks and Trust Companies.” Assigned to Committee on Administrative Service.

HB 298 — “An Act to Amend Title 14, Delaware Code, Requiring a Daily Period of Silent Meditation.” Assigned to Committee on Judiciary and Elections.

HB 264 — “An Act to Amend Chapter 9, Title 28, Delaware Code, Relating to Harness Horse Racing on Sunday in Kent County and Sussex County.” Assigned to Committee on Finance.

Senator duPont introduced **SB 373**, co-sponsored by Senators Holloway and Steele, which was given its first reading by title only, as follows:

SB 373 — “An Act to Amend Chapter 1, Title 26, Delaware Code, Relating to the Public Service Commission, by Requiring a Certificate of Public Convenience and Necessity before an Electric Utility Corporation May begin the Acquisition of Right-of-way for an Electric Transmission Line, Providing for a Public Hearing with Respect thereto, Authorizing Condemnation for the Acquisition of Such Rights-of-way by an Electric Utility Corporation Issued a Certificate of Public Convenience and Necessity Therefor, and Providing the Procedure for the Determination of Just Compensation in Such Cases.” Assigned to Committee on Community Affairs.

On motion of Senator Hale **HB 33 w/ HA 1** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 33 w/HA 1 — “An Act to Amend Sections 1092, 1201, 1202, and 1312 of Title 14, Delaware Code, relating to Qualifications of Employees of a Reorganized School District and Teacher Certification.”

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

On motion of Senator Isaacs, **SB 318** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 318 — “An Act to Amend Subchapter II, Chapter 21, Title 23 of the Delaware Code Relating to Violations of State Boating 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, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele — 18.

ABSENT: Mr. Robbins — 1.

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

On motion of Senator Hale, **HB 251** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 251 — “An Act to Amend Title 14 of the Delaware Code, Relating to the Public School System and the Establishment of Full-time Programs.”

On 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, Schlör, Slawik, Steele — 17.

NAYS: (Mrs.) Manning — 1.

ABSENT: Mr. Robbins — 1.

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

On motion of Senator Elliott, **SB 321** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 321 — “An Act to Amend An Act being Chapter 42, Volume 53, Laws of Delaware, as Amended, Entitled “An Act Amending, Revising and Consolidating the Charter of the City of Seaford” to Increase the Amount Authorized to be Raised as Taxes.”

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, Schlör, Slawik, Steele — 17.

ABSENT: Messrs. Hart and Robbins — 2.

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

On motion of Senator Foltz, SB 273 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 273 — “An Act to Amend Chapter 7, Title 4 of the Delaware Code Relating to the Sale of Alcoholic Liquors on Thanksgiving Day.”

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, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele — 15.

NOT VOTING: Messrs. Elliott and Isaacs — 2.

ABSENT: Messrs. Hickman and Robbins — 2.

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

On motion of Senator Castle, SB 297 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 297 — “An Act to Amend Title 15, Delaware Code, Relating to a Portion of the Election Laws, by Making Certain Changes Therein.”

Senator Castle requested the privilege of the floor for Burton Willis, Commissioner of Elections, and Joseph Yucht, Senate Attorney, to speak on the Bill. 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, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele — 16.

ABSENT: Messrs. Cicione, Grier and Robbins — 3.

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

On motion of Senator Castle, SB 302 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 302 — “An Act to Amend Sections 307 and 1704, Title 15, Delaware Code, Relating to the Audit for Names and the Removal of Names of Persons who Have not Voted in the Preceding General Elections.”

Senator Castle requested the privilege of the floor for Burton Willis, Commissioner of Elections, 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. (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik, — 15.

NAYS: Mr. Steele — 1.

NOT VOTING: Mr. Castle — 1.

ABSENT: Messrs. Cicione and Robbins — 2.

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

On motion of Senator Manning, SB 339 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 339 — "An Act to Amend Title 9, Subchapter II relating to Abatement of Property Tax for Certain Citizens."

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, Schlör, Slawik — 16.

ABSENT: Messrs. Cicione, Robbins and Steele — 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 Castle moved that SA 1 to SB 259, 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. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, Schlör, Slawik — 13.

NOT VOTING: Mr. McCullough — 1.

ABSENT: Messrs. Cicione, Grier, Hickman, Robbins and Steele — 5.

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 259 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 259 w/ SA 1 — "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."

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, Hart, Holloway, Isaacs, (Mrs.) Manning, Schlör, Slawik — 13.

NOT VOTING: Mr. McCullough — 1.

ABSENT: Messrs. Cicione, Grier, Hickman, Robbins, Steele — 5.

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

Senator duPont announced that on Thursday, June 3, there would be a night session of the Senate from 7:30 to 9:30 p.m.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred SB 345, reported the same back to the Senate: 1 Favorable; 5 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred SB 364, reported the same back to the Senate: 1 Favorable; 5 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred SB 346, reported the same back to the Senate: 1 Favorable; 5 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred SB 349, reported the same back to the Senate: 1 Favorable; 5 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred SB 350, reported the same back to the Senate: 5 Favorable; 1 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred SB 351, reported the same back to the Senate: 1 Favorable; 5 Merits.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred SB 326, reported the same back to the Senate: 4 Merits; 1 Unfavorable.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred SB 378, 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 270, 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 79, reported the same back to the Senate: 6 Merits.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred SB 373, 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 4, 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 354**, reported the same back to the Senate: 3 Merits; 2 Unfavorable.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred **SB 330**, 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 335**, 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 365**, 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 202**, 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 266**, 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 180**, 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 **HB 128**, reported the same back to the Senate: 3 Favorable; 2 Merits; 1 Unfavorable.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred **HB 82**, reported the same back to the Senate: 6 Merits.

Senator duPont moved that the Senate adjourn until 2:00 p.m. Wednesday, May 26, 1971. Hearing no objection, the motion prevailed and the Senate adjourned at 5:28 p.m.

41ST LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:20 p.m., Wednesday, May 26, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Clendaniel.

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 Conner introduced **SB 374**, co-sponsored by Senator Cook, which was given its first reading by title only, as follows:

SB 374 — “An Act to Amend Article IV of the Constitution of the State of Delaware to Increase the Number of Justices of the Supreme Court.” Assigned to Committee on Judiciary and Elections.

Senator Steele introduced **SB 375** which was given its first reading by title only, as follows:

SB 375 — “An Act to Amend Chapter 71, Title 16, and Chapter 43, Title 21, of the Delaware Code, Relating to the Sale, Purchase, Receipt, Possession, Transportation, Use, Safety and Control of Explosive Materials.” Assigned to Committee on Public Safety.

Senator Cook introduced **SB 376** which was given its first reading by title only, as follows:

SB 376 — “An Act to Amend Section 9707, Title 10, Delaware Code, Relating to Fees of Witnesses, Fees for the Referees and Mileage Charges for Cases Before Justices of the Peace.” Assigned to Committee on Judiciary and Elections.

Senator Hickman introduced **SB 377** which was given its first reading by title only, as follows:

SB 377 — “An Act Making a Supplementary Appropriation to the Department of Natural Resources and Environmental Control for Solid Waste Collection on Public Lands.” Assigned to Committee on Natural Resources and Environmental Control.

Senator duPont introduced **SS 1** for **SB 334**, co-sponsored by Senator Slawik.

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

Senator Holloway introduced **SCR 28**, co-sponsored by Senators Foltz, Hickman, Isaacs, Schlör and Slawik, entitled:

SCR 28 — “Requesting the President Pro Tempore of the Senate and the Speaker of the House of Representatives each to Appoint Certain Members to a Committee, which Committee would Hold Hearings and Conduct a Study into the Delaware Alcoholic Beverage Control Commission and Its Functions, in Order to Revise and Update the Methods by Which the State Regulates the Selling and Consuming of Alcoholic Beverages.”

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. Cicione, Cook, duPont, Elliott, Foltz, Grier, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele — 15.

NOT VOTING: Messrs. Castle, Hale and McCullough — 3.

ABSENT: (Mrs.) Conner — 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 **SR 58**, entitled:

SR 58 — "To Authorize the Leasing and Rental Payment for the MT/ST for the Fiscal Year Ending June 30, 1972.

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, 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.

The Secretary announced that Legislative Advisory No. 6, received from Fletcher E. Campbell, Jr., Counsel to the Governor, indicated that the Governor had approved the following legislation:

HB 23 (5-14-71); **HB 121** (5-14-71); **HB 139 w/ HA 1, 2, 3** (5-14-71); **HB 172** (5-14-71); **HB 197 w/ HA 2** (5-14-71); **SB 170** (5-14-71); **SB 173 w/ HA 1** (5-14-71); **SS 1 for SB 184 w/ HA 1** (5-14-71); **SJR 13** (5-14-71); **SB 143 w/ SA 3** (5-18-71).

The Secretary announced that Legislative Advisory No. 7, received from Fletcher E. Campbell, Jr., Counsel to the Governor, indicated that the Governor had approved the following legislation:

HB 194 (5-20-71); **HB 243** (5-20-71); **HB 160** (5-20-71); **HB 163 w/ HA 1** (5-20-71); **SB 110** (5-20-71); **SB 98** (5-20-71); **SS 1 for SB 190 w/ HA 1** (5-20-71); **SS 1 for SB 172 w/ HA 1** (5-20-71); **SB 260** (5-20-71); **SB 231** (5-20-71); **SB 99** (5-20-71); **SB 103** (5-20-71); **SB 42** (5-20-71); **SB 230** (5-20-71).

Senator Elliott introduced **SS 1 for SB 6**, co-sponsored by Senators Castle, Cook, Foltz, Hickman, Holloway, Isaacs, Robbins and Slawik.

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

Senator Hale introduced **SB 378** which was given its first reading by title only, as follows:

SB 378 — "An Act to Amend Section 2707, Title 21, Delaware Code, Relating to School Bus Driver's License." Assigned to Committee on Public Safety.

Senator Castle introduced **SB 379** which was given its first reading by title only, as follows:

SB 379 — "An Act to Amend Subchapter 1, Chapter 7, Title 7 of the Delaware Code Relating to Regulations and Prohibitions Concerning Game and Fish." Assigned to Committee on Natural Resources and Environmental Control.

The Secretary read the following message from the House:

5-25-71

Mr. President:

The House wishes to inform the Senate that it has passed **HB 231 w/ HA 2; HB 272; HB 277** and requests the concurrence of the Senate.

The House also passed **SB 189; SB 265 w/ SA 1; SB 288** and is returning same to the Senate.

Senator Slawik introduced **SB 380**, co-sponsored by Senators Cicione, Cook, Elliott, Foltz, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins and Schlör, which was given its first reading by title only, as follows:

SB 380 — "An Act Creating "The Court of Common Pleas for the State of Delaware"; Prescribing the Powers and Jurisdiction of Said Court; Providing for the Appointment, Number and Term of the Judges of Said Court, and the Salaries and Payment of the Judges and Other Officers and Employees' of Said Court; Providing for a Seal and Rules; Providing for the Powers and Duties of Officers or Employees of the Court; Providing for the Service of Process and Trial Procedures in Civil and Criminal Cases; Providing for the Transfer of Certain Causes from the Superior Court to the Court of Common Pleas; Providing for the Validity of Certain Judgments which May Exceed the Jurisdiction of the Court; Providing for the Disposition of Pending Cases in the Courts of Common Pleas for the Respective Counties; Repealing Chapters 13, 15 and 16 of Title 10, Chapters 53, 55 and 56 of Title 11, Delaware Code of 1953, Amending Section 2701 of Title 11, Chapter 15 of Title 13 and Section 5910 of Title 10, Delaware Code of 1953; Preserving Employee Rights, and Transferring Appropriations." Assigned to Committee on Judiciary and Elections.

Senator Steele introduced **SB 381** which was given its first reading by title only, as follows:

SB 381 — "An Act to Amend Chapter 5, Title 8, Delaware Code, Concerning a Corporation's Failure to File an Annual Report." Assigned to Committee on Executive.

Senator Robbins introduced **SB 382** which was given its first reading by title only, as follows:

SB 382 — "An Act to Amend Chapter 5, Title 31 of the Delaware Code by Adding a New Section Relating to Birth Control, and Providing an Appropriation for the Implementation of the Provisions of Such Section." Assigned to Committee on Finance.

The Chair introduced the following House Bills which were given first reading by title only and assigned to the various Committees:

HB 272 — "An Act to Amend Chapter 3, of Title 21, Delaware Code, Relating to Registration and License Records." Assigned to Committee on Public Safety.

HB 277 — "An Act to Amend Chapter 45, Title 7, Delaware Code, Relating to the Sale of Public Lands." Assigned to Committee on Natural Resources and Environmental Control.

HB 231 — "An Act to Amend Subchapter IV, Chapter 51, Title 30, of the Delaware Code, Relating to State Aid to Municipalities for Streets." Assigned to Committee on Finance.

Senator Hart moved that **HB 231** be withdrawn from the Committee on Finance and laid on the table.

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

YEAS: Messrs. Castle, Cook, Elliott, Foltz, Hale, Hart, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik — 12.

NAYS: Messrs. (Mrs.) Conner, duPont, Grier, (Mrs.) Manning, Steele — 5

ABSENT: Messrs. Cicione and Hickman — 2.

So the question was decided in the affirmative and the motion, having received the required constitutional majority, was adopted and **HB 231** was withdrawn from the Committee on Finance and laid on the table.

Senator Steele introduced **SB 383** which was given its first reading by title only, as follows:

SB 383 — "An Act to Amend Title 29, Delaware Code, Chapter 68 Referring to the Powers and Duties Relating to the Department of Administrative Services, Division of Purchasing." Assigned to Committee on Administrative Services.

Senator Cook moved that the Senate take a ten-minute recess. Hearing no objection, the motion prevailed and the Senate recessed at 3:00 p.m.

The Senate reconvened at 3:15 p.m.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 371**, reported the same back to the Senate: 6 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 360**, reported the same back to the Senate: 6 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 359**, reported the same back to the Senate: 2 Favorable; 4 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 361**, reported the same back to the Senate: 2 Favorable; 4 Merits.

On motion of Senator Hart, **SB 354** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 354 — "An Act to Amend Title 21, Delaware Code, Relating to the Effective Date of the Act Requiring Insurance on Motor Vehicles."

On motion of Senator Schlör, final consideration of the Bill for passage was deferred without objection.

On motion of Senator Isaacs, **SB 335** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 335 — “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 Traffic Lights Near the Townsend Fire Company Firehouse.”

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.

NAYS: 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.

On motion of Senator Isaacs, **SB 338** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 338 — “An Act Making a Supplementary Appropriation of \$30,000 to the Department of Natural Resources and Environmental Control to be Used in Litigation Involving 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, Hickman, Holloway, Isaacs, Robbins, Schlör, Slawik, Steele — 15.

NAYS: Mr. McCullough — 1.

ABSENT: Messrs. Foltz, Hart 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 Isaacs, **HJR 7** was taken up for consideration and read a second time by title only in order to be adopted by the Senate.

HJR 7 — “Encouraging the Protection of the Environment, the Stabilization of the Population, and the Preservation of the Natural Resources of the State of Delaware.”

On 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, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele — 16.

NOT VOTING: Mr. McCullough — 1.

ABSENT: Messrs. Cicione and Foltz — 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.

On motion of Senator Isaacs, **SB 343** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 343 — “An Act to Amend Chapter 80, Title 29 of the Delaware Code Relating to the Powers, Duties and Functions of the Secretary of the Department of Natural Resources and Environmental Control.”

Senator Isaacs requested the privilege of the floor for Fletcher Campbell, Jr., Counsel to the Governor, 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, Grier, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele — 17.

NOT VOTING: Mr. Foltz — 1.

ABSENT: (Mrs.) Manning — 1.

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

On motion of Senator Isaacs, **HJR 11** was taken up for consideration and read a second time by title only in order to be adopted by the Senate.

HJR 11 — “Relating to the Dredging of the Channel Leading from Delaware Bay into Murderkill River at Bowers Beach, 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, McCullough, Robbins, Schlör, Slawik, Steele — 18.

ABSENT: (Mrs.) Manning — 1.

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

On motion of Senator Steele, **SB 336** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 336 — “An Act Directing the Board of Pension Trustees to Conduct Reviews and Actuarial Evaluations of the State Police Pension Plan and the Pension Plan for the Judiciary, and to Make Recommendations to the Second Session of the 126th General Assembly for Appropriate Legislative Action to Improve and to Provide for the Solvency of Such Plans.”

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, McCullough, Robbins, Schlör, Slawik, Steele — 17.

ABSENT: Mr. Hart 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 Steele, SB 344 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 344 — “An Act to Amend Chapter 68 of Title 29, Delaware Code Relating to the Duty of the State Treasurer to Maintain a Special Account for the Division of Purchasing of the Department of Administrative Services”

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.

NOT VOTING: Mr. McCullough — 1.

ABSENT: Mr. Hickman — 1.

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

On motion of Senator Elliott, SB 305 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 305 — “An Act to Amend Chapter 19, Title 6 of the Delaware Code Relating to Fair Trade Laws Establishing Minimum Prices on the Sale or Resale of Commodities, and Exempting the State of Delaware from Such Restrictions.”

Senator Elliott moved that a letter he received from Herbert H. Cornelius, Deputy Director of the Division of Central Purchasing, concerning SB 305 be read into the record. Hearing no objection, the motion prevailed.

DIVISION OF CENTRAL PURCHASING

May 24, 1971

The Honorable David H. Elliott

Delaware State Senate

Legislative Hall

Dover, Delaware 19901

Dear Senator Elliott:

We have been asked to comment on your legislation to exempt State of Delaware purchases from the Fair Trade Laws. The Division of Purchasing and all those State purchasing people we have talked with support your efforts.

While it is hard to suggest a dollar and cents figure on savings to the State, elimination of fair trade requirements on some items of tape recorders could result in a reduction of 15% to 20% in their price to State agencies. There are many other examples that

could be cited to illustrate savings; but the very nature of the laws, that allow the manufacturer to set the minimum price for his goods, also allows him to selectively enforce these prices.

The most important benefit to State buyers will be the elimination of uncertainty at time of bid awards. Those of us in purchasing are tired of playing games with suppliers, who can change the rules of the game at any time.

I enclose with this letter some comments from other people in the State. I also talked with Mr. Earl McGinnes at Delaware State Hospital, who has indicated to me that he will send you some comments.

If we can help in any other way, please feel free to call on us.

Sincerely,

(Signed) Herbert H. Cornelius

Deputy Director

Senator Elliott moved that further consideration of the Bill for passage be deferred. Hearing no objection, the motion prevailed.

On motion of Senator Castle, **HB 82** was taken up for consideration and read a second time by title only in order to pass the Senate.

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.”

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

On motion of Senator Holloway, **SB 307** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 307 — “An Act to Amend Chapter 1, Title 22 of the Delaware Code Prohibiting Municipalities from Charging More than Ten Dollars for any Single Parking Violation.”

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

Senator Elliott moved that **SB 305** consideration of which had been deferred, now be taken up and considered for passage by the Senate. Hearing no objection, the motion prevailed.

Senator Elliott requested the privilege of the floor for Joseph Yucht, Senate Attorney, 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, Grier, Hale, (Mrs.) Manning, McCullough, Robbins, Slawik, Steele — 12.

NAYS: Messrs. Foltz, Holloway, Isaacs, Schlor — 4.

ABSENT: Messrs. Cicione, Hart, 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 to the House for concurrence.

Senator Grier moved that the Senate recess until 2:00 p.m. Thursday, May 27, 1971. Hearing no objection, the Senate recessed at 5:00 p.m.

The Senate reconvened at 2:10 p.m., Thursday, May 27, 1971, Lt. Governor Bookhammer presiding.

Senator Schlor introduced SB 384 which was given its first reading by title only, as follows:

SB 384 — "An Act to Amend Title 29, Delaware Code, Relating to Pension Benefits for Employees of the Concession Stands Operated by the Bureau for the Visually Impaired." Assigned to Committee on Judiciary and Elections.

Senator Schlor introduced SS 1 for SB 153.

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

Senator Manning introduced SB 385 which was given its first reading by title only, as follows:

SB 385 — "An Act to Provide a Supplementary Appropriation to the Division of Libraries of the Department of Community Affairs and Economic Development to Defray Reasonable Expenses of the Division." Assigned to Committee on Community Affairs.

Senator Cook introduced SB 386 which was given its first reading by title only, as follows:

SB 386 — "An Act to Amend Section 607, Title 29, Delaware Code, Relating to Redistricting After Federal Decennial Census." Assigned to Committee on Executive.

Senator Cook introduced SB 387 which was given its first reading by title only, as follows:

SB 387 — "An Act Making a Supplementary Appropriation to the Department of Labor to Provide for the Summer Employment of Students." Assigned to Committee on Finance.

Senator Manning introduced SB 388 which was given its first reading by title only, as follows:

SB 388 — "An Act to Provide a Supplementary Appropriation to the Office of the Secretary of the Department of Community Affairs and Economic Development for the Payment of Certain Reasonable Expenses." Assigned to Committee on Community Affairs.

Senator Grier introduced SB 389 which was given its first reading by title only, as follows:

SB 389 — "An Act to Amend Chapter 651, Volume 57, Laws of Delaware, to Extend the Reversion Date of the Supplementary Appropriation Contained Therein to June 30, 1972." Assigned to Committee on Finance.

Senator Steele introduced **SB 390** which was given its first reading by title only, as follows:

SB 390 — “An Act to Amend Chapter 60, Title 29, Delaware Code, Relating to Classification and Compensation of Key Executives by Substituting a New Chapter 60.” Assigned to Committee on Finance.

Senator Hale introduced **SB 391** which was given its first reading by title only, as follows:

SB 391 — “An Act to Amend Title 14 and Title 29, Delaware Code Annotated, As the Same Refer to School Construction, Capital Improvements, Provision of Building Space for State Agencies, and Funding and Payment Procedures for Such Improvements and Space, and the Duties of the State Board of Education and the State Department of Administrative Services with Reference Thereto.” Assigned to Committee on Education.

Senator Hale introduced **SB 392**, co-sponsored by Senators Steele and Robbins, which was given its first reading by title only, as follows:

SB 392 — “An Act to Amend Title 14 and Title 29, Delaware Code Annotated, as the Same Refer to Local School Bonds, School Construction Capital Improvements, and Bonds of the State of Delaware, and the Duties of the Secretary of Finance with Reference Thereto.” Assigned to Committee on Finance.

Senator Castle introduced **SB 393** which was given its first reading by title only, as follows:

SB 393 — “An Act to Amend Chapters 1, 3, 11, 13, 15, 17, 20, 31, 45, 47, 49, 55, 57 and 73, Title 15, Delaware Code, Relating to Departments of Elections; State Election Commissioner; Registration of Voters; Registration Records, Supplies and Places; Registration Officers; Registration Procedure; Central and Mobile Registration; Registration for Certain Sick and Disabled Persons; Primary Elections; Ballots, Election Supplies and Polling Places; Election Officers; Conduct of Elections; Absentee Voting; Canvass of Vote and Proclamation of Results of Election; and Notice to the Public for Special Election to Fill Vacancy in Office of Representative in Congress.” Assigned to Committee on Judiciary and Elections.

Senator Hale introduced **SB 394** which was given its first reading by title only, as follows:

SB 394 — “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 Elliott introduced **SB 395** which was given its first reading by title only, as follows:

SB 395 — “An Act to Amend Title 11, Delaware Code, Subchapter XLII, Section 757 Relating to Wiretapping by Authorizing Wiretapping and Electronic Surveillance in Certain Specified Cases.” Assigned to Committee on Judiciary and Elections.

Senator Hale introduced **SB 396** which was given its first reading by title only, as follows:

SB 396 — “An Act to Amend Chapter 2, Title 14, of the Delaware Code, by Providing Authorization for the Establishment of Career Education Schools and Facilities in New Castle County.” Assigned to Committee on Education.

Senator duPont introduced **SCR 29**, entitled:

SCR 29 — “Directing the Offices of the Executive and Judicial Branches to Cease Contracting for and Purchasing Books, Large Quantities of which Must be Stored by the Legislative Council, without Consulting the Director of the Council as to the Number Needed.”

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, duPont, Elliott, Foltz, Grier, Hale, Hart, Holloway, Isaacs, McCullough, Robbins, Schlor, Slawik, Steele — 16.

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

Senator Elliott introduced **SB 397** which was given its first reading by title only, as follows:

SB 397 — “An Act to Amend Part II, Chapter 7, Title 29 of the Delaware Code Relating to Legislative Contempt.” Assigned to Committee on Judiciary and Elections.

Senator Elliott introduced **SB 398** which was given its first reading by title only, as follows:

SB 398 — “An Act to Empower the Delaware Agency to Reduce Crime to Pay a Tax-free Bounty for Information Leading to the Arrest and Conviction of Persons Selling or Supplying for Sale Dangerous or Illegal Drugs.” Assigned to Committee on Finance.

Senator Steele introduced **SB 399** which was given its first reading by title only, as follows:

SB 399 — “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 Dover State Service Center Project.” Assigned to Committee on Finance.

Senator Manning introduced **SB 400** which was given its first reading by title only, as follows:

SB 400 — “An Act Proposing an Amendment to the Constitution of the State of Delaware.” Assigned to the Joint Committee on Constitutional Revision.

Senator Hickman introduced **SA 1 to HB 231**.

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

Senator Cicione introduced **SB 401** which was given its first reading by title only, as follows:

SB 401 — "An Act to Amend Chapter 22, Title 9, Delaware Code, Relating to Collection of Sewer Service Charges." Assigned to Committee on Community Affairs.

Senator Cicione introduced **SB 402**, co-sponsored by Senator Slawik, which was given its first reading by title only, as follows:

SB 402 — "An Act Authorizing the State of Delaware to Borrow Money for the Continued Payment to Persons who Served or Will Serve in the Armed Forces of the United States During the Vietnam Conflict; to Authorize the Issuance of Bonds and Bond Anticipation Notes Therefor and Appropriating the Money Borrowed to the Department of Finance." Assigned to Committee on Finance.

Senator Foltz introduced **SA 1 to SB 324**.

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

Senator Foltz introduced **SA 1 to SB 319**.

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

Senator Foltz introduced **SA 1 to SB 325**.

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

Senator Elliott introduced **SS 3 for SB 65**, co-sponsored by Senators Cicione, Conner, Hale, Hart, Isaacs, Robbins and Steele.

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

Senator Holloway introduced **SB 403** which was given its first reading by title only, as follows:

SB 403 — "An Act to Amend Chapter 11, Title 29 of the Delaware Code, Relating to the Director of Research of the Legislative Council." Assigned to Committee on Executive.

Senator Slawik introduced **SS 1 for SB 247**.

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

Senator Elliott introduced **SJR 18**, entitled:

SJR 18 — "Relating to the Poultry Industry Market in Delaware." Assigned to Committee on Agriculture.

Senator Hart introduced **SB 404** which was given its first reading by title only, as follows:

SB 404 — "An Act to Amend Part VI, Chapter 69, Title 29 of the Delaware Code Relating to the Procurement of Materiel and Award of Contracts for Public Works by State Agencies."

Assigned to Committee on Labor and Industrial Relations.

Senator Elliott introduced **SJR 19**, entitled:

SJR 19 — “Memorializing the Army Corps of Engineers to Dredge the Whole of the Nanticoke River from Seaford, Delaware, out into the Chesapeake Bay.” Assigned to Committee on Natural Resources and Environmental Control.

Senator Cicione introduced **SCR 30**, co-sponsored by Senators Elliott, Hart and Slawik, entitled:

SCR 30 — “Expressing the Concern of the General Assembly with Regard to the Failure of the Unique Hazards Committee of the State Board of Public Instruction to Adequately Delineate “Safety Hazards” as the Same Applies to the Transportation of Pupils and Calling for a Moratorium within which Time a Study and Report Might be Made.”

Senator Cicione moved that the Resolution be adopted.

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

Senator Cicione then moved that the roll call on the Resolution be lifted. Hearing no objection, the motion prevailed.

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

YEAS: Messrs. Cicione, duPont, Elliott, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik — 10.

NOT VOTING: Messrs. Castle, (Mrs.) Conner, Grier, Robbins, Steele — 5.

ABSENT: Messrs. Cook, Foltz, Hale and Holloway — 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 to the House for concurrence.

Senator Hickman introduced **SB 405** which was given its first reading by title only, as follows:

SB 405 — “An Act to Amend Chapter 29, Title 14, Delaware Code, Relating to the Transportation of Pupils.” Assigned to Committee on Education.

Senator Conner introduced **SB 406**, co-sponsored by Senator Holloway, which was given its first reading by title only, as follows:

SB 406 — “An Act to Amend Title 29, Sections 5603 and 5610 of the Delaware Code as to Judges Included within the State Judiciary Retirement Fund and Relationship of Judicial Pensions to other Pensions.” Assigned to Committee on Judiciary and Elections.

Senator Castle introduced (by Request) **SB 407** which was given its first reading by title only, as follows:

SB 407 — “An Act to Amend Section 3103, Title 5, Delaware Code, Relating to the Qualifications of a Licensee Necessary to Make Secondary Mortgage Loans.” Assigned to

Committee on Administrative Services.

Senator Isaacs, on behalf of the Committee on Natural Resources and Environmental Control to whom had been referred **SB 377**, 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 372**, 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 **HB 264**, reported the same back to the Senate: 4 Merits; 2 Unfavorable.

Senator Foltz, on behalf of the Committee on Administrative Services to whom had been referred **SB 334**, reported the same back to the Senate: 1 Favorable; 5 Merits.

Senator Foltz, on behalf of the Committee on Administrative Services to whom had been referred **HB 288**, reported the same back to the Senate: 6 Merits.

Senator Foltz, on behalf of the Committee on Administrative Services to whom had been referred **HB 287**, reported the same back to the Senate: 6 Merits.

Senator Hale introduced **SB 408** which was given its first reading by title only, as follows:

SB 408—“An Act to Amend Title 14 and Title 29, Delaware Code Annotated, as the Same Refer to Local School Bonds, School Construction Capital Improvements, and Bonds of the State of Delaware, and the Duties of the Secretary of Finance with reference thereto.” Assigned to Committee on Finance.

Senator Slawik introduced **SB 409**, co-sponsored by Senator Cicione, which was given its first reading by title only, as follows:

SB 409—“An Act to Amend Title 21 of the Delaware Code Providing for Occupational Licenses for Professional Drivers Convicted of Certain Motor Vehicle Offenses.” Assigned to Committee on Public Safety.

Senator Conner introduced **SB 410**, co-sponsored by Senators Elliott, Foltz, Hale, Hart, Holloway, Slawik and Honorary Co-sponsors Representatives Little and Weiss, which was given its first reading by title only, as follows:

SB 410—“An Act to Amend Title 16, by Adding a New Chapter 34 Entitled, “An Act to Establish a Delaware Formulary Advisory Board”; to Develop a Delaware Formulary for Voluntary Use, and to Promote the Availabiltiy of High Quality Drug Products at Reasonable Costs.” Assigned to Committee on Health and Social Services.

Senator Conner introduced **SB 411**, co-sponsored by Senator Slawik, which was given its first reading by title only, as follows:

SB 411—“An Act to Amend Chapter 51, Title 31, Delaware Code, by Creating a New Section Relating to the Transfer and Treatment of Mentally-defective Juveniles.” Assigned to Committee on Health and Social Services.

Senator Steele introduced SB 412 which was given its first reading by title only, as follows:

SB 412 — “An Act to Amend Title 8, Delaware Code, Sections 375 and 502, Relating to Failure of Corporations to File Annual Reports.” Assigned to Committee on Finance.

Senator Steele introduced SS 1 for SB 48.

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

Senator Hickman introduced SB 413, co-sponsored by Senator Cook, which was given its first reading by title only, as follows:

SB 413 — “An Act to Amend Chapter 3, Subchapter XXXIII, Section 644, Title 11, Delaware Code Relating to Shoplifting.” Assigned to Committee on Judiciary and Elections.

Senator Hart, on behalf of the Committee on Highways, Transportation and Insurance to whom had been referred SB 367, reported the same back to the Senate: 6 Merits.

Senator Hart, on behalf of the Committee on Highways, Transportation and Insurance to whom had been referred HB 181, reported the same back to the Senate: 6 Merits.

Senator Hart, on behalf of the Committee on Highways, Transportation and Insurance to whom had been referred SB 317, reported the same back to the Senate: 6 Merits.

Senator Hart, on behalf of the Committee on Highways, Transportation and Insurance to whom had been referred SB 319, reported the same back to the Senate: 6 Merits.

Senator Hart, on behalf of the Committee on Highways, Transportation and Insurance to whom had been referred SB 324, reported the same back to the Senate: 6 Merits.

Senator Hart, on behalf of the Committee on Highways, Transportation and Insurance to whom had been referred SB 325, reported the same back to the Senate: 6 Merits.

Senator Hart, on behalf of the Committee on Highways, Transportation and Insurance to whom had been referred SB 352, reported the same back to the Senate: 6 Merits.

Senator Isaacs introduced SB 414 which was given its first reading by title only, as follows:

SB 414 — “An Act to Amend Titles 7, 16, 29 and 39, Delaware Code to Provide An Effective Program to Improve the Quality of Delaware’s Environment by Providing for Amendment of Chapters 60 and 64 of Title 7, Delaware Code, and For Repeal of Chapters 61, 62, and 63 of Title 7, Delaware Code, and by Providing Omnibus Amendments, Corrections, Relating to the Department of Natural Resources and Environmental Control as Provided in Titles 29 and 39, Chapter 80, Delaware Code, and by Creating an Environmental Protection Appeals Board, Defining its Organization, Powers, Duties, and Functions, and by Providing for the Creation of the Environmental Council, Defining its Composition, Organization, Powers, Duties, and Functions, and

Making Appropriations Therefor.” Assigned to Committee on Natural Resources and Environmental Control.

Senator duPont introduced SA 2 to HB 231.

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

Senator Hart introduced SA 1 to SB 354.

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

Senator Isaacs introduced SA 1 to SB 322.

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

Senator Elliott introduced SB 415 which was given its first reading by title only, as follows:

SB 415 — “An Act to Amend Subchapter 11, Chapter 21, Title 21 of the Delaware Code Relating to Permits Allowing Free Use of Delaware Parks, which Permits would be Distributed with Motor Vehicle License Plates.” Assigned to Committee on Natural Resources and Environmental Control.

The Secretary read the following message from the House:

5-26-71

Mr. President:

The House wishes to inform the Senate that it has passed HB 38 w/ SA 1, HA 1; HB 244; HB 276; HB 304; HB 291; HJR 10; HJR 14 and HCR 27 and requests the concurrence of the Senate.

The House also passed SB 249 w/ HA 1; SB 255; SB 36 w/ HA 1; SB 282 and SJR 12 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 Committee as follows:

HB 244 — “An Act to Amend Title 14 of the Delaware Code by Eliminating the Posting of Assessment Lists and Hearing Objections There to.” Assigned to Committee on Public Safety.

HB 276 — “An Act to Amend Subchapter II, of Chapter 21, Title 21, Delaware Code Relating to Number and Registration Plates.” Assigned to Committee on Public Safety.

HB 291 — “An Act to Amend Subchapter 11, Chapter 55, Title 29 of the Delaware Code Relating to the State Employees’ Pension Plan.” Assigned to Committee on Finance.

HB 304 — “An Act to Amend Chapter 43, Title 21, Delaware Code, Relating to Projections from the Periphery of Tires.” Assigned to Committee on Public Safety.

HJR 14 — “Urging the State Board of Education to Establish a Program for High School Students Concerning the Election Laws and Use of Voting Machines.” Assigned to Committee on Education.

Senator Hickman moved that HB 38 w/ SA 1 which had passed the Senate, now be taken up for reconsideration as further amended by HA 1.

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, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele — 14.

NAYS: Mr. duPont — 1.

ABSENT: Messrs. Cicione, Cook, Elliott and (Mrs.) Manning — 4.

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

Senator Hickman moved that SB 249 which had previously passed the Senate, be taken up for reconsideration as amended by HA 1.

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, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 17.

ABSENT: Messrs. Cicione and Cook — 2.

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

The Chair introduced HJR 10 which was given its first reading by title only, as follows:

HJR 10 — "Defining "The Legislator's Right to Know" about and Have Information Concerning New Programs." Assigned to Committee on Executive.

The Chair presented HCR 2 entitled:

HCR 2 — "Memorializing the Congress of the United States to call a Constitutional Convention for the purpose of proposing a Constitutional Amendment providing for a return of tax monies for the Federal Government to the several states.

Senator duPont moved that HCR 2 be tabled. Hearing no objection, the motion prevailed and HCR 2 was tabled.

Senator Castle introduced SA 1 to SB 345.

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

Senator Elliott moved that SB 36 which had previously passed the Senate, not be taken up for reconsideration as amended by HA 1.

Senator Elliott moved that final consideration of the Bill (as so amended) be deferred. Hearing no objection, the motion prevailed.

Senator Grier moved that the Senate adjourn until Thursday, May 27, 1971 at 3:30 p.m. Hearing no objection, the motion prevailed and the Senate adjourned at 3:30 p.m.

42ND LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:30 p.m., Thursday, May 27, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Clendaniel.

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 Holloway presented a letter which the Governor had received from Mayor Haskell of Wilmington regarding the planning and design of Educational Park.

Senator duPont introduced SB 416, co-sponsored by Senator Cook, which was given its first reading by title only, as follows:

SB 416 — "An Act to Amend Chapter 3, Title 1 of the Delaware Code Relating to the Interpretation of Statutes, and Providing for a Uniform Statutory Construction Act." Assigned to Committee on Executive.

Senator Grier introduced SB 417 which was given its first reading by title only, as follows:

SB 417 — "An Act Authorizing the Secretary of the Department of Natural Resources and Environmental Control to Administer and Distribute \$125,000 in the Form of Grants to the Town of Georgetown from Funds Authorized under Chapter 736, Volume 57, Laws of Delaware." Assigned to Committee on Natural Resources and Environmental Control.

Senator Hickman introduced SA 1 to HB 231.

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. Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, McCullough, Slawik, Steele — 12.

NAYS: Mr. Schlör — 1.

NOT VOTING: Messrs. Castle, Holloway and Isaacs — 3.

ABSENT: Messrs. Cook, (Mrs.) Manning, and Robbins — 3.

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

Senator duPont introduced SA 2 to HB 231.

Senator duPont 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, duPont, Grier, Hale, Holloway, Robbins, Steele — 8.

NOT VOTING: Messrs. Foltz, Hart, Isaacs, Schlör and Slawik — 5.

ABSENT: Messrs. Cicione, Cook, Elliott, Hickman, (Mrs.) Manning, McCullough — 6.

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

Senator Hickman moved that the roll call on SA 1 to HB 231 be rescinded.

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, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik — 14.

NAYS: Messrs. duPont, (Mrs.) Manning and Steele — 3.

ABSENT: Messrs. Cook and Elliott — 2.

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

Senator Hickman moved that SA 1 to HB 231 be stricken. Hearing no objection, the motion prevailed.

Senator Hart moved that Rule 9 be suspended for the purpose of considering HB 231.

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

YEAS: Messrs. Cicione, Elliott, Foltz, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Slawik — 10.

NAYS: Mr. Steele — 1.

NOT VOTING: Messrs. Castle, (Mrs.) Conner, duPont, Grier, Holloway, Schlör — 6.

ABSENT: Messrs. Cook and Robbins — 2.

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

Therefore, HB 231 was given its second reading by title only in order to be considered for passage by the Senate.

HB 231 w/ HA 2 — "An Act to Amend Subchapter IV, Chapter 51, Title 30, of the Delaware Code, Relating to State Aid to Municipalities for Streets."

Senator Hart requested the privilege of the floor for Albert K. Martin, representing the City of Newark, to speak on the Bill. Hearing no objection, the request was granted.

Senator McCullough moved that a copy of the letter which he had received from the Mayor of New Castle, supporting HB 231 be made part of the record. Hearing no objection, the motion prevailed.

May 20, 1971

Senator Calvin R. McCullough
Legislative Hall
Dover, Delaware

Sir:

On behalf of the Mayor and Council of the City of New Castle, I urge the adoption and passage of House Bill 231. All municipalities are faced with rising cost of government operations. The greatest percent of our city's budget is expenditures for our Street Department and Police Department, over 50% of the total budget. In face of these rising costs it is essential to the fiscal integrity of the city that additional revenue be obtained. In the last session of our City Council property taxes were raised 25%. Thus the city has shown a willingness to meet these rising costs. However, we need additional increases from other sources. Therefore, we urge your support of House Bill 231.

Thank you very much for listening to our plea.

Very truly yours,

(Signed) John F. Klingmeyer
Mayor, New Castle

On the question, "Shall the Bill (HB 231) pass the Senate?", the yeas and nays were ordered which, being taken, were as follows:

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

NAYS: Messrs. duPont, (Mrs.) Manning and Steele — 3.

ABSENT: Mr. Cook — 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 SA 1 to SB 373.

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

Senator duPont introduced SA 1 to SB 363.

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

Senator Hale introduced SB 418, co-sponsored by Senator Conner, which was given its first reading by title only, as follows:

SB 418 — "An Act to Amend Title 29, Chapter 79, Delaware Code, by Providing for a Uniform Method of Charging and Collecting Fees for Certain Services Provided by the Department of Health and Social Services and Allowing for the Disclosure of Incomes of Persons Having Obligations to the Department." Assigned to Committee on Health and Social Services.

Senator McCullough introduced SA 1 to SS 1 for SB 48, co-sponsored by Senators Cicione, Isaacs and Slawik.

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

Senator Hart moved that the Senate take a ten-minute recess at 4:15 p.m. Hearing no objection, the motion prevailed.

The Senate reconvened at 4:30 p.m.

Senator Isaacs introduced SA 2 to SB 373.

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

On motion of Senator Manning, SB 118 was stricken from the Calendar without objection.

On motion of Senator Elliott, the roll call on SB 36 w/ HA 1 was lifted without objection.

Senator Elliott requested the privilege of the floor for Kenneth C. Madden, Department of Public Instruction, to speak on the Bill. Hearing on objection, the request 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, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele — 18.

ABSENT: Mr. Cook — 1.

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

Senator Isaacs introduced SA 3 to SB 373.

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

Senator Isaacs introduced SA 4 to SB 373.

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

Senator Grier introduced SB 419 which was given its first reading by title only, as follows:

SB 419 — "An Act Authorizing the Secretary of the Department of Natural Resources and Environmental Control to Administer and Distribute \$250,000 in the Form of Grants to Delaware Technical and Community College from Funds Authorized under Chapter 736, Volume 57, Laws of Delaware." Assigned to Committee on Natural Resources and Environmental Control.

Senator Holloway introduced SB 420 which was given its first reading by title only, as follows:

SB 420 — "An Act to Amend Title 11, Delaware Code, Relating to the Issuance of Summons by Police Officers for Misdemeanors." Assigned to Committee on Judiciary and Elections.

On motion of Senator Castle, HB 82 was taken up for consideration and read a second time by title only in order to pass the Senate.

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.”

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele — 16.

ABSENT: Messrs. Cicione, Cook and Holloway — 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 Castle, **HB 180** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 180 — “An Act to Amend Subchapter 11, of Chapter 29, Title 21, Delaware Code, Relating to Custody, Disposition and Return of Security.”

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

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

NAYS: Mr. Isaacs — 1.

NOT VOTING: Messrs. McCullough, Robbins and Schlor — 3.

ABSENT: Mr. Cook — 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 Foltz introduced **SB 421** which was given its first reading by title only, as follows:

SB 421 — “An Act Authorizing the State of Delaware to Borrow Money for the Restoration of Loockerman Hall on the Campus of Delaware State College and to Authorize the Issuance of Bonds and Notes Therefor and Appropriating the Money Borrowed to Delaware State College.” Assigned to Committee on Community Affairs.

Senator Hickman introduced **SB 422** which was given its first reading by title only, as follows:

SB 422 — “An Act to Amend Chapter 51 of Title 30, Delaware Code, Relating to Expenditures of Funds by Municipalities; Records, Audits and Regulations of Municipalities.” Assigned to Committee on Community Affairs.

Senator Hart introduced **SB 423** which was given its first reading by title only, as follows:

SB 423 — “An Act to Amend Chapter 13 of Title 14, Delaware Code Relating to Sick Leave and Absence for other Reasons.” Assigned to Committee on Education.

Senator Elliott introduced **SA 1** to **HCR 27**.

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

ABSENT: Mr. Cook — 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, the roll call on **HCR 27 w/ SA 1** was lifted.

Therefore, 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, McCullough, Robbins, Schlör, Slawik, Steele — 18.

ABSENT: Mr. Cook — 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 Elliott, **HB 188** was taken up for consideration and read a second time by title only in order to pass the Senate.

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

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

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

ABSENT: Mr. Cook — 1.

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

On motion of Senator Steele, **HB 264** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 264 — “An Act to Amend Chapter 9, Title 28, Delaware Code, Relating to Harness Horse Racing on Sunday in Kent County and Sussex County.”

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

YEAS: Messrs. Castle, Cicione, duPont, Foltz, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele — 13.

NAYS: Messrs. (Mrs.) Conner, Elliott, Grier, Hickman, Robbins — 5.

ABSENT: Mr. Cook — 1.

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

Senator Castle introduced (by request) **SB 424** which was given its first reading by title only, as follows:

SB 424 — “An Act to Amend Title 10, Section 3704, Delaware Code, Relating to the Nature of Damages Recoverable for Death by Wrongful Act in Personal Injury Cases.” Assigned to Committee on Judiciary and Elections.

On motion of Senator Schlör, **SB 79** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 79 — “An Act to Amend Chapter 23, Title 24 of the Delaware Code, Concerning Pawnbrokers and Stolen Property.”

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

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

ABSENT: Mr. Cook — 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, **HB 202 w/ HA 1, 2** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 202 w/ HA 1, 2 — “An Act to Amend Chapter 44, Title 21, Delaware Code, Relating to Abandoned Vehicles.”

Senator Hickman requested the privilege of the floor for David R. Lovejoy, Department of Highways and Transportation, 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, duPont, Elliott, Foltz, Grier, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele — 15.

NAYS: Mr. Robbins — 1.

ABSENT: Messrs. (Mrs.) Conner, Cook and Hale — 3.

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

Senator duPont introduced SA 1 to SB 422.

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

Senator Isaacs introduced SA 5 to SB 373.

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

On motion of Senator Hickman, HB 266 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 266 — “An Act to Amend Chapter 7, Title 21, Delaware Code Relating to Arrest without Warrant for Motor Vehicle Violations.”

On motion of Senator Grier, the roll call on HB 266 was tabled without objection.

Senator Holloway introduced SA 2 to SS 1 for SB 48.

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:

5—27—71

Mr. President:

The House wishes to inform the Senate that it has passed SB 100 w/ SA 1, 2, 3, 10, HA 3; SB 101 w/ SA 1; SB 102 w/ SA 1 and is returning same to the Senate.

On motion of Senator Manning, SB 100 w/ SA 1, 2, 3, 10 which has previously passed the Senate, was taken up for reconsideration as further amended by HA 3.

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, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 17.

NOT VOTING: Mr. Cicione — 1.

ABSENT: Mr. Cook — 1.

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

Senator Manning, the Chairman of the Joint Committee on Constitutional Revision, to whom had been referred SB 400, reported the same back to the Senate: 1 Favorable; 4 Merits.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred SB 401, 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 388, 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 SB 385, reported the same back to the Senate: 2 Favorable; 3 Merits.

Senator Castle introduced (by request) SB 425 which was given its first reading by title only, as follows:

SB 425 — "An Act to Repeal Chapter 57, Title 10, Delaware Code, Titled "Arbitration and Award"; to Repeal Section 121, Title 19, Delaware Code, titled "Arbitration"; and to repeal Section 1310, Title 19, Delaware Code, Titled "Submission of Dispute to State Mediation Service for Arbitration"; and to adopt a new Chapter 57, Title 10, Delaware Code, Titled "Uniform Arbitration Act" providing for the Arbitration of Controversies and the Enforcement of Written Agreements to Submit Controversies to Arbitration." Assigned to Committee on Judiciary and Elections.

Senator Grier moved that the Senate recess until Tuesday, June 1, 1971. Hearing no objection, the motion prevailed and the Senate recessed at 6:00 p.m.

The Senate reconvened at 2:00 p.m., Tuesday, June 1, 1971.

Senator Isaacs introduced SCR 31, entitled:

SCR 31 — "Expressing the Sincere Concern of the General Assembly over the Recent Announcement by a Chemical Processor, Recently Closed Down in Maryland because of Excessive Pollution, that the Corporation Intends to Move its Operations to Delaware; and Urgently Requesting that the Division of Environmental Control Refuse to Approve a Pending Application to Build a Similar Plant in Delaware."

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, Elliott, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik — 11.

NOT VOTING: Messrs. Castle, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hart, Steele — 8.

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 introduced SR 59, entitled:

SR 59 — "To Provide for Public Hearings to be Conducted with Respect to Senate Bill No. 373."

Senator Isaacs moved that the Resolution be adopted.

On motion of Senator Isaacs, the roll call on the Resolution was tabled without objection.

Senator Isaacs then moved that the roll call on SR 59 be lifted. Hearing no objection, the motion prevailed. END PART

Therefore, 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, Foltz, Hart, Hickman, Isaacs, (Mrs.) Manning, Robbins, Schlör — 10

NAYS: Messrs. duPont and Steele — 2.

NOT VOTING: Messrs. Castle, (Mrs.) Conner, Grier, Hale, Holloway, McCullough, Slawik — 7.

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

Senator Steele introduced SA 1 to SB 333.

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

Senator Steele introduced SB 426 which was given its first reading by title only, as follows:

SB 426 — "An Act to Amend Chapter 469, Volume 56, Laws of Delaware, Known as the "Annual Capital Improvement Act of 1969," by Allowing for the Construction or Renovation of a Work-release Center in Sussex County and Extending the Time for Such Project." Assigned to Committee on Finance.

Senator Manning introduced SB 427 which was given its first reading by title only, as follows:

SB 427 — "An Act to Amend Title 16, Delaware Code, by Adding a New Chapter 48 thereto Relating to the Licensing of Drug Care Centers, Drug Counselling Centers, Drug Educational or Drug Abuse Prevention Services, and Drug Treatment or Rehabilitation Facilities." Assigned to Committee on Health and Social Services.

Senator Manning introduced SB 428 which was given its first reading by title only, as follows:

SB 428 — "An Act to Amend Section 2-316 of the Uniform Commercial Code by Providing that any Attempt to Exclude or Modify the Warranty of Merchantability or Fitness for a Purpose in a Sale of Consumer Goods Shall be Unenforceable." Assigned to Committee on Community Affairs.

Senator duPont introduced SJR 20 which was given its first reading by title only, as follows:

SJR 20 — "Relating to the Establishment of a Committee to Study Unique Hazard Busing on a Statewide Level." Assigned to Committee on Executive.

Senator Castle introduced SB 429, co-sponsored by Senator Holloway, which was given its first reading by title only, as follows:

SB 429 — “An Act to Amend Chapter 118, Volume 33, Laws of Delaware, Entitled “An Act Providing for a Firemen’s Pension Fund for Members of the Bureau of Fire of the City of Wilmington,” to Provide for an Increase in Pension Benefits.” Assigned to Committee on Community Affairs.

Senator Castle introduced **SB 430**, co-sponsored by Senator Holloway, which was given its first reading by title only, as follows:

SB 430 — “An Act to Amend Chapter 113, Volume 32, Laws of Delaware, Entitled “An Act Providing for a Police Pension Fund: for Members of the Police Force of the City of Wilmington.” To provide for an Increase in Pension Benefits. Assigned to Committee on Community Affairs.

Senator Conner introduced **SB 431** which was given its first reading by title only, as follows:

SB 431 — “An Act to Amend Section 113, Title 15, Delaware Code, Relating to Office Space for the Department of Elections for New Castle County.” Assigned to Committee on Judiciary and Elections.

Senator Hickman introduced **SB 432** which was given its first reading by title only, as follows:

SB 432 — “An Act to Amend Chapters 121 and 469, Volume 56, Delaware Laws, and Chapter 299, Volume 57, Delaware Laws, Relating to Capital Improvements and Expenditures, by Removing Certain Restrictions on the Expenditure of Funds Allocated for the Construction of the West Dover Bypass Including the Camden to Frederica Connection, and by Mandating the Construction Thereof.” Assigned to Committee on Finance.

Senator Hickman introduced **SB 433** which was given its first reading by title only, as follows:

SB 433 — “An Act to Provide a Supplementary Appropriation to the State Board of Education for the Creation of a New Position Entitled State Supervisor of Environmental Education.” Assigned to Committee on Finance.

Senator Hickman introduced **SB 434** which was given its first reading by title only, as follows:

SB 434 — “An Act to Amend Chapter 77, Volume 50, Laws of Delaware, Being an Act Entitled “An Act to Authorize and Direct the Levy Court of Sussex County to Make Available to the Board of Soil District Supervisors of the Soil Conservation District of Sussex County Certain Funds for the Employment of an Equipment Manager.” Assigned to Committee on Community Affairs.

Senator Schlör introduced **SB 435** which was given its first reading by title only, as follows:

SB 435 — “An Act to Amend Chapter 39, Title 18 of the Delaware Code Relating to Casualty Insurance Contracts, Restricting Certain Cancellation and Non-renewal Rights.” Assigned to Committee on Highways, Transportation and Insurance.

Senator Hart introduced SB 436 which was given its first reading by title only, as follows:

SB 436 — “An Act to Amend Title 30, Delaware Code, Chapter 21, Relating to Business Licenses and Taxes, by Providing that the Tax Department Shall not Issue any License to Conduct a Business in a Location in Violation of any Applicable Zoning Code or Deed Restrictions.” Assigned to Committee on Finance.

Senator Steele introduced SA 1 to SB 51.

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

Senator Isaacs introduced SB 437 which was given its first reading by title only, as follows:

SB 437 — “An Act to Amend Chapter 51, Title 25, Delaware Code, by Grouping Sections 5101 through 5112 under the Heading “Subchapter I” and by Creating a New Subchapter II relating to Leases for Mobile Homes and Mobile Home Lots.” Assigned to Committee on Judiciary and Elections.

Senator Slawik introduced SB 438 which was given its first reading by title only, as follows:

SB 438 — “An Act to Amend Chapter 15, Title 15, Delaware Code, Relating to Deputy Registration Officers.” Assigned to Committee on Judiciary and Elections.

Senator Conner introduced SB 439, co-sponsored by Senators Castle and Slawik, which was given its first reading by title only, as follows:

SB 439 — “An Act to Amend Section 5127, Title 16, Delaware Code, Relating to Delaware State Hospital, Liability for Maintenance of Patient, Collection Remedies.” Assigned to Committee on Health and Social Services.

Senator Robbins introduced SB 440 which was given its first reading by title only, as follows:

SB 440 — “An Act to Amend Title 14, Delaware Code, Relating to Sick Leave Provisions for School Employees by Providing Terminal Leave for Unused Sick Leave Time and Providing for Payments to the Surviving Spouse or Estate of School Employees for Unused Sick Leave Time.” Assigned to Committee on Education.

Senator Robbins introduced SB 441 which was given its first reading by title only, as follows:

SB 441 — “An Act to Amend Subchapter 1, Chapter 19, Title 14 of the Delaware Code Relating to School Districts which are in Two Counties.” Assigned to Committee on Education.

Senator Conner introduced SB 442, co-sponsored by Senator Slawik, which was given its first reading by title only, as follows:

SB 442 — “An Act to Amend Section 5123, Title 16, Delaware Code, Relating to Voluntary Hospitalization and Discharge of Patients under the Age of 21 at Delaware State Hospital.” Assigned to Committee on Health and Social Services.

Senator Conner introduced **SB 443**, co-sponsored by Senator Slawik, which was given its first reading by title only, as follows:

SB 443 — “An Act to Amend Section 5506, Title 16, Delaware Code, Relating to Hospital for the Mentally Retarded at Stockley, Delaware, Liability for Maintenance of Patient, Collection Remedies.” Assigned to Committee on Health and Social Services.

Senator Holloway introduced **SJR 21**, co-sponsored by Senator Isaacs, which was given its first reading by title only, as follows:

SJR 21 — “Providing for the Establishment of a Committee to Study the Feasibility of Erecting a Memorial in Honor of Delaware Servicemen who Have Fought for Their Country in the Southeast Asia Conflict.”

Senator Holloway moved that Rule 9 be suspended for the purpose of considering **SJR 21**.

On the question, “Shall the motion prevail?”, 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, Schlor, Slawik, Steele — 18.

ABSENT: Mr. Cicione — 1.

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

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

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

ABSENT: (Mrs.) Manning — 1.

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

Senator Conner introduced **SB 444**, co-sponsored by Senators Castle and Slawik, which was given its first reading by title only, as follows:

SB 444 — “An Act to Amend Section 5325, Title 16, Delaware Code, Relating to Governor Bacon Health Center, Liability for Maintenance of Patient, Collection Remedies.” Assigned to Committee on Health and Social Services.

Senator Cicione introduced **SB 445**, co-sponsored by Senators Cook, Elliott, Foltz, Hart, Hickman, Holloway, Isaacs, Manning, McCullough, Robbins and Slawik, which was given its first reading by title only, as follows:

SB 445 — “An Act to Amend Subchapter 11, Chapter 11, Title 30 of the Delaware Code Relating to the State Income Tax, and Granting A Credit to Certain Persons on Active Military Duty.” Assigned to Committee on Finance.

Senator Hale introduced **SB 446** which was given its first reading by title only, as follows:

SB 446 — “An Act to Amend Title 8, Delaware Code, by Adding a New Chapter Thereto Providing for the Formation and Organization of Development Finance Corporations; Providing for the Powers, Purposes and Restrictions of Such Corporations; Providing for the Capitalization of Such Corporations; and Providing for the Management of Business and the Conduct of Operations of Such Corporations.” Assigned to Committee on Executive.

Senator Isaacs introduced **SA 6** to **SB 373**.

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

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 382**, reported the same back to the Senate: 4 Merits; 1 Unfavorable.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 53**, reported the same back to the Senate: 6 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 399**, reported the same back to the Senate: 6 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 51**, reported the same back to the Senate: 1 Favorable; 5 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB390**, reported the same back to the Senate: 4 Merits: 1 Unfavorable.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 392**, reported the same back to the Senate: 6 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 402**, reported the same back to the Senate: 6 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 408**, reported the same back to the Senate: 6 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SB 389**, 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 410**, reported the same back to the Senate: 2 Favorable; 4 Merits.

Senator Manning, on behalf of the Committee on Com-

munity Affairs to whom had been referred SB 421, reported the same back to the Senate: 1 Favorable; 4 Merits; 1 Unfavorable.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred SB 422, reported the same back to the Senate: 6 Merits.

On motion of Senator Manning SB 340 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 340 — "An Act to Create a New Chapter 99, Title 29, Delaware Code, Creating the Delaware American Revolution Bicentennial Commission and Providing 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. Cicione, (Mrs.) Conner, Grier, Hale, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik — 10.

NOT VOTING: Messrs. Castle, duPont, Elliott, Foltz, Steele — 5.

ABSENT: Messrs. Cook, Hart, Hickman 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 to the House for concurrence.

On motion of Senator Hale, **HB 33 w/ HA 1** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 33 w/ HA 1 — "An Act to Amend Sections 1092, 1201, 1202, and 1312 of Title 14, Delaware Code, Relating to Qualifications of Employees of a Reorganized School District and Teacher Certification."

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

Senator Hart introduced **SB 447**, co-sponsored by Senators Cicione, Cook, Holloway and Schlör, which was given its first reading by title only, as follows:

SB 447 "An Act Making a Supplementary Appropriation to the Department of Health and Social Services." Assigned to Committee on Finance.

Senator Conner introduced **SB 448**, co-sponsored by Senator Slawik, which was given its first reading by title only, as follows:

SB 448 — "An Act Providing that the Superintendent of any Mental Health Institution May Consent on Behalf of any Patient Therein, Where Relative of Patient Cannot be Located for Surgical or Medical Therapeutic Procedure Needed by Patient." Assigned to Committee on Health and Social Services.

Senator Hart introduced **SB 449** which was given its first reading by title only, as follows:

SB 449 — "An Act to Authorize the Payment to Incor-

porated Cities and Towns of Sums in Lieu of Taxes on State Owned Real Property." Assigned to Committee on Finance.

On motion of Senator Castle, SB 345 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 345 — "An Act to Amend Titles 4, 11, 17, 21, and 23, Delaware Code, by Conferring Original Jurisdiction upon Justices of the Peace to Hear, Try, and Finally Determine Alleged Violations of Certain Sections Thereof and by Altering the Jurisdictional Limits of Certain Sections Thereof and by Changing the Penalties for the Violation of Certain Sections Thereof."

On motion of Senator Castle, the roll call on the Bill was tabled without objection.

Senator Cook introduced SB 450 which was given its first reading by title only, as follows:

SB 450 — "An Act to Amend Chapter 39 of Title 7, Delaware Code Relating to the Obstruction or Blockage of a Ditch Where There is a Natural Water Flow and Providing a Penalty Therefor." Assigned to Committee on Natural Resources and Environmental Control.

Senator Slawik introduced SB 451, co-sponsored by Senator Cicione, which was given its first reading by title only, as follows:

SB 451 — "An Act to Amend Part 11, Chapter 30, Title 9, of the Delaware Code, Relating to Subdivision and Land Development in New Castle County. " Assigned to Committee on Community Affairs.

Senator Slawik introduced SB 452 which was given its first reading by title only, as follows:

SB 452 — "An Act to Amend Chapter 17, Section 1701, Title 15, Delaware Code, Relating to the Qualifications for Registration as a Qualified Voter." Assigned to Committee on Judiciary and Elections.

On motion of Senator Castle, SB 346 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 346 — "An Act to Amend Titles 10, 11, Delaware Code, Relating to Various Responsibilities and Procedural Requirements involving Justices of the Peace and Justice of the Peace Courts."

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

Senator Hart introduced SB 453 which was given its first reading by title only, as follows:

SB 453 — "An Act to Amend Title 14, Delaware Code Relating to Education by Providing that for any Speech or Debate Before a School Board of any School District a Duly Constituted School Board Member Shall not be Questioned in any Other Place." Assigned to Committee on Education.

On motion of Senator Castle, SB 349 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 349 — “An Act to Amend § 4104, Title 11, Delaware Code, Relating to a Refund of Fines.”

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, McCullough, Robbins, Schlör, Slawik, Steele — 17.

NOT VOTING: Mr. Cicione — 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.

On motion of Senator Castle, SB 350 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 350 — “An Act to Amend Section 9611, Title 10, Delaware Code, Relating to Trespass Actions in the Justice of the Peace Courts.”

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

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

ABSENT: Messrs. Hickman 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 Robbins introduced SB 454, co-sponsored by Senator Holloway, which was given its first reading by title only, as follows:

SB 454 — “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.

On motion of Senator Elliott, SB 371 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 371 — “An Act to Amend Subchapter 1, Chapter 1, Title 14 of the Delaware Code Relating to Operation of Joint Educational Facilities with Bordering States.”

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, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 17.

NAYS: Mr. Hale — 1.

NOT VOTING: Mr. Holloway — 1.

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

Senator Castle introduced SB 455 which was given its first reading by title only, as follows:

SB 455 — “An Act to Amend Title 15, Delaware Code, Relating to the Election Laws of Delaware by Amending Chapters 31 and 33, and Making Certain Changes in Provisions Relating to Primary Elections and Nominations of Candidates, and Nominations of Candidates by Parties.” Assigned to Committee on Judiciary and Elections.

Senator Hickman introduced SB 456 which was given its first reading by title only, as follows:

SB 456 — “An Act to Amend Subchapter II of Chapter 14, Title 24, Delaware Code, Relating to Electrical Inspection Authorities.” Assigned to Committee on Administrative Services.

Senator Conner introduced SA 7 to SB 373.

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

Senator duPont announced that, pursuant to SR 59, a committee had been formed of the following Senators to hold a hearing on SB 373: Senators Hale, Holloway, Manning, Steele, duPont (Chairman). It was also announced that a meeting would be held Wednesday, June 9, 1971 at 7:00 p.m. and that Representation should register with the Secretary of the Senate.

Senator Isaacs moved that SA 1 to SB 322 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, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 19.

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

On motion of Senator Isaacs, SB 322 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 322 w/ SA 1 — “An Act to Amend Subchapter II, Chapter 21, Title 23 of the Delaware Code Relating to Safety Equipment Required for Boats Licensed by 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, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele — 17.

NOT VOTING. Messrs. duPont 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 to the House for concurrence.

On motion of Senator Conner, SB 281 was taken up for consideration and read a second time by title only in order to pass the Senate.

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.”

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, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele — 17.

NAYS: Mr. Hale — 1.

ABSENT: Mr. Slawik — 1.

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

On motion of Senator Hickman, SB 377 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 377 — “An Act Making a Supplementary Appropriation to the Department of Natural Resources and Environmental Control for Solid Waste Collection on 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, 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 Bill, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

Senator Hart introduced SB 457 which was given its first reading by title only, as follows:

SB 457 — “An Act to Amend Title 22, Delaware Code, Relating to Municipalities by Providing that for any Speech or Debate Before the Legislative Body of any City or Town, the Duly Constituted Representatives thereof shall not be Questioned in Any Other Place.” Assigned to Committee on Community Affairs.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred HB 253, reported the same back to the Senate: 2 Favorable; 4 Merits.

Senator Foltz introduced SB 458 which was given its first reading by title only, as follows:

SB 458 — "An Act to Amend Chapter 65l, Volume 57, Laws of Delaware, Relating to the Use of an Airport to Be Purchased and/or Constructed in Kent County." Assigned to Committee on Community Affairs.

Senator Hart introduced SB 459 which was given its first reading by title only, as follows:

SB 459 — "An Act to Amend Titles 16 and 29, Delaware Code, Relating to Permits for the Cremation of Dead Bodies." Assigned to Committee on Judiciary and Elections.

Senator Holloway introduced SR 60, co-sponsored by Senators Hickman, Isaacs and Schlor, entitled:

SR 60 — "Relating to the Handling of Certain Types of Motor Vehicle Offenses, and Requesting the Division of Motor Vehicles to Temporarily Suspend Taking Action in Cases Where an Appeal has Been Taken."

On motion of Senator Holloway, the Resolution was laid on the table without objection.

Senator Hart introduced SB 460 which was given its first reading by title only, as follows:

SB 460 — "An Act to Amend Title 9, Delaware Code, Relating to Counties by Providing that for Any Speech or Debate Before the Legislative Body of Any County, the Duly Constituted Representatives thereof Shall Not be Questioned in any Other Place." Assigned to Committee on Community Affairs.

Senator Cicione introduced SCR 32, co-sponsored by Senators Elliott, Hart, Manning and Slawik, with title as follows:

SCR 32 — "Expressing the Concern of the General Assembly with regard to the Failure of the Unique Hazards Committee of the State Department of Public Instruction to Adequately Delineate "Safety Hazards" as the Same Applies to the Transportation of Pupils, and Calling for a Moratorium within which Time a Study and Report Might be Made."

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. Cicione, Cook, Elliott, Foltz, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik — 13.

NOT VOTING: Messrs. Castle, (Mrs.) Conner, duPont, Grier, Hale, Steele — 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 Elliott introduced SA 1 to SB 314.

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

ABSENT: Mr. Hale — 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 314 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 314 w/ SA 1 — "An Act to Amend § 4336, Title II, Delaware Code, Increasing the Number of Presentence Officers in Sussex County and appropriating Money to the Superior Court for Same."

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

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.

Senator Hart introduced SB 461 which was given its first reading by title only, as follows:

SB 461 — "An Act to Amend Title 17 of the Delaware Code by Deleting Therefrom Chapter 19, Sections 1901 to 1913, and by Adding Thereto a New Chapter 19, Sections 1901 to 1912, and Chapter 20, Sections 2001 to 2006, to Provide Relocation Assistance to Persons Displaced as a Result of the Acquisition for Highway Purposes of Real Property upon which they Live, or Conduct a Business or Farm Operation and to Provide for a Uniform Policy for Real Property Acquisition." Assigned to Committee on Highways, Transportation and Insurance.

Senator Hale introduced SS 1 for SB 369.

On motion of Senator Hale, the Substitute Bill was adopted in lieu of the Original Bill without objection.

Senator Hickman introduced SB 462 which was given its first reading by title only, as follows:

SB 462 — “An Act to Amend Subchapter IV of Chapter 55, Title 28, Delaware Code, Relating to Tax on Pari-Mutuel and Totalizator Pools and the Licensee’s Commissions on Pari-Mutuel and Totalizator Pools for Harness Racing Tracks Located in New Castle County.” Assigned to Committee on Administrative Services.

Senator Hickman, on behalf of the Committee on Public Safety to whom had been referred **SB 375**, 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 244**, 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 272**, 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 304**, 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 276**, reported the same back to the Senate: 6 Merits.

Senator Grier moved that the Senate recess for a ten-minute period at 4:45 p.m. Hearing no objection, the motion prevailed.

The Senate reconvened at 5:45 p.m.

Senator Holloway introduced **SB 463** which was given its first reading by title only, as follows:

SB 463 — “An Act to Amend Title 11, Delaware Code, Relating to the Return of Property Seized in Connection with a Criminal Charge upon the Acquittal or Dismissal of Said Charge.” Assigned to Committee on Judiciary and Elections.

Senator Hickman introduced **SB 464** which was given its first reading by title only, as follows:

SB 464 — “An Act to Amend Subchapter 11 of Chapter 39, Title 7, Delaware Code, Relating to Soil and Water Conservation Districts by Making the Amount of Appropriations and Use of Appropriated Money in All Three Counties Identical” Assigned to Committee on Finance.

Senator Elliott introduced **SA 8** to **SB 373**.

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

Senator Elliott introduced **SA 9** to **SB 373**.

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

Senator Isaacs introduced **SB 465**, co-sponsored by Senators Cook and Hart, which was given its first reading by title only, as follows:

SB 465 — "An Act Authorizing the State of Delaware to Borrow Money to Be Used for Capital Improvements and Expenditures and to Issue Bonds and Notes Therefor and Appropriating the Monies to the State Board of Education." Assigned to Committee on Finance.

Senator Castle introduced **SA 1** to **SB 393**.

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

Senator Hart introduced **SB 466** which was given its first reading by title only, as follows:

SB 466 — "An Act to Amend Title 24, Delaware Code, Relating to Funeral Directors Establishing a Board of Funeral Service Conferring upon Said Board Certain Powers and Authority Relative to the Licensing and Regulation of Funeral Directors and Providing Enforcement and Penalties." Assigned to Committee on Administrative Services.

Senator Grier moved that the Senate adjourn until 2:00 p.m., Wednesday, June 2, 1971. Hearing no objection, the motion prevailed and the Senate adjourned at 5:50 p.m.

43RD LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:45 p.m., Wednesday, June 2, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Clendaniel.

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 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 Hale, on behalf of the Committee on Education to whom had been referred **SB 331**, reported the same back to the Senate: 5 Merits; 1 Unfavorable.

Senator Hale, on behalf of the Committee on Education to whom had been referred **SB 396**, reported the same back to the Senate: 1 Favorable; 5 Merits.

Senator Hale, on behalf of the Committee on Education to whom had been referred **SB 126**, reported the same back to the Senate: 4 Merits; 1 Unfavorable.

Senator Hale, on behalf of the Committee on Education to whom had been referred **SS 3** for **SB 65**, reported the same back to the Senate: 2 Favorable; 4 Merits.

Senator Hale, on behalf of the Committee on Education to whom had been referred SB 453, reported the same back to the Senate: 2 Favorable; 2 Merits; 2 Unfavorable.

Senator Hale, on behalf of the Committee on Education to whom had been referred SB 280, reported the same back to the Senate: 2 Favorable; 3 Merits, 1 Unfavorable.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred SB 451, reported the same back to the Senate: 4 Merits.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred SB 457, reported the same back to the Senate: 4 Merits; 1 Unfavorable.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred SB 434, reported the same back to the Senate: 4 Merits.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred SB 428, 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 429, 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 430, 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 460, reported the same back to the Senate: 4 Merits; 1 Unfavorable.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred SB 458, reported the same back to the Senate: 5 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred SB 426, reported the same back to the Senate: 6 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred SB 432, reported the same back to the Senate: 2 Favorable; 3 Merits; 1 Unfavorable.

Senator Steele, on behalf of the Committee on Finance to whom had been referred SB 436, reported the same back to the Senate: 6 Merits.

The Secretary read the following message from the House:

6-2-71

Mr. President:

The House wishes to inform the Senate that it has passed HB 96 w/ HA 1, 2; HB 178; HB 257; HB 273 w/ HA 2; HB 279 w/ HA 1 and requests the concurrence of the Senate.

The House also passed SB 171; SB 179 w/ SA 1; SB 292 w/ HA 1 and is returning same to the Senate.

On motion of Senator Isaacs, **SB 292** which had previously passed the Senate was taken up for reconsideration to pass the Senate as further amended by **HA 1**.

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

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

ABSENT: (Mrs.) Conner and Mr. Hart — 2.

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

The Chair introduced the following House Bills which were given first reading by title only and assigned to the various Committees:

HB 96 w/ HA 1, 2 — "An Act to Amend Chapter 5, Title 31 of the Delaware Code, Pertaining to the State Public Assistance Code." Assigned to Committee on Health and Social Services.

HB 178 — "An Act to Amend Title 30, Delaware Code, Chapter 30, Relating to Automobile Dealer Handling Fee and License Fee." Assigned to Committee on Finance.

HB 257 — "An Act to Amend Chapter 9, Title 4 of the Delaware Code Relating to Criminal Offenses and Penalties in the Sale of Alcoholic Liquors." Assigned to Committee on Administrative Services.

HB 273 w/ HA 2 — "An Act to Amend Chapter 67, Title 21, Delaware Code, Relating to Alteration of Authorized Identification Number on Vehicle or Engine." Assigned to Committee on Public Safety.

HB 279 — "An Act to Amend Chapter 1, Title 17, Delaware Code, Relating to the Acquisition and Sale of Real Property and the Power of Eminent Domain by the Department of Highways and Transportation." Assigned to Committee on Highways, Transportation and Insurance.

Senator Conner introduced **SA 1** to **SB 372**, co-sponsored by Senator Slawik.

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

On motion of Senator Hickman, **HB 304** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 304 — "An Act to Amend Chapter 43, Title 21, Delaware Code, Relating to Projections from the 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, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele — 16.

NAYS: Messrs. Isaacs and Robbins — 2.

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 Hickman, HB 272 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 272 — “An Act to Amend Chapter 3, of Title 21, Delaware Code, Relating to Registration and License Records.”

Senator Hickman requested the privilege of the floor for Major E. H. Horney of the Delaware State Police to speak on the Bill. Hearing no objection, the privilege was granted.

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

On motion of Senator Hickman, HB 276 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 276 — “An Act to Amend Subchapter II of Chapter 21, Title 21, Delaware Code Relating to Number and Registration Plates.”

Senator Hickman requested the privilege of the floor for Major E. H. Horney of the Delaware State Police 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, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele — 17.

ABSENT: Mr. Hart 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.

On motion of Senator Conner, HB 253 w/ HA 2 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 253 w/ HA 2 — “An Act to Amend Title 16, Delaware Code, by Creating a New Chapter to be Designated as Chapter 68 to provide for the Regulation of and Standards for Ambulance Service by the State Fire Prevention Commission, and to Provide an Appropriation Therefor, and to Grant Immunity from Suit Under Certain Circumstances.”

Senator Conner requested the privilege of the floor for Representative Dillman to speak on the Bill. Hearing no objection, the privilege was granted.

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

On motion of Senator duPont, SB 272 was taken up for consideration and read a second time by title only in order to pass the Senate.

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."

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, (Mrs.) Manning, Steele — 10.

NAYS: Mr. Schlor — 1.

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

ABSENT: Messrs. Hart 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.

On motion of Senator Steele, SB 115 was stricken from the Calendar without objection.

On motion of Senator Isaacs, SS 1 for SB 28 was stricken from the Calendar without objection.

On motion of Senator Cicione, SB 402 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 402 — "An Act Authorizing the State of Delaware to Borrow Money for the Continued Payment to Persons who Served or Will Serve in the Armed Forces of the United States during the Vietnam Conflict; to Authorize the Issuance of Bonds and Bond Anticipation Notes Therefor and Appropriating the Money Borrowed to the Department of Finance."

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

On motion of Senator Castle, SB 347 was stricken from the Calendar without objection.

On motion of Senator Castle, SB 351 was stricken from the Calendar without objection.

Senator Castle moved that SJR 10 be returned to the Committee on Natural Resources and Environmental Control for further consideration. Hearing no objection, the motion prevailed.

On motion of Senator Hickman, HB 266 which had been reported out of Committee on Public Safety was returned to the same Committee without objection.

On motion of Senator Foltz, HB 287 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 287 — "An Act to Amend Chapter 21, Title 5, Delaware Code, Relating to Regulation of Small Loans."

Senator Foltz requested the privilege of the floor for James B. Jackson, representing the Delaware Bankers Association, and Representative Little 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, Steele — 15.

NAYS: Mr. McCullough — 1.

NOT VOTING: Mr. Holloway — 1.

ABSENT: Messrs. Cicione 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 back to the House.

Senator Conner introduced SA 1 to SB 372.

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

On motion of Senator Foltz, HB 288 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 288 — "An Act to Amend Chapter 21, Title 5, Delaware Code, Relating to Small Loan Provisions Application to Banks and Trust Companies."

Senator Foltz requested the privilege of the floor for James B. Jackson, representing the Delaware Bankers Association, 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, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele — 14.

NAYS: Mr. McCullough — 1.

NOT VOTING: Mr. Isaacs — 1.

ABSENT: Messrs. Cicione, Hart and Holloway — 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 Cook introduced SR 61, entitled:

SR 61 — "Relating to the Adjournment of the Senate Sine Die."

On motion of Senator duPont, SR 61 was assigned to Committee on Executive without objection.

On motion of Senator duPont, SS 1 for SB 334 was taken up for consideration and read a second time by title only in order to pass the Senate.

SS 1 for SB 334 — "An Act to Amend Part IV, Chapter 21, Title 5 of the Delaware Code Relating to Small loans, and Providing for an Increase in the Maximum Rate of Interest Chargeable upon Such Loans."

Senator Foltz requested the privilege of the floor for Raymond Taylor, of the Household Finance Corporation, 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, Hale, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele — 11.

NOT VOTING: Messrs. Elliott, Foltz and Isaacs — 3.

ABSENT: Messrs. Grier, Hart, Hickman, Holloway and McCullough — 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 Elliott, SB 5 was stricken from the Calendar without objection.

On motion of Senator Elliott, SS 1 for SB 29 was stricken from the Calendar without objection.

On motion of Senator duPont, SB 277 was taken up for consideration and read a second time by title only in order to pass the Senate.

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."

Senator duPont requested the privilege of the floor for Jerome Herlihy, of the Department of Justice, to speak on the Bill. Hearing no objection, the privilege was granted.

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

Senator Isaacs introduced SA 1 to SB 465.

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

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

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

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

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

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

ABSENT: Messrs. Cicione, Hart, (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 Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred HB 298, reported the same back to the Senate: 1 Favorable; 4 Merits.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred HS 1 for HB 30, reported the same back to the Senate: 3 Favorable; 1 Merits; 1 Unfavorable.

Senator Elliott, on behalf of the Committee on Agriculture to whom had been referred SJR 18, reported the same back to the Senate: 4 Favorable.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred SB 267, 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 431, 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 437, 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 241, 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 266, 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 384, 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 463, 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 427, reported the same back to the Senate: 1 Favorable; 4 Merits.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred SB 439, 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 SB 43, 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 SB 411, 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 SB 444, 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 443, 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 442, 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 333, 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 SB 418, 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 SJR 19, reported the same back to the Senate: 3 Favorable; 2 Merits.

Senator Hale introduced SS 1 for SB 187.

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

Senator Elliott introduced SA 3 and SA 4 to SS 1 for SB 48.

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

Senator Elliott introduced SA 1, SA 2 and SA 3 to SB 400.

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

The Secretary read the following message from the House:

6-2-71

Mr. President:

The House wishes to inform the Senate that it has passed HB 199 w/ HA 1; HB 226; HB 296 w/ HA 2; HB 339; HB 345; HB 285 w/ HA 2, 3; and HB 325 and requests the concurrence of the Senate.

The House also passed SB 139 and SB 263 and is returning same to the Senate.

The Chair presented the following House Bills which were given first reading by title only and assigned to the various Committees:

HB 199 w/ HA 1 — "An Act to Amend Chapter 33, Title 14, Delaware Code, by Providing for the Extending of Vocational Rehabilitation Services to Public Assistance Recipients, and Providing an Appropriation to Assist in Such Services." Assigned to Committee on Health and Social Services.

HB 226 — “An Act Making a Supplementary Appropriation to the Educational Contingency Fund for the Purpose of Tuition Payments on Account of Delmar School District.” Assigned to Committee on Finance.

HB 285 w/ HA 2, 3 — “An Act to Amend Title 16 of the Delaware Code, Relating to the Public Health and Safety with Particular Reference to Persons Totally or Partially Blind.” Assigned to Committee on Health and Social Services.

HB 325 — “An Act to Amend Subchapter II, Chapter 14, Title 14, Delaware Code, Relating to Procedures for the Termination of Services of Professional Employees.” Assigned to Committee on Education.

HB 339 — “An Act to Amend Chapter 9 of Title 28, Delaware Code, Relating to Prohibition of Horse Racing on Certain Religious Holidays.” Assigned to Committee on Administrative Services.

HB 345 — “An Act to Provide a Supplementary Appropriation to the Various Departments, Institutions, and School Districts of the State.” Assigned to Committee on Finance.

HB 296 w/ HA 2 — “An Act Amending Chapter 527, Volume 57, Laws of Delaware Relating to a Declared Moratorium on Certain Activities Along the Delaware River and Bay.” Assigned to Committee on Natural Resources and Environmental Control.

Senator Grier moved that the Senate adjourn until June 3, 1971. Hearing no objection, the motion prevailed and the Senate adjourned at 5:25 p.m.

44TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:25 p.m., Thursday, June 3, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Clendaniel.

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 Hale introduced SS 2 for SB 369, co-sponsored by Senator Conner.

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

Senator Cicione presented the Debt Statement in connection with SB 402 and moved that the roll call on the Bill 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, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Slawik, Steele — 15.

NOT VOTING: Messrs. McCullough, Robbins and Schlor — 3.

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, SB 274 was taken up for consideration and read a second time by title only in order to pass the Senate.

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."

Senator Cicione requested the privilege of the floor for Robert A. Short, Insurance Commissioner, 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, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele — 19.

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

On motion of Senator Conner, SB 439 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 439 — "An Act to Amend Section 5127, Title 16, Delaware Code, Relating to Delaware State Hospital, Liability for Maintenance of Patient, Collection Remedies."

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

NOT VOTING: Mr. McCullough — 1.

ABSENT: Messrs. Cicione 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.

On motion of Senator Conner, SB 443 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 443 — “An Act to Amend Section 5506, Title 16, Delaware Code, Relating to Hospital for the Mentally Retarded at Stockley, Delaware, Liability for Maintenance of Patient, Collection Remedies.”

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

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

ABSENT: (Mrs.) Manning 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 to the House for concurrence.

On motion of Senator Conner, SB 444 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 444 — “An Act to Amend Section 5325, Title 16, Delaware Code, Relating to Governor Bacon Health Center. Liability for Maintenance of Patient, Collection Remedies.”

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, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele — 16.

NAYS: Mr. Isaacs — 1.

NOT VOTING: Mr. McCullough — 1.

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 Slawik, SS1 for SB 247 was taken up for consideration and read a second time by title only in order to pass the Senate.

SS 1 for 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.”

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, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik — 15.

NOT VOTING: Messrs. duPont, Grier and Steele — 3.

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 Castle moved that SA 1 to SB 345, 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. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 19.

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

On motion of Senator Castle, SB 345 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 345 w/ SA 1 — "An Act to Amend Titles 4, 11, 17, 21, and 23, Delaware Code, by conferring Original Jurisdiction upon Justices of the Peace to Hear, Try, and Finally Determine Alleged Violations of Certain Sections thereof and by Altering the Jurisdictional Limits of Certain Sections Thereof and by Changing the Penalties for the Violation of Certain Sections Thereof."

On motion of Senator Castle, the roll call on the Bill was rescinded without objection.

On further motion of Senator Castle, the roll call on the Bill was tabled without objection.

The Secretary informed the Senate that Legislative Advisory No. 8, received from Fletcher E. Campbell, Jr., Counsel to the Governor, advised that the Governor had approved the following legislation on the indicated dates:

HB 26 (5-27-71); **HB 36 w/ HA 1** (5-27-71); **HB 165 w/ HA 1** (5-27-71); **HB 186** (5-27-71); s, **HB 192 w/ HA 1, SA 1** (5-27-71); **HB 234 w/ HA 1** (5-27-71); **HB 251** (5-27-71); **HB 270 w/ HA 2** (5-27-71); **HCR 18** (5-27-71); **HB 174 w/ HA 1, 2** (5-28-71); **SS 1 for SB 169 w/ HA 1** (5-27-71); **SB 252** (5-27-71); **SB 294** (5-27-71); **SJR 14** (5-27-71); **SJR 15** (5-27-71).

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

The House wishes to inform the Senate that it has passed **HB 415** and requests the concurrence of the Senate.

On motion of Senator Castle, **SB 346** which had been deferred, was brought up for vote.

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

The Chair introduced **HB 415** which was given its first reading by title only, as follows:

HB 415 — “An Act to Amend an Act Being Chapter 197, Volume 54, Laws of Delaware, as Amended, entitled “An Act Revising the Prior Charter of the City of Rehoboth Beach and Establishing a New Charter Therefor and Prescribing the Powers and Duties of the Commissioners of Rehoboth Beach” by Deleting the Provision for any Tax Reduction and Changing the Date when the Penalty Begins to Accrue.” Assigned to Committee on Community Affairs.

On motion of Senator Elliott, **SJR 19** was taken up for consideration and read a second time by title only in order to be adopted by the Senate.

SJR 19 — “Memorializing the Army Corps of Engineers to Dredge the Whole of the Nanticoke River from Seaford, Delaware, out into the Chesapeake Bay.”

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.

NOT VOTING: 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 to the House for concurrence.

On motion of Senator Elliott, **SJR 18** was taken up for consideration and read a second time by title only in order to be adopted by the Senate.

SJR 18 — “Relating to the Poultry Industry Market in 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, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele — 18.

ABSENT: Mr. Isaacs — 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 SA 1 to SB 422 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. Cicione, duPont, Grier, Hale, Hickman, Holloway, Steele — 7.

NAYS: Messrs. Cook and Schlör — 2.

NOT VOTING: Messrs. Castle, (Mrs.) Conner, Elliott, Foltz, Hart, Isaacs, (Mrs.) Manning, McCullough, Robbins, 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 Hickman, SB 422 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 422 — “An Act to Amend Chapter 51 of Title 30, Delaware Code, Relating to Expenditures of Funds by Municipalities; Records, Audits and Regulations of Municipalities.”

Senator Castle requested the privilege of the floor for David L. Press of the Delaware League of Local Governments 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, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik — 18.

NAYS: Mr. Steele — 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 442 was taken up for consideration and read a second time by title only, in order to pass the Senate.

SB 442 — “An Act to Amend Section 5123, Title 16, Delaware Code, Relating to Voluntary Hospitalization and Discharge of Patients under the Age of 21 at Delaware State Hospital”

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

Then, on motion of Senator Conner, the Bill was taken up for consideration 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, 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 duPont, SB 270 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 270 — “An Act to Amend Chapter 3, Title I 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.”

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, Slawik, Steele — 16.

NOT VOTING: Messrs. Robbins 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.

On motion of Senator Conner, SB 448 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 448 — “An Act Providing that the Superintendent of any Mental Helath Institution may Consent on Behalf of any Patient therein, where Relative of Patient Cannot be located for Surgical or Medical Therapeutic Procedure needed by Patient.”

Senator Conner moved that the Bill be deferred. Hearing no objection, the motion prevailed.

Senator Grier moved that the Senate recess until 7:30 p.m. Hearing no objection, the motion prevailed and the Senate recessed at 4:30 p.m.

The Senate reconvened at 8:10 p.m.

Senator duPont introduced **SR 62**, entitled:

SR 62 — “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, Foltz, Grier, Hale, Hart, Hickman, Holloway, McCullough, Robbins, Schlör, Slawik, Steele — 17.

NOT VOTING: Mr. Isaacs and (Mrs.) Manning — 2.

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

Senator duPont introduced **SR 63**, entitled:

SR 63 — “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, 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.

Senator Cicione introduced SA 1 to HB 428, co-sponsored by Senator Manning.

On Senator Cicione's motion the Amendment was placed with the Bill without objection.

On motion of Senator Elliott, SS 3 for SB 65 was taken up for consideration and read a second time by title only in order to pass the Senate.

SS 3 for SB 65 — "An Act to Amend Chapter 17, Title 14, Delaware Code, Relating to State Appropriations for Units of 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, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 19.

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

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred HB 96 w/ HA 1, 2, 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 HB 199 w/ HA 1, reported the same back to the Senate: 2 Favorable; 1 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred HB 226, reported the same back to the Senate: 4 Merits.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred HB 285, reported the same back to the Senate: 2 Favorable; 4 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred HB 345, reported the same back to the Senate: 4 Merits.

Senator Hale, on behalf of the Committee on Education to whom had been referred SB 256, reported the same back to the Senate: 1 Favorable; 4 Merits.

Senator Hale, on behalf of the Committee on Education to whom had been referred SB 284, reported the same back to the Senate: 5 Merits; 1 Unfavorable.

Senator Hale, on behalf of the Committee on Education to whom had been referred SB 357, 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 456, reported the same back to the Senate: 6 Merits.

Senator Steele introduced SA 2 to HB 200.

On motion of Senator Steele, the Amendment was placed with the Bill without objection.

Senator Manning, on behalf of the Committee on Community Affairs to whom had been referred HB 415, reported the same back to the Senate: 2 Favorable; 4 Merits.

Senator Hickman moved that Rule 9 be suspended for the purpose of considering HB 415.

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, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 18.

NOT VOTING: Mr. Isaacs — 1.

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

Therefore the Bill was given its second reading by title only in order to pass the Senate.

HB 415 — "An Act to Amend an Act Being Chapter 197, Volume 54, Laws of Delaware, as Amended, entitled "An Act Revising the Prior Charter of the City of Rehoboth Beach and Establishing a New Charter Therefor and Prescribing the Powers and Duties of the Commissioners of Rehoboth Beach" by Deleting the Provision for any Tax Reduction and Changing the Date when the Penalty Begins to Accrue."

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, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 18.

NOT VOTING: 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 back to the House.

On motion of Senator Foltz, SB 458 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 458 — "An Act to Amend Chapter 651, Volume 57, Laws of Delaware, Relating to the Use of An Airport to be Purchased and/or Constructed in Kent County."

On motion of Senator Foltz, the privilege of the floor was granted, without objection, to the following persons to speak on the Bill: Karl Dorzback; Dr. Samuel G. Forester, representing Kent County Levy Court; Don Blakey; Roger E. Davis and James W. Strong.

On motion of Senator Robbins, the privilege of the floor was granted, without objection, to the following persons to speak on the Bill: General J. B. Wallace of the Department of Transportation; John W. Sievers of General Foods Corporation; Joshua M. Twilley, President of Kent County Levy Court; John O. Hiding of the Department of Highways and Transportation.

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

YEAS: Messrs. Cicione, duPont, Elliott, Foltz, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Steel — 10.

NAYS: Messrs. Cook, Hale, Robbins, Schlör, Slawik — 5.

NOT VOTING: Messrs. Castle, (Mrs.) Conner, Grier, 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 Grier, SB 389 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 389 — "An Act to Amend Chapter 651, Volume 57, Laws of Delaware, to Extend the Reversion Date of the Supplementary Appropriation contained therein to June 30, 1972.

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, Elliott, Foltz, Grier, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Steele — 14.

NAYS: Messrs. Castle, Hale, Robbins and Schlör — 4.

NOT VOTING: Mr. Slawik — 1.

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

Senator Steele introduced SA 2 to HB 200.

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

ABSENT: Messrs. Hale and Schlör — 2.

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

Senator McCullough introduced SA 3 to HB 200.

Senator McCullough moved that the Amendment be adopted.

Senator McCullough 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, (Mrs.) Conner, Cook, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik — 13.

NAYS: Messrs. Castle, duPont, Elliott, Foltz, Grier, Steele — 6.

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 McCullough then moved that the roll call be lifted. Hearing no objection, the motion prevailed.

Therefore, on the question, "Shall the Amendment (SA 3 to HB 200) be adopted?", the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Cook, Holloway, McCullough, Robbins, Schlor, Slawik — 6.

NAYS: Messrs. Castle, duPont, Isaacs, (Mrs.) Manning, Steele — 5.

NOT VOTING: Messrs. Cicione, (Mrs.) Conner, Elliott, Foltz, Grier, Hale, Hart, Hickman — 8.

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 Steele and without objection, the Senate recessed for twenty minutes at 10:45 p.m.

The Senate reconvened at 11:05 p.m.

Senator Cook introduced SA 4 to HB 200.

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, Holloway, McCullough, Robbins, Schlor, Slawik — 6.

NAYS: Messrs. Castle, duPont, Elliott, Hickman, (Mrs.) Manning, Steele — 6.

NOT VOTING: Messrs. Cicione, (Mrs.) Conner, Foltz, Hale, Hart, Isaacs — 6.

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.

Senator Cook introduced SA 5 to HB 200.

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, Holloway, McCullough, Robbins, Schlor, Slawik — 6.

NAYS: Messrs. Cicione, duPont, Hickman, Steele — 4.

NOT VOTING: Messrs. Castle, (Mrs.) Conner, Elliott, Foltz, Grier, Hale, Hart, Isaacs, (Mrs.) Manning — 9.

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

Senator Robbins introduced SA 6 to HB 200, co-sponsored by Senators Cook, Schlor 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, Schlor, Slawik — 6.

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

NOT VOTING: 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 Isaacs introduced SA 7 to HB 200, co-sponsored by Senator Steele.

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

NAYS: Messrs. Robbins and Schlor — 2.

NOT VOTING: Mr. Slawik — 1.

ABSENT: Mr. McCullough — 1.

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

On motion of Senator Steele, HB 200 w/ SA 2,7 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 200 w/ SA 2, 7 — "An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1972.

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, Slawik, Steel — 15.

NAYS: Messrs. McCullough and Robbins — 2.

NOT VOTING: Messrs. Foltz and 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 for concurrence in the Amendments.

On motion of Senator Hickman, SB 432 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 432 — “An Act to Amend Chapters 121 and 469, Volume 56, Delaware Laws, and Chapter 299, Volume 57, Delaware Laws, Relating to Capital Improvements and Expenditures, by Removing Certain Restrictions on the Expenditure of Funds Allocated for the Construction of the West Dover Bypass including the Camden to Frederica Connection, and by Mandating the Construction thereof.”

On motion of Senator Hickman and without objection, the roll call on the Bill was tabled.

Senator Grier moved that the Senate recess until June 8, 1971 at 2:00 p.m. Hearing no objection, the motion prevailed and the Senate recessed at 12:00 Midnight.

Senator Grier moved that the Senate adjourn until Tuesday, June 8, 1971. Hearing no objection, the Senate adjourned at 2:35 p.m., Tuesday, June 8, 1971.

The Senate met pursuant to adjournment at 2:35 p.m., Tuesday, June 8, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Clendaniel.

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 Steele introduced SA 1 to SB 280.

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

Senator Steele introduced SA 5 to for SB 48.

On motion of Senator Steele, the Amendment was placed with the Substitute Bill without objection.

Senator Steele introduced SA 1 to HB 224.

On motion of Senator Steele, the Amendment was placed with the Bill without objection.

Senator Steele introduced SA 1 to SB 459.

On motion of Senator Steele, the Amendment was placed with the Bill without objection.

The Secretary read the following message from the House:

6-3-71

Mr. President:

The House wishes to inform the Senate that it has passed HB 302; HB 318 w/ HA 1; HB 332 w/ HA 1, 2; HB 347; HB 364; HB 459 w/ HA 1, 2; HB 320 and requests the concurrence of the Senate.

The House also passed SB 303 and is returning the same to the Senate.

The Secretary announced that Legislative Advisory No. 9, received from Fletcher E. Campbell, Jr., Counsel to the Governor, indicated that the Governor approved the following legislation:

HB 264 (6-2-71); HJR 7 (6-2-71); HJR 11 (6-2-71); SB 189 (6-2-71); SB 255 (6-2-71); SB 265 w/ SA 1 (6-2-71); SB 268 w/ SA 1, HA 1 (6-2-71); SB 282 (6-2-71); SB 288 (6-2-71).

The Governor also approved the Constitutional Amendment, SB 263 (6-2-71), which passed the required second leg.

Senator Elliott introduced SS 2 for SB 6, co-sponsored by Senators Cicione, Foltz, Hart, Hickman and Isaacs.

On motion of Senator Elliott, the Substitute Bill was adopted in lieu of the Original Bill without objection.

Senator Robbins introduced SR 64, co-sponsored by Senators Hart, Holloway, Isaacs and Slawik, entitled:

SR 64 — "Relating to Payment to the Staff of the Senate of the 126th General Assembly for Services Rendered During Night Sessions."

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, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele — 17.

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

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

Senator Holloway introduced SR 65, co-sponsored by Senators Hart, Hickman, Isaacs, Manning, Robbins and Slawik, entitled:

SR 65 — “Commending the Legislative Council Staff and the Senate Staff.

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, Foltz, Grier, Hale, Hart, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele — 17.

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

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

Senator Holloway introduced SR 66, entitled:

SR 66 — “Requesting the President Pro Tempore of the Senate to Appoint Five Members of the Senate to a Special Committee, which Committee would Hold Hearings and Conduct a Study into the Delaware Alcoholic Beverage Control Commission and its Functions, in Order to Revise and Update the Methods by Which the State Regulates the Selling and Consuming of Alcoholic Beverages.”

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. Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Holloway, Isaacs, Robbins, Schlör, Slawik, Steele — 13.

NOT VOTING: Messrs. Castle, Elliott, Hart and McCullough — 4.

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

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

Senator Holloway introduced SA 1 to SR 60.

On motion of Senator Holloway the Amendment was placed with the Resolution without objection.

Senator duPont introduced SA 1 to SB 277.

On motion of Senator duPont, the Amendment was placed with the Bill without objection.

Senator Steele introduced SA 1 to SB 410.

On motion of Senator Steele the Amendment was placed with the Bill without objection.

On motion of Senator duPont, the following message was made part of the record without objection:

THE YOUNG LORDS PARTY FOR ACTION
OF WILMINGTON, DELAWARE
824 West Fourth Street
Wilmington, Delaware

June 4, 1971

Gentlemen:

We, the Young Lords, and the people of the community of our fair city, invite you to attend a conference at the Welfare Department Building, 4335 Governor Printz Boulevard, on Wednesday, June 9th, at 11:00 A.M. to discuss the serious problems of the Social Service Department.

Cordially yours,
(Signed) Dwayne Crummel
Andre Fuller
The Young Lords and
The People

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

SB 410 — "An Act to Amend Title 16, by Adding a New Chapter 34 entitled, "An Act to Establish a Delaware Formulary Advisory Board"; to Develop a Delaware Formulary for Voluntary Use, and to Promote the Availability of High Quality Drug Products at Reasonable Costs."

On motion of Senator Conner, the following two communications, concerning the Bill, were made part of the record without objection:

June 1, 1971

The Honorable Louise T. Conner
Chairman
Senate Committee on Health and Welfare
Legislative Hall
Dover, Delaware

Dear Senator Conner:

On behalf of the American Pharmaceutical Association, I wish to express wholehearted support for Senate Bill 410 which would establish the Delaware Voluntary Formulary.

In sanctioning close interprofessional cooperation between the health care professions in Delaware relating to rational drug therapy, this bill would constitute a substantial public benefit.

The Delaware Voluntary Formulary would make available to members of the health care professions a guide to high quality drug products available at most reasonable cost for the citizens of Delaware. Establishment of the Delaware Voluntary Formulary on a statewide basis will be a significant leadership action in the interest of public health by the Delaware Legislatures.

Sincerely,
(Signed) William S. Apple
Executive Director

STATE OF DELAWARE
DEPARTMENT OF COMMUNITY AFFAIRS
AND ECONOMIC DEVELOPMENT
DIVISION OF CONSUMER AFFAIRS

MEMORANDUM:

TO: Senator Louise Conner
SUBJECT: Senate Bill 410
FROM: Frances M. West, Director, Division of Consumer Affairs

DATE June 3, 1971

I wish to add the support of the Division of Consumer Affairs for Senate Bill 410 which would establish a Delaware Formulary Board.

As the cost of health care is a significant budget item for many Delawareans, this attempt to regulate costs while still providing freedom of choice by use of a formulary is certainly in the consuming public's best interests.

As one of our divisions's functions is consumer education, we would enthusiastically include knowledge of the availability and workings of the Delaware Formulary Board to our Delaware residents through educational efforts in the community as well as the schools.

We have received, in this office, several inquiries relating to the high cost of drugs, the use of generic names, and prescription labelling. One of the problems of shopping around for cheaper drug products is that no one druggist can or is required to keep a drug profile on individual uses. The possible combined reactions of several drugs used together can result in serious threats to life. Hopefully, one of the positive results from use of Delaware Formulary will be to make available to individual consumers high quality, economical drugs from the same supplier (pharmacy) which would allow and encourage pharmacists to keep individual drug profiles. These would also serve as an aid to consumers (and their physicians), who may be under the care of several physicians simultaneously for different reasons. Certainly, any physician who prescribes should be aware of any and all medications and possible reactions that any patient is using. Patients, as well, should be encouraged to use the same pharmacist for all drug needs to establish for himself and his family accurate drug records.

Creation of a formulary board is a first step toward more economical health care. If we can be of further assistance, please contact us.

Senator Conner requested the privilege of the floor for Mary Louise Anderson to speak on the Bill. Hearing no objection, the privilege was granted.

Senator Steele requested the privilege of the floor for Marvin A. Wiesen and Dr. Rhoslyn J. Bishoff, Medical Society of Delaware, to speak on the Bill. Hearing no objection, the privileges were granted.

Senator Steele introduced SA 1 to SB 410.

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. Castle, Cook, duPont, Elliott, Foltz, Grier, Hart, Hickman, Isaacs, McCullough, Robbins, Steele — 12.

NAYS: (Mrs.) Conner, Hale, Holloway, Schlör, Slawik — 5.

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

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

Senator Foltz moved that final action on SB 410 w/ SA 1 be deferred.

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

YEAS: Messrs. Castle, Cook, Elliott, Foltz, Grier, Hart, Hickman, Holloway, Robbins, Steele — 10.

NAYS: (Mrs.) Conner, Messrs. duPont, Hale, Isaacs, McCullough, Schlör and Slawik — 7.

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

So the question was decided in the affirmative, the motion prevailed and SB 410 w/ SA 1 was deferred.

Senator Elliott, on behalf of the Committee on Agriculture to whom had been referred SB 355, reported the same back to the Senate: 4 Merits.

The Chair introduced the following House Bills which were given first reading by title only and assigned to the various committees:

HB 302 — "An Act to Provide a Supplementary Appropriation to the New Castle County Vocational-Technical High School." Assigned to Committee on Finance.

HB 318 w/ HA 1 — "An Act to Amend Chapter 6, Title 11, Delaware Code, Relating to the Arrest and Disposition of Persons Intoxicated in Public Places." Assigned to Committee on Health and Social Services.

HB 320 — "An Act Proposing an Amendment to Article 11, Section 15 of the 1897 Constitution of the State of Delaware, Relating to the Compensation, Expenses and Allowances of Members of the General Assembly." Assigned to Committee on Executive.

HB 332 w/ HA 1, 2 — "An Act to Transfer Title to Real Estate from the State of Delaware to the Kent County Society for the Prevention of Cruelty to Animals." Assigned to Committee on Natural Resources and Environmental Control.

HB 347 — "An Act to Amend Chapter 5, Title 31, Delaware Code, Relating to Eligibility for Welfare Assistance." Assigned to Committee on Health and Social Services.

HB 364 — “An Act to Amend Chapter 43, Title 6, Delaware Code, Providing for the Operation of Credit Card System by Banks.” Assigned to Committee on Administrative Services.

HB 459 w/ HA 1, 2 — “An Act to Amend Chapter 69, Title 29 of the Delaware Code Relating to the Procurement of Materials and Award of Contracts for Public Works by State Agencies.” Assigned to Committee on Administrative Services.

On motion of Senator Castle, the roll call on **SB 346** 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, (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hart, Holloway, (Mrs.) Manning, Steele — 10.

NAYS: Mr. Hickman — 1.

NOT VOTING: Messrs. Cook, Foltz, Isaacs, McCullough, Robbins and Schlor — 6.

ABSENT: Messrs. Cicione 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 Holloway introduced **SA 2** to **SB 4**.

On motion of Senator Holloway, the Amendment was placed with the Bill without objection.

On motion of Senator Robbins, **SB 331** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 331 — “An Act to Amend Section 1706, Title 14, Delaware Code, Relating to Determination of Amount of Division II Appropriation.”

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, Hart, Hickman, Isaacs, McCullough, Robbins, Schlor, Slawik — 14.

ABSENT: Messrs. Cicione, Hale, Holloway, (Mrs.) Manning, Steele — 5.

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

On motion of Senator Hart, **SB 354 w/ SA 1** was stricken from the Calendar without objection.

On motion of Senator Foltz, **SB 317** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 317 — “An Act to Amend Title 18, Delaware Code, by Amending Chapter 25 on Insurance Regarding Mandatory Hearings.”

Senator Foltz requested the privilege of the floor for Robert Short, Insurance Commissioner, 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, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele — 17.

ABSENT: Mr. Cicione 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.

Senator Foltz moved that SA 1 to SB 319, 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. 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 Amendment, having received the required constitutional majority, was adopted.

On motion of Senator Foltz, SB 319 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 319 w/ SA 1 — "An Act to Amend Title 18, Delaware Code, by Amending Chapters 1, 5, 17, 21, 23, 25 & 61 on Insurance to Increase Administrative Fines; Amending Chapter 7 to Include Fees for the Newly Created Appraiser License."

Senator Foltz requested the privilege of the floor for Robert Short, Insurance Commissioner, 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, 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 Foltz moved that SA 1 to SB 325 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, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 19.

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

On motion of Senator Foltz, SB 325 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 325 w/ SA 1 — “An Act to Amend Title 18, Delaware Code, by Amending Chapter 17 to allow adjusters to be Employed by Attorneys, Licensing of Motor Vehicle Physical Damage Appraisers to Require Insurance to be the Principle Business of all Agents and Brokers, Changing Organization and Residency Requirements of Agent and Broker Firms and Corporations and Refundability of License Fees.”

Senator Foltz requested the privilege of the floor for Robert Short, Insurance Commissioner, 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, 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 Foltz, SB 352 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 352 — “An Act to Amend Title 18, Delaware Insurance Code by Amending Chapter 7, Requiring a Receipt for Payments of Cash.”

Senator Foltz requested the privilege of the floor for Robert Short, Insurance Commissioner, 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, 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 Hart, SB 367 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 367 — “An Act to Amend Chapter 39, Title 18 of the Delaware Code Relating to Automobile Insurance and Providing an Insurer’s Right to Impose Deductible on Renewal.”

Senator Hart requested the privilege of the floor for Robert Short, Insurance Commissioner, to speak on the Bill. Hearing no objection, the privilege was granted.

Senator Hart moved that the roll call on the Bill be tabled.

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

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

NAYS: Messrs. Holloway, Isaacs, McCullough — 3.

NOT VOTING: Messrs. Cicione, Cook, Foltz, Hale, Robbins, Schlör, Slawik — 7.

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 (**SB 376**) pass the Senate?”, the yeas and nays were ordered which, being taken, were as follows:

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

NAYS: Messrs. McCullough and Slawik — 2.

NOT VOTING: Messrs. Cicione, Cook, Foltz, Hickman, Holloway, Isaacs, Robbins, Schlör — 8.

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

Senator Hart moved that **SB 367** be restored to the Calendar.

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

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

NAYS: Messrs. Cicione, Cook, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik — 9.

NOT VOTING: Mr. Foltz — 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 duPont, the following communication was made part of the record without objection:

HOUSE OF REPRESENTATIVES
STATE OF DELAWARE

June 8, 1971

MEMO

TO: ALL MEMBERS OF THE HOUSE OF REPRESENTATIVES
FROM: BILL FREDERICK

Admiral John Sidney McCain, Commander-in-Chief of the Pacific Forces, will be in the House Chamber tomorrow, June 9, at 11 A.M. to brief the Legislature on activities in the one million square mile area of his command.

Special arrangements have been made to have the Admiral present an unclassified briefing. His presentation takes about 30 minutes and he is open to any questions.

For your information, Congressman duPont received a similar briefing recently in Hawaii and described it as far superior to the information he had received in a Defense Department briefing in Washington.

Immediately following the briefing Admiral McCain will depart for Honolulu.

I strongly urge maximum attendance and participation since the Admiral is taking about four hours from an intensely busy schedule to be with us.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred HB 347, reported the same back to the Senate: 2 Favorable; 4 Merits.

Senator Foltz, on behalf of the Committee on Administrative Services to whom had been referred SB 383, 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 SB 415, 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 393, 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 395, reported the same back to the Senate: 1 Favorable; 4 Merits.

Senator Elliott moved that SA 1 to SB 4 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. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele — 18.

ABSENT: Mr. Robbins — 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, SA 2 to SB 4 was stricken without objection.

Senator Holloway introduced SA 3 to SB 4.

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

ABSENT: Mr. Robbins — 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 4 w/ SA 1, 3 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 4 w/ SA 1, 3 — "An Act to Amend Title 16, Chapter 47, of the Delaware Code, Relating to Narcotic Drugs."

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

YEAS: Messrs. Castle, Cicione, Cook, duPont, Elliott, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Robbins, Steele — 14.

NAYS: (Mrs.) Conner — 1.

NOT VOTING: Messrs. Foltz, Holloway, Schlör, Slawik — 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.

Senator Grier moved that the Senate adjourn until Wednesday, June 9, 1971. Hearing no objection, the motion prevailed and the Senate adjourned at 6:40 p.m.

46TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 3:45 p.m., Wednesday, June 9, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Clendaniel.

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 — 9

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 Cicione introduced SA 1 to SB 437.

On motion of Senator Cicione, the Amendment was placed with the Bill without objection.

Senator Castle introduced SA 1 to SB 200.

On motion of Senator Castle, the Amendment was placed with the Bill without objection.

Senator Holloway introduced SR 67, co-sponsored by Senators Cicione and Conner, entitled:

SR 67 — “Commending the Department of Public Safety and its Secretary, and the Division of Motor Vehicles and its Director, and the Wilmington Branch of the Division of Motor Vehicles.”

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

ABSENT: Messrs. Hart and McCullough — 2.

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

Senator Robbins introduced SR 68, entitled:

SR 68 — “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, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele — 17.

ABSENT: Messrs. Hart and McCullough — 2.

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

Senator Conner introduced SS 1 for SB 185.

On motion of Senator Conner, the Substitute Bill was adopted in lieu of the Original Bill without objection.

Senator Elliott introduced SA 1 to SB 395.

On motion of Senator Elliott, the Amendment was placed with the Bill without objection.

Senator Steele introduced SA 1 to SB 412.

On motion of Senator Steele, the Amendment was placed with the Bill without objection.

Senator Slawik introduced **SJR 22**, co-sponsored by Senators Castle, Cicione, Conner, Isaacs and Elliott, entitled:

SJR 22 — “Proclaiming June 20 to June 26 as Nursing Home Week, and Urging all Residents to Show Concern for the Ill and Elderly Residing in Such Homes.”

Senator Slawik moved that Rule 9 be suspended for the purpose of considering **SJR 22**.

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, Grier, Hale, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele — 16.

ABSENT: Messrs. Hart, Hickman and McCullough — 3.

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

Therefore, 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, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele — 16.

ABSENT: Messrs. Hart, Hickman, McCullough — 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.

Senator Manning introduced **SA 1 to HS 1 for HB 30**.

On motion of Senator Manning, the Amendment was placed with the Bill without objection.

Senator Isaacs announced that the Committee on Natural Resources and Environmental Control would make a trip to New Orleans and Washington State.

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred **SB 67**, 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 145**, 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 248**, 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 253**, 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 254**, reported the same back to the Senate: 6 Merits.

The Secretary read the following message from the House:

6—9—71

Mr. President:

The House wishes to inform the Senate that it has passed **HB 281; HB 348 w/ HA 1; HB 351; HB 358 w/ HA 1; HB 374; HB 390; HB 429; HB 458 w/ HA 1, 2, 3; HB 123 w/ HA 1; HB 375; HB 394; HB 457; HCR 29** and requests the concurrence of the Senate.

The House also passed **SB 344** and **SB 130** 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 the various committees:

HB 123 w/ HA 1 — “An Act to Amend Part III, Chapter 23, Title 30 of the Delaware Code Providing an Exemption from Payment of Fees Required to Obtain Occupational Licenses for Non-Profit Nursing, Rest or Convalescent Homes.” Assigned to Committee on Finance.

HB 281 — “An Act to Amend Chapter 47, Title 9, Delaware Code, Relating to Garbage Collection in Unincorporated Areas of Kent County.” Assigned to Committee on Community Affairs.

HB 351 — “An Act to Amend an Act Entitled: “An Act to Re-incorporate the Town of Smyrna,” Authorizing the Smyrna Town Council to Borrow Funds Equal to a Maximum of One and One-half Per Cent of Total Taxable Assessments, and to Issue Bonds and Notes Therefor.” Assigned to Committee on Community Affairs.

HB 358 w/ HA 1 — “An Act to Amend Chapter 1, Title 14, Delaware Code, Relating to the Powers of the State Board of Education.” Assigned to Committee on Education.

HB 374 — “An Act to Amend Title 18, Delaware Insurance Code, by Amending Chapter 5 to Create a Board of Arbitration Regarding the Cancellation of Certain Insurance Agency Contracts.” Assigned to Committee on Public Safety.

HB 375 — “An Act to Amend Title 30, Chapter 51, Delaware Code, Pertaining to Motor Fuel Tax by Changing Record Retention and Inspection of Record Requirements.” Assigned to Committee on Finance.

HB 390 — “An Act to Amend Chapter 23 of Title 21, Delaware Code, Relating to Recording Liens and Fees Therefor.” Assigned to Committee on Public Safety.

HB 348 w/ HA 1 — “An Act to Amend Chapter 6, Title 7 of the Delaware Code Prohibiting the Traffic in Hides and Skins of Certain Species of Newborn Seals.” Assigned to Committee on Natural Resources and Environmental Control.

HB 429 — “An Act to Amend Chapter 69, Title 16, Delaware Code, Relating to Fireworks.” Assigned to Committee on Public Safety.

HB 458 w/ HA 1, 2, 3 — “An Act to Amend Chapter 27, Title 25, Delaware Code, Relating to Mechanics’ Liens Against an Owner of a Residence Who Pays the Contractor for Construction, Erection or Building Thereof or Alterations, Repairs, or Improvements Thereof.” Assigned to Committee on Labor and Industrial Relations.

HB 394 — “An Act to Amend Part III, Title 30 Delaware Code, Relating to Notice of Date for Procuring Occupational and Business Licenses.” Assigned to Committee on Finance.

HB 457 — “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 Finance.

On motion of Senator Steele, **SB 359** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 359 — “An Act to Amend Chapter 55, Title 29, Delaware Code, Entitled “State Employees’ Pension Plan”; Chapter 39, Title 14, Delaware Code, Entitled “Teachers’ Retirement and Disability Pensions”; and Volume 57, Laws of Delaware, Chapters 702 and 741.”

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, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 15.

NOT VOTING: Mr. Foltz — 1.

ABSENT: Messrs. Elliott, Hart 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 to the House for concurrence.

On motion of Senator Conner, **SB 411** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 411 — “An Act to Amend Chapter 51, Title 31, Delaware Code, by Creating a New Section Relating to the Transfer and Treatment of Mentally-defective Juveniles.”

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

Senator Elliott introduced **SA 1** to **SB 395**.

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, Hickman, Isaacs, Robbins, Schlör, Steele — 14.

NAYS: Mr. Holloway — 1.

NOT VOTING: Mr. Slawik — 1.

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

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 395 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 395 w/ SA 1 — “An Act to Amend Title 11, Delaware Code, Subchapter XLII, Section 757 relating to Wiretapping by Authorizing Wiretapping and Electronic Surveillance in Certain Specified Cases.”

Senator Elliott requested the privilege of the floor for F. Peter Stone, U.S. Attorney; and Jerome O. Herlihy of the Department of Justice, to speak on the Bill. 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, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hickman, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele — 13.

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

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.

On motion of Senator Hickman, the roll call on SB 432 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, Cook, duPont, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 15.

NAYS: Messrs. Elliott and Hart — 2.

NOT VOTING: Messrs. Foltz 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.

On motion of Senator Elliott, SS 2 for SB 6, to which the name of Senator Slawik was added as co-sponsor without objection, was taken up for consideration and read a second time by title only in order to pass the Senate.

SS 2 for SB 6 — “An Act to Amend Chapter 47, Title 7 of the Delaware Code, Eliminating Fees Charged to Delaware Citizens for Use of Delaware State Parks.”

Senator Elliott moved that the roll call on the Bill be tabled.

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, Hickman, Isaacs, (Mrs.) Manning, Slawik — 11.

NAYS: Messrs. Grier, Hale, McCullough, Robbins, Schlor, Steele — 6.

ABSENT: Messrs. Hart and Holloway — 2.

So the question was decided in the affirmative and the motion, having received the required constitutional majority, prevailed and the Roll Call on SS 2 for SB 6 was tabled.

On motion of Senator Foltz, SB 421 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 421 — “An Act Authorizing the State of Delaware to Borrow Money for the Restoration of Loockerman Hall on the Campus of Delaware State College and to Authorize the Issuance of Bonds and Notes therefor and Appropriating the money Borrowed to Delaware State College.”

Senator Foltz requested the privilege of the floor for Edward T. Crawford of Delaware State College to speak on the Bill. Hearing no objection, the privilege was granted.

On motion of Senator Foltz, the roll call on the Bill was tabled without objection.

On motion of Senator duPont, the roll call on SB 277 was lifted without objection.

Senator duPont requested the privilege of the floor for Jerry Herlihy to speak on the Bill. Hearing no objection, the privilege was granted.

Senator duPont moved that the roll call on the Bill be rescinded.

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, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele — 18.

ABSENT: Mr. Hart — 1.

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

Senator duPont then moved that final action on the Bill be deferred. Hearing no objection, the motion prevailed.

Senator Grier moved that the Senate adjourn until June 10, 1971. Hearing no objection, the motion prevailed and the Senate adjourned at 5:30 p.m.

47TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:35 p.m., Thursday, June 10, 1971, Lt. Governor Bookhammer presiding.