and to Issue Bonds and Notes Therefore and Appropriating the Moneys to Various Agencies of the State" By Changing the Purpose for Which Certain Monies Appropriated to the Department of Mental Health May Be Expended. Introduced by Senator Hale.

Roll Call revealed:

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

ABSENT — Phillips — 1.

SB 123 having received a three-fourths majority was declared passed by the House.

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

SB 130 — An Act to Amend Chapter 398, Volume 53, Laws of Delaware, As Amended By Chapter 284, Volume 54, Laws of Delaware, By Providing for the Use of Unexpended Funds for Other Repairs and Improvements to the Facilities of the Department of Mental Health. Introduced by Senator Steele.

Roll Call revealed:

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

ABSENT — Phillips — 1.

SB 130 having received a three-fourths majority was declared passed by the House.

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

SB 132 — An Act to Amend Chapter 429, Volume 55, Laws of Delaware, By Providing for the Use of Unexpended Funds for Other Repairs and Improvements to the Facilities of the Department of Mental Health. Introduced by Senator Steele.

Roll Call revealed:

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

ABSENT — Phillips — 1.

SB 132 having received a three-fourths majority was declared passed by the House.

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

HB 67 with **HA 1** — An Act to Amend Title 11, Section 571, Delaware Code, Relating to Murder.

HA 1 introduced by Rep. Burt was adopted by roll call vote as follows:

YEAS — Berndt, Billingsley, Burt, Butcher, Dillman, duPont, Frederick, Goldfeder, Hearn, Heckert, Jarvis, Lesher, Little, McMahon, Mears, Murphy, Orth, Seibel, Stabler, Stansky, Mr. Speaker Hering — 21.

NAYS — Benson, Burton, Harrington, Kirk, Moerschel, Quillen, Rawlins, Riddagh, Sebrell, Spence, Unruh, Zimmerman — 12.

NOT VOTING — Boulden, Dodge, Fonville, Gray — 4.

ABSENT — Phillips — 1.

HA 1 to **HB 67** having received a majority was declared adopted.

Roll Call on **HB 67** with **HA 1** revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Burton, Dillman, Dodge, duPont, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Lesher, Little, McMahon, Moerschel, Murphy, Orth, Quillen, Riddagh, Sebrell, Seibel, Spence, Stabler, Unruh, Mr. Speaker Hering — 30.

NAYS — Mears, Rawlins — 2.

NOT VOTING — Boulden, Butcher, Fonville, Stansky, Zimmerman — 5.

ABSENT — Phillips — 1.

HB 67 with **HA 1** having received a constitutional majority was declared passed by the House.

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

HB 99 — An Act to Amend Title 11, Section 352 of the Delaware Code to Define Arson in Second Degree to Include the Unlawful Burning of Buildings As Well As Dwelling Houses.

Roll Call revealed:

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

ABSENT — Phillips — 1.

HB 99 having received a constitutional majority was declared passed by the House.

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

SB 10 — An Act to Amend Sections 396, 631, and 632, Title 11, Delaware Code, Relating to Penalties for the Offences of Unlawful Entry, Grand Larceny and Petit Larceny. Introduced by Senator Isaacs.

House recessed at 3:51 P.M., and reconvened at 4:38 P.M.

Committee Reports: House Administration: **SB 94**, 4 favorable; **HJR 2**, 4 favorable; Financial Institutions: **HB 105**, 4 on merits; Revenue and Taxation: **HB 131**, 3 favorable, 2 on merits; Health & Welfare: **HB 96**, 2 favorable, 3 on merits; Education: **HB 140**, 2 favorable, 3 on merits; **HB 146**, 3 favorable, 1 on merits; Judiciary: **HB 25**, 2 favorable, 1 on merits, 1 unfavorable; **HB 26**, 2 favorable, 1 on merits, 1 unfavorable; **HB 27**, 2 favorable, 1 on merits, 1 unfavorable; **HB 28**, 2 favorable, 1 on merits, 1 unfavorable; **HB 29**, 3 favorable, 1 on merits; **HB 64**, 1 favorable, 3 unfavorable.

The following prefiled bills, amendments and resolutions were introduced:

HB 149 — An Act to Amend Title 13, Delaware Code, Relating to Persons Who May Solemnize Marriages. Introduced by Rep. Heckert. Referred to the Committee on Revised Statutes.

HB 150 — An Act Prohibiting the Distribution of Unrequested Credit Cards in the State of Delaware. Introduced by Rep. Little. Referred to the Committee on Revised Statutes.

HB 151 — An Act to Amend Section 9605, Title 9, Delaware Code, Relating to the Recordation of Instruments in Kent County By Providing for Recordation By Photocopying Methods. Introduced by Rep. Sebrell. Referred to the Committee on Government Operations.

HB 152 — An Act to Amend Title 21, Delaware Code, Relating to Persons Who May Own A Motor Vehicle. Introduced by Reps. Heckert and Billingsley. Referred to the Committee on Highways and Public Safety.

HS 1 for HB 125 — An Act to Eliminate the 13th Election District of the 18th Representative District and Include It in the 10th Election District of the 18th Representative District. Introduced by Rep. Dillman. Referred to the Committee on Elections.

HA 1 to SCR 4 — Introduced by Rep. Frederick. Placed with resolution.

HA 1 to SB 128 — Introduced by Rep. Kirk. Placed with bill.

HA 1 to HB 128 — Introduced by Reps. Billingsley and Jarvis. Placed with bill.

HA 1 to HB 53 — Introduced by Rep. Sebrell. Placed with bill.

HA 1 to HB 131 — Introduced by Reps. Jarvis and Billingsley. Placed with bill.

HR 31 — Relative to the Death of Joseph W. Ennis, A Former Member of the House of Representatives.

WHEREAS, the House of Representatives of the 125th General Assembly of the State of Delaware has learned with regret of the passing of Joseph W. Ennis, a former member of the House; and

WHEREAS, former State Representative Joseph W. Ennis served his State faithfully and well during his term in the General Assembly of the State of Delaware; and

WHEREAS, the members of the House desire to express in this public manner their own feelings and the sense of loss which is felt throughout the entire State of Delaware;

NOW THEREFORE,

BE IT RESOLVED, by the House of Representatives of the 125th General Assembly of the State of Delaware, that the members wish to give expression to the regret they experienced at the passing of Joseph W. Ennis, a prominent figure in his community and a former member; and

BE IT FURTHER RESOLVED, that the family of the deceased has the full sympathy of the members of the House of Representatives of the 125th General Assembly of the State of Delaware which is extended by sending a copy of this resolution to the members of his immediate family; and

BE IT FURTHER RESOLVED, that the text of this resolution be made a part of the Journal of the proceedings of the House of Representatives of the 125th General Assembly of the State of Delaware.

Introduced by Rep. Riddagh. Adopted by voice vote.

HR 32 — Relative to the Illness of Mary Etta Gooding, Representative of the 124th General Assembly.

WHEREAS, the House of Representatives of the 125th General Assembly of the State of Delaware has learned with deep regret of the illness of Mary Etta Gooding, Representative of the 124th General Assembly; and

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

NOW THEREFORE,

BE IT RESOLVED, by the House of Representatives of the 125th General Assembly of the State of Delaware that the members thereof extend their sincere best wishes for a speedy recovery to former State Representative Mary Etta Gooding from her illness; and

BE IT FURTHER RESOLVED, that this expression be conveyed to former State Representative Mary Etta Gooding and a copy of this Resolution be forwarded to her at her home in Woodcrest; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be spread upon the Journal of the House of Representatives of the 125th General Assembly of the State of Delaware.

Introduced by Rep. Orth. Adopted by voice vote.

House recessed at 4:40 P.M. to the call of the chair.

The Speaker called the House to order at 2:58 P.M. Mr. Stabler moved to adjourn thereby ending the 17th Legisative

18TH LEGISLATIVE DAY

The House convened at 2:59 P.M., on Thursday, April 10, 1969.

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

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

Roll Call revealed 37 members present, 1 absent.

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

Absent: Phillips — 1.

Minutes of the previous legislative day were approved as posted.

Communications:

Letter from Honorable Norman A. Eskridge.

Seaford, Delaware
April 3, 1969

Office of The Speaker
House of Representatives
Dover, Delaware 19901
The Honorable George C. Hering
Dear Mr. Hering:

I wish to thank each and every one who so graciously acted on legislation enabling me to receive a Pension. I feel quite proud that you considered my years of service worthy of this award.

Very truly yours,
NORMAN A. ESKRIDGE

The following bills, amendments and resolutions were introduced:

HB 153 — An Act to Amend Section 1116, Subsection (13), Chapter 11, Title 30, Delaware Code, Relating to the Exemption of Pensions from State Income Taxation. Introduced by Rep. Hearn. Referred to the Committee on Revenue and Taxation.

HB 154 — An Act Relating to Pensions for Elizabeth H. Hitchens, Edna Calhoun, and Mary Reed, Former Sussex County Employees. Introduced by Rep. Burton. Referred to the Committee on Government Operations.

HA 1 to HB 25 — Introduced by Rep. Burt. Placed with bill.

HA 2 to HB 25 — Introduced by Rep. Burt. Placed with bill.

HA 3 to HB 25 — Introduced by Rep. Benson. Placed with bill.

HA 1 to HB 96 — Introduced by Rep. Hearn. Placed with bill.

HA 3 to HB 26 — Introduced by Rep. Burt. Placed with bill.

HA 4 to HB 26 — Introduced by Rep. Burt. Placed with bill.

HA 5 to HB 26 — Introduced by Rep. Burt. Placed with bill.

HA 1 to HB 28 — Introduced by Rep. Burt. Placed with bill.

HA 1 to HB 29 — Introduced by Rep. Burt. Placed with bill.

SB 14 — An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees Pensions. Introduced by Senators Hale and Conner. Referred to the Committee on Appropriations.

SB 45 — An Act Making a Supplementary Appropriation to Delaware State College. Introduced by Senator Holloway. Referred to the Committee on Appropriations.

SB 63 — An Act to Amend § 1115, Title 7, Delaware Code, Relating to the Use of Fishing Nets in Certain Tidal Waters. Introduced by Senator Isaacs. Referred to the Committee on Natural Resources.

SB 65 with SA 1 — An Act to Amend § 933, Title 7, Delaware Code, Pertaining to Rock Fishing. Introduced by Senator Isaacs. Referred to the Committee on Natural Resources.

SB 67 — An Act Amending Title 6, Delaware Code of 1953, by Protecting the Public Welfare, effectuating the Rights of all Persons to full and equal access to Housing Offered to the Public for sale or rent, Defining unlawful Practices involving Discrimination on account of Race, Color, Religion or National Origin, Empowering and Directing the State Human Relations Commission to Administer the Law and Providing Criminal Penaltes for Violations. Introduced by Senator Conner. Referred to the Committee on Health & Welfare.

SB 88 — An Act Making a Supplementary Appropriation to the Department of Justice. Introduced by Senator Foltz. Referred to the Committee on Appropriations.

SB 112 — An Act to Amend Section 710, Chapter 17, Delaware Code, Relating to Safety Devices at Railroad Crossings over Highways. Introduced by Senator Hart. Referred to the Committee on Highways and Public Safety.

SB 133 — An Act to Provide for the Investment of Funds Belonging to Patients of Institutions under the Jurisdiction of the Board of Trustees of the Department of Mental Health and to Provide for the use of the Income therefrom by the Institutions. Introduced by Senators Hale and Conner. Referred to the Committee on Health and Welfare.

SB 172 — An Act to Amend Chapter 10, Title 14, Delaware Code, Relating to the Adjusted Tax Rate of Reorganized School Districts. Introduced by Senators Manning and Robbins. Referred to the Committee on Education.

SCR 5 — Providing for a Joint Session of the Senate and the House of Representatives. Introduced by Senator duPont. Adopted by voice vote.

HR 33 — Expressing the Best Wishes of the House of Representatives of the 125th General Assembly of the State of Delaware concerning the Birthday of Representative Edward S. Stansky

WHEREAS, the members of the House of Representatives have learned that today, April 10, 1969, is the birthday of Representative Edward S. Stansky and

WHEREAS, the members of the House of Representatives wish to express their best wishes to Representative Edward S. Stansky

NOW THEREFORE,

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

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

Introduced by Rep. Zimmerman. Adopted by voice vote.

The following bills were reported out of committee: Public Buildings and Lands, **HB 47**, 3 on merits, 1 unfavorable; Appropriations, **HB 94**, 5 favorable; Government Operations, **HB 78**, 6 on merits, **HB 134**, 1 favorable, 4 on merits, **HB 151**, 1 favorable, 5 on merits.

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

HB 53 with **HA 1** — An Act to Amend Section 2942, Title 21, Delaware Code, Relating to Proof of Future Financial Responsibility under the Motor Vehicle Safety Responsibility Law.

HA 1 to HB 53 introduced by Rep. Sebrell. Adopted by voice vote. The following letter to Mr. Murphy from Russell W. Whitby, Motor Vehicle Commissioner was read:

March 18, 1969

Honorable Rep. Joseph R. Murphy
171 Brookside Boulevard
Newark, Delaware, 19711
Dear Representative Murphy:

You made a request for a comment pertaining to House Bill No. 53, pertaining to where there is a judgement invoved and if it has not been paid, that after ten (10) years it would be possible for the person who the judgement is against, to procure a driver license and/or registration providing that there is sufficient insurance at all times to cover any damage which might occur while the party is operating a vehicle. I feel that if the party in question, after ten (10) years and the judgement has not been paid in full by that time and if the party in question has made an effort according to income, to reduce this judgement, they should be allowed, provided they meet all requirements by the Department pertaining to insurance and that the Department is advised in case the insurance would be cancelled, should be allowed to operate a car and be licensed in the State of Delaware.

I feel that the party involved has certainly made a sacrifice for ten (10) years without a drivers license; so I would recommend that House Bill No. 53 become a law.

Very truly yours,
RUSSELL W. WHITBY
Motor Vehicle Commissioner

On motion of Rep. Sebrell, roll call on **HB 53** with **HA 1** was tabled.

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

HB 128 with **HA 1** — An Act Relating to Corporations Subject To and Exempt From the Corporation Franchise Tax.

On motion of Rep. Billingsley, **HA 1** to **HB 128** was adopted by voice vote.

Roll Call revealed:

YEAS — Berndt, Billingsley, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Lesher, Little, McMahon, Mears, Moerschel, Murphy, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Zimmerman, Mr. Speaker Hering — 32.

NOT VOTING — Boulden, Burt, Quillen — 3.

ABSENT — Benson, Orth, Phillips — 3.

HB 128 with **HA 1** having received a constitutional mapority was declared passed by the House.

HJR 2 — Commending John T. Purnell for His Services in Assisting in the Organizing of the 1969 Inauguration of the Governor.

Introduced by Rep. Little. Adopted by Roll Call vote as follows:

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

ABSENT — Phillips — 1.

HJR 2 having received a majority was declared adopted.

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

SB 94 — An Act to Amend Chapter 59, Title 29, Delaware Code, By Adding the Legislative Council to the List of Exempt Agencies. Introduced by Senator duPont.

Roll Call revealed:

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

NAYS — Boulden, Butcher, Fonville, Goldfeder, Harrington, Hearn, McMahon, Mears, Orth, Rawlins, Stansky, Zimmerman — 12.

NOT VOTING — Benson, Lesher — 2.

ABSENT — Phillips — 1.

SB 94 having received a constitutional majority was declared passed by the House.

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

HB 135 — An Act to Amend Title 14, Delaware Code, By Making Certain Corrections to Provide for the Educational Advancement Act.

HA 1 to **HB 135** introduced by Rep. Boulden was adopted by voice vote.

On further motion of Mrs. Heckert **HB 135** with **HA 1** was deferred indefinitely.

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

HB 140 — An Act to Amend Section 1010, Chapter 10, Title 14, Delaware Code, Relating to Adjusted Tax Rates of Reorganized School Districts.

Roll Call revealed:

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

ABSENT — Phillips, Stansky — 2.

HB 140 having received a constitutional majority was declared passed by the House.

House recessed at 4:31 P.M., and reconvened at 5:02 P.M.

Committee Reports: Natural Resources: **HB 12**, 2 favorable, 1 on merits, 1 unfavorable; Appropriations: **HB 112**, 3 favorable, 1 on merits; **SB 45**, 1 favorable, 4 on merits; **SB 88**, 2 favorable, 3 on merits; **SB 122**, 2 favorable, 2 on merits; Health and Welfare: **HB 133**, 1 favorable, 5 on merits; **SB 133**, 5 on merits, 1 unfavorable; Elections: **HS 1** for **HB 125**, 2 favorable, 2 on merits; Revised Statutes: **HB 136**, 1 favorable, 3 on merits; **HB 149**, 4 on merits; **HB 150**, 1 favorable, 3 on merits; **HB 95**, 1 favorable, 3 on merits; **SB 21**, 1 favorable, 3 on merits.

The following bill was introduced:

HB 155 — An Act to Amend Title 22, Delaware Code, Entitled "Municipalities" By Adding Thereto A New Chapter Relating to Exemptions From Taxation On Real Property of Residents of Municipalities, With A Population in Excess of 50,000 Persons of the Age of 65 or More Years Having An Income Not In Excess of $3000 Per Year. Introduced by Rep. Hearn. Referred to the Committee on Revenue and Taxation.

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

The Speaker called the House to order at 1:58 P.M. Mr. Stabler moved to adjourn thereby ending the 18th Legislative Day.

19TH LEGISLATIVE DAY

The House convened at 1:59 P.M., on Tuesday, April 15, 1969.

There was a prayer by the Chaplain Reverend David Mulford, Georgetown.

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

Roll Call revealed 33 members present, 5 absent.

Members present: Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dodge, duPont, Frederick, Gray, Harrington, Hearn, Heckert, Jarvis, Lesher, Little, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Zimmerman, Mr. Speaker Hering — 33.

Absent: Dillman, Fonville, Goldfeder, Kirk, Phillips — 5.

Minutes of the previous legislative day were approved as posted.

Announcements:

Writ of Election of State Representative Joan Wright.

The State of Delaware
New Castle County, ss.

BE IT REMEMBERED, That at the Special Election held on the 12th day of April in the year of our Lord nineteen hundred and 69, for New Castle County, according to the Constitution and Laws of the State of Delaware, Joan Wright was duly elected State Representative which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the election districts of the Fourteenth Representative District, according to provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, the undersigned Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the special election in the said County, as the aw requires, hae hvereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this 14th day of April, A.D. 1969.

Albert J. Stiftel,
President Judge
Andrew D. Christie,
Resident Associate Judge

Oath of Office of Member of General Assembly:

The State of Delaware
County of Kent, ss.

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

Joan Connar Wright

Sworn to and subscribed to this 15th day of April A.D. 1969 before me.

A messenger from the Senate delivered the following: **HB 50, HB 54, HB 3, HB 103, HB 105, HB 115, HCR 5** having passed the Senate and returned to the House.

Committee Reports: Highways and Public Safety: **SB 97**, 2 favorable, 2 on merits; **SB 112**, 4 favorable; **SB 128** with **HA 1**, 4 favorable.

The following prefiled bills were introduced:

HB 156 — An Act to Amend Section 1901, Chapter 19, Title 12, Delaware Code, to Exclude Certain Employee Pension, Incentive Plan and Life Insurance Death Benefits From the Assets and Inventory of A Decedent's Estate Subject to Administration and Claims of Creditors and Other Beneficiaries of An Estate. Introduced by Rep. Stabler. Referred to the Committee on Judiciary.

HB 157 — An Act Raising the Income Allowance for Property Tax Exemption From $3,000 to $4,500. Introduced by Rep. Frederick. Referred to the Committee on Revenue and Taxation.

HB 158 — An Act to Amend Chapter 27, Subchapter II, Title 21, Section 2733 (g), (h), and (i), Delaware Code, Relating to Issuance of Occupational License. Introduced by Rep. Frederick. Referred to the Committee on Revised Statutes.

HB 159 — An Act Making A Supplemental Appropriation to the Delaware National Guard. Introduced by Rep. Frederick. Referred to the Committee on Appropriations.

HS 1 for HB 121 — An Act Giving Minors Who Have Attained the Age of 19 Years the Capacity to Contract. Introduced by Rep. Little. Referred to the Committee on Commerce and Labor.

HJR 3 — Relating to Federal-State Relations and Effect of Federal Mandated Matching Fund Laws Such As the Medicaid Program Upon State Participation In and Control of Such Laws; And Urging Coordinated Action By the Legislatures of the Several States. Introduced by Rep. Frederick. Referred to the Committee on Appropriations.

HA 2 to HB 135 — Introduced by Rep. Boulden. Placed with bill.

SS 1 for SB 109 — An Act to Amend An Act, Being Chapter 212, Volume 25, Laws of Delaware, Entitled, "An Act to Incorporate the Town of Bethany Beach and Giving It Authority to Issue Bonds", to Permit the Commissioners of Bethany Beach to Expend Up To $20,000 to Purchase Real and Personal Property Within Its Boundaries For Any Municipal Purpose and To Sell, Lease, Hold, Manage, Control and Mortgage Such Property. Introduced by Senator Hickman. Referred to the Committee on Government Operations.

SB 141 — An Act to Amend Section 8132, Chapter 81, Suchapter 2, Title 9, Delaware Code, Relating to Taxation of Citizens Over Sixty-Five Years of Age. Introduced by Senators Hickman and Manning. Referred to the Committee on Revenue & Taxation.

SB 153 — An Act to Amend An Act Being Chapter 42, Volume 53, Laws of Delaware, Entitled "An Act Amending, Revision and Consolidating the Charter of the City of Sea-

ford" to Provide An Increase in Salary for the Mayor and Each Member of the City Council. Introduced by Senator Elliott. Referred to the Committee on Government Operations.

SB 157 — An Act Relating to Pension Benefits for Ardena Robinson, Widow of Fred H. Robinson, A Former Employee of the Wilmington Public School System. Introduced by Senator Isaacs. Referred to the Committee on Appropriations.

SB 161 — An Act to Prohibit the Taking or Killing of Otter Other Than By Trap and During Muscrat Season. Introduced by Senator Isaacs. Referred to the Committee on Natural Resources.

SB 164 — An Act to Amend Chapter 283, Volume 52, Laws of Delaware Relating to the Reincorporation of the Town of Newport By Authorizing the Appointment of the Town Treasurer, Alderman and Assessor. Introduced by Senators Cicione and Slawik. Referred to the Committee on Government Operations.

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

HB 135 with **HA 1** & **HA 2** — An Act to Amend Title 14, Delaware Code, By Making Certain Corrections to Provide for the Educational Advancement Act.

On motion of Mr. Boulden **HA 2** to **HB 135** was adopted by voice vote.

Roll Call on **HB 135** with **HA 1** and **HA 2** revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dodge, duPont, Frederick, Gray, Harrington, Hearn, Heckert, Jarvis, Lesher, Little, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Zimmerman, Mr. Speaker Hering — 33.

NOT VOTING — Wright — 1.

ABSENT — Dillman, Fonville, Goldfeder, Kirk, Phillips — 5.

HB 135 with **HA 1** and **HA 2** having received a constitutional majority was declared passed the House.

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

SCR 4 with **HA 1** — Provide for the Establishment of a Committee of the General Assembly for the Purpose of Inquiring Into Complaints Relating to State Expenditures to Private Day Care Centers. Introduced by Senator Isaacs and others.

On motion of Mr. Stabler action was deferred pending another amendment.

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

HB 94 — An Act to Amend Chapter 22, Volume 55, Laws of Delaware, As Amended, Relating to Extension of the Period in Which the State Highway Department May Utilize Monies From the Capital Investment Fund for Mosquito Control.

The following letter to Rep. Murphy was read in from Ernest A. Davidson, Director of the State Highway Department:

February 26, 1969

Hon. Joseph R. Murphy
Brookside Blvd.
Brookside
Newark, Delaware 19711
Dear Mr. Murphy:

As you will recall the Highway Department is responsible for Mosquito Control operations. In April 1965, legislation was enacted making Capital Divestiture Funds available for a so-called "Permanent Mosquito Control Program". The funds remained availabe for two years. Subsequent legislation has extended the availability for two additional years.

The attached copy of letter to Governor Peterson briefly outlined the program and requested consideration for extending the availability of the funds for a minimum of two additional years. I have just recently had a call from the Governor's Office indicating his approval and requesting that this office prepare the necessary legislation.

A copy of suggested legislation is enclosed. This is to solicit your assistance in having the legislation introduced. I am also enclosing a copy of the status of the original funds.

Please let me know if there is any question.

Yours very truly,
Ernest A. Davidson
Director

EAD:cwr
cc:
Senator William Hart

Privilege of the floor was granted Mr. Davidson to answer questions.

Roll Call revealed:

YEAS — Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dodge, Frederick, Gray, Harrington, Hearn, McMahon, Mears, Moerschel, Murphy, Orth, Rawlins, Riddagh, Sebrell, Seibel, Stansky, Wright, Zimmerman — 23.

NAYS — Benson, duPont, Jarvis, Lesher, Little, Quillen, Spence, Unruh, Mr. Speaker Hering — 9.

NOT VOTING — Hearn, Stabler — 2.

ABSENT — Dillman, Fonville, Goldfeder, Kirk, Phillips — 5.

HB 94 having received a constitutional majority was declared passed by the House.

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

HB 151 — An Act to Amend Section 9605, Title 9, Delaware Code, Relating to the Recordation of Instruments in Kent County By Providing for Recordation By Photocopying Methods.

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dodge, duPont, Frederick, Gray, Harrington, Hearn, Heckert, Jarvis, Lesher, Little, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Zimmerman, Mr. Speaker Hering — 33.

NOT VOTING — Wright — 1.

ABSENT — Dillman, Fonville, Goldfeder, Kirk, Phillips — 5.

HB 151 having received a constitutional majority was declared passed by the House.

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

HB 136 — An Act to Amend Sections 664 A and 670 A, Title 11, Delaware Code, Relating to Lotteries.

Letter to Mr. Benson read as follows:

3 DeKalb Square
Newark, Delaware 19711
April 6, 1996

Representative David Benson
General Assembly
State Capitol
Dover, Delaware
Dear Mr. Benson:

I am delighted that you will introduce a bill to outlaw games in gas stations and supermarkets. For 24 years I lived in the State of Washington where such games are prohibited by law. I have found it greatly annoying to have such games and/or stamps in this state where I now reside. I can only conclude that they are an inconvenience and great expense to everyone concerned. I fully support your proposed legislation and hope this will be just the beginning of efforts to improve the lot of the beleagured Delaware consumer.

Very truly yours,
Mrs. Joy Neuzil

On motion of Rep. Hearn privilege of the floor was granted Glenn Kenton, House Attorney to explain the bill. On further motion of Mr. Benson **HB 136** was deferred indefinitely.

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

SB 21 with **SA 1** — An Act to Amend Chapter 29, Title 29, Deaware Code Relating to the Duties of the Auditor of Accounts and Auditing Expenses Related Thereto. Introduced by Senator Steele.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Burton, Dodge, duPont, Frederick, Gray, Heckert, Jarvis, Lesher, Little, Moerschel, Murphy, Quillen, Riddagh, Seibel, Spence, Stabler, Unruh, Mr. Speaker Hering — 22.

NAYS — Harrington, Mears, Stansky, Zimmerman — 4.

NOT VOTING — Butcher, Hearn, Rawlins, Wright — 4.

ABSENT — Boulden, Dillman, Fonville, Goldfeder, Kirk, McMahon, Orth, Phillips, Sebrell — 9.

SB 21 with **SA 1** having received a constitutional majority was declared passed by the House.

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

HB 112 — An Act Making A Supplementary Appropriation to the State Department of Justice for Salaries and Operational Expenses.

Privilege of the floor was granted Grover Brown, Deputy Attorney General to answer questions concerning the bill.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dodge, duPont, Frederick, Gray, Harrington, Hearn, Heckert, Jarvis, Lesher, Little, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Zimmerman, Mr. Speaker Hering — 33.

NOT VOTING — Wright — 1.

ABSENT — Dillman, Fonville, Goldfeder, Kirk, Phillips — 5.

HB 112 having received a constitutional majority was declared passed by the House.

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

SB 133 — An Act to Provide for the Investment of Funds Belonging to Patients of Institutions Under the Jurisdiction of the Board of Trustees of the Department of Mental Health and to Provide for the Use of the Income Therefrom by the Institutions. Introduced by Senator Hale.

Roll Call revealed:

YEAS — Berndt, Billingsley, Boulden, Burt, Butcher, Dodge, Fonville, Frederick, Gray, Harrington, Lesher, Little, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Zimmerman, Mr. Speaker Hering — 28.

NAYS — Burton, duPont, Hearn — 3.

NOT VOTING — Benson, Heckert, Wright — 3.

ABSENT — Dillman, Fonville, Goldfeder, Kirk, Phillips — 5.

SB 133 having received a constitutional majority was declared passed by the House.

House recessed at 4:04 P.M., and reconvened at 4:32 P.M.

Committee Reports: Commerce and Labor: **HS 1** for **HB 121**, 1 favorable, 4 on merits; Natural Resources: **HB 132**, 5 on merits; Health and Welfare: **SB 67**, 2 favorable, 2 on merits.

The Senate informed the House it has passed **HB 34, HB 39, HB 68, HS 1** for **HB 86, HB 87, HB 91, HB 92, HB 110** and **HB 124.**

The following prefiled bills were introduced:

HS 1 for **HB 96** — An Act to Amend Title 31, Chapter 3, Delaware Code, By Prohibiting the Establishment of Any Child Day Care Center by the Department of Public Welfare If Private Centers Are Available Within 3 Miles of the Proposed Site. Introduced by Rep. Quillen. Referred to the Committee on Health and Welfare.

HB 160 — An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Pensions By Allowing A Covered Employee to Receive Contributions Paid In With Interest When Qualified To Do So. Introduced by Rep. Billingsley. Referred to the Committee on Appropriations.

HB 161 — An Act to Amend Section 5919, Chapter 59, Title 11, Delaware Code, Relating to the Recording of Fines Collected By Justices of the Peace for Violations of 21 Delaware Code, Section 4179 A. Introduced by Rep. Lesher. Referred to the Committee on Judiciary.

HB 162 — An Act to Amend Section 2301, Subsection (a), Chapter 23, Title 6, Delaware Code, Relating to Interest to Permit the Payment, Charge and Collection of Interest Up to 8 Per Cent and to Amend Chapter 288, Volume 56, Laws of Delaware By Deleting Sections 3 and 4 Thereof. Introduced by Rep. Little. Referred to the Committee on Financial Institutions.

HB 163 — An Act to Amend Section 4113, Title 14, Delaware Code, Relating to the Distributing of Public Schools and the Destruction of School Property In Order to Establish A Minimum and Maximum Fine For Said Offense. Introduced by Rep. Boulden. Referred to the Committee on Education.

HB 164 — An Act to Amend Chapter 29 of Title 24 of the Delaware Code Entitled, "Real Estate Brokers and Salesmen" By Repealing Sections 2901, 2902, 2903, 2904, 2905, 2908, 2923, and 2924 Thereof and Substituting In Lieu Thereof New Sections 2901, 2902, 2903, 2904, 2905, 2908, 2923, 2924, 2925, 2926 and 2927. Introduced by Rep. Stabler. Referred to the Committee on Commerce and Labor.

HB 165 — An Act to Amend Section 2116, Title 31, Delaware Code, Relating to the Soliciting of Donations and the Raising of Money for the Blind to Make Said Section Applicable to Delaware Non-Profit Corporations Organized to Serve the Blind of Delaware. Introduced by Rep. Hearn. Referred to the Committee on Revised Statutes.

HB 166 — An Act to Amend Chapter 166, Volume 43, Laws of Delaware, As Amended, to Increase the Amount of Money Which the City of Georgetown May Borrow and to Increase Total Aggregate Bonded Indebtedness. Introduced by Rep. Burton. Referred to the Committee on Government Operations.

HB 167 — An Act to Amend Title 19, Delaware Code, Pertaining to Employment Practices. Introduced by Rep. Little. Referred to the Committee on Financial Institutions.

House recessed at 4:42 P.M. to call of the chair.

The Speaker called the House to order at 2:23 P.M. Mr. Stabler moved to adjourn thereby ending the 19th Legislative Day.

20TH LEGISLATIVE DAY

The House convened at 2.23 P.M., on Wednesday, April 16, 1969.

Prayer by the Reverend David Mulford, Georgetown.

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

Roll Call revealed 34 members present, 5 absent.

Members present: Benson, Berndt, Billingsley, Boulden, Burt, Burton, Dillman, Dodge, duPont, Frederick, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Lesher, Little, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 34.

Absent: Butcher, Fonville, Goldfeder, Phillips, Seibel — 5.

The Minutes of the previous legislative day were approved as posted.

The following prefiled bills were introduced:

HB 168 — An Act Making A Supplementary Appropriation to the Delaware Junior Miss Pageant for the Purpose of Providing Funds for Delaware's Junior Miss to Attend the National Junior Miss Pageant, and to Defray Expenses. Introduced by Rep. Murphy. Referred to the Committee on Government Operations.

HS 1 for HB 62 — An Act to Amend Section 2702 (a) of Title 14, Delaware Code, By Requiring School Attendance Between the Ages of 6 and 16. Introduced by Rep. Billingsley. Referred to the Committee on Education.

HA 3 to SCR 4 — Introduced by Rep. Seibel. Placed with bill.

HA 1 to HB 150 — Introduced by Rep. Little. Placed with bill.

SA 1 to HB 19 — Introduced by Rep. Castle. Placed with bill.

SB 169 — An Act to Amend Title 21, Section 4103 (b), Relating to Obedience to Police Officers. Introduced by Senator Cicione. Referred to the Committee on Highways and Public Safety.

SB 170 — An Act to Amend Section 1, Article VIII of the Constitution of the State of Delaware, Relating to the Exemption From Taxation of Real Property. Introduced by Senator Slawik. Referred to the Committee on Revenue and Taxation.

SB 171 — An Act Making A Supplementary Appropriation From the General Fund of $1,500,000 to the State Board of Education For An Experimental Program In Certain Public Schools Where A Significant Proportion of the Student Population Have Been Found To Be Two Or More Years Below National Grade Achievement Levels. Introduced by Senator Castle. Referred to the Committee on Education.

SB 174 — An Act to Amend Chapter 5, Title 7, Section 509, Delaware Code, Relating to An Increase in License Fees to Be Paid By Non-Residents of This State for Hunting and Trapping Licenses. Introduced by Senator Isaacs. Referred to the Committee on Natural Resources.

On motion of Rep. Sebrell, **HB 53** was declared off the table. On further motion of Rep. Sebrell, **HB 53** was again tabled.

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

HB 19 with **HA 1** and **SA 1** — An Act to Amend Part III, Title 21, Delaware Code, By Adding A New Chapter 46 Relating to the Advertisement and Sale of Master Keys and Providing for Penalty for Violation Thereof.

On motion of Rep. Sebrell, **SA 1** to **HB 19** with **HA 1** was adopted by voice vote.

Roll Call on **HB 19** with **HA 1** and **SA 1** revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Dillman, Dodge, duPont, Frederick, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Lesher, Little, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 34.

ABSENT — Butcher, Fonville, Goldfeder, Phillips, Seibel — 5.

HB 19 with **HA 1** and **SA 1** having received a constitutional majority was declared passed by the House.

On motion of Rep. Sebrell, roll call on **HB 53** with **HA 1** was lifted from the table.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Butcher, Dillman, Dodge, Frederick, Harrington, Jarvis, McMahon,

Mears, Moerschel, Murphy, Quillen, Rawlins, Sebrell, Seibel, Spence, Zimmerman — 20.

NAYS — Burton, Fonville, Kirk, Lesher, Little, Riddagh, Unruh, Mr. Speaker Hering — 8.

NOT VOTING — Burt, duPont, Goldfeder, Gray, Hearn, Heckert, Orth, Stabler, Stansky — 9.

ABSENT — Philips — 1.

HB 53 with **HA 1** having received a constitutional majority was declared passed by the House.

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

HB 150 — An Act Prohibiting the Distribution of Unrequested Credit Cards in the State of Delaware.

HA 1 to **HB 150** introduced by Rep. Little. Adopted by voice vote.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Dillman, Dodge, duPont, Frederick, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Lesher, Little, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 33.

NOT VOTING — Burton — 1.

ABSENT — Butcher, Fonville, Goldfeder, Phillips, Seibel — 5.

HB 150 with **HA 1** having received a constitutional majority was declared passed by the House.

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

SB 45 — An Act Making A Supplementary Appropriation to Delaware State College. Introduced by Senator Holloway.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Dillman, duPont, Frederick, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Lesher, Little, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Riddagh, Sebrell, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 32.

NAYS — Burton — 1.

NOT VOTING — Dodge — 1.

ABSENT — Butcher, Fonville, Goldfeder, Phillips, Seibel — 5.

SB 45 having received a constitutional majority was declared passed by the House.

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

SB 122 with **HA 1** — An Act to Amend Title 29, Section 7424, Delaware Code, Relating to the Attaching of A Debt

Statement to Every Bill Which Authorizes the Issuance of Bonds or Notes Pledging the Faith and Credit of the State. Introduced by Senator Cook.

HA 1 introduced by Rep. Lesher. Adopted by voice vote.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Dillman, Dodge, duPont, Frederick, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Lesher, Little, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 34.

ABSENT — Butcher, Fonville, Goldfeder, Phillips, Seibel — 5.

SB 122 with **HA 1** having received a constitutional majority was declared passed by the House.

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

HB 27 — An Act to Amend Title 11, Subchapter XLVIII, Delaware Code, Relating to Sexual Offenses Against Minors.

Roll Call revealed:

YEAS — Benson, Burton, Dillman, Harrington, Kirk, Moerschel, Riddagh, Sebrell, Unruh — 9.

NAYS — Berndt, Billingsley, Boulden, Burt, Dodge, duPont, Hearn, Jarvis, Lesher, Little, Mears, Quillen, Stabler, Stansky, Wright, Zimmerman, Mr. Speaker Hering — 17.

NOT VOTING — Frederick, Gray, Heckert, Murphy, Rawlins, Spence — 6.

ABSENT — Butcher, Fonville, Goldfeder, McMahon, Orth, Phillips, Seibel — 7.

HB 27 not having received a constitutional majority was declared lost.

House recessed at 4:27 P.M., and reconvened at 5:03 P.M.

The following were reported out of committee: Financial Institutions: **HB 162**, 2 favorable, 4 on merits; **HB 167**, 6 on merits; Government Operations: **HB 168**, 3 favorable, 1 on merits.

The following prefiled bills were introduced:

HB 169 — An Act to Amend Title 11, Delaware Code, By Providing A New Subchapter Relating To A Uniform Agreement Concerning Detainers. Introduced by Rep. Frederick. Referred to the Committee on Judiciary.

HB 170 — An Act to Amend Title 9, Section 4407, Delaware Code, Relating to Buiding Permits. Introduced by Rep. Sebrell. Referred to the Committee on Revised Statutes.

HB 171 — An Act to Amend Section 9121, Title 9, Delaware Code, Relating to the Authorized Mileage Rate for Officers or Employees of All of the Counties of the State of Delaware. Introduced by Rep. Sebrell. Referred to the Committee on Government Operations.

HB 172 — An Act to Amend Sections 1004 and 1010, Title 14, Delaware Code, By Providing Additional Requirements For Any Plan of Reorganization of School Districts. Introduced by Rep. Frederick. Referred to the Committee on Education.

Recessed at 5:08 P.M. Reconvened at 5:11 P.M.

The following were introduced:

HA 1 to SB 172 — Introduced by Rep. Frederick. Placed with bill.

HA 2 to SB 128 — Introduced by Rep. duPont. Placed with bill.

HA 1 to HS 1 for HB 121 — Introduced by Rep. Little. Placed with bill.

HJR 4 — Requiring All State Agencies and Departments to Receive Reimbursement for the Full Cost of Goods and Services Provided. Introduced by Rep. Billingsley. Referred to the Committee on Revenue and Taxation.

The following were reported out of committee: Appropriations: **HB 159**, 2 favorable, 4 on merits; **HB 160**, 3 favorable, 3 on merits; Education: **HB 172**, 4 on merits.

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

The Speaker called the House to order at 1:52 P.M. Mr. Stabler moved to adjourn thereby ending the 20th Legislative Day.

21ST LEGISLATIVE DAY

The House convened at 1:53 P.M., on Tuesday, April 22, 1969.

Prayer by the Chaplain Reverend George Higgins, Dover.

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

Roll Call revealed 37 members present, 2 absent.

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

Absent: Little, Phillips — 2.

The Minutes of the previous legislative day were approved as posted.

Communications: Letter from Nebraska State Legislature.

March 31, 1969

TO: Governors
State Legislatures
Welfare Department Heads

FROM: Nebraska State Legislature
RE: Resolution Concerning Medicare and Medicaid Programs

Enclosed is a copy of a Resolution recently adopted by the Nebraska Legislature. Copies have been sent to the Secretary of the Department of Health, Education, and Welfare, and to the Nebraska Congressional Delegation. We are also sending copies to the Governors and Legislatures of the other states, and to the heads of the Welfare Departments.

This Resolution reflects the growing concern in Nebraska with regard to the rising costs of the Medicare and Medicaid programs, especially the latter, and the resulting financial obligations borne by the states. It is felt that the law should be amended by Congress to allow the states more flexibility in the provision of benefits under these programs. This is especially needed in those provisions relating to the scope of the services offered by the states. Under present law, states may not reduce the level of their services, indeed must broaden them, or risk the loss of federal funds.

We are aware that officials in other states have expressed similar concern. It is hoped that through joint action of the states, Congress can be prevailed upon to amend the law in the manner mentioned above.

Sincerely,
Jack W. Rodgers
Director of Research

JWR:at
Enc.

The Senate informed the House it had passed **HB 52** and **HB 83**; also **SB 99**, **SB 175**, **SB 186** and **SCR 6** and requested concurrence of the House.

The following prefiled bills were introduced:

HB 173 — An Act making a supplementary appropriation to the Delaware State Police for food supplied during a state emergency. Introduced by Rep. Frederick. Referred to the Committee on Appropriations.

HB 174 — An Act to amend Chapter 337, Volume 56, Laws of Delaware, by transferring certain appropriations for the use of the Mental Hygiene Clinic. Introduced by Rep. Seibel. Referred to the Committee on Health and Welfare.

HB 175 — An Act to amend Title 11, Section 4336 of the Delaware Code as to Superior Court Presentence Officers. Introduced by Rep. Stabler. Referred to the Committee on Judiciary.

HB 176 — An Act Providing for Warranties in the sale of dwellings. Introduced by Rep. Moerschel and others. Referred to the Committee on Commerce and Labor.

HB 177 — An Act making a supplemental appropriation to the University of Delaware for the division of Urban Affairs. Introduced by Rep. Hering. Referred to the Committee on Government Operations.

HB 178 — An Act to limit the use of Child Day Care Centers to children whose mothers have found employment within 20 days from the date of enrollment of such child. Introduced by Rep. Quillen. Referred to the Committee on Health and Welfare.

HB 179 — An Act to provide for the collection of county taxes by the suspension of an individual's motor vehicle operator's license. Introduced by Rep. Quillen. Referred to the Committee on Highways and Public Safety.

HB 180 — An Act to amend Section 2804, Title 10, Delaware Code, relating to salaries of the Justice of the Peace Constables. Introduced by Rep. Benson. Referred to the Committee on Judiciary.

SB 99 — An Act to amend Chapter 61, Title 21, Delaware Code, by repealing § 6101 thereof. Introduced by Senators Hart and Castle. Referred to the Committee on Financial Institutions.

SB 175 — An Act to amend Chapter 5, Subchapter VI, Title 7, Section 589, Delaware Code, relating to the laws and regulations governing activities conducted pursuant to Subchapter VI, Title 7, Delaware Code, and providing violations and penalties therefor. Introduced by Senator Isaacs. Referred to the Committee on Natural Resources.

SB 186 — An Act to amend Chapter 429, Volume 55, Laws of Delaware, entitled "An Act authorizing the State of Delaware to borrow money to be used in Capital Improvements and Expenditures in the nature of Capital Investments and to issue Bonds and Notes therefor and appropriating the money borrowed to various agencies of the state" by adding a supplementary appropriation to provide for escalating costs of school construction. Introduced by Senator Elliott. Referred to the Committee on Education.

SCR 6 — Providing for a Joint Session of the Senate and the House of Representatives. Introduced by Senator duPont. Adopted by voice vote.

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

HB 28 — An Act to amend Title 11, Delaware Code, Subchapter XLIV, relating to rape.

HA 1 to **HB 28** introduced by Rep. Burt. On motion of Mr. Burt, **HA 1** was tabled.

Roll Call on **HB 28** revealed:

YEAS — Benson, Boulden Burt, Burton, Butcher, Dillman, Dodge, duPont, Frederick, Gray, Harrington, Heckert,

Jarvis, Kirk, Lesher McMahon, Moerschel, Murphy, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stansky, Unruh — 26.

NAYS — Stabler, Wright — 2.

NOT VOTING — Fonville, Goldfeder, Hearn, Mears, Orth, Zimmerman, Mr. Speaker Hering — 7.

ABSENT — Berndt, Billingsley, Little, Phillips — 4.

HB 28 having received a constitutional majority was declared passed by the House.

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

SB 128 — An Act to amend Subchapter II, Chapter 27, Title 21, Delaware Code, by adding a new section providing for a fee for the return of a suspended driver's license. Introduced by Senator Isaacs.

On motion of Mr. Kirk **HA 1** to **SB 128** was adopted by voice vote.

Mr. duPont moved for the adoption of **HA 2** to **SB 128**. Mr. Benson moved that **HA 2** be tabled. Roll Call on tabling **HA 2** to **SB 128** revealed:

YEAS — Benson Burton, Gray, Moerschel, Quillen, Rawlins, Sebrell — 7.

NAYS — Boulden, Burt, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Harrington, Hearn, Heckert, Jarvis, Kirk, Lesher, McMahon, Mears, Murphy, Orth, Riddagh, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman Mr. Speaker Hering — 28.

ABSENT — Berndt, Billingsley, Little, Phillips — 4.

Motion to table not having received a majority was declared lost.

On further motion of Mr. duPont, **HA 2** to **SB 128** was adopted by voice vote.

Roll Call on **SB 128** with **HA 1** and **HA 2** revealed:

YEAS — Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Lesher, McMahon, Mears, Moerschel, Murphy, Orth, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 33.

NAYS — Benson, Quillen — 2.

ABSENT — Berndt, Billingsley, Little, Phillips — 4.

SB 128 with **HA 1** and **HA 2** having received a constitutional majority was declared passed by the House.

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

HB 168 — An Act making a supplementary appropriation to the Delaware Junior Miss Pageant for the purpose of providing funds for Delaware's Junior Miss to attend the National Junior Miss Pageant, and to defray related expenses.

Privilege of the floor was granted Miss Sue Smith, Delaware's Junior Miss to explain the bill. Privilege of the floor was also granted Mr. Dillinger, Director of Public Relations for Junior Miss Pageant. On motion of Mr. Murphy **HA 1** to **HB 168** was adopted by voice vote.

Roll Call revealed:

YEAS — Benson, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, McMahon, Mears, Moerschel, Murphy, Orth, Rawlins, Riddagh, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr Sp.eaker Hering — 33.

NAYS — Lesher, Quillen, Sebrell — 3.

ABSENT — Berndt, Lesher, Phillips — 3.

HB 168 with **HA 1** having received a three-fourths majority was declared passed by the House.

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

HB 12 with **HA 1** — An Act to amend § 704 (f) Title 7, Delaware Code, relating to the use of dogs for hunting deer in Sussex County.

HA 1 introduced by Mr. Mears. On further motion of Mr. Mears **HA 1** to **HB 12** was stricken. Privilege of the floor was granted Mr. Lester Hudson of Frankford to speak for the bill. On motion of Mr. Sebrell **HB 12** was deferred.

Mr. Stabler took the Chair as Acting Speaker.

On motion of Rep. Frederick the following bill was introduced:

HB 181 — An Act to amend Sections 1004 and 1010, Title 14, Delaware Code, by providing additional requirements for any plan of reorganization of School Districts. Introduced by Rep. Frederick and others.

Mr. Frederick moved that all rules be suspended for the sole purpose of acting on **HB 181**. Motion prevailed.

Roll Call revealed:

YEAS — Benson, Berndt, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Lesher, McMahon, Mears, Moerschel Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Stabler, Stansky, Unruh, Wright, Zimmerman — 34.

NOT VOTING — Billingsley — 1.

ABSENT — Little, Phillips, Spence, Mr. Speaker Hering — 4.

HB 181 having received a constitutional majority was declared passed by the House.

Mr. Hering returned to the chair as Speaker.

On motion of Mr. Frederick, **HB 172** was stricken.

Messenger from the Senate delivered **SB 49** and **SB 210** having passed the Senate and requesting concurrence of the House; also, **HB 23** having passed the Senate and being returned to the House.

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

HB 134 — An Act making a supplementary appropriation to the Delaware State Development Department for promotion of the State of Delaware at the 50th Annual National Convention of United States Jaycees in Louisville, Kentucky.

Privilege of the floor was granted Mr. Will Kirkwood, Chairman of the Board of the Delaware Jaycees.

Roll Call revealed:

YEAS — Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Heckert, McMahon, Mears, Moerschel, Murphy, Orth, Rawlins, Riddagh Seibel, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 25.

NAYS — Berndt, Billingsley, Kirk, Lesher, Quillen, Sebrell, Spence — 7.

NOT VOTING — Benson, Hearn, Jarvis, Stansky — 4.

ABSENT — Little, Phillips, Stabler — 3.

HB 134 having received a constitutional majority was declared passed by the House.

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

HB 160 — An Act to amend Chapter 55, Title 29, Delaware Code, relating to state pensions by allowing a covered employees to receive contributions paid in with interest when qualified to do so.

Privilege of the floor was granted Mr. Charles Harris, Executive Secretary of the Delaware State Board of Education, who spoke for the bill.

Roll Call revealed:

YEAS — Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Lesher, McMahon, Mears, Moerschel, Murphy, Phillips, Quillen, Sebrell, Seibel, Spence, Stabler, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 33.

NAYS — Riddagh — 1.

Not VOTING — Benson, Dodge, Rawlins — 3.

ABSENT — Little, Phillips — 2.

HB 160 having received a constitutional majority was declared passed by the House.

On motion of Mr. Billingsley **HB 78** was stricken.

House recessed at 4:29 P.M., reconvened at 5:25 P.M.

Mr. Little asked to be marked present.

Committee Reports: Government Operations: **SB 164**, 5 on merits; Revised Statutes: **HB 170**, 5 on merits; **HB 165**, 5 on merits; **HB 158**, 2 on merits, 2 unfavorable; **HB 122**, 2 on merits, 2 unfavorable; Education: **HS 1** for **HB 62**, 4 favorable; **HB 163**, 2 favorable, 3 on merits; **SB 171**, 4 on merits; Revenue and Taxation: **SB 141**, 4 on merits; **SB 170**, 5 favorable; Judiciary: **HB 148**, 3 favorable, 1 on merits.

The following prefiled bills were introduced:

HB 182 — An Act to amend Section 502, Title 7, Delaware Code relating to exceptions to requirements for license to hunt, trap and fish. Introduced by Rep. Unruh. Referred to the Committee on Natural Resources.

HB 183 — An Act making a supplementary appropriation to the custodian of the State House and Administration Buildings for the purpose of providing funds to staff and maintain the building and grounds of the new State Highway Department Administration Building for the balance of the Fiscal Year ending June 30, 1969. Introduced by Rep. Billingsley. Referred to the Committee on Government Operations.

HA 1 to **SB 67** — Introduced by Rep. Sebrell and others. Placed with bill.

HS 1 for **HB 126** — An Act to permit the Board of School Trustees of Henry C. Conrad School District No. 131 to transfer certain funds from its Local Debt Service Account to its Minor Capital Improvement Account. Introduced by Rep. Dillman. Referred to the Committee on Education.

HJR 5 — Requiring all state agencies and departments to receive reimbursement for the full cost of goods and services provided. Introduced by Reps. Billingsley and Jarvis. Referred to the Committee on Revenue and Taxation.

SB 49 — An Act to amend Sections 2324, 2325, 2326 (h), Title 19, Delaware Code, relating to benefits received in compensation for injuries. Introduced by Senator Isaacs and others. Referred to the Committee on Commerce and Labor.

SB 210 — An Act to amend Section 1067, Title 14, Delaware Code, relating to elections for the Board of Education in the Milford Special School District. Introduced by Senators Grier and Robbins. Referred to the Committee on Education.

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

SB 67 with **HA 1** — An Act amending Title 6, Delaware Code of 1953, by protecting the public welfare, effectuating the rights of all persons to full and equal access to housing offered to the public for sale or rent, defining unlawful practices involving discrimination on account of race, color, religion or national origin, empowering and directing the State Human Relations Commission to administer the law and providing criminal penalties for violations. Introduced by Senator Conner.

Mr. Sebrell moved that **HA 1** be adopted by roll call vote. Mr. Frederick moved to table **HA 1**. Roll call requested by Mr. Sebrell. Roll Call on tabling motion revealed:

YEAS — Benson, Boulden, Burton, Dodge, Gray, Harrington, Heckert, Quillen, Riddagh, Sebrell, Unruh — 11.

NAYS — Berndt, Billingsley, Burt, Butcher, Dillman, duPont, Fonville, Frederick, Goldfeder, Hearn, Jarvis, Kirk, Lesher, Little, McMahon, Mears, Moerschel, Murphy, Orth, Rawlins, Seibel, Spence, Stabler, Stansky, Wright, Zimmerman, Mr. Speaker Hering — 27.

ABSENT — Phillips — 1.

Mr. Sebrell moved that **HA 1** be adopted by roll call vote. Mr. Frederick moved to table **HA 1**. Roll call requested by Mr. Sebrell. Roll Call on tabling motion revealed:

YEAS — Billingsley, Burt, Butcher, Dillman, duPont, Fonville, Frederick, Goldfeder, Hearn, Jarvis, Lesher, Little, Mears, Murphy, Seibel, Spence, Stabler, Wright, Zimmerman, Mr. Speaker Hering — 20.

NAYS — Benson, Brendt, Boulden, Burton, Dodge, Gray, Harrington, Heckert, Kirk, McMahon, Moerschel, Orth, Quillen, Rawlins, Riddagh, Sebrell, Stansky, Unruh — 18.

ABSENT — Phillips — 1.

HA 1 to **SB 67** tabled.

HA 2 to **SB 67** — Introduced by Rep. Heckert. Mr. Frederick moved to table **HA 2** by roll call vote.

Roll Call revealed:

YEAS — Billingsley, Burt, Butcher, Dillman, duPont, Fonville, Frederick, Goldfeder, Hearn, Jarvis, Lesher, Little, Mears, Murphy, Seibel, Spence, Stabler, Wright, Zimmerman. Mr. Speaker Hering — 20.

NAYS — Benson, Berndt, Boulden, Burton, Dodge, Gray, Harrington, Heckert, Kirk, McMahon, Moerschel, Orth, Quillen, Rawlins, Riddagh, Sebrell, Stansky, Unruh — 18.

ABSENT — Phillips — 1.

HA 2 to **SB 67** tabled.

Mrs. Heckert moved to reconsider **HA 2**. Motion lost. Mr. Benson moved to table **SB 67**.

Roll Call on the motion revealed:

YEAS — Benson, Boulden, Burton, Dodge, Gray, Harrington, Heckert, Quillen, Riddagh, Sebrell, Unruh — 11.

NAYS — Berndt, Billingsley, Burt, Butcher, Dillman, duPont, Fonville, Frederick, Goldfeder, Hearn, Jarvis, Kirk, Lesher, Little, McMahon, Mears ,Moerschel, Murphy, Orth, Rawlins, Seibel, Spence, Stabler, Stansky, Wright, Zimmerman, Mr. Speaker Hering — 27.

ABSENT — Phillips — 1.

Tabling motion lost.

Roll Call on **SB 67** revealed:

YEAS — Billingsley, Burt, Butcher, Dillman, duPont, Fonville, Frederick, Goldfeder, Hearn, Jarvis, Little, Mears, Moerschel, Murphy, Riddagh, Seibel, Spence, Stabler, Wright, Zimmerman, Mr. Speaker Hering — 21.

NAYS — Benson, Berndt, Boulden, Burton, Dodge, Gray, Harrington, Heckert, Kirk, Lesher, Quillen, Rawlins, Sebrell, Stansky, Unruh — 15.

NOT VOTING — McMahon, Orth — 2.

ABSENT — Phillips — 1.

SB 67 having received a constitutional majority was declared passed by the House.

House recessed at 6:25 P.M. to call of the chair.

The Speaker called the House to order at 1:50 P.M. Mr. Stabler moved to adjourn thereby ending the 21st Legislative Day.

22ND LEGISLATIVE DAY

The House convened at 1:51 P.M., on Wednesday, April 23, 1969.

Prayer by the Chaplain Reverend George Higgins, Dover.

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

Roll Call revealed 38 members present, 1 absent.

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

Absent: Phillips — 1.

Minutes of the previous legislative day were approved as posted.

The Senate informed the House that it had passed **SB 30** and **SB 165** and requested concurrence of the House; and **HB 88** with **HA 1** and **HA 2** and **HB 90** with **HA 1** and **HA 2** and returning same to the House.

Committee Report: Health & Welfare: **HS 1** for **HB 96**, 3 on merits, 1 favorable.

The following prefiled bills were introduced:

HB 184 — An Act to exempt busses operated on a non-profit basis by religious organizations from motor vehicle registration fees. Introduced by Rep. Kirk. Referred to the Committee on Highways and Public Safety.

HB 185 — An Act to amend Section 1607, Title 17, Delaware Code, relating to the use of services and supplies of the State Communications Division by authorizing the Delaware Society for the Prevention of Cruelty to Animals to use the services and supplies of the division. Introduced by Rep. duPont. Referred to the Committee on Revised Statutes.

HB 186 — An Act to amend an Act being Chapter 166, Volume 43, Laws of Delaware, as amended, entitled "An Act amending, revising, and consolidating the Charter of the Town of Georgetown" to provide for the disposition of excess funds of construction. Introduced by Rep. Burton. Referred to the Committee on Government Operations.

HB 187 — An Act making appropriations for the expense of the State Government for the Fiscal Year ending June 30, 1970. Introduced by Rep. Lesher. Referred to the Committee on Appropriations.

Mr. Lesher made the following remarks with reference to **HB 187:**

The budget as presented in House Bill No. 187 proposes fiscal 1970 expenditures of slightly less than $197 million.

This figure represents an increase of approximately $6¼ million over the budget recommended by Governor Terry. What does this reflect?

The Committee found there were significant omissions in Governor Terry's budget. One which cannot be ignored is an increase of more than $1,800,000 required for bond redemption and interest on the State debt.

The 124th General Assembly voted into law the Educational Advancement Act. No funds for its implementation were included in Governor Terry's budget. The Committee added $1,140,000 to the public school budget to carry out this important program.

The Terry budget oevrlooked a portion of the amount required for Medicaid services rendered to the indigent sick by the hospitals of the State. To meet this urgent need it was required that we add $550,000.

The Terry budget also omitted portions of key executive salaries required under Senate Bill 339, passed by the 124th General Assembly and signed into law by Governor Terry. To meet this legal requirement we had to add $90,000.

The total of just these four ommissions from the Terry budget is $3.5 million, well over half of the $6.25 million increase.

The Committee recognized the great pressures placed on the higher educational institutions of the State and added almost $1.25 million to keep up with the accelerated demand in this area.

To continue needed programs in the broad area of health and well-being of our citizens we found it necessary to add almost ¾ of a million dollars, incuding $187,000 to cover public health services for the City of Wilmington.

To comply with our previously stated commitments in the field of correction and rehabilitation, $330,000 has been added.

Since cars have become an integral part of our mode of living, highways take an increasing expenditure by the State. Approximately $400,000 has been added.

To support and strengthen our police program we added about a quarter of a million dollars.

Herbert A. Lesher
Chairman, Joint Finance Committee

April 23, 1969

House recessed at 1:05 P.M.

JOINT SESSION IN THE SENATE CHAMBER

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

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

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

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

The President appointed the following committee to escort the Governor to the Senate Chamber: Representatives Quillen and Harrington; Senators Holloway and Isaacs.

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

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

Last month I appeared before a Joint Session of the General Assembly to present the programs vitally needed in the State of Delaware.

I come before you today to discuss the revenue structure we will need to pay for these programs, not only for next year but over the next decade.

Delaware is on a collision course with financial disaster. Today, I propose that we change that course.

First, let's look at where we are fiscally and how we got here.

We are in trouble. In the year ending June 30, we will spend about $12 million more than we're taking in. The budget proposed by Governor Terry for next year continues this deficit financing and calls for spending about $15.5 million more than we would collect.

As we well know, that budget was unrealistic. It did not include funds for implementing the equalization program required by the Educational Advancement Act, for summer youth employment and for the day care program. The budget did not include sufficient funds to pay the full costs of the normal growth in student population, debt service, the increased costs of starting a new vo-tech high school in New Castle County and the summer recreation program. These omissions total approximately $4 million.

In addition, we must plan for the usual supplemental appropriations that are passed during the 12 months after the budget bill is approved. Last year they totalled $7 million and this current year (fiscal 1969) will probably reach $10 million.

It is my estimate that with a similar level of supplemental appropriations, the General Fund expenditures during fiscal 1970 will total $210 million.

Since we would take in only $180 million from present sources of revenue, we would be spending $30 million more than our income.

DWINDLING CASH BALANCES

The pattern of spending more than is taken in, has over the years shrunk the state's cash balances millions of dollars. On June 30, 1967, the cash balance had swelled to $27 million because of unusual income from inheritance taxes. In only three years, Delaware will have wiped out that balance and ended up deep in the red. (See Chart 1)

That is the legacy of four years of gambling with the fiscal future of the state. The gamblers have lost their bet. And now you and I must pay for it.

Benjamin Franklin, who died 179 years ago, said that "If you know how to spend less than you get you have the philosopher's stone."

Delaware does not have the philosopher's stone. Indeed, we have burdened ourselves with a fiscal millstone.

THE TUNNELL COMMITTEE

Anyone who doubts that this state faces a fiscal crisis has to go no further than the detailed report issued recently by the 15-member committee to investigate Delaware state finances.

This Committee, headed by Robert W. Tunnell, was created during Governor Terry's administration. The Resolution that authorized formation of the Committee contained this especially significant sentence.

"It is apparent that the state will face a fiscal crisis within the next few years if present trends continue, and the Governor himself has said the next administration will have to raise taxes."

STATE OF DELAWARE

GENERAL FUND CASH BALANCE AS OF JUNE 30

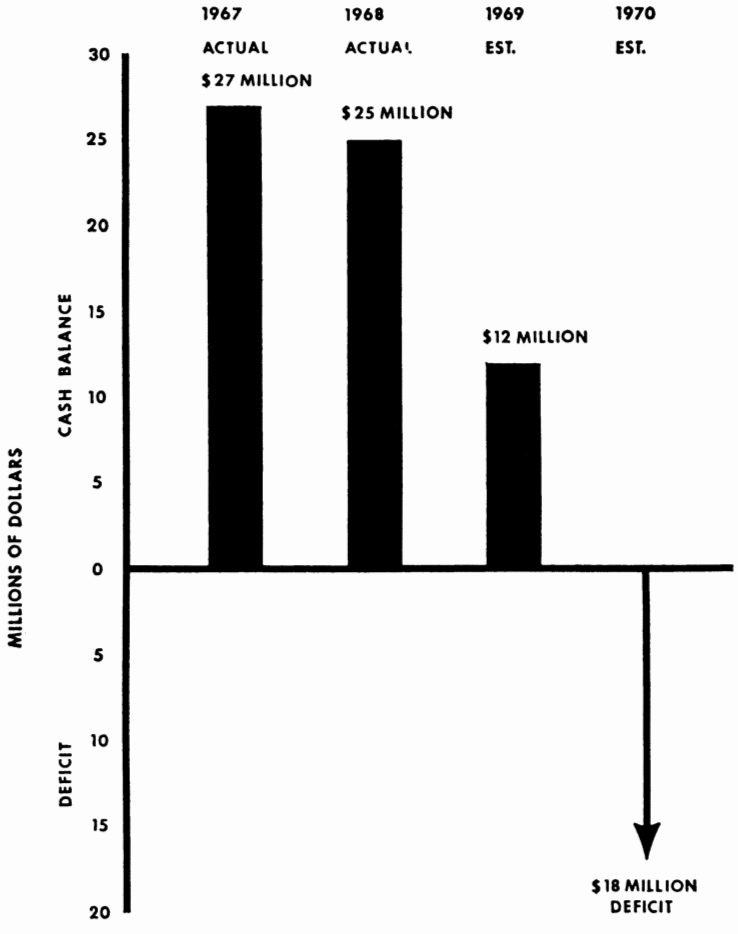

CHART 1

The Tunnell Committee states that Delaware's fiscal problem "Stems from a combination of economic and population growth improved public services, and inflation coupled with an imbalanced tax system developed over time on the basis of political expediency and fiscal timidity."

Now what that means is the state worked itself into a financial hole by ignoring its money problems and then didn't have the guts to raise taxes enough to get out. And we are left holding the bag.

SOARING DEBT

Meanwhile, Delaware's long-term state and local debt per capita is the highest in the nation and more than twice the national average.

Nothing has been done to stop this trend. The cost of paying off those bonds and interest has climbed each year. It cost us 17 per cent of our total state revenue three years ago, 18 per cent the next year, 19 per cent last year, and now it's up to 20 per cent.

One out of every five dollars you send to Dover goes toward paying off that debt.

Only last week, agencies requested $43 million for the May Bond Sale — Double the amount anticipated in Governor Terry's Budget. That will add another $2 million in debt service to the fiscal 1970 budget.

A LOOK AHEAD

Where are we headed?

The Tunnell Committee estimates that by 1973 the state will be spending $50 million more than it's taking in, and that the deficit will jump to $162 million by 1977-78 — unless we do something to change it.

No objective appraisal of Delaware's fiscal situation can fail to conclude that there is an overwhelming need for more revenue and for a tax structure capable of supporting the demands placed upon it.

What are these needs? They fall into five general areas that account for most of our budget — 56 per cent for improving education, 13 per cent for Building better highways, 11 per cent for improving health services, 7 per cent for protecting people, and 4 per cent for helping people in need. (See Chart 2)

EDUCATION TOP PRIORITY

Education is first because it is most important. Today we are spending $110 million for education.

That is as it should be. There is no better investment for the future than dollars that are spent wisely and effectively for education. We can perform no greater disservice to our children and to ourselves than to short-change our educational programs.

All of us as parents want the best education for our children, whether that is an academic education or a vocational one. We want them to be properly launched in those first critical five years of their lives and then go on to adulthood with the best training they can get.

STATE OF DELAWARE

GENERAL FUND ESTIMATED DISBURSEMENTS 1970

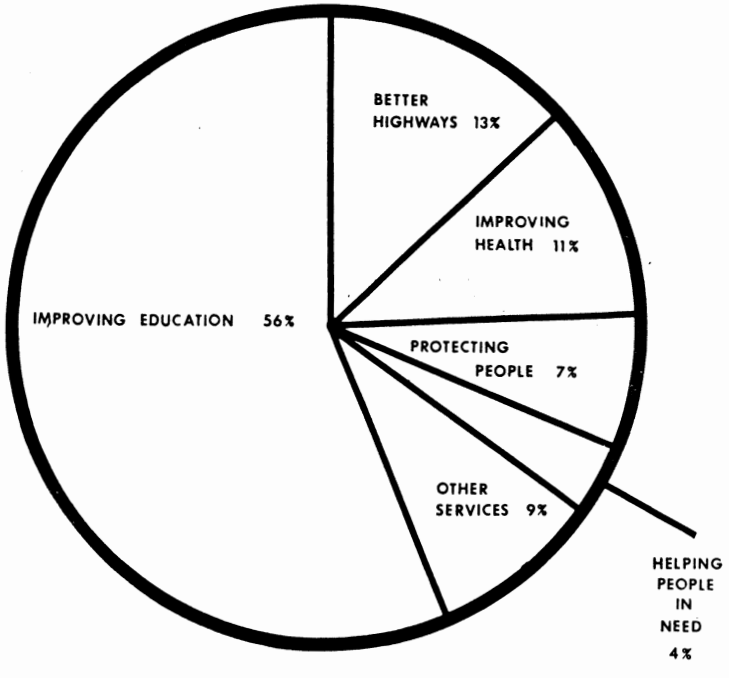

CHART 2

We want good schools and dedicated teachers from kindergarten through graduate school. When our children graduate from high school, we want them to be ready for college or other post-high school education. And we want adult education courses for those who need it.

Here in Delaware, we are just crossing the threshold in many of these areas such as kindergartens, the Delaware Technical and Community College, and the new Vocational-Technical High School in New Castle County.

Four-year colleges are facing a period of the most rapid growth in their history. The university of Delaware expects its student enrollment to reach 15,000 by 1976, double what it is today.

Delaware State College has an excellent physical plant but its potential has been stunted for years by inadequate funds. We have much catching-up to do there.

PROTECTING PEOPLE

And so it is with our other needs. The people of this state must be protected from crime and violence. Why in heaven's name should citizens of any civilized nation have to fear to walk the streets?

We need more and better-trained police, and we need programs to get at the causes of crime and violence so that we can reduce the crime rate.

Our health facilities must be such that any of us who is unfortunate enough to fall ill can get good treatment, promptly.

Our highways must be good enough so that we don't waste our valuable time in traffic jams. We also must stop the senseless slaughter by motor vehicle.

And we must help people who are genuinely in need — the handicapped, the blind, the aged, the fatherless children. We must weed out those who would abuse our concern for the needy. Our present system does neither of these things effectively.

We need more effort to bring more and better jobs to Delaware, so that our economy and our people can prosper.

These are all elements of the quality life. Again, we can't do everything at once. Problems created over the years cannot be solved overnight. But we can get started, and we can make this a model state.

The Tunnell Committee has made specific recommendations as to how Delaware can regain its financial health. It has proposed a broad-based 2 per cent sales tax, elimination of the scope and coverage of the corporation franchise tax.

"WAR ON WASTE"

The Committee also states that the citizens of Delaware "should be under no illusion that efficiency and economy will alone resolve the immediate and long-range fiscal prablems."

I agree, but I must add this. In these days of rising costs and climbing interest rates and shrinking purchasing power of dollars, the people of this state will not long tolerate any public official who gives only lip service to the concept of economy in government.

There is a tendency to waste, to duplication, to inefficiency in government. To cope with it requires constant vigilance, constant effort. This administration pledges itself to action on economy.

Already underway is a "War on Waste" being waged by the Governor's Economy Committee. Thirty experienced, trained and top-flight people from business and industry are taking a hard look at the operations of this government. Their recommendations, due by the end of August, will be implemented.

This study, which is not costing the taxpayer a dime, is going to save us millions of dollars.

Just last week I ordered a job-hiring freeze in an effort to reverse the trend of increasing payrolls and increasing costs to the taxpayers.

Until we can make sure that all our employees are needed, and until we make sure that all the people we have are doing a full day's work for a full day's pay, we cannot in good conscience add more people to the payroll. More than half of all our tax dollars are spent to pay salaries, wages and other personnel costs.

At the same time, however, we must see that those employees who are needed and are doing a good job receive the financial rewards they deserve.

In the past four years, the number of state employees has increased by 40 per cent. Our "War on Waste," the drive for efficiency in government, will be directed toward making better use of the people we have on the payroll.

REORGANIZATION FOR EFFICIENCY

Another administration program, which you have just approved, calls for reorganization of the executive branch, the consolidation of more than 100 Commissions and Agencies into approximately a dozen Cabinet positions.

This will, in the long run, save money and improve services to the taxpayers.

Legislation already has been introduced, and more is being prepared, to plug loop-holes in our tax laws. No one likes taxes, but everyone who is supposed to be paying them is going to pay them.

In the same vein, we are going to tighten up the administration of our tax department. It needs a major overhaul. We must have stronger enforcement. A 1965 report revealed what is termed "fundamental weaknessess" that are preventing the state from getting hundreds of thousands of dollars in additional revenue.

These are some of the things that we should and will do.

But above all, there must be a realization by all public officials and employees that their obligation to save money is as strong, if not stronger, than their obligation to spend money. Public officials should be rewarded for reducing the number of employees, not for increasing them.

There is no alternative if Delaware is to return to fiscal sanity.

But when all is said and done, I agree with the Tunnell Committee that we still need more revenue.

HOW MUCH? WHERE WILL IT COME FROM?

As I stated earlier, my estimate for General Fund expenditures in fiscal 1970 is $210 million, and the total income from existing taxes is $180 million. That means we would be spending $30 million more than our revenue. At the same time, we expect to start July 1, 1969, with a cash balance of $12 million. Thus on June 30, 1970, we would be $18 million in the hole.

I propose a new revenue program which will bring in $19.8 million in additional revenue in fiscal 1970. This will reduce our cash balance at the end of fiscal 1970 to $1.8 million.

My revenue proposals will bring in sufficient revenue in the next year, fiscal 1971, to balance income and outgo.

Today our major sources of revenue are personal income tax from which we receive 40 per cent of our revenue; business taxes, 22 per cent; road user taxes, 16 per cent; and peasure taxes, 10 per cent of our revenue. (See Chart 3)

I recommend that we not touch personal income and road user taxes, but that we increase business taxes by $17 fillion, and peasure taxes by $2.8 million. Thus, approximately 85 per cent of the new taxes will come from business.

REVENUE PROPOSAL

To obtain the $19.8 million, I propose the following changes:

	Fiscal 1970 Additional Revenue Yield Millions of Dollars
BUSINESS TAXES	
1. Incude in the corporate income law the requirement that the intercorporate dividends, interest income and capital gains be treated as income, as under federal law, but at the current Delaware rate of 5 per cent.	$ 3.4
2. Adjust service fees charged by the corporation department of the Secretary of States' office, and raise each corporations franchise tax $15.	$ 4.5
3. Increase the existing mercantile license fee as follows: Merchants and Branch stores from 1/7 of 1 per cent of their gross purchase to 1 1/8 per cent of gross purchases. We also propose to add liquor stores to this category. Contractors' license fee from 1/10 of 1 per cent on the first $100,000 of gross receipts and 1/20 of 1 per cent on the remainder, to 5/8 of 1 per cent on total gross receipts.	

	Manufacturer's license fee from 1/40 of 1 per cent of gross receipts to 1/4 of 1 per cent of gross receipts. Business and occupational licenses to twice existing rates.	
	Sub-total	$ 9.1
4.	Increase cigarette taxes from 7 cents per package to 10 cents. Delaware cigarette taxes still will be less than those of Pennsylvania, at 13 cents per package and New Jersey, at 14 cents per package. Also apply a 30 per cent tax on the wholesale value of all other tobacco products.	$ 2.8
	TOTAL	$19.8

This will change our tax revenue sources as follows: personal income, 36 per cent of revenue; business, 29 per cent; road user, 15 per cent; and pleasure, 10 per cent of revenue. (See Chart 4)

This new structure provides a better balance between personal income taxes and business taxes. Furthermore, it utilizes existing taxes for which we have the collection machinery and administrative experience.

The changes in the corporate tax structure will not jeopardize Delaware's favorable corporate climate. We have consulted at length with many of the people who are deeply involved in this area. They believe the proposed revision in fees does not involve any substantial risk of curbing our growth in new corporation business.

"NO SALES TAX"

The Tunnell Committee recommended a sales tax. This is undesirable because it would eliminate our competitive position in retail sales relative to neighboring states. It would require a new and costly collection system and would be a prime irritant to all of us.

IT IS IMPORTANT TO DELAWARE THAT WE REMAIN A NO-SALES-TAX STATE. Significantly, 96 per cent of the increased revenue I propose is based on existing taxes. The other 4 per cent comes from a tax on tobacco products, now tax-free.

As we plan state finances for the next 5 to 10 years, it is necessary to recognize three important factors:

1. Population increased at a rate of 3.1 per cent per year between 1960-67. Strong indications are that this will continue.

2. Inflation continues to plague us and has amounted to over 4 per cent a year in recent years, and this rate is expected to continue.

3. New and improved services are constantly being demanded.

STATE OF DELAWARE

GENERAL FUND REVENUE 1970 WITH EXISTING TAXES

($180 MILLION)

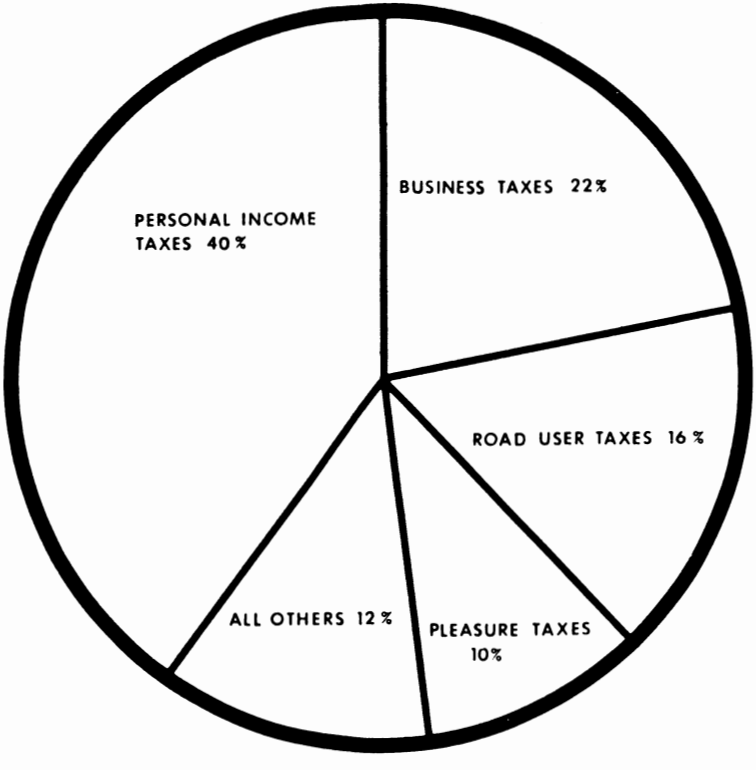

CHART 3

Just allowing for population and inflation growth alone, with no improvements or new programs, the state would in five years require $259 million, or $42 million more than we would collect in that year from our current taxes.

A modest improvement in services of 3 per cent per year would raise the projected expenditures in the fifth year to $277 million.

STATE OF DELAWARE

GENERAL FUND REVENUE 1970 WITH PROPOSED TAXES

($200 MILLION)

CHART 4

REVENUE GROWTH

My revenue program, coupled with the growth in the economy, will provide us with the necessary funds to balance the budget over the next five years, and possibly 10 years.

By fiscal 1974, for example, I estimate that the General Fund revenue will grow to approximately $280 million of which $35 million will result from the modification I suggest today.

Now, let's look at the state's capital improvement program. Here, we are in trouble also, although Governor Terry submitted a forward-looking capital improvement program covering the next six years.

That program calls for appropriations of $342.8 million. But with our current level of taxes, and the statutory limit on authorized debt, the maximum dollars available over the next six years would be only $208.4 million.

CAPITAL NEEDS

Governor Terry in his capital improvement program report, dated January 15, 1969, stated that the $208.4 million available under the current limitations "will be totally inadequate to accomodate the requests of the state agencies and will not provide for any additional new programs which may be initiated. The State Planning office is of the opinion that a combination of tax increases and the freezing of the debt ratio factor . . . will serve as a solution to the capital improvement needs of the State of Delaware."

With my proposed increase in taxes, and by stabilizing the debt ratio limit at 2.8, we can accomplish that objective.

Earlier in this message I mentioned the rapid rise in recent years in our Debt Service. I want to stabilize our Debt Service at its current level of 20 per cent of our General Fund disbursements. I further suggest that we pay capital items up to $25,000 and all repairs and maintenance projects out of current revenue rather than through the sales of 20-year bonds, as we have been doing.

In addition, I recommend that all income from inheritance and estate taxes in excess of $3 million annually be used for capital improvements, not for operating expenses.

I also believe we should start funding the employees' pension plan by using a substantial portion of the duPont divestiture funds. Failure to provide for financing pensions is another example of the negligence of past administrations.

This, then, is the new course I propose. It is a sensible one that will put Delaware on the road to fiscal integrity.

I could, of course, do nothing. We could continue to drift deeper into the sea of red ink and apathy.

But that the people of Delaware do not want. That I will not allow. This will not be a "care-taker" administration. The people want action, progress and results.

At the same time, I make this promise to you members of the General Assembly, and to the people of Delaware.

If this revenue proposal is adopted, I will not be back here asking for increased revenue during the remainder of my term in office.

I pledge also a continuing war against waste and inefficiency.

Again I say, Delaware can be truly a model state. To this goal, we must all commit our efforts.

The previously named committee escorted the Governor from the Chamber.

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

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

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

The House reconvened at 2:15 P.M.

Committee Report: Revenue and Taxation: **HJR 5**, 4 favorable, 1 on merits.

The Senate informed the House that it had passed **SB 188**, **SB 84**, **SCR 7** and requested concurrence of the House; and **HB 168** returning same to the House.

The following prefiled bills were introduced:

HB 188 — An Act to abolish the Orphans' Court; to transfer its jurisdiction over adoptions and terminations of parental rights to the Superior Court; to transfer its jurisdiction over all other cases to the Court of Chancery; and to abolish the office of Clerk of the Orphans' Court. Introduced by Rep. Burt. Referred to the Committee on Juidciary.

HB 189 — An Act relating to the prosecution of children as adults. Introduced by Rep. Burt. Referred to the Committee on Judiciary.

HB 190 — An Act to amend Chapter 288, Volume 56, Laws of Delaware, relating to a rate of interest not in excess of 8 per cent per annum and to delete Section 3 thereof. Introduced by Rep. Little. Referred to the Committee on Financial Institutions.

HA 1 to **HB 153** — Introduced by Rep. Blendt. Placed with bill.

HA 1 to **SB 112** — Introduced by Rep. Benson. Placed with bill.

SB 30 — An Act making a supplementary appropriation to the Secretary of Transportation for certain initial capital requirements for and on behalf of the Greater Wilmington Transportation Authority. Introduced by Senator Castle. Referred to the Committee on Appropriations.

SB 165 — An Act to amend Chapter 13, Title 14, Delaware Code, entitled "Education", by providing for a duty free period near the lunch time. Introduced by Senator Slawik. Referred to the Committee on Education.

Committee Reports: Natural Resources: **HB 182**, 5 favorable, **SB 161**, 3 favorable, 2 on merits.

On motion of Rep. Little **HB 162** was stricken.

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

SB 97 — An Act to amend Title 21, §4176 of the Delaware Code by adding the phrase "or has in actual physical control" following the word "Drives;" by including within under the influence, the combination of liquor and drugs; and by adding thereto the meaning of prior offenses. Introduced by Senator Castle.

On motion of Rep. Murphy Roll Call on **SB 97** was tabled.

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

HS 1 for **HB 121** with **HA 1** — An Act giving minors who have attained the age of 19 years the capacity to contract.

On motion of Mr. Little **HA 1** to **HS 1** for **HB 121** was adopted by voice vote.

Roll Call on **HS 1** for **HB 121** with **HA 1** revealed:

YEAS — Berndt, Billingsley, Burt, Burton, Butcher, Dillman, duPont, Fonville, Frederick, Goldfeder, Gray, Hearn, Jarvis, Kirk, Lesher, Little, McMahon, Murphy, Quillen, Rawlins, Riddagh, Seibel, Spence, Stabler, Stansky, Wright, Zimmerman — 27.

NAYS — Benson, Dodge, Harrington, Heckert, Mears, Moerschel, Sebrell, Unruh — 8.

NOT VOTING — Boulden, Orth, Mr. Speaker Hering — 3.

ABSENT — Phillips — 1.

HS 1 for **HB 121** with **HA 1** having received a constitutional majority was declared passed by the House.

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

HB 123 — An Act giving minors over the age of 19 years the power to own a motor vehicle.

Roll Call revealed:

YEAS — Billingsley, Boulden, Burt, Burton, Butcher, Dillman, duPont, Fonville, Frederick, Goldfeder, Gray, Hearn, Jarvis, Kirk, Lesher, Little, McMahon, Murphy, Quillen, Rawlins, Riddagh, Seibel, Spence, Stabler, Stansky, Wright, Zimmerman — 27.

NAYS — Benson, Berndt, Dodge, Harrington, Heckert, Mears, Moerschel, Orth, Sebrell, Unruh — 10.

NOT VOTING — Mr. Speaker Hering — 1.

ABSENT — Phillips — 1.

HB 123 having received a constitutional majority was declared passed by the House.

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

HB 146 — An Act to amend the Educational Advancement Act relating to matching funds.

Roll Call revealed:

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

NOT VOTING — Butcher, Fonville — 2.

ABSENT — Phillips, Stansky — 2.

HB 146 having received a constitutional majority was declare d passed by the House.

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

HB 93 — An Act relating to blind persons and "seeing eye dogs" and prescribing penalties for violation thereof.

Roll Call revealed:

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

ABSENT — Phillips — 1.

HB 93 having received a constitutional majority was declared passed by the House.

Mr. Stabler took the chair as Acting Speaker.

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

SB 170 — An Act to amend Section 1, Article VIII of the Constitution of the State of Delaware, relating to the exemption from taxation of real property.

HA 1 to **SB 170** — Introduced by Rep. Hering. Placed with bill. On motion of Mr. Jarvis **SB 170** with **HA 1** was deferred.

Mr. Hering returned to the chair as Speaker.

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

SB 141 — An Act to amend Section 8132, Chapter 81, Subchapter 2, Title 9, Delaware Code, relating to taxation of citizens over sixty-five years of age. Introduced by Senator Hickman.

Roll Call revealed:

YEAS — Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Jarvis, Kirk, Lesher, Little, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 33.

NAYS — Berndt — 1.

NOT VOTING — Benson, duPont — 2.

ABSENT — Heckert, Phillips, Stabler — 3.

SB 141 having received a constitutional majority was declared passed by the House.

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

SCR 4 — Provide for the establishment of a committee of the General Assembly for the purpose of inquiring into complaints relating to state expenditures to private Day Care Centers. Introduced by Senator Isaacs.

HA 1 introduced by Rep. Frederick — tabled. **HA 2** introduced by Rep. Seibel — tabled.

HA 3 introduced by Rep. Seibel — adopted by voice vote.

Roll Call on **SCR 4** with **HA 3** revealed:

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

ABSENT — Phillips — 1.

SCR 4 with **HA 3** having received a constitutional majority was declared adopted.

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

HS 1 for **HB 62** — An Act to amend Section 2702 (a) of Title 14, Delaware Code, by requiring school attendance between the ages of 6 and 16.

Privilege of the floor was granted Dr. Kenneth C. Madden, Superintendent, Department of Public Instruction.

Roll Call revealed:

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

NOT VOTING — Lesher — 1.

ABSENT — Goldfeder, Heckert, Phillips — 3.

HS 1 for **HB 62** having received a constitutional majority was declared passe d by the House.

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

SB 164 — An Act to amend Chapter 283, Volume 52, Laws of Delaware relating to the reincorporation of the Town of Newport by authorizing the appointment of the Town Treasurer, Alderman and Assessor. Introduced by Senator Cicione.

Roll Call revealed:

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

ABSENT — Burton, Goldfeder, Phillips — 3.

SB 164 having received a two-thirds majority was declared passed by the House.

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

HB 165 — An Act to amend Section 2116, Title 31, Delaware Code, relating to the soliciting of donations and the raising of Money for the blind to make said section applicable to Delaware non-profit corporations organized to serve the blind of Delaware.

Roll Call revealed:

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

ABSENT — Burton, Phillips — 2.

HB 165 having received a constitutional majority was declared passed by the House.

On motion of Rep. Murphy roll call on the following bill was lifted from the table:

SB 97 — An Act to amend Title 21, §4176 of the Delaware Code by adding the phrase "or has in actual physical control" following the words "drives;" by including within under the influence, the combination of liquor and drugs; and by adding thereto the meaning of prior offenses. Introduced by Senator Castle.

Roll Call revealed:

YEAS — Benson, Billingsley, Burt, Dillman, duPont, Frederick, Heckert, Kirk, Lesher, Little, Mears, Moerschel, Murphy, Riddagh, Sebrell, Seibel, Spence, Stabler, Unruh, Mr. Speaker Hering — 20.

NAYS — Berndt, Boulden, Burton, Butcher, Dodge, Fonville, Goldfeder, Harrington, Hearn, McMahon, Orth, Quillen, Wright, Zimmerman — 14.

NOT VOTING — Gray, Jarvis, Rawlins, Stansky — 4.

ABSENT — Phillips — 1.

SB 97 having received a constitutional majority was declared passed by the House.

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

SB 112 — An Act to amend Section 710, Chapter 7, Title 17, Delaware Code, relating to safety devices at railroad crossings over highways. Introduced by Senator Hart.

Privilege of the floor was granted Mr. Ernest Davidson, Director of Operations, State Highway Department to answer questions on **SB 112**.

HA 1 to **SB 112** introduced by Rep. Benson. **HA 1** to **SB 112** was tabled by roll call vote as follows:

YEAS — Berndt, Billingsley, Burton, Butcher, Dillman, Fonville, Goldfeder, Harrington, Hearn, Jarvis, Kirk, Lesher, Little, Mears, Murphy, Riddagh, Seibel, Stansky, Wright, Zimmerman, Mr. Speaker Hering — 21.

NAYS — Benson, Dodge, duPont, Frederick, Heckert, Quillen, Rawlins, Sebrell, Unruh — 9.

NOT VOTING — Boulden, Burt, Gray, Moerschel, Stabler — 5.

ABSENT — McMahon, Orth, Phillips, Spence — 4.

HA 1 to **SB 112** was declared tabled.

Roll Call on **SB 112** revealed:

YEAS — Berndt, Billingsley, Burton, Butcher, Dillman, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Jarvis, Kirk, Lesher, Little, Mears, Moerschel, Murphy, Rawlins, Riddagh, Seibel, Stansky, Wright, Zimmerman, Mr. Speaker Hering — 25.

NAYS — Benson, Dodge, duPont, Quillen, Sebrell — 5.

NOT VOTING — Boulden, Burt, Heckert, Stabler, Unruh — 5.

ABSENT — McMahon, Orth, Phillips, Spence — 4.

SB 112 having received a constitutional majority was declared passed by the House.

House recessed at 4:37 P.M., reconvened at 5:17 P.M.

Committee Reports: Financial Institutions: **HB 109**, 1 favorable, 5 on merits; Education: **SB 210**, 2 favorable, 3 on merits; **SB 172**, 3 on merits, 1 unfavorable.

The following prefiled bills were introduced:

HB 191 — An Act to amend Title 8 of the Delaware Code relating to corporations by revising the schedule of filing and indexing fees, filing taxes, franchise taxes and other charges paid to the Secretary of State. Introduced by Rep. Billingsley. Referred to the Committee on Revenue and Taxation.

HB 192 — An Act to raise the limit upon the sum of money which the respective Levy Courts or County Council may appropriate annually to fire companies for ambulances and rescue service. Introduced by Rep. Dodge. Referred to the Committee on Government Operations.

HB 193 — An Act relating to the termination date of a legal rate of interest not in excess of 8 per cent per annum. Introduced by Rep. Hearn. Referred to the Committee on Financial Institutions.

HB 194 — An Act to permit the Board of School Trustees of Marshallton School District No. 77 to transfer certain funds from its Local Debt Service Account to its Minor Capital Improvements Program. Introduced by Rep. Frederick. Referred to the Committee on Education.

HB 195 — An Act making a supplemental appropriation to the Delaware State Development Department for the Opportunities Industrialization Center, Incorporated, for the purpose of training the unskilled labor force of Delaware. Introduced by Rep. Little. Referred to the Committee on Commerce & Labor.

HB 196 — An Act to amend Title 9, Delaware Code entitled counties to permit elected officeholders to employ and set the salary of a Chief Deputy in the several couny offices in New Castle County. Introduced by Rep. Murphy. Referred to the Committee on Revised Statutes.

HB 197 — An Act to amend Title 30 of the Delaware Code relating to State Taxes to increase the rates of certain taxes, to include additional subject matter for taxation and to include certain additional persons or operations subject to licensing requirements and taxation, and providing for administration and enforcement, by amending certain provisions of Chapter 19 relating to corporation income taxes, Chapter 21 relating to general provisions, Chapter 23 relating to occupational licenses, Chapter 25 relating to contractors' license, Chapter 27 relating to manufacturers' license tax, Chapter 29 relating to merchants' license tax, Chapter 53 relating to cigarette and tobacco produce taxes and broadening certain criminal violations related to the enforcement of such taxes. Introduced by Rep. Jarvis. Referred to the Committee on Revenue and Taxation.

HA 1 to SB 26 — Introduced by Rep. Orth. Placed with bill.

HA 2 to SB 172 — Introduced by Rep. Heckert. Placed with bill.

HCR 6 — Appropriating money out of the General Fund of the State Treasury to pay certain expenses of the Joint Finance Committee of the First Session of the 125th General Assembly. Introduced by Rep. Lesher, Adopted by voice vote.

SB 84 — An Act to amend Chapter 81, Title 9, Delaware Code, relating to the limitations upon taxing power, by exempting lands and improvements of the University Drama Group, Inc. from assessment and taxation. Introduced by Senator Hale. Referred to the Committee on Revenue and Taxation.

SB 188 — An Act to amend Chapter 17, Title 7, Delaware Code, relating to the regulation of dogs running at large. Introduced by Senator Cook. Referred to the Committee on Natural Resources.

SCR 7 — Relative to the State Highway Department delaying further action on the Frederica to Camden by-pass. Introduced by Senator Foltz. Referred to the Committee on Highways and Public Safety.

House recessed at 5:30 P.M. Reconvened at 5:42 P.M.

Committee Reports: Revenue and Taxation: **HB 191**, 2 favorable, 2 on merits; **HB 197**, 2 favorable, 2 on merits; Appropriations: **HB 187**, 4 favorable.

House recessed at 5:48 P.M. to call of the chair.

The Speaker called the House to order at 3:04 P.M. Mr. Stabler moved to adjourn thereby ending the 22nd Legislative Day.

23RD LEGISLATIVE DAY

The House convened at 3:05 P.M., on Thursday, April 24, 1969.

Prayer by the Chaplain Reverend George Higgins, Dover.

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

Roll Call revealed 38 members present, 1 absent.

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

Absent: Phillips — 1.

The Minutes of the previous legislative day were approved as posted.

The Senate informed the House it had passed **SB 151**, **SB 128** with **SA 2** and **HA 1** and **HA 2** and requested concurrence of the House.

Committee Reports: Judiciary: **HB 61**, 3 favorable, 1 on merits; **HB 66**, 1 favorable, 3 on merits; **HB 161**, 4 favorable; **HB 175**, 2 favorable, 2 on merits; **HB 180**, 4 faovrable.

The following prefiled bills were introduced:

HB 198 — An Act authorizing the Board of Education of the Claymont Special School District to expend bond proceeds for the construction of an elementary school .Introduced by Reps. Heckert and Lesher. Referred to the Committee on Education.

HA 3 to SB 172 — Introduced by Rep. Sebrell. Placed with bill.

SA 2 to SB 128 — Introduced by Senator Isaacs.

Rep. Kirk moved for a Roll Call vote on **SB 128** with **HA 1, HA 2** and **SA 2.**

SB 128 with **HA 1, 2,** and **SA 2** — An Act to amend Subchapter II, Chapter 27, Title 21, Delaware Code, by adding a new section providing for a fee for the return of a suspended driver's license. Introduced by Senator Isaacs.

Roll Call revealed:

YEAS — Boulden, Burton, Gray, Harrington, Kirk, Murphy, Rawlins, Stansky, Zimmerman — 9.

NAYS — Benson, Berndt, Billingsley, Burt, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Hearn, Heckert, Jarvis, Lesher, Little, McMahon, Mears, Moerschel, Orth, Quillen, Riddagh, Sebrell, Seibel, Spence, Stabler, Unruh, Wright, Mr. Speaker Hering — 29.

ABSENT — Phillips — 1.

SB 128 with **HA 1, HA 2** and **SA 2** not having received a constitutional majority was declared lost.

SB 151 — An Act to amend Section 4974, Title 10, Delaware Code relating to place for public sale of real estate. Introduced by Senator Castle. Referred to the Committee on Judiciary.

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

HB 109 — An Act to amend Chapter 288, Volume 56, Laws of Delaware, relating to a rate of interest not in excess of 8 per cent per annum and to delete Section 3 thereof.

Roll Call revealed:

YEAS — Benson, Berndt, Burt, Burton, Dillman, Dodge, duPont Goldfeder, Heckert, Lesher, Little, Moerschel, Murphy, Quillen, Riddagh, Sebrell, Seibel, Spence, Stabler, Unruh, Mr. Speaker Hering — 21.

NAYS — Boulden, Butcher, Fonville, Gray, Harrington, Hearn, McMahon, Mears, Orth, Rawlins, Stansky, Wright, Zimmerman — 13.

NOT VOTING — Billingsley — 1.

ABSENT — Frederick, Jarvis, Kirk, Phillips — 4.

HB 190 having received a constitutional majority was declared passed by the House.

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

HB 167 — An Act to amend Title 19, Delaware Code, pertaining to employment practices.

Mr. Robert J. Riley, Vice President of the Atlas Chemical Industries in Wilmington was granted privilege of the floor to answer questions on the bill.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Goldfeder, Gray, Harrington, Hearn, Heckert, Lesher, Little, McMahon,

Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 35.

ABSENT — Frederick, Jarvis, Kirk, Phillips — 4.

HB 167 having received a constitutional majority was declared passed by the House.

Mr. Stabler requested privilege of the floor to speak on passage of **HB 190** and **HB 167**, reference being made to the minority party's (with exception of one) not supporting these bills.

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

HJR 5 — Requiring all state agencies and departments to receive reimbursement for the full cost of goods and services provided.

Roll Call revealed:

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

ABSENT — Frederick, Jarvis, Kirk, Phillips — 4.

HJR 5 having received a constitutional majority was declared adopted.

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

HB 182 — An Act to amend Section 502, Title 7, Delaware Code relating to exceptions to requirements for license to hunt, trap and fish.

Roll Call revealed:

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

ABSENT — Frederick, Jarvis, Kirk, Phillips — 4.

HB 182 having received a constitutional majority was declared passed by the House.

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

SB 210 — An Act to amend Section 1067, Title 14, Delaware Code, relating to elections for the Board of Education in the Milford Special School District. Introduced by Senator Grier.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Goldfeder,

Gray, Harrington, Hearn, Heckert, Lesher, Little, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 35.

ABSENT — Frederick, Jarvis, Kirk, Phillips — 4.

SB 210 having received a constitutional majority was declared passed by the House.

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

HB 191 — An Act to amend Title 8 of the Delaware Code relating to corporations by revising the schedule of filing and indexing fees, filing taxes, franchise taxes and other charges paid to the Secretary of State.

Privilege of the floor was granted Walter Stapleton, Esq., of Morris, Nichols, Tunnell and Arsht to explain the bill.

On further motion of Rep. Billingsley, roll call on **HB 191** was tabled.

House recessed at 4:29 P.M., and reconvened at 5:10 P.M.

Committee Report: Natural Resources: **SB 64**, 5 on merits.

Privilege of the floor was granted the following for discussion on **HB 197**: Messrs. I. G. Burton, Anthony Urcimarso, Clarence F. Schwartb, Norman Salus and Sidney Rothstein.

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

SB 172 with **HA 1, 2 and 3** — An Act to amend Chapter 10, Title 14, Delaware Code, relating to the adjusted tax rate of reorganized school districts. Introduced by Senator Manning.

On motion of Rep. Sebrell, **HA 3** was stricken. On motion of Rep. Heckert, **HA 2** was stricken. On motion of Rep. Frederick, **HA 1** was stricken. Roll Call on **SB 172** with **HA 4** revealed:

YEAS — Benson, Berndt, Boulden, Burt, Butcher, Dillman, Dodge, Fonville, Frederick, Goldfeder, Heckert, Jarvis, Kirk, Lesher, McMahon, Mears, Murphy, Orth, Rawlins, Sebrell, Seibel, Spence, Stabler, Stansky, Wright, Zimmerman, Mr. Speaker Hering — 27.

NOT VOTING — Billingsley, Burton, duPont, Gray, Harrington, Little, Moerschel, Quillen, Riddagh, Unruh — 10.

ABSENT — Hearn, Phillips — 2.

SB 172 with **HA 4** having received a constitutional majority was declared passed by the House.

Further privilege of the floor was granted the following for discussion on **HB 197**: Messrs. W. Weldin Brittingham, Fred Kelly, Richard Rayne, Bob Ryder, Henry Cannon and Bob Burris.

House recessed at 7:07 P.M.

The Speaker called the House to order at 1:44 P.M. Mr. Stabler moved to adjourn thereby ending the 23rd Legislative Day.

24TH LEGISLATIVE DAY

The House convened at 1:45 P.M., on Tuesday, April 29, 1969.

Prayer by the Chaplain Reverend J. Gordon Stapleton, Milford.

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

Roll Call revealed 37 members present, 2 absent.

Members present: Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Gildfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Lesher, Little, McMahon, Mears, Moerschel, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Mr. Speaker Hering — 37.

Absent: Murphy, Phillips — 2.

In accordance with Rule 33, Mr. Jarvis moved to reconsider **SB 128.**

Motion carried. Mr. Speaker assigned it to Highways and Public Safety Committee. Mr. Stabler moved **SB 128** be placed on the Speaker's Desk. Motion prevailed.

Mr. Gray made a statement relative to his gasoline tax.

Public hearing April 30th relative to **SB 43** and **SB 44.**

Mr. Speaker made announcement of Mr. Burton to Commerce and Labor Committee to replace Mr. Pagano.

Mr. Speaker made announcement of assignment of Mrs. Wright to Public Buildings and Lands and Revenue and Taxation Committees replacing Mr. Zimmerman.

Legislative Advisory No. 8 from the Governor's Office:

TO: Sen. J. Donald Isaacs, sponsor; Sen. Allen J. Cook, sponsor; Sen. Reynolds duPont, sponsor; Sen. Margaret Manning, sponsor; Sen. Louise T. Conner, sponsor; Sen. Everette Hale, sponsor; Sen. Dean C. Steele, sponsor; Sen. Anthony J. Cicione, sponsor; Sen. Frank R. Grier, sponsor; Rep. George T. Hering, III, sponsor; Rep. William L. Frederick, Rep. W. Neal Moerschel, Rep. Joseph R. Murphy, Dr. Kenneth C. Madden, Dr. Henry N. Herndon, Dr. John V. White, Dr. Albert Ingram, Mr. Charles T. Eller, Mr. Ernest O. Davidson, Mr. Chester T. Dickerson, Mr. William G. Saulsbury, Jr., Mr. Peter Peffer, Eugene Bunting, Sec. of State; Richard H. Caldwell, Asst. Sec. of State; Daniel Ross, Treasurer; George W. Cripps, Auditor; Joseph T. Cashman, Rudget Dir.; Christopher L. Perry, Gerald Sa-

pienza, Daniel Enterline, Mrs. Arva Jackson, Clerk of the House, Secretary of the Senate, Legislative Reference Bureau.

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

The Governor signed the following legislation on the indicated date:

SB No. 36 — April 24, 1969 - similar to **SB No. 35.**

SB No. 38 — April 24, 1969 - Similar to **SB Nos. 35** and **36.**

SB No. 55 — April 24, 1699 - Providing real estate tax exemption for the Lamborn Library Association.

SB No. 67 — April 25, 1969 - Creating an open housing law.

SB No. 123 — April 24, 1969 - Allowing a switch of Depart of Mental Health bond money to a needed water supply project at Governor Bacon Health Center.

SB No. 130 — April 16, 1969 - Providing that certain excess Department of Mental Health funds may be used for a heating project at the Delaware State Hospital.

SB No. 132 — April 24, 1969 - Allowing certain excess Department of Mental Health funds to be used on water and heating systems at Stockley.

SB No. 210 — April 24, 1969 - Reducing the number of Milford School Board Members to be elected in 1969 under the Educational Advancement Act from two to one.

HB No. 87 — April 17, 1969 - Providing reimbursement to three fire companies for services rendered during the emergency period of the summer of 1968.

HB No. 9- — April 25, 1969 - Providing a Governor's Task Force to implement reorganization of the executive branch.

HB No. 110 — April 17, 1969 - Amending the charter of the town of Camden to annex addition land.

HB No. 168 as amended by **HA 1** - April 24, 1969 - Appropriating $1,500 to send Delaware's Junior Miss to the National Junior Miss Pageant.

An April 17, 1969, the Governor also approved **SJR No. 1,** directing that a copy of the State Highway Department meeting agenda be forwarded in advance to the members of the General Assembly.

On the indicated date the Governor vetoed the following piece of legislation:

SB No. 94 with **SA 1** — April 25, 1969 - Relating to exemption of Legislative Council employees from the merit system, because of a technical defect.

Committee Report: Government Operations: **HB 177,** 4 favorable, 1 on merits.

Senate informed the House it had passed **SB 149, SB 176, SB 193** with **SA 1** and **2, SB 198** with **SA 1, SB 197** with **SA 1,**

SB 199 with **SA 1**, **SB 195**, **SB 194** with **SA 1**, **SB 196** requesting concurrence of the House; and **HB 11**, **HB 14**, **HS 1** for **HB 36**, **HB 138** with **HA 1**, **HB 20**, **HB 130**, **HB 129**, **HB 112**, **HB 16** and **HCR 6** returning same to the House.

The following prefiled bills were introduced:

HB 199 — An Act to amend Title 10, Delaware Code, by Withdrawing Certain Jurisdiction Relating to Intoxicating Liquors from the Family Court of New Castle County. Introduced by Rep. Spence. Referred to the Committee on Judiciary.

HB 200 — An Act to amend Chapter 17 of Title 24, Delaware Code, Relating to Licensure to Practice Medicine and Surgery, the Termination of Human Pregnancy, and Penalties for Violation of the Said Chapter. Introduced by Rep. Burt. Referred to the Committee on Judiciary.

HB 201 — An Act to Repeal §301 and §302, Title 11, Delaware Code, Relating to Abortion. Introduced by Rep. Burt. Referred to the Committee on Judiciary.

HB 202 — An Act to amend Chapter 49, Title 16, Delaware Code, Relating to the Manufacture, Sale, Use of Central Nervous System Depressant or Stimulant Drugs; Penalties for Violating Thereof. Introduced by Rep. Burt. Referred to the Committee on Judiciary.

HB 203 — An Act to Permit Milton School District No. 8 to Transfer Certain Funds From Its Local Debt Service Account to Its Local Fund No. 80. Introduced by Rep. Dodge. Referred to the Committee on Education.

HB 204 — An Act to amend Chapter 11, Title 30, Delaware Code Relating to State Income Tax and to Provide for an Increase in Personal Exemptions and Credits for Dependents. Introduced by Rep. Harrington. Referred to the Committee on Revenue and Taxation.

HB 205 — An Act to amend Title 21, Delaware Code, Entitled "Motor Vehicles" to Provide for Special Number and Registration Plates for Certain Motor Vehicles of the Fire Departments and Fire Companies of This State. Introduced by Rep. Zimmerman and others. Referred to the Committee on Highways and Public Safety.

HB 206 — An Act Relating to a Pension for James E. Cheffins Former New Castle County and State of Delaware Employee. Introduced by Rep. Dillman. Referred to the Committee on Appropriations.

HB 207 — An Act to Transfer the Payment of Certain Expenses and the Receipt of Certain Fess, Fines and Costs Relating to the Administration of Justice From the Several Counties to the State, and to Provide for Compensation and Pension Benefits for Court Employees Upon Such Transfer. Introduced by Rep. Benson and others. Referred to the Committee on Revised Statutes.

HA 1 to **HB 33** — Introduced by Rep. Spence. Placed wtih bill.

HA 1 to **HB 148** — Introduced by Rep. Spence. Placed wtih bill.

HR 34 — Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 125th General Assembly. Introduced by Rep. Stabler. Adopted by voice vote.

SB 149 — An Act to amend Chapter 41, Title 29, Delaware Code, In Order to Effect Certain Changes in the State Development Department to Add the Responsibility of Promoting Employment Opportunities, to Broaden the Qualifications and Responsibilities of the Director, to Designate Certain Staff Positions, to Require Interagency Cooperation and to Assure That Proper Consideration Be Given to Existing Resources in Instituting New Development Programs. Introduced by Senator Grier. Referred to the Committee on Commerce and Labor.

SB 176 — An Act to amend Chapter 5, Subchapter I, Title 29, Section 501, Delaware Code, Relating to Hunting and Trapping and Fishing License Requirements for Residents of the State of Delaware. Introduced by Senator Isaacs. Referred to the Committee on Natural Resources.

SB 193 with **SA 1** & **SA 2** — An Act to amend Chapter 27, Subchapter III, Title 21, Delaware Code, By Adding A New Section Thereto Relating to Driving During A Period of License Denial and Providing Penalties Therefor. Introduced by Senator Isaacs. Referred to the Committee on Highways and Public Safety.

SB 194 with **SA 1** — An Act to amend Chapter 27, Subchapter IV, Title 21, Section 2702, Delaware Code, Relating to Driver's Licenses and the Classification Thereof. Introduced by Senator Isaacs. Referred to the Committee on Highways and Public Safety.

SB 195 — An Act to Amend Chapter 27, Title 21, Delaware Code, By Providing Penalties for Any Person Driving During the Period of Suspension of His Operator's, Chauffeur's or Taxi Cab Driver's License. Introduced by Senator Isaacs. Referred to the Committee on Highways and Public Safety.

SB 196 — An Act to Amend Chapter 27, Subchapter II, Title 21, Section 2733, Delaware Code, Relating to Discretionary Suspension or Revocation of License and Driving Privileges. Introduced by Senator Isaacs. Referred to the Committee on Highways and Public Safety.

SB 197 with **SA 1** — An Act to Amend Chapter 27, Subchapter II, Title 21, Section 2732, Delaware Code, Relating to Mandatory Revocation of Drivers License and Driving Privi-

leges. Introduced by Senator Isaacs. Referred to the Committee on Highways and Public Safety.

SB 198 with **SA 1** — An Act to Amend Section 2714, Chapter 27, Title 21, Delaware Code, Relating to Fees for Permanent Drivers License, by Increasing the Fee to Twenty-Five Dollars and Imposing a Fee of One Dollar every Four Years for Identification Photographs. Introduced by Senator Isaacs. Referred to the Committee on Highways and Public Safety.

SB 199 with **SA 1** — An Act to Amend Chapter 27, Subchapter IV, Section 2713, Title 21, Delaware Code, Relating to Driver's License by Providing for the Issuance Thereof Every Four Years and the Taking of a Photograph. Introduced by Senator Isaacs. Referred to the Committee on Highways and Public Safety.

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

HB 163 — An Act to Amend Section 4113, Title 14, Delaware Code, Relating to the Disturbing of Public Schools and the Destruction of School Property in Order to Establish a Minimum and Maximum Fine for Said Offense.

Roll Call revealed:

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

ABSENT — Butcher, Fonville, Jarvis, Murphy, Phillips — 5.

HB 163 having received a constitutional majority was declared passed by the House.

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

HS 1 for **HB 96** — An Act to Amend Title 31, Chapter 3, Delaware Code, by Prohibiting the Establishment of Any Child Day Care Center by the Department of Public Welfare if Private Centers Are Avaliable Within 3 Miles of the Proposed Site.

Roll Call revealed:

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

ABSENT — Murphy, Phillips — 2.

HS 1 for **HB 96** having received a constitutional majority was declared passed by the House.

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

SB 64 — An Act to Amend § 934, Title 7, Delaware Code, Pertaining to Shad Fishing. Introduced by Senator Isaacs.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Jarvis, Kirk, Lesher, Little, McMahon, Moerschel, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 34.

NOT VOTING — Hearn, Heckert, Mears — 3.

ABSENT — Murphy, Phillips — 2.

SB 64 having received a constitutional majority was declared passed by the House.

House recessed at 2:28 P.M., reconvened at 3:05 P.M.

The following prefiled bill was introduced:

HB 208 — An Act to Amend Section 4338, Subchapter II, Chapter 43, Title 21, Delaware Code, Relating to Additional Equipment Required on Slow-Moving Vehicles. Introduced by Rep. Spence. Referred to the Committee on Highways and Public Safety.

Committee Reports: Education: **HS 1** for **HB 126**, 5 favorable; **HB 198**, 2 favorable, 3 on merits; Revised Statutes: **HB 196**, 6 on merits; Natural Resources: **SB 188**, 1 favorable, 4 on merits; Commerce and Labor: **HB 195**, 5 on merits; Health and Welfare: **HB 174**, 3 favorable, 2 on merits; **SB 26** with**HA 1**, 2 favorable, 2 on merits.

The following speakers offered comments on **HB 197**: Messrs. Jack Burris, Francis D. Ponsell, Robert Gibbs, John E. Willey, W. Weldon Brittingham, Fred Kelly, W. Lee Harmon and Norman Salus.

Mr. Jarvis asked that additional speakers wishing to comment on **HB 197** so advise the Chief Clerk before Thursday, May 1st, at 1:00 P.M.

The Senate informed the House it had passed **HB 181** and returned same to the House.

Committee Reports: Judiciary: **HB 33**, 4 favorable; **HB 156**, 1 favorable, 4 on merits; **HB 188**, 2 favorable, 3 on merits; **HB 202**, 1 favorable, 3 on merits; Revised Statutes: **HB 185**, 5 on merits.

House recessed at 5:31 to call of the chair.

The Speaker called the House to order at 1:42 P.M. Mr. Stabler moevd to adjourn thereby ending the 24th Legislative Day.

25TH LEGISLATIVE DAY

The House convened at 1:43 P.M., on Wednesday, April 30, 1969.

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

Roll Call revealed 37 members present, 2 absent.

Members present: Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Lesher, Little, McMahon, Mears, Moerschel, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Mr. Speaker Hering — 37.

Absent: Murphy, Phillips — 2.

Senate informed the House it had passed **HB 81** having passed the Senate; and **HB 94** having lost.

The following prefiled bills and amendments were introduced:

HS 1 for **HB 131** — An Act to Amend Section 375, Subchapter V, Chapter 3, Title 30, Delaware Code, Requiring the Furnishing of Surety Bonds for Payment of Taxes by All Nonresident persons or Firms Doing Business of Any Nature in Delaware. Introduced by Rep. Jarvis and others. Referred to the Committee on Revenue and Taxation.

HS 1 for **HB 149** — An Act to Amend Title 13, Delaware Code, Relating to Persons Who May Solemnize Marriages. Introduced by Rep. Heckert. Referred to the Committee on Revised Statutes.

HB 209 — An Act to Increase the Amount of Death Benefits Payable By Mutual Benefit Associations. Introduced by Rep. Spence. Referred to the Committee on Financial Institutions.

HB 210 — An Act Making A Supplementary Appropriation to the State Tax Department for the Purposes of Relocating Their Offices and the Offices of the Department of Housing, Transportation, and the Governor's Office. Introduced by Rep. Lesher. Referred to the Committee on Appropriations.

HA 1 to **HB 61** — Introduced by Rep. Benson. Placed with bill.

SB 166 with **SA 1** — An Act to Amend Chapter 7, Subchapter 1, Title 7, Delaware Code, Prohibiting the Malicious or Deliberate Frightening or Harrassing of Migratory Birds While At Rest and Providing Penalties Therefor. Introduced by Senator Isaacs. Referred to the Committee on Natural Resources.

SB 207 — An Act to Amend Section 4182, Subchapter XI, Chapter 41, Title 21, Delaware Code, Relating to Riding On Motorcycles, By Adding A New Subsection Excluding

From Its Operation Motorcycles of Less Than Five (5) Horsepower. Introduced by Senators Cook and Foltz. Referred to the Committee on Highways and Public Safety.

HB 211 — An Act to Permit Retired Police Officers to Carry Firearms. Introduced by Rep. Spence. Referred to the Committee on Judiciary.

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

HB 25 — An Act to Amend Subchapter IX, Title 11, Delaware Code, Relating to Burglary and Breaking and Entering.

On motion of Mr. Burt, **HA 1** to **HB 25** was adopted by roll call as follows:

YEAS — Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge d,uPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Lesher, McMahon, Mears, Orth, Rawlins, Seibel, Stabler, Stansky, Wright, Zimmerman, Mr. Speaker Hering — 29.

NAYS — Benson, Little, Moerschel, Quillen, Riddagh, Sebrell, Spence, Unruh — 8.

ABSENT — Murphy, Phillips — 2.

HA 1 to **HB 25** having received a majority was declared adopted.

On motion of Mr. Burt, **HA 2** to **HB 25** was adopted by roll call as follows:

YEAS — Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, McMahon, Mears, Orth, Rawlins, Seibel, Stabler, Wright, Zimmerman, Mr. Speaker Hering — 27.

NAYS — Benson, Lesher, Little, Moerschel, Quillen, Riddagh, Sebrell, Spence, Stansky, Unruh — 10.

ABSENT — Murphy, Phillips — 2.

HA 2 to **HB 25** having received a majority was declared adopted.

On motion of Mr. Benson, **HA 3** to **HB 25** was tabled.

Roll call on **HB 25** with **HA 1** and **HA 2** revealed:

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

ABSENT — Murphy, Phillips — 2.

NOT VOTING — Stabler — 1.

HB 25 with **HA 1** and **HA 2** haivng received a constitutional majority was declared passed by the House.

Mr. Stabler took the chair as Acting Speaker.

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

HB 177 — An Act Making A Supplemental Appropriation to the University of Delaware for the Division of Urban Affairs.

HA 1 to **HB 177** — Introduced by Rep. Hering. Adopted by voice vote. On further motion of Mr. Hering, **HB 177** with **HA 1** was deferred.

Mr. Hering returned to the Chair as Speaker.

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

HB 198 — An Act Authorizing the Board of Education of the Claymant Special School District to Expend Bond Proceeds for the Construction of an Elementary School.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Dillman, Dodge, duPont, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Lesher, Little, McMahon, Mears, Moerschel, Orth, Quillen, Rawlins, Riddagh, Seibel, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 32.

NOT VOTING — Butcher, Fonville — 2.

ABSENT — Frederick, Murphy, Phillips, Sebrell, Spence — 5.

HB 198 having received a constitutional majority was declared passed by the House.

Mr. Speaker welcomed the following ex-members of the House: Messrs. Robert R. Wood, Harry E. Mayhew and John Ferguson.

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

HB 185 — An Act to Amend Section 1607, Title 17, Delaware Code, Relating to the Use of Services and Supplies of the State Communications Division by Authorizing the Delaware Society for the Prevention of Cruelty to Animals to Use the Services and Supplies of the Division. On motion of Mr. duPont, **HB 185** was deferred.

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

HB 174 — An Act to Amend Chapter 337, Volume 56, Laws of Delaware, By Transferring Certain Appropriations for the Use of the Mental Hygiene Clinic.

At the request of Mr. Lesher, Mrs. Seibel deferred action on **HB 174** until the next legislative day.

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

HB 202 — An Act to Amend Chapter 49, Title 16, Delaware Code, Relating to the Manufacture, Sale, Use of Central

Nervous System Depressant or Stimulant Drugs; Penalties for Violation Thereof.

At the request of Mr. Zimmerman, Mr. Burt deferred action on **HB 202** with **HA 1.**

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

HS 1 for **HB 126** — An Act to Permit the Board of School Trustees of Henry C. Conrad School District No. 131 to Transfer Certain Funds From Its Local Debt Service Account to Its Minor Capital Improvement Account.

Roll Call revealed:

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

ABSENT — Frederick, Goldfeder, Murphy, Phillips, Stansky — 5.

HS 1 for **HB 126** having heceived a three-fourths vote was declared passed by the House.

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

HB 156 — An Act to Amend Section 1901, Chapter 19, Title 12, Delaware Code, to Exclude Certain Employee Pension, Incentive Plan and Life Insurance Death Benefits From the Assets and Inventory of a Decedent's Estate Subject to Administration and Claims of Creditors and Other Beneficiaries of An Estate.

Roll Call revealed:

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

ABSENT — Frederick, Murphy, Phillips, Stansky, — 4.

HB 156 having received a constitutional majority was declared passed by the House.

House recessed at 3:27 P.M., reconvened at 4:15 P.M.

Committee Reports: Commerce and Labor, **HB 106**, 4 favorable, 2 on merits; Government Operations: **HB 171**, 4 on merits.

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

HB 185 — An Act to Amend Section 1607, Title 17, Delaware Code, Relating to the Use of Services and Supplies of the State Communications Division by Authorizing the Dela-

ware Society for the Prevention of Cruelty to Animals to Use the Services and Supplies of the Division.

Roll Call revealed:

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

ABSENT — Murphy, Phillips — 2.

HB 185 having received a constitutional majority was declared passed by the House.

House recessed at 4:29 P.M. to call of the chair.

The Speaker called the House to order at 2:08 P.M. Mr. Dodge moved to adjourn thereby ending the 25th Legislative Day.

26TH LEGISLATIVE DAY

The House convened at 2:09 P.M., on Thursday, May 1, 1969.

Prayer by the Chaplain Reverend J. Gordon Stapleton, Milford.

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

Roll Call revealed 37 members present, 2 absent.

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

Absent: Phillips, Stabler — 2.

Minutes of the previous legislative day were approved as posted.

Mr. Speaker announced receipt of telegrams with reference to **HB 197** and turned same over to Mr. Jarvis, sponsor of the bill.

Committee Report: Revenue and Taxation: **SB 84**, 2 favorable, 4 on merits.

Communication: Legislative Advisory No. 9 from the Governor's Office.

April 29, 1969

TO: Representative John G. S. Billingsley - sponsor, Representative William L. Frederick - sponsor, Ronald E. Miller, Dir. Dept. of Public Welfare, David P. Buckson, Attorney General, Eugene Bunting, Secretary of State, Richard H. Caldwell, Asst. Sec. of State, Daniel Ross, Treasurer, George W. Cripps, Auditor, Joseph T. Cash-

man, Budget Dir., Christopher L. Perry, Gerald Sapienza, Daniel Enterline, Mrs. Arva Jackson, Clerk of the House, Secretary of the Senate, Legislative Reference Bureau.

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

On the indicated date the Governor approved the following legislation:

HB 88 as amended by **HA 1 & 2** — April 29, 1969 - providing a supplemental appropriation to the Department of Public Welfare for expenses during the balance of the current fiscal year.

HB 112 — April 29, 1969 - providing a supplemental appropriation to the Department of Justice for the expense during the balance of the current fiscal year and to replenish funds advanced from the Governor's contingency fund.

The following prefiled bills and amendments were introduced:

HB 212 — An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to Additional Pension Plan Benefits for Military Service for Covered Employees. Introduced by Rep. Murphy. Referred to the Committee on Revised Statutes.

HB 213 — An Act to Amend Section 2107, Chapter 21, Title 14, Delaware Code, Relating to Local School Bonds and Section 7507, Chapter 75, Title 29, Delaware Code, Relating to Local School Notes By Changing the Maximum Rates of Interest That May Be Paid Thereon. Introduced by Rep. Murphy. Referred to the Committee on Education.

HA 3 to **HB 177** — Introduced by Rep. Sebrell and others. Placed with bill.

On motion of Rep. Sebrell **HA 2** to **HB 177** was stricken.

SB 42 — An Act Proposing An Amendment to Article III and XV of the Constitution of the State of Delaware to Abolish the Office of Coroner. Introduced by Senator Steele. Referred to the Committee on Revised Statutes.

SB 44 with **SA 2** — An Act to Amend, Chapter 47, Title 29, Delaware Code Relating to the Board of Post-Mortem Examiners and the Post of Chief State Medical Examiner and to Repeal Chapter 95, Title 9, Delaware Code, Relating to Coronors. Introduced by Senator Steele. Referred to the Committee on Revised Statutes.

All bills on the agenda were deferred until the next Legislative day.

Mr. Jarvis announced public hearings on **HB 197**: Monday, May 5th in New Castle County, City Chamber starting at 9:00; Tuesday at Legislative Hall in Dover, starting at 9:00 A.M.

House recessed at 2:25 P.M., reconvened at 2:48 P.M.

Committee Reports: Natural Resources: **SB 166**, 1 favorable, 4 on merits; Education: **HB 203**, 4 on merits; Judiciary: **HB 169**, 3 favorable, 2 on merits.

The following resolution was introduced:

HJR 6 — Directing the Various State Agencies to Submit A Plan to Reduce Expenditures. Introduced by Rep. duPont. Referred to the Committee on Appropriations.

Speakers expressing views on **HB 197**: Messrs. Harry Hill. Roger Davis, David Hugg, Charles Keil, Vernon Menard, Bruce Ralston, Eugene Lipstein, John Willey, Earl Quillen, Jr., Jim Nelson, Norris Hitchens, Bob Bell, A. F. Bridenstein, Merrill Jones, James Weber.

On motion of Mr. Jarvis, **HB 197** was recommitted.

House recessed to call of chair at 5:35 P.M.

The Speaker called the House to order at 2:13 P.M. Mr. Stabler moved to adjourn thereby endng ithe 26th Legislative Day.

27TH LEGISLATIVE DAY

The House convened at 2:14 P.M., on Tuesday, May 6, 1969.

Prayer by the Chaplain Reverend John W. Dean, Rehoboth.

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

Roll Call revealed 38 members present, 1 absent.

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

Absent: Phillips — 1.

Minutes of the previous legislative day were approved as posted.

Communications: Legislative Advisory No. 10 from the Governor's Office.

TO: Sen. Dean C. Steele, sponsor; Sen. Herman M. Holloway, sponsor; Sen. Everette Hale, sponsor; Sen. Margaret R. Manning, sponsor; Rep. William L. Frederick, sponsor; Rep. Clarice U. Heckert, sponsor; Rep. John A. Dillman, sponsor; Rep. Robert W. Riddagh, sponsor; Rep. Lorin B. Sebrell, sponsor; Rep. W. Neal Moreschel, sponsor; Rep. George T. Hering, III, sponsor; Rep. Joe L. Rawlins, sponsor; Rep. George R. Quillen, sponsor; Rep. Lewis B. Harrington, sponsor; Rep. Robert M. Dodge, sponsor; Rep. John F. Kirk, Jr., sponsor; Eu-

gene Bunting, Sec. of State; Richard H. Caldwell, Asst. Sec. of State; Daniel Ross, Treasurer; George W. Cripps, Auditor; Joseph T. Cashman, Budget Dir.; Legislative Reference Bureau, Dr. Albert Ingram, Mr. E. Hobson Davis, Dr. Luna I. Mishoe, Mr. Russell W. Whitby, Mr. Norman G. Wilder, Mr. Thomas B. Evans, Jr., Col. Charles G. Lamb, Henry N. Herndon, Jr., Esq., Joseph T. Walsh, Esq., Dr. Kenneth C. Madden, Captain Martin Johnson, Mr. John L. Briggs, Dr. William B. McCormack, Mr. Virgin Jarrell, Mr. W. E. Holleger, Mr. William G. Saulsbury, Jr., Mr. Harvey M. Dickinson, Christopher L. Perry, Gerald Sapienza, Daniel Enterline, Mrs. Arva Jackson, Clerk of the House, Secretary of the Senate.

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

On the indicated date the Governor approved the following legislation:

SB No. 21 as amended by **SA 1** — 4-30-69 - setting forth in greater detail the powers and responsibilities of the Auditor of Accounts.

SB No. 45 — 4-29-69 - a supplementary appropriation to Delaware State College to compensate for costs associated with the disturbance during the summer of 1968.

SB No. 133 — 4-29-69 - allowing investment of funds belonging to Department of Mental Health patients and use of interest thereon for the rehabilitation and recreation of such patients.

SB No. 172 as amended by **HA 4** — 4-30-69 - providing a tax rate ceiling for certain school districts during the first year of operation under the Educational Advancement Act.

HB No. 3 — 4-30-69 - providing that State tax forms be prepared by October 15 and distributed by December 1.

HB No. 19 as amended by **HA 1** and **SA 1** — 4-30-69 - creating criminal violations for the unauthorized advertisement or distribution of motor vehicle master keys.

HB No. 23 — 4-29-69 - doubling pension benefits for paraplegic veterans.

HB No. 34 — 4-29-69 - providing that the posting of the Sussex County assessment list eb confined to the office of the Assessment Board.

HB No. 39 — 4-29-69 - amending the charter of the town of Camden.

HB No. 50 — 4-30-69 - amending the charter of the town of Frederica.

HB No. 52 — 4-29-69 - increasing resident license fees for hunting, trapping and fishing.

HB No. 54 as amended by **HA 1** — 4-29-69 - increasing non-resident fishing license fees.

HB No. 68 — 4-30-69 - amending the charter of the town of Viola.

HB No. 83 — 4-30-69 - allowing parking authorities to mortgage their lands and buildings.

House Substitute No. 1 for **HB No. 86** as amended by **HA 1** — 4-30-69 - providing an implied consent law concerning withdrawal of drivers' licenses and privileges for failure to submit to intoxication test.

HB No. 92 — 4-30-69 - lowering the weight of alcohol in the blood which shall constitute prima facie evidence of intoxication.

HB No. 103 — 4-30-69 - amending the charter of the town of Greenwood.

HB No. 104 — 4-29-69 - savings clause for school bond issues authorized prior to the effective date of the Educational Advancement Act.

HB No. 115 — 4-30-69 - authorizing Houston School District to transfer funds from local debt service account to an operating account.

HB No. 124 — 4-29-69 - making a supplementary appropriation to the Development Department to send a representative to the Florida Festival of States.

HB No. 181 — 4-30-69 - providing for a special referendum in the Dickinson School District.

The Senate informed the House it had passed **HB 89, HB 119** and **HB 182** and returned same.

The following prefiled bills were introduced:

HB 214 — An Act Requiring Scholarship Recipients to Sign Loyalty Oaths. Introduced by Rep. Little and others. Referred to the Committee on Revised Statutes.

HB 215 — An Act Relating to Taxes on Mobile Homes. Introduced by Rep. Kirk. Referred to the Committee on Revenue and Taxation.

HB 216 — An Act to Amend Section 307, Chapter 3, Title 10, Delaware Code, to Provide for One Additional Vice-Chancellor. Introduced by Rep. Burt. Referred to the Committee on Judiciary.

HB 217 — An Act to Raise the Allowable Interest Rate as to Loans for Educational Purposes. Introduced by Rep. Heckert. Referred to the Committee on Education.

HA 4 to **HB 177** — Introduced by Rep. Hering. Placed with bill.

HA 5 to **HB 177** — Introduced by Rep. Lesher. On further motion of Mr. Lesher **HA 5** to **HB 177** was stricken.

HA 2 to **HB 202** — Introduced by Rep. Burt. Placed with bill.

HA 2 to **SB 26** — Introduced by Rep. Benson. Placed with bill.

HA 2 to **HB 148** — Introduced by Rep. Spence. Placed with bill.

SS 1 for **SB 154** — An Act to Amend Chapter 37, Title 3, Delaware Code, Relating to the Weighing and Grading of Lima Beans, Peas and other Leguminous Vegetables. Introduced by Senator Elliott. Referred to the Committee on Natural Resources.

SB 147 — An Act to Insert A New Section 4608A in Chapter 46, Title 9, Delaware Code, and to Amend Sections 4617 and 4632 of Chapter 46, Title 9, Delaware Code, Related to Sewage Districts in Kent County. Introduced by Senator Cook. Referred to the Committee on Government Operations.

SB 182 — An Act Making A Supplementary Appropriation to the Delaware State Planning Office. Introduced by Senator Elliott. Referred to the Committee on Government Operations.

SJR 4 — Relating to the Space Suit Worn By the First United States Astronaut to Land on the Moon. Introduced by Senator Foltz. Referred to the Committee on Government Operations.

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

HB 202 with **HA 1 & 2** — An Act to Amend Chapter 49, Title 16, Delaware Code, Relating to the Manufacture, Sale, Use of Central Nervous System Depressant or Stimulant Drugs; Penalties for Violation Thereof.

HA 1 to **HB 202** — Introduced by Rep. Burt. Adopted by voice vote.

HA 2 to **HB 202** — Introduced by Rep. Burt. Adopted by voice vote.

Roll Call on **HB 202** as amended revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillmon, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Hackert, Jarvis, Kirk, Lesher, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 37.

ABSENT — Little, Phillips — 2.

HB 202 with **HA 1** and **HA 2** having received a constitutional majority was declared passed by the House.

Mr. Stabler took the chair as Acting Speaker.

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

HB 106 — An Act to Amend Title 8, Delaware Code, Relating to Corporations By Adding A New Chapter To Be Known As "Chapter 6" to Permit the Formation of Professional Service Corporations and To Set Forth the Law Relating Thereto.

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

ABSENT — Phillips — 1.

HB 106 having received a two-thirds majority was declared passed by the House.

Mr. Hering returned to the Chair.

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

HB 195 — An Act Making A Supplemental Appropriation to the Delaware State Development Department for the Opportunities Industrialization Center, Incorporated, for the Purpose of Training the Unskilled Labor Force of Delaware.

Privilege of the floor was granted Mr. Russell W. McBride, of Atlas Chemical Industries, a member of the Board of Directors of Opportunities Industrialization Center, Inc. Action of **HB 195** was deferred until considered by the Appropriations Committee.

House recessed at 3:35 P.M., reconvened at 4:07 P.M.

Committee Reports: Judiciary: **SB 151**, 1 favorable, 3 on merits; Natural Resources: **SS 1** for **SB 154**, 2 favorable, 2 on merits; Appropriations: **HB 195**, 1 favorable, 4 on merits; Education: **HB 194**, 4 on merits; **HB 217**, 1 favorable, 3 on merits; **HB 213**, 2 faovrable, 2 on merits; Highways and Public Safety: **SCR 7**, 1 favorable, 3 on merits, 1 unfavorable.

The following prefiled bills were introduced:

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

HB 219 — An Act to Amend Chapter 63, Title 7, Delaware Code, Relating to Water Pollution. Introduced by Rep. Rawlins. Referred to the Committee on Commerce and Labor.

HB 220 — An Act Establishing the Maximum Rate or Rates of Interest to be Borne by Bonds and Other Interest Bearing Obligations Issued By Counties. Introduced by Rep. Murphy. Referred to the Committee on Government Operations.

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

HB 195 — An Act Making A Supplemental Appropriation to the Delaware State Development Department for the Opportunities Industrialization Center, Incorporated, for the Purpose of Training the Unskilled Labor Force of Delaware.

Roll Call revealed:

YEAS — Berndt, Billingsley, Boulden, Burt, Butcher, Dillman, Dodge, duPont, Fonville, Fredercik, Goldfeder, Hearn, Heckert, Jarvis, Kirk, Lesher, Little, McMahon, Mears, Moerschel, Murphy, Orth, Sebrell, Seibel, Spence, Stabler, Stansky, Wright, Zimmerman, Mr. Speaker Hering — 30.

NAYS — Benson, Burton, Harrington, Quillen, Rawlins, Riddagh, Unruh — 7.

NOT VOTING — Gray — 1.

ABSENT — Phillips — 1.

HB 195 having received a constitutional majority was declared passed by the House.

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

HB 33 with **HA 1** — An Act to Amend Section 2310 (c), Title 11, Delaware Code, Relating to Night Time Search Warrants.

Roll Call revealed:

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

ABSENT — Phillips — 1.

HB 33 with **HA 1** having received a constitutional majority was declared passed by the House.

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

HB 161 — An Act to Amend Section 5919, Chapter 59, Title 11, Delaware Code, Relating to the Recording of Fines Collected by Justices of the Peace for Violations of 21 Delaware Code, Section 4179 A.

Roll Call revealed:

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

ABSENT — Boulden, Phillips — 2.

HB 161 having received a constitutional majority was declared passed by the House.

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

SB 84 — An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, By Exempting Lands and Improvements of the University

Drama Group, Inc. From Assessment and Taxation. Introduced by Senator Hale.

Roll Call revealed:

YEAS — Berndt, Billingsley, Boulden, Burton, Dillman, Fonville, Gray, Heckert, Jarvis, Kirk, Lesher, Little, Mears, Murphy, Quillen, Riddagh, Seibel, Spence, Stabler, Unruh, Mr. Speaker Hering — 22.

NAYS — Frederick, Hearn, Orth, Rawlins — 4.

NOT VOTING — Benson, Burt, Butcher, Dodge, duPont, Harrington, McMahon, Moerschel, Sebrell, Stansky, Wright, Zimmerman — 12.

ABSENT — Phillips — 1.

SB 84 having received a constitutional majority was declared passed by the House.

Mr. Stabler assumed the Speaker's chair.

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

HB 122 — An Act Giving Minors Over the Age of 19 Years the Ability to Marry Without Consent.

HA 1 introduced by Rep. Hering. Adopted by voice vote.

Roll Call revealed:

YEAS — Berndt, Billingsley, Boulden, Burt, Butcher, Dillman, duPont, Fonville, Frederick, Goldfeder, Gray, Hearn, Jarvis, Kirk, Little, McMahon, Murphy, Orth, Quillen, Rawlins, Riddagh, Seibel, Spence, Stabler, Stansky, Wright, Zimmerman, Mr. Speaker Hering — 28.

NAYS — Benson, Burton, Dodge, Harrington, Heckert, Lesher, Mears, Moerschel, Sebrell — 9.

ABSENT — Phillips, Unruh — 2.

HB 122 with **HA 1** having received a constitutional majority was declared passed by the House.

Mr. Hering resumed the Speaker's chair.

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

HB 203 — An Act to Permit Milton School District No. 8 to Transfer Certain Funds From Its Local Debt Service Account to Its Local Fund No. 80.

Roll Call revealed:

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

NOT VOTING — Billingsley, Goldfeder, Hearn, Mears, Zimmerman — 5.

ABSENT — Phillips — 1.

HB 203 having received a three-fourths majority was declared passed by the House.

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

SB 161 — An Act to Prohibit the Taking or Killing of Otter Other Than By Trap and during Muscrat Season. Introduced by Senator Isaacs.

Roll Call revealed:

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

ABSENT — Phillips — 1.

SB 161 having received a constitutional majority was declared passed by the House.

House recessed at 5:18 to the call of the chair.

The Speaker called the House to order at 1:40 P.M. Mr. Stabler moved to adjourn thereby ending the 27th Legislative Day.

28TH LEGISLATIVE DAY

The House convened at 1:41 P.M., on Wednesday, May 7, 1969.

Prayer by the Chaplain Reverend John W. Dean, Rehoboth.

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

Roll Call revealed 36 members present, 3 absent.

Members present: Benson, Berndt, Billingsley, Burt, Burton ,Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Lesher, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 36.

Absent: Boulden, Little, Phillips — 3.

The Minutes of the previous legislative day were approved as posted.

Senate informed the House it had passed **SB 98**, **SB 217**, **SB 223**, **SB 224** and **SB 243** and requests the concurrence of the House; and also passed **HJR 5**, **HB 123** and **HS 1** for **HB 121** with **HA 1** and returned same to the House.

The following prefiled bills were introduced:

HB 221 — An Act to Amend Section 394 ,Title 11, Delaware Code, Relating to Burglary. Introduced by Rep. Benson. Referred to the Committee on Judiciary.

HB 222 — An Act to Amend Section 395, Title 11, Delaware Code, Relating to Burglary. Introduced by Rep. Benson. Referred to the Committee on Judiciary.

HB 223 — An Act to Amend Section 396, Title 11, Delaware Code, Relating to Unlawful Entry. Introduced by Rep. Benson. Referred to the Committee on Judiciary.

SB 98 — An Act Agreeing To A Proposed Amendment to Section 29, Article IV, of the Constitution of the State of Delaware, Relating to Justices of the Peace. Introduced by Senator Hart and others. Referred to the Committee on Judiciary.

SB 217 — An Act to Amend Chapter 1, Title 1, § 108, Delaware Code, Relating to the Distribution and Sale of the Delaware Code. Introduced by Senator duPont. Referred to the Committee on House Administration.

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

SB 224 — An Act to Amend § 1185, Title 30, Delaware Code, Relating to "Income Taxes" By Allowing for the Disclosure of the Net Incomes of Persons Having Obligations to the Department of Mental Health. Introduced by Senator Steele. Referred to the Committee on Health and Welfare.

SB 243 — An Act to Validate Certain Proceedings Concerning A Special Election To Be Held in the Laurel Special School District on May 8, 1969 With Respect To Certain Bonds and Other Obligations Issued Or To Be Issued. Introduced by Senator Elliott. Referred to the Committee on Education.

On motion of Rep. Benson, **HB 66** was stricken.

Mr. Stabler took the chair as Acting Speaker.

On motion of Mr. Hering **HA 4** to **HB 177** was stricken.

At the request of Mr. Hering **HB 177** with **HA 1** and **HA 3** was again brought before the House for consideration:

HB 177 with **HA 1 & 3** — An Act Making A Supplemental Appropriation to the University of Delaware for the Division of Urban Affairs.

Privilege of the floor was granted Mr. Glenn C. Kenton, House Attorney to explain **HA 3** to **HB 177**. On motion of Mr. Sebrell, **HA 3** was stricken.

Roll Call on **HB 177** with **HA 1** revealed:

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

NOT VOTING — Seibel — 1.

ABSENT — Boulden, Little, Phillips — 3.

HB 177 with **HA 1** having received a constitutional majority was declared passed by the House.

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

HB 132 — An Act Proposing the Repeal of Article XI of the Constitution of the State of Delaware, Relating to Agriculture.

Privilege of the floor was granted G. Wallace Caulk, Secretary to the State Board of Agriculture to give his views on the bill.

Roll Call revealed:

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

ABSENT — Boulden, Little, Phillips — 3.

HB 132 having received a two-thirds majority was declared passed by the House.

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

HB 133 — An Act Proposing the Repeal of Article XII of the Constitution of the State of Delaware, Relating to Public Health.

Roll Call revealed:

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

ABSENT — Boulden, Little, Phillips — 3.

HB 133 having received a two-thirds majority was declared passed by the House.

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

HB 175 — An Act to Amend Title 11, Section 4336 of the Delaware Code As To Superior Court Presentence Officers.

Roll Call revealed:

YEAS — Berndt, Billingsley, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Lesher, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Sebrell, Seibel, Spence, Stabler, Stansky, Wright, Zimmerman, Mr. Speaker Hering — 33.

NAYS — Benson, Riddagh, Unruh — 3.

ABSENT — Boulden, Little, Phillips — 3.

HB 175 having received a constitutional majority was declared passed by the House.

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

SB 188 — An Act to Amend Chapter 17, Title 7, Delaware Code, Relating to the Regulation of Dogs Running at Large. Introduced by Senator Cook.

Roll Call revealed:

YEAS — Benson, Berndt, Burt, Burton, Butcher, Dillman, Dodge, duPont, Goldfeder, Gray, Harrington, Hearn, Lesher, McMahon, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Wright, Zimmerman, Mr. Speaker Hering — 28.

NAYS — Billingsley, Fonville, Unruh — 3.

NOT VOTING — Frederick, Heckert, Jarvis, Kirk, Mears — 5.

ABSENT — Boulden, Little, Phillips — 3.

SB 188 having received a constitutional majority was declared passed by the House.

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

HB 29 with **HA 1** — An Act to Amend Title 11, Subchapter V, Delaware Code, Relating to Arson and Burning of Property.

On motion of Rep. Hart **HA 1** to **HB 29** was adopted by roll call vote as follows:

YEAS — Berndt, Billingsley, Burt, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Hearn, Jarvis, Lesher, Mears, Rawlins, Seibel, Stabler, Wright, Mr. Speaker Hering — 20.

NAYS — Benson, Burton, Harrington, McMahon, Moerschel, Orth, Quillen, Riddagh, Sebrell, Spence, Unruh — 11.

NOT VOTING — Heckert, Kirk, Stansky, Zimmerman — 4.

ABSENT — Boulden, Little, Murphy, Phillips — 4.

HA 1 to **HB 29** adopted.

Roll Call on **HB 29** with **HA 1** revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Heckert, Jarvis, Kirk, Lesher, McMahon, Mears, Moerschel, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stansky, Unruh, Zimmerman — 31.

NOT VOTING — Hearn, Stabler, Wright, Mr. Speaker Hering — 4.

ABSENT — Boulden, Little, Murphy, Phillips — 4.

HB 29 with **HA 1** having received a constitutional majority was declared passed by the House.

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

SS 1 for SB 154 — An Act to Amend Chapter 37, Title 3, Delaware Code, Relating to the Weighing and Grading of Lima Beans, Peas and Other Leguminous Vegetables. Introduced by Senator Elliott.

Privilege of the floor was granted Mr. G. Wallace Caulk, Secretary of the State Board of Agriculture to explain the bill.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Kirk, Lesher, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Sebrell, Seibel, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 34.

ABSENT — Boulden, Jarvis, Little, Phillips, Spence — 5.

SS 1 for SB 154 having received a constitutional majority was declared passed by the House.

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

HB 217 — An Act to Raise the Allowable Interest Rate As To Loans for Educational Purposes.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Hearn, Heckert, Kirk, Lesher, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 33.

ABSENT — Boulden, Harrington, Jarvis, Little, Phillips, Spence — 6.

HB 217 having received a constitutional majority was declared passed by the House.

On motion of Rep. Murphy the following bill was lifted from the Speaker's Desk.

SB 128 with **HA 1 & 2**, and **SA 2** — An Act to Amend Subchapter II, Chapter 27, Title 21, Delaware Code, By Adding A New Section Providing For A Fee For the Return of A Suspended Driver's License.

Roll Call on **SB 128** with **HA 1** and **HA 2** and **SA 2** revealed:

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

ABSENT — Boulden, Jarvis, Little, Phillips — 4.

SB 128 with **HA 1** and **HA 2** and **SA 2** having received a constitutional majority was declared passed by the House.

House recessed at 2:57 P.M., reconvened at 3:47 P.M.

Mr. Boulden asked to be marked present.

The Senate informed the House it had passed **HB 195, HB 119, HB 182,** and **HB 89** and returned same.

The following prefiled bills were introduced:

HB 224 — An Act to Amend Chapter 13, Title 19, Delaware Code, Entitled "Rgiht of Public Employees to Organize". Introduced by Rep. Heckert. Referred to the Committee on Education.

HB 225 — An Act to Amend Section 5004, Title 15, Delaware Code, Relating to the Use of Voting Machines. Introduced by Rep. Stansky. Referred to the Committee on Elections.

HB 226 — An Act to Amend Subchapter VII, Title 31, Delaware Code, Placing Limitations on Child Day Care Center Benefits for Children of Unemployed Parents or Guardians. Introduced by Rèp. Quillen. Referred to the Committee on Health and Welfare.

HS 1 for **HB 61** — An Act to Amend Title 11, Section 4346, Delaware Code Relating to Parole. Introduced by Rep. Benson. Referred to the Committee on Judiciary.

HS 2 for **HB 131** — An Act to Amend Section 375, Subchapter V, Chapter 3, Title 30, Delaware Code, Requiring the Furnishing of Surety Bonds for Payment of Taxes By Nonresident Persons or Firms Doing Business in Delaware. Introduced by Rep. Jarvis. Referred to the Committee on Revenue and Taxation.

HA 1 to **HB 200** — Introducd by Rep. Burt. Placed with bill.

Committee Reports: **HB 154**, 4 on merits; **HB 183**, 5 on merits; **SJR 4**, 4 favorable; Appropraitions: **HB 210**, 2 favorable, 3 on merits.

House recessed at 3:59 to call of the chair.

The Speaker called the House to order at 1:49 P.M. Mr. Stabler moved to adjourn thereby ending the 28th Legislative Day.

29TH LEGISLATIVE DAY

The House convened at 1:50 P.M., on Thursday, May 8, 1969.

Prayer by the Chaplain Reverend John W. Dean, Rehoboth.

Roll Call revealed 37 members present, 2 absent.

Members present: Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillmon, Dodge, duPont, Fonville,

Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Lesher, Little, Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 37.

Absent: McMahon, Phillips — 2.

Minutes of the previous legislative day were approved as posted.

The Senate informed the House it had passed **HB 99, HB 151** and **HB 190** and returned same to the House. Senate also passed **SB 11** with **SA 1, SB 245, SB 238** with **SA 1, SB 236** and **SCR 10.**

Committee Report: Government Operations: **HB 166,** 5 on merits.

The following prefiled bills were introduced:

HB 227 — An Act to Amend Title 11, Section 4332, Relating to Parole of Prisoners. Introduced by Rep. Benson. Referred to the Committee on Judiciary.

HB 228 — An Act Making A Supplemental Appropriation to the Delaware Commission for the Blind for Bus Transportaton of Blind Children of Delaware To and From the Maryland School for the Blind. Introduced by Rep. Mears. Referred to the Committee on Education.

HB 229 — An Act to Amend Section 2303, Title 31, Delaware Code, Relating to Residency Requirements for Eligibility of the Needy Blind for Assistance. Introduced by Rep. Dodge. Referred to the Committee on Health and Welfare.

HB 230 — An Act to Amend Chapter 167, Volume 55, Laws of Delaware, Entitled "An Act Authorizing the State of Delaware to Borrow Money to be Used for Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes Therefor and Appropriating the Money Borrowed to Various Agencies of the State" By Adding A Supplementary Appropriation to Provide for Escalating Costs of School Construction. Introduced by Rep. Riddagh. Referred to the Committee on Appropriations.

SB 11 with **SA 1** — An Act Proposing An Amendment to Section 2, Article V, of the Constitution of the State of Delaware, Relating to Qualifications for Voting. Introduced by Senator Manning. Referred to the Committee on Elections.

SB 245 — An Act to Amend Chapter 49, Title 10, Delaware Code, Relating to Notice of Public Sale of Real Estate. Introduced by Senator Isaacs. Referred to the Committee on Buildings and Lands.

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

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

SB 238 with SA 1 — An Act to Amend Chapter 59, Title 29, Delaware Code, By Adding the Legislative Council to the List of Exempt Agencies. Introduced by Senator duPont. Referred to the Committee on House Administration.

SCR 10 — Relative to the Birthday of Harry S. Truman. Introduced by Senator Holloway. Adopted by voice vote.

HCR 7 — Relating to the Appointment of Dorothy A. Elston As Treasurer of the United States.

WHEREAS, the State of Delaware has been greatly honored today by the swearing in of Dorothy A. Elston of Middletown, Delaware as Treasurer of the United States; and

WHEREAS, Dorothy A. Elston has served the State of Delaware and the United States of America as trustee of Kruse School, State advisor for the Farmer's Home Administration, and a member of the Advisory Board of the World's Fair, in a manner in which all Delawareans can be proud; and

WHEREAS, Dorothy A. Elston has served the Republican Party in a manner without equal as local committee woman, delegate to the 1956 and 1960 Republican National Conventions, as president of the National Federation of the Republican Women's Clubs, and as a member of the Board of Directors and the Finance Committee of the National Federation of Republican Women; and

WHEREAS, Dorothy A. Elston was named National Republican Woman of the Year in 1967; and

WHEREAS, Dorothy A. Elston has served her local community in an exemplary manner in that she served as a steward, trustee and Financial Secretary of St. Pauls Methodist Church in Odessa; and was Legislative Chairman, Chaplain, lecturer and Public Relations Chairman of Central Grange No. 61 of St. Georges, and Second Vice-President of the Odessa Women's Club; and

WHEREAS, the members of the 125th General Assembly wish to express their congratulations to Dorothy A. Elston upon her appointment as Treasurer of the United States of America;

NOW THEREFORE,

BE IT RESOLVED, by the members of the House of Representatives of the 125th General Assembly, the Senate concurring therein, that Dorothy A. Elston of Middletown be, and hereby is congratulated upon her appointment as Treasurer of the United States of America, and

FURTHER RESOLVE, that the members of the 125th General Assembly express their gratitude and thanks to Dorothy A. Elston for her service to the State of Delaware

and to the United States of America and express their firm belief that she will serve the United States of America in a manner in which all Delawareans and Americans will be proud, and

FURTHER RESOLVE, that the text of this resolution be communicated to Dorothy A. Elston, Treasurer of United States of America, Treasury Building, Washington, D. C.

Introduced by Rep. Murphy. Adopted by roll call vote as follows:

YEAS — Berndt, Billingsley, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Lesher, Little, Mears, Moerschel, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 34.

ABSENT — Benson, Boulden, McMahon, Murphy, Phillips — 5.

Having received a unanimous vote of the representatives present, **HCR 7** was adopted.

HA 1 to **HB 183** — Introduced by Rep. Billingsley. Placed with bill.

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

HB 213 — An Act to Amend Section 2107, Chapter 21, Title 14, Delaware Code, Relating to Local School Bonds and Section 7507, Chapter 75, Title 29, Delaware Code, Relating to Local School Notes By Changing the Maximum Rates of Interest That May Be Paid Thereon.

Roll Call revealed:

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

ABSENT — Benson, McMahon, Phillips — 3.

HB 213 having received a constitutional majority was declared passed by the House.

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

HB 194 — An Act to Permit the Board of School Trustees of Marshallton School District No. 77 to Transfer Certain Funds From Its Local Debt Service Account To Its Minor Capital Improvements Program.

Roll Call revealed:

YEAS — Berndt, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Lesher, Little,

Mears, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 35.

NOT VOTING — Billingsley — 1.

ABSENT — Benson, McMahon, Phillips — 3.

HB 194 having received a three-fourths majority was declared passed by the House.

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

HB 154 — An Act Relating to Pensions for Elizabeth H. Hitchens, Edna Calhoun, and Mary Reed, Former Sussex County Employees.

Roll Call revealed:

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

NOT VOTING — duPont, Lesher — 2.

ABSENT — Benson, McMahon, Phillips — 3.

HB 154 having received a constitutional majority was declared passed by the House.

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

SB 166 with **SA 1** — An Act to Amend Chapter 7, Subchapter 1, Title 7, Delaware Code, Prohibiting the Malicious or Deliberate Frightening or Harrassing of Migratory Birds While At Rest and Providing Penalties Therefor. Introduced by Senator Isaacs.

Roll Call revealed:

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

ABSENT — Benson, McMahon, Phillips — 3.

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

House recessed at 2:16 P.M., reconvened at 2:56 P.M.

Committee reports: Revenue and Taxation: **HB 215**, 5 on merits; Commerce and Labor: **HB 164**, 3 on merits, 1 unfavorable; Government Operations: **SB 147**, 6 on merits; **SB 153**, 5 favorable; Natural Resources: **SB 137**, 5 favorable; **SB 174**, 5 favorable; **SB 175**, 2 favorable, 3 on merits: **SB 176**, 1 favorable, 1 on merits, 3 unfavorable; Elections: **HB 225**, 3 favorable, 1 on merits; House Administration: **SB 238**, 4

favorable; **SB 217**, 4 favorable, 2 on merits; Judiciary: **HS 1** for **HB 61**, 1 favorable, 3 on merits; **HB 223**, 1 favorable, 3 on merits; **HB 222**, 1 favorable, 3 on merits; **HB 221**, 1 favorable, 3 on merits.

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

HB 183 — An Act Making A Supplementary Appropriation to the Custodian of the State House and Administration Buildings for the Purpose of Providing Funds to Staff and Maintain the Building and Grounds of the New State Highway Department Administration Building for the Balance of the Fiscal Year Ending June 30, 1969.

HA 1 to **HB 183** — Introduced by Rep. Billingsley. Adopted by voice vote.

Roll Call revealed:

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

NAYS — duPont — 1.

ABSENT — Jarvis, McMahon, Phillips — 3.

HB 183 with **HA1** having received a constitutional maoritjy was declared passed by the House.

On motion of Mr. Burton, **HB 186** was stricken.

House recessed at 3:20 P.M. to call of the chair.

The Speaker called the House to order at 1:48 P.M. Mr. Stabler moved to adjourn thereby ending the 29th Legislative Day.

30TH LEGISLATIVE DAY

The House convened at 1:49 P.M., on Tuesday, May 13, 1969.

Prayer by the Chaplain Reverend David Mulford, Georgetown.

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

Roll Call revealed 39 members present.

Absent: None.

Minutes of the previous legislative day were approved as posted.

Mr. Speaker welcomed back Rep. Phillips after a prolonged illness.

Communications: Legislative Advisory No. 11 from the Office of the Governor:

TO: Rep. David S. Benson, Rep. George C. Hering, III, Rep. George Jarvis, Rep. John G. S. Billingsley, Rep. Lewis B. Harrington, Rep. George Edward Gray, Rep. Pierre S. duPont, IV, Sen. Anthony J. Cicione, Eugene Bunting, Sec of. the State, Richard H. Caldwell, Asst. Sec. of State, Daniel Ross, Treasurer, George W. Cripps, Auditor, Joseph T. Cashman, Budget Dir., Legislative Reference Bureau, Mr. Ernest O. Davidson, Mr. E. Hobson Davis, Dr. Kenneth C. Madden, Mr. R. Calvin Clendaniel, Hon. Daniel F. Wolcott, George Gray Thouron, Esq., Mr. Thomas B. Evans, Mr. Gordon Sanders, Christopher L. Perry, Gerald Sapienza, Daniel Enterline, Mrs. Arva Jackson, Clerk of the House, Secretary of the Senate.

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

On the indicated date the Governor approved the following legislation:

HB 11 — 5-5-69 - granting authority to the Chief Justice of the Supreme Court to require a higher than $1000 bond for Justices of the Peace.

HB 14 — 5-5-69 - granting authority to the Chief Justice of the Supreme Court to require a higher than $1000 bond for clerks of the Justices of the Peace.

HB 15 — 5-8-69 - providnig lights at the intersection of Silverside and Graylyn Roads in New Castle County.

HB 81 — 5-8-69 - exempting the Luthern Senior Services, Inc. from real estate tax.

HS 1 for **HB 36** — 5-8-69 - permitting Lincoln School District to transfer funds from local debt service to capital expenses.

HB 90 as amended by **HA 1 & 2** — 5-8-69 - providing a summer employment program to be administered by the State Development Department.

HB 118 — 5-8-69 - providing for additional principals for reorganized school districts.

HB 128 as amended by **HA 1** — 5-8-69 - repealing exemption of railroads from corporation franchise tax.

HB 129 — 5-8-69 - imposing penalties for failure of corporations to file income tax returns when due.

HB 130 — 5-8-69 - requiring corporations to file income tax returns regardless of whether tax due or not.

HB 195 — 5-8-69 - appropriating $200,000 to the State Development Department for Opportunities Industrialization Center, Inc.

SB 164 — 5-8-69 - making the offices of treasurer, alderman and assessor in the town of Newport appointive rather than elective.

The Governor also on the indicated date vetoed the following bill:

SB 112 — 5-9-69 - relating to safety devices at railroad crossings, for failure of the bill to incorporate a cost apportionment feature between the State and the railroads.

The Senate informed the House it had passed **SB 173, SB 218, SB 225** and **SB 231** and requests concurrence of the House; also, **HB 53** with **HA 1, HB 156, HB 185, HB 217, HB 63** with **HA 2, HCR 7,** and **HB 76** with **SA 1** having passed the Senate and returned to the House.

Committee Reports: Revised Statutes: **HS 1** for **HB 149,** 2 favorable, 2 on merits; **HB 206,** 1 favorable, 3 on merits; **HB 214,** 1 favorable, 3 on merits.

The following prefiled bills were introduced:

HB 231 — An Act to Amend Chapter 59, Title 11, Delaware Code to Enlarge the Jurisdiction of Justices of the Peace in New Castle County to Include Violations of Ordinances, Codes and Regulations of the Government of New Castle County. Introduced by Reps. Stansky and Dillman. Referred to the Committee on Judiciary.

HA 1 to **SB 238** — Introduced by Rep. Zimmerman. Placed with bill.

HA 1 to **HB 164** — Introduced by Rep. Stabler. Placed with bill.

HB 76 with **SA 1** — Returned to the House having passed the Senate with **SA 1.** Action deferred until the next legislative day.

SB 173 — An Act to Amend Chapter 27, Section 2709, Title 21, Delaware Code, Relating to Application for Driver's License, By Imposing Fee of Four Dollars. Introduced by Senator Isaacs. Referred to the Committee on Highways and Public Safety.

SB 218 — An Act to Amend Chapter 1, Title 26, Delaware Code, Relating to the Public Service Commission. Introduced by Senator Connor and Others. Referred to the Committee on Government Operations.

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

SB 231 — An Act to Amend Subchapter II, Chapter 27, Ttle i21, Section 2733 (c) Relating to the Peanlty of A Non-Resident when Convicted While Driving During Suspension or Revocation. Introduced by Senator Isaacs. Referred to the Committee on Highways and Public Safety.

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

HB 180 — An Act to Amend Section 2804, Title 10, Delaware Code, Relating to Salaries of the Justice of the Peace Constables.

HA 1 to **HB 180** introduced by Rep. Benson. Adopted by voice vote. On further motion of Rep. Benson roll call on **HB 180** with **HA 1** was tabled.

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

SCR 7 — Relative to the State Highway Department Delaying Further Action on the Frederica to Camden By-Pass. Introduced by Senator Foltz.

On motion of Rep. Murphy roll call on **SCR 7** was tabled.

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

HB 170 — An Act to Amend Title 9, Section 4407, Delaware Code, Relating to Building Permits.

At the request of Rep. Quillen, Rep. Sebrell deferred **HB 170** until more information was available.

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

HB 171 — An Act to Amend Section 9121, Title 9, Delaware Code, Relating to the Authorized Mileage Rate for Officers or Employees of All of the Counties of the State of Delaware.

Roll Call revealed:

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

HB 171 having received a constitutional majority was declared passed by the House.

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

SB 147 — An Act to Insert A New Section 4608A in Chapter 46, Title 9, Delaware Code, and to Amend Sections 4617 and 4632 of Chapter 46, Title 9, Delaware Code, Related to Sewage Districts in Kent County. Introduced by Senator Cook.

At the request of Rep. Zimmerman, Mr. Riddagh deferred **SB 147** until the next legislative day.

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

HB 215 — An Act Relating to Taxes on Mobile Homes.

HA 1 to **HB 215** — Introduced by Rep. Mears. Adopted by voice vote. Mr. Lesher moved for deferral of **HB 215** with **HA 1**. Motion carried.

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

SB 137 — An Act to Amend Chapter 7, Subchapter II, Title 7, Delaware Code, By Providing for the Protection of Bald Eagles and Penalties for Violations Thereof. Introduced by Senator Isaacs.

Roll Call revealed:

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

SB 137 having received a constitutional majority was declared passed by the House.

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

SB 174 — An Act to Amend Chapter 5, Title 7, Section 509, Delaware Code, Relating to An Increase In License Fees To Be Paid By Non-Residents of This State for Hunting and Trapping Licenses. Introduced by Senator Isaacs.

Roll Call revealed:

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

SB 174 having received a constitutional majority was declared passed by the House.

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

SB 175 — An Act to Amend Chapter 5, Subchapter VI, Title 7, Section 589, Delaware Code, Relating to the Laws and Regulations Governing Activities Conducted Pursuant to Subchapter VI, Title 7, Delaware Code, and Providing Violations and Penalties Therefor. Introduced by Senator Isaacs.

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

Roll Call revealed:

YEAS — Berndt, Billingsley, Burt, Burton, Dillman, Dodge, duPont, Frederick, Heckert, Kirk, Lesher, Little, Mears, Moerschel, Murphy, Quillen, Riddagh, Sebrell, Seibel, Stabler, Unruh, Mr. Speaker Hering — 22.

NAYS — Benson, Boulden, Butcher, Fonville, Goldfeder, Harrngiton, Hearn, McMahon, Orth, Stansky, Zimmerman — 11.

NOT VOTING — Gray, Jarvis, Phillips, Rawlins, Wright — 5.

ABSENT — Spence — 1.

SB 175 having received a constitutional majority was declared passed by the House.

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

HB 166 — An Act to Amend Chapter 166, Volume 43, Laws of Delaware, as Amended, to Increase the Amount of Money Which the City of Georgetown May Borrow and to Increase Total Aggregate Bonded Indebtedness.

Roll Call revealed:

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

HB 166 having received a two-thirds majority was declared passed by the House.

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

SB 238 with **SA 1** & **HA 1** — An Act to Amend Chapter 59, Title 29, Delaware Code, By Adding the Legislative Council to the List of Exempt Agencies. Introduced by Senator duPont.

On further motion of Mr. Stabler **SB 238** with **SA 1** & **HA 1** was deferred.

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

SB 217 — An Act to Amend Chapter 1, Title 1, § 108, Delaware Code, Relating to the Distribution and Sale of the Delaware Code. Introduced by Senator duPont.

Roll Call revealed:

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

ABSENT — Burton, Quillen — 2.

SB 217 having received a constitutional majority was declared passed by the House.

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

SB 153 — An Act to Amend An Act Being Chapter 42, Volume 53, Laws of Delaware, Entitled "An Act Amending, Revising and Consolidating the Charter of the City of Seaford" to Provide An Increase in Salary for the Mayor and Each Member of the City Council. Introduced by Senator Elliott.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Golder, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 37.

ABSENT — Burton, Quillen — 2.

SB 153 having received a constitutional majority was declared passed by the House.

House recessed at 3:44 P.M., reconvened at 4:04 P.M.

Committee Report: Elections: **SB 11**, 4 favorable.

The Senate informed the House it had passed **SB 255** and **SB 256** and requested the concurrence of the House; and **HB 38, HB 48, HB 59, HB 107** with **HA 1, HS 1** for **HB 126, HB 203** and **HB 213** and returned same to the House.

The following prefiled bills were introduced:

HB 232 — An Act Relating to Pension Benefits for Marie K. Wharton, Widow of Dauphin D. Wharton, A Former State Detective. Introduced by Rep. Sebrell. Referred to the Committee on Appropriations.

HB 233 — An Act to Amend Section 6102, Title 29, Delaware Code, to Authorize the State Board of Education to Charge A Rental Rate for Portable Classrooms and to Use the Proceeds for Repairs And/Or To Lease Purchase Additional Portable Classrooms. Introduced by Rep. Heckert. Referred to the Committee on Education.

HB 234 — An Act to Amend Chapter 9, Title 26, Delaware Code, Relating to Electric Lines or Wires Near Airports. Introduced by Rep. Riddagh. Referred to the Committee on Commerce and Labor.

HB 235 — An Act to Amend Title 14, Delaware Code, Relating to Procedures for the Termination of Services and To Provide for Long-Term Contracts for Professional Employees. Introduced by Rep. Sebrell. Referred to the Committee on Education.

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

HB 237 — An Act to Reincorporate the City of Lewes. Introduced by Rep. Dodge. Referred to the Committee on Government Operations.

HA 2 to HB 164 — Introduced by Rep. Murphy. Placed with bill.

House recessed at 4:30 P.M.

The Speaker called the House to order at 1:44 P.M. Mr. Stabler moved to adjourn thereby ending the 30th Legislative Day.

31ST LEGISLATIVE DAY

The House convened at 1:45 P.M., on Wednesday, May 14, 1969.

Prayer by the Chaplain Reverend David Mulford, Georgetown.

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

Roll Call revealed 39 members present.

Absent: None.

Minutes of the previous legislative day were approved as posted.

Announcements: Mr. Burt announced hearing on Abortion Bill (**HB 200**) on Thursday, May 15, 7:30 P.M., County Engineers Building, Kirkwood Highway. Mr. Burton announced hearing on Guest Statute Law (**SB 99**) on Wednesday, May 21 at 10:00 A.M. at Dover.

The following prefiled bills were introduced:

HB 238 — An Act to Amend Chapter 11, Title 19, Delaware Code, Relating to Wage Payment and Collection. Introduced by Rep. duPont. Referred to the Committee on Commerce and Labor.

HB 239 — An Act to Amend Chapter 21, Title 14, Delaware Code, Relating to the Issuance of School Bonds. Introduced by Rep. Murphy. Referred to the Committee on Education.

HB 240 — An Act to Abolish the New Castle County Department of Police and ta Transfer the Functions, Records, Equipment and Such Qualified Personnel Thereof As Meet the Standards of the Delaware State Police to the Delaware State Police and to Make A Supplementary Appropriation Therefor. Introduced by Rep. Lesher. Referred to the Committee on Highways and Public Safety.

HA 1 to HB 170 — Introduced by Rep. Sebrell. Placed with bill.

SB 255 — An Act to Amend Chapter 29, Title 5, Delaware Code, Relating to Financing the Sale of Motor Vehicles, to Permit Disclosure of Terms of Retail Instillment Contracts

in Conformance With the Federal Truth in Lending Act. Introduced by Senator Castle. Referred to the Committee on Financial Institutions.

SB 256 — An Act to Amend Chapter 43, Title 6, Delaware Code, Relating to Retail Installment Sales, to Permit Disclosure of Terms of Retail Installment Contracts and Retail Installment Accounts in Conformance With the Federal Truth in Lending Act. Introduced by Senator Castle. Referred to the Committee on Financial Institutions.

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

HB 170 — An Act to Amend Title 9, Section 4407, Delaware Code, Relating to Building Permits.

On motion of Rep. Sebrell **HA 1** to **HB 170** was adopted by voice vote.

Roll Call revealed:

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

NAYS — Boulden, Orth — 2.

NOT VOTING — Butcher, Fonville, Goldfeder, Harrington, Hearn, Phillips, Rawlins, Stansky, Wright, Zimmerman — 11.

ABSENT — Spence — 1.

HB 170 with **HA 1** having received a constitutional majority was declared passed by the House.

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

HB 164 — An Act to Amend Chapter 29 of Title 24 of the Delaware Code Enttiled, "Real Estate Brokers and Salesmen" By Repealing Sections 2901, 2902, 2903, 2904, 2905, 2908, 2923, and 2924 Thereof and Substituting in Lieu Thereof New Sections 2901, 2902, 2903, 2904, 2905, 2908, 2923, 2924, 2925, 2926 and 2927.

On motion of Rep. Stabler **HA 1** to **HB 164** was stricken.

On motion of Rep. Murphy, **HA 2** to **HB 164** was adopted by voice vote.

HA 3 to **HB 164** — Introduced by Rep. Stabler. Placed with bill

On further motion of Rep. Stabler, **HB 164** with **HA 2** and **HA 3** was deferred until the next legislative day.

On motion of Rep. Stabler, **SB 238** with **SA 1** and **HA 1**, having had its final reading was again brought before the House for consideration.

On motion of Rep. Zimmerman **HA 1** to **SB 238** was considered by roll call vote as follows:

YEAS — Benson, Boulden, Butcher, Fonville, Goldfeder, Harrington, Hearn, McMahon, Mears, Orth, Phillips, Rawlins, Stansky, Wright, Zimmerman — 15.

NAYS — Berndt, Billingsley, Burt, Dillman, Dodge, duPont, Frederick, Heckert, Jarvis, Kirk, Lesher, Little, Quillen, Riddagh, Sebrell, Seibel, Spence, Stabler, Unruh, Mr. Speaker Hering — 20.

NOT VOTING — Burton, Gray, Moerschel, Murphy — 4.

HA 1 to **SB 238** not having received a majority was declared lost.

Roll Call on **SB 238** with **SA 1** revealed:

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

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

SB 238 with **SA 1** having received a constitutional majority was declared passed by the House.

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

HS 1 for **HB 61** — An Act to Amend Title 11, Section 4346, Delaware Code Relating to Parole.

YEAS — Benson, Boulden, Burt, Burton, Dillman, Dodge, duPont, Frederick, Harrington, Heckert, Jarvis, Kirk, Lesher, Little, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Riddagh, Sebrell, Seibel, Spence, Stansky, Unruh, Zimmerman, Mr. Speaker Hering — 28.

NAYS — Berndt, Fonville, Goldfeder, Hearn, Wright — 5.

NOT VOTING — Billingsley, Butcher, Gray, Phillips, Rawlins, Stabler — 6.

HS 1 for **HB 61** having received a constitutional majority was declared passed by the House.

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

HB 210 — An Act Making A Supplementary Appropriation to the State Tax Department for the Purposes of Relocating Their Offices and the Offices of the Department of Housing, Transportation, and the Governor's Office.

Roll Call revealed:

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

ABSENT — Boulden — 1.

HB 210 having received a constitutional majority was declared passed by the House.

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

HB 225 — An Act to Amend Section 5004, Title 15, Delaware Code, Relating to the Use of Voting Machines.

At the request of Rep. Dodge, Rep. Stansky deferred **HB 225** until the next legislative day.

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

HB 196 — An Act to Amend Title 9, Delaware Code Entitled Counties to Permit Elected Officeholders to Employ and Set the Salary of a Chief Deputy in the Several County Offices in New Castle County.

At the request of Rep. Murphy the following was read:

WE the Undersigned New Castle County Officers do HEREBY support the Proposed Legislation to Amend Chapter 91, Title 9 of the Delaware Code.

Rosalie S. Ohara, Clerk of the Peace; Leo J. Dugan, Jr., Recorder of Deeds; Edward J. Michaels, Prothonotary; Lawrence M. Sullivan, Register of Wills; John J. Smith, Sheriff; Basil R. Battaglia, Register in Chancery and Clerk of the Orphans' Court; Lee E. Nichols, Coroner. Dated: March 11, 1969.

Roll Call revealed:

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

NAYS — Jarvis — 1.

HB 196 having received a constitutional majority was declared passed by the House.

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

HB 159 — An Act Making A Supplemental Appropriation to the Delaware National Guard.

Roll Call revealed:

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

NAYS — Quillen — 1.

HB 159 having received a constitutional majority was declared passed by the House.

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

SB 11 — An Act Proposing An Amendment to Section 2, Article V, of the Constitution of the State of Delaware, Relating to Qualifications For Voting. Introduced by Senator Manning and Others.

HA 1 to SB 11 — Introduced by Rep. Dodge.

Privilege of the floor was granted Mr. Glenn C. Kenton, House Attorney, to explain the constitutionality of the amendment. The following letter to Rep. Boulden was read as follows:

165 Winder Road
Garfield Park
New Castle, Delaware
May 10, 1969

Mr. Kenneth Boulden
Representative
Delaware House of Representatives

Sir:

I am writing you concerning the Senate-passed Bill, SB 11, which would lower the voting age to 19. As a student of Age 17, I personally do not support the idea of lowering the voting age and hope to convey to you this very same thought. Please consider the following facts:

Teenagers are the cause of over one-half of all crimes committed in the United States today (This figure includes felonies, vandalism, shoplifting, car thefts, and misdemeanors). Crime increases for adolescents have far exceeded their population increase since the beginning of this decade; with a 22% population rise, general crime increased 54% (with murders up 45% and aggravated assaults up at least 115%). Teenagers, so it seems, have forgotten the meaning of law and order and act without any regard for the lives and property of others.

Persons under 21 years of age are also responsible for an increased amount of sexual delinquency. Divorces have increased with marriage; one-half of all teenage marriages end up in divorce within five years. In half of all teenage marriages, the bride is pregnant. Statistics also show a very marked increase in teenage illegitimate births. Cases of teenage veneral disease far out-number those for other age groups, (more than all other age groups combined). Maturity and education are two voting requirements that teenagers lack.

To me, the most disgusting aspect of the adolescent today is his susceptibility to idealistc ideas. The growth of the Students for a Democratic Society (SDS) and other Communist-oriented, violence-preaching student organizations is one example of the unrealistic thinking of today's youth. Teenagers are ignorant of our type of democracy and how it works; if they want a change, they expect it done immediately, without any discussion or compromise. We need not voters who will swallow any bit of propaganda; rather, we want voters who will think for themselves — something that the youth of today refuse to do.

In defense of lowering the voting age, the statement is sometimes made that today's youth are much better educated than previous generations. This could be possibly true, but having an education and knowing how to use that education are two completely different things. Judging from the facts stated above on crime, sex, and idealism, teenagers just do not know how best to use their education — not only for the betterment of themselves, but for the betterment of everyone as well.

The argument is made often that "if young people are young enough to fight, then they certainly are young enough to vote". But fighting and voting have nothing to do with each other. Soldiers are told what, when, and how to do something, as ordered by their Commanding Officers. Voters on the other hand, must be able to think for themselves and be responsible for their actions.

I hope that I have been able to affect your thinking so that you will be in opposition to the voting rights bill, SB No. 11. If so, I will gladly assist you in any way possible to best assure its defeat.

Thank you very much.

Sincerely yours,
Michael Brooks

Roll Call on **HA 1** revealed:

YEAS — Berndt, Dodge, Goldfeder, Gray, Harrington, Heckert, Quillen, Sebrell, Spence, Unruh — 10.

NAYS — Benson, Billingsley, Burt, Burton, Butcher, Dillman, duPont, Fonville, Frederick, Jarvis, Kirk, Lesher, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Rawlins, Riddagh, Seibel, Stabler, Stansky, Wright, Zimmerman, Mr. Speaker Hering — 27.

NOT VOTING — Boulden, Hearn — 2.

HA 1 to **SB 11** not having received a majority was declared lost.

At the request of Rep. Little, Roll Call on **SB 11** with **SA 1** was tabled.

The following prefiled bill was introduced:

HB 241 — An Act Making A Supplementary Appropriation to Social Security Contribution Fund of the State of Delaware (Agency Number 530). Introduced by Rep. Lesher. Referred to the Committee on Appropriations.

House recessed at 3:50 P.M. to the call of the chair.

The Speaker called the House to order at 1:46 P.M. Mr. Stabler moved to adjourn thereby ending the 31st Legislative Day.

32ND LEGISLATIVE DAY

The House convened at 1:47 P.M., on Thursday, May 15, 1969.

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

Roll Call revealed 38 members present, 1 absent.

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

Absent: Burton — 1.

Minutes of the previous legislative day were approved as posted.

Communications: Legislative Advisory No. 12 from the Office of the Governor.

TO: Sen. Allen J. Cook, Sen. Thomas E. Hickman, Jr., Sen. Michael N. Castle, Hon. David P. Buckson, Hon. Jerome O. Herlihy, Col. Charles G. Lamb, William J. O'Rourke, Eugene Bunting, Sec. of State, Richard H. Caldwell, Asst. Sec. of State, Daniel Ross, Treasurer, George W. Cripps, Auditor, Joseph T. Cashman, Budget Dir., Legislative Reference Bureau, Clerk of the House, Secretary of the Senate, Christopher L. Perry, Gerald Sapienza, Daniel Enterline, Mrs. Arva Jackson.

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

On the indicated date the Governor approved the following legislation:

SB 122 as amended by **HA 1** — 5-8-69 - conforming the leigslative debt statement law to the current legislative debt statement practice of the General Assembly so that the debt statement is submitted on the day the bill in question is voted on.

SB 141 — 5-8-69 - clarifying that the exemption from county taxes for elderly citizens does not apply to ditch or sewer taxes.

SB 97 — 5-8-69 - providing technical amendments to the driving under the influence law to meet particular loopholes, including where the accused appears to be under the influence of a combination of drugs and intoxicating liquor.

The Senate informed the House it had passed **SB 178** and requested the concurrence of the House.

Committee Report: Revised Statutes: **HB 80**, 5 unfavorable.

The following prefiled bills, amendments and resolutions were introduced:

HB 242 — An Act Making A Supplementary Appropriation to the State Highway Department. Introduced by Rep. Murphy. Referred to the Committee on Appropriations.

HB 243 — An Act to Amend Section 4502, Title 21, Delaware Code, Relating to the Size of Vehicles. Introduced by Rep. Murphy. Referred to the Committee on Highways and Public Safety.

HA 4 to HB 164 — Introduced by Rep. Stabler. Placed with bill.

HA 5 to HB 164 — Introduced by Rep. Zimmerman. Placed with bill.

HA 1 to HB 127 — Introduced by Rep. Burton. Placed with bill.

HA 1 to HB 187 — Introduced by Rep. Moerschel. Placed with bill.

HA 1 to HB 169 — Introduced by Rep. Frederick. Placed with bill.

HA 1 to HB 225 — Introduced by Rep. Stansky. Placed with bill.

HJR 7 — Relating to Federal Welfare Payments to the State. Introduced by Rep. Riddagh and Others. Referred to the Committee on Health and Welfare.

HR 36 — Expressing the Best Wishes of the House of Representatives of the 125th General Assembly of the State of Delaware Concerning the Birthday of Representative Jacob W. Zimmerman.

WHEREAS, the members of the House of Representatives have learned that today, May 15, 1969, is the birthday of Representative Jacob W. Zimmerman; and

WHEREAS, the members of the House of Representatives wish to express their best wishes to Representative Jacob W. Zimmerman;

NOW THEREFORE,

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

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

Introduced by Rep. Stansky and Others. Adopted by voice vote.

SB 178 — An Act to Amend § 5111, Title 16, Related to "Mental Health" By Providing A Director of Community Retardation Programs. Introduced by Senator Hale and Others.

Committee Reports: Health and Welfare: **SS 1 for SB 109**, 1 favorable, 5 on merits; **SB 218**, 1 favorable, 5 on merits.

On motion of Rep. Murphy the roll call on **SCR 7** was lifted from the table.

Roll Call revealed:

YEAS — Berndt, Boulden, Burt, Burton, Butcher, Dodge, Fonville, Frederick, Goldfeder, Harrington, Hearn, Kirk, Little, McMahon, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Spence, Stabler, Stansky, Unruh, Zimmerman — 26.

NOT VOTING — Benson, Billingsley, Dillman, duPont, Gray, Heckert, Jarvis, Mears, Phillips, Seibel, Wright, Mr. Speaker Hering — 12.

ABSENT — Lesher — 1.

SCR 7 having received a constitutional majority was declared passed by the House.

On motion of Rep. Little, roll call on **SB 11** was lifted from the table. On further motion of Rep. Little roll call on **SB 11** was again tabled.

On motion of Rep. Stabler **HB 164** with **HA 2, 3, 4** and **5** was reconsidered. On further motion of Rep. Stabler **HA 3** to **HB 164** was stricken. **HA 4** to **HB 164** - Introduced by Rep. Stabler was adopted by voice vote. **HA 5** to **HB 164** - Introduced by Rep Zimmerman. Mr. Stabler moved to table **HA 5** to **HB 164**. Motion carried.

Roll Call on **HB 164** with **HA 2** and **HA 4** revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Dillman, Dodge, duPont, Frederick, Gray, Heckert, Jarvis, Kirk, Lesher, Little, Moerschel, Murphy, Quillen, Riddagh, Sebrell, Seibel, Spence, Stabler, Unruh, Mr. Speaker Hering — 24.

NAYS — Harrington, McMahon, Mears, Orth, Phillips, Rawlins, Zimmerman — 7.

NOT VOTING — Boulden, Butcher, Fonville, Goldfeder, Hearn, Stansky, Wright — 7.

ABSENT Burton — 1.

HB 164 with **HA 2** and **HA 4** having received a constitutional majority was declared passed by the House.

On motion of Rep. Lesher, **HB 76** with **SA 1** having passed the Senate and amended was before the House for consideration.

Roll Call revealed:

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

NOT VOTING — Spence — 1.

ABSENT — Burton, Stabler — 2.

HB 76 with **SA 1** having received a constitutional majority was declared passed by the House.

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

HB 214 — An Act Requiring Scholarship Recipients to Sign Loyalty Oaths.

Roll Call revealed:

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

NAYS — Goldfeder, Hearn — 2.

NOT VOTING — Wright, Zimmerman — 2.

ABSENT — Burton, Stabler — 2.

HB 214 having received a constitutional majority was declared passed by the House.

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

HB 221 — An Act to Amend Section 394, Title 11, Delaware Code, Relating to Burglary.

HA 1 to **HB 221** — Introduced by Rep. Benson. Adopted by voice vote. On further motion of Rep. Benson **HB 221** with **HA 1** was deferred until the next legislative day.

House recessed at 2:42 P.M., and reconvened at 3:43 P.M.

The Senate informed the House it had passed **SB 246** and requested the concurrence of the House.

Committee Reports: Appropriations: **HB 206**, 6 on merits; **HB 241**, 1 favorable, 4 on merits; Judiciary: **HB 227**, 4 favorable, 1 on merits; Revenue & Taxation: **HS 2** for **HB 131**, 4 favorable, 1 on merits; Health & Welfare: **HB 229**, 1 favorable, 4 on merits; **HB 226**, 5 on merits; **SB 224**, 6 on merits; **SB 178**, 3 favorable, 3 on merits; Revised Statutes: **HB 212**, 5 on merits.

The following prefiled bills were introduced:

HB 244 — An Act to Amend Section 4332, Title 11, Delaware Code, Relating to Sentence Procedures of Children

Fourteen Years of Age or Over Who Are Prosecuted As Adults Under 11 Delaware Code, Sections 2711, 2712, Or Aany Other Provisions of the Delaware Law. Introduced by Rep. Burt. Referred to the Committee on Judiciary.

HB 245 — An Act to Amend Chapter 11, Title 30, Delaware Code, Relating to the Definition of A "Withholding Agent", the Duties and Personal Liability of a Withholding Agent and the Imposition of A Lien on the Real Property of A Withholding Agent. Introduced by Reps. Jarvis and Billingsley. Referred to the Committee on Revenue and Taxation.

HB 246 — An Act to Amend Section 1183, Subchapter VI, Chapter 11, Title 30, Delaware Code, to Increase Rate of Interest on Income Tax Refunds. Introduced by Rep. Jarvis and Others. Referred to the Committee on Revenue and Taxation.

HB 247 — An Act to Amend Section 1904, Chapter 19, Title 30, Delaware Code, to Increase Rate of Interest on Tax Due on Corporation Income Tax Returns for Which Extension of Time for Filing is Granted. Introduced by Reps. Jarvis and Billingsley. Referred to the Committee on Revenue and Taxation.

HB 248 — An Act to Amend Section 2711, Title 11, Delaware Code, Relating to Prosecution of Children as Adults and Sentencing of Such Children. Introduced by Rep. Burt. Referred to the Committee on Judiciary.

HA 3 to **SB 26** — Introduced by Reps. Heckert and Orth. Placed with bill.

HA 1 to **HB 207** — Introduced by Rep. Benson. Placed with bill.

HA 1 to **HS 1** for **HB 149** — Introduced by Rep. Heckert. Placed with bill.

SB 246 — An Act to Incorporate the Town of South Bethany. Introduced by Senator Hickman. Referred to the Committee on Government Operations.

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

HS 1 for **HB 149** with **HA 1** — An Act to Amend Title 13, Delaware Code, Relating to Persons Who May Solemnize Marriages.

HA 1 to **HS 1** for **HB 149** - Introduced by Rep. Heckert. Adopted by voice vote.

Roll Call on **HB 149** with **HA 1** revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Dillman, Dodge, duPont, Frederick, Goldfeder, Gray, Harrington, Heckert, Jarvis, Kirk, Lesher, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker — 33.

NOT VOTING — Hearn — 1.

ABSENT — Burton, Butcher, Fonville, Little, Stabler — 5.

HS 1 for **HB 149** with **HA 1** having received a constitutional majority was declared passed by the House.

HJR 8 — Relating to Paupers. Introduced by Rep. Unruh. Referred to the Committee on Elections.

Committee Report: Commerce and Labor: **SB 149**, 3 favorable, 2 on merits.

House recessed at 4:00 P.M. to the call of the chair.

The Speaker called the House to order at 1:52 P.M. Mr. Stabler moved to adjourn thereby ending the 32nd Legislative Day.

33RD LEGISLATIVE DAY

The House convened at 1:53 P.M., on Tuesday, May 20, 1969.

Prayer by the Chaplain Mr. James R. Bennett, Wilmington.

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

Roll Call revealed 39 members present, none absent.

Minutes of the previous legislative day were approved as posted.

Communications: Letter directed to House Attorneys from Speaker George C. Hering, III.

Legislative Advisory No. 13 from the Office of the Governor:

TO: Rep. William Frederick, Rep. John F. Kirk, Jr., Rep. Thomas L. Little, Rep. W. Laird Stabler, Jr., Rep. George Jarvis, Rep. John G. S. Billingsley, Rep. Jerome N. Unruh, Sen. J. Donald Isaacs, Eugene Bunting, Sec. of State, Richard H. Caldwell, Asst. Sec. of State, Daniel Ross, Treasurer, George W. Cripps, Auditor, Joseph T. Cashman, Budget Dir., Clerk of the House, Secretary of the Senate, Ronald E. Miller, Dr. Kenneth C. Madden, Joseph Flanzer, Esq., Lawrence M. Sullivan, Esq., Richard M. Clendaniel, H. Clifford Clark, Russell W. Whitby, Norman G. Wilder, Randolph Hughes, Christopher L. Perry, Gerald Sapienza, Daniel Enterline, Mrs. Arva Jackson, Legislative Reference Bureau.

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

On the indicated date the Governor approved the following legislation:

HB 89 — 5-15-69 - excepting the Federal Work Incentive Program from the State welfare ceilings.

HB 119 — 5-15-69 - allowing transfer of funds from Gunning Bedford District debt service account to minor capital improvement account.

HS 1 for **HB 121** as amended by **HA 1** — 5-15-69 - reducing the age of majority with respect to capacity to contract to 19 years.

HB 123 — 5-15-69 - reducing the age of majority for purposes of obtaining title to a motor vehicle without parental consent to 20 years.

HB 156 — 5-15-69 - excluding certain death benefit plans from inclusion in decedent's estate for purposes of administration and claims of creditors and beneficiaries.

HB 182 — 5-1-569 - providing a free license for members of the armed forces who are patients in military hospitals to hunt, trap and fish within the State.

HB 190 — 5-15-69 - removing the time limitation on the 8% legal rate of interest and eliminating dependence of such rate on the existence of a conconmitant real estate lien.

SB 64 — 5-15-69 - reducing the period during which shad fishing is prohibited from June until February instead of June until March.

SB 161 — 5-15-69 - prohibiting taking of otter other than during the muskrat season.

On the indicated date the Governor also approved the following Joint Resolution:

HJR 5 — 5-15-69 - relating to reimbursement of State agencies for the full cost of goods and services provided.

Letter from the new Treasurer of the U.S., Mrs. Dorothy Andrews Elston:

May 15, 1969

Dear George:

Please express my deep gratitude to the One Hundred and Twenty-Fifth General Assembly, State of Delaware, for passage of House Concurrent Resolution Number 7.

This Resolution, taking note of my swearing-in as Treasurer of the United States, warmed me more than any action by any group since announcement of my appointment was made.

It is with a deep sense of humility that I accepted this post. It is an office steeped in history and tradition, and one cannot accept such a responsibility without an awareness to those who preceded us as well as to the nation today.

Again, my deepest thanks for the great honor you have accorded me in the presentation and passage of such a Resolution. Please let each and every member of the Assembly know my depths of gratitude.

Cordially and respectfully,
Dorothy Andrews Elston

The Honorable
George C. Hering
Speaker of the House of Representatives
State of Delaware
Dover, Delaware

HA 1 to **SB 26** — Stricken on motion of Rep. Orth.

The Senate informed the House it had passed **SB 254** and requested the concurrence of the House; and, **HB 160, HB 202** with **HA 1** and **2, HS 1** for **HB 113** with **HA 1** and returned same to the House.

The following prefiled bills and amendments were introduced:

HB 249 — An Act to Amend Chapter 11, Title 30, Delaware Code, Relating to State Income Tax Deductions. Introduced by Reps. duPont and Jarvis. Referred to the Committee on Revenue and Taxation.

HB 250 — An Act to Amend Chapters 93, 95 and 96, Title 10, Delaware Code, By Increasing the Jurisdiction of the Justices of the Peace in Civil Matters to $1,500.00. Introduced by Rep. Unruh. Referred to the Committee on Judiciary.

HB 251 — An Act to Amend Title 31, Delaware Code, Entitled "Welfare" to Provide for the Publication of the Names of Welfare Recipients in the Three Counties. Introduced by Rep. Quillen and Others. Referred to the Committee on Health and Welfare.

HB 252 — An Act to Amend Title 8 of the Delaware Code Relating to Corporations By Revising the Schedule of Fees and Franchise Taxes Paid to the Secretary of State. Introduced by Rep. Billingsley and Others. Referred to the Committee on Revenue and Taxation.

HA 2 to **HB 221** — Introduced by Rep. Benson. Placed with bill.

HA 1 to **HB 222** — Introduced by Rep. Benson. Placed with bill.

HA 1 to **HB 223** — Introduced by Rep. Benson. Placed with bill.

HA 2 to **HB 225** — Introduced by Rep. Kirk. Placed with bill.

HA 3 to **HB 225** — Introduced by Rep. Dodge. Placed with bill.

SB 254 — An Act to Amend Title 11, § 342 (a), Relating to Cruelty to Animals and the Penalty Therefor. Introduced by Senators Manning and Foltz. Referred to the Committee on Natural Resources.

On motion of Rep. Benson **HB 221** with **HA 1** was again brought before the House for consideration.

HA 2 to **HB 221** — Introduced by Rep. Benson. Adopted by voice vote.

Roll Call on **HB 221** with **HA 1** and **HA 2** revealed:

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

NOT VOTING — Phillips, Wright — 2.

HB 221 with **HA 1** and **HA 2** having received a constitutional majority was declared passed by the House.

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

HB 222 — An Act to Amend Section 395, Title 11, Delaware Code, Relating to Burglary.

HA 1 to **HB 222** — Introduced by Rep. Benson. Adopted by voice vote.

Roll Call on **HB 222** with **HA 1** revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Heckert, Jarvis, Kirk, Lesher, Little, McMahon, Mears Moerschel, Murphy, Orth, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Zimmerman — 34.

NOT VOTING — Hearn, Phillips, Wright, Mr. Speaker Hering — 4.

ABSENT — Quillen — 1.

HB 222 with **HA 1** having received a constitutional majority was declared passed by the House.

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

HB 223 — An Act to Amend Section 396, Title 11, Delaware Code, Relating to Unlawful Entry.

HA 1 to **HB 223** — Introduced by Rep. Benson. Adopted by voice vote.

Roll Call on **HB 223** with **HA 1** revealed:

YEAS — Benson, Burton, Harrington, Little, Moerschel, Murphy, Quillen, Rawlins, Riddagh, Sebrell, Spence, Unruh — 12.

NAYS — Billingsley, Boulden, Burt, Butcher, Dodge, duPont, Fonville, Goldfeder, Hearn, Jarvis, Lesher, Orth, Phillips, Seibel, Stabler, Mr. Speaker Hering — 17.

NOT VOTING — Berndt, Dillman, Frederick, Gray, Heckert, Kirk, McMahon, Stansky, Wright, Zimmerman — 10.

HB 223 with **HA 1** not having received a constitutional majority was declared lost.

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

HB 241 — An Act Making A Supplementary Appropriation to Social Security Contribution Fund of the State of Delaware (Agency Number 530).

Roll Call revealed:

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

ABSENT — Murphy — 1.

HB 241 having received a constitutional majority was declared passed by the House.

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

SB 147 — An Act to Insert A New Section 4608A in Chapter 46, Title 9, Delaware Code, and to Amend Sections 4617 and 4632 of Chapter 46, Title 9, Delaware Code, Related to Sewage Districts in Kent County. Introducd by Senator Cook.

Privilege of the floor was granted Max Terry, Jr., Levy Court Attorney for Kent County to explain the bill.

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

NOT VOTING — Burton — 1.

ABSENT — Murphy — 1.

SB 147 having received a constitutional majority was declared passed by the House.

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

HB 225 — An Act to Amend Section 5004, Title 15, Delaware Code, Relating to the Use of Voting Machines.

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

HA 2 — Introduced by Rep. Kirk. Stricken on motion of Rep. Kirk.

HA 3 — Introduced by Rep. Dodge. Adopted by voice vote.

Roll Call on **HB 225** with **HA 1** and **3** revealed:

YEAS — Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick,

Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Lesher, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 39.

HB 225 with **HA 1** and **3** having received a constitutional majority was declared passed by the House.

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

HB 169 — An Act to Amend Title 11, Delaware Code, By Providing A New Subchapter Relating to A Uniform Agreement Concerning Detainers.

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

Privilege of the floor was granted Mr. Warren J. Gehrt, Commissioner, Department of Corrections, speaking as a member of the Committee on Interstate Cooperation.

Roll Call revealed:

YEAS — Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Kirk, Lesher, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Seibel, Stabler, Stansky, Wright, Zimmerman, Mr. Speaker Hering — 32.

NAYS — Benson, Spence — 2.

NOT VOTING — Heckert, Sebrell, Unruh — 3.

ABSENT — Dillman, Jarvis — 2.

HB 169 with **HA 1** having received a constitutional majority was declared passed by the House.

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

HB 80 — An Act to Amend Title 4, Delaware Code, Permitting 19 Year Olds to Consume Alcoholic Beverages on Premises.

HA 1 to HB 80 — Introduced by Rep. Quillen and others.

Privilege of the floor was granted Mr. Glenn C. Kenton, House Attorney, to explain the amendment.

On motion of Rep. Quillen roll call on **HA 1 to HB 80** was tabled. On further motion of Rep. Quillen **HB 80** was deferred indefinitely.

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

SB 224 — An Act to Amend § 1185, Title 30, Delaware Code, Relating to "Income Taxes" By Allowing for the Disclosure of the Net Incomes of Persons Having Obligations to the Department of Mental Health. Introduced by Senator Steele.

At the request of Rep. Frederick **SB 224** was deferred.

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

HB 226 — An Act to Amend Subchapter VII, Title 31, Delaware Code, Placing Limitations on Child Day Care Center Benefits for Children of Unemployed Parents or Guardians.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Burton, Dillman, Dodge, duPont, Frederick, Gray, Heckert, Jarvis, Kirk, Lesher, Little, Moerschel, Quillen, Riddagh, Sebrell, Seibel, Spence, Stabler, Unruh, Mr. Speaker Hering — 24.

NAYS — Butcher, Fonville, Goldfeder, Hearn, McMahon, Mears, Phillips, Stansky, Wright — 9.

NOT VOTING — Boulden, Harrington, Rawlins, Zimmerman — 4.

ABSENT — Murphy, Orth — 2.

HB 226 having received a constitutional majority was declared passed by the House.

House recessed at 3:52 P.M., reconvened at 4:10 P.M.

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

HB 227 — An Act to Amend Title 11, Section 4332, Relating to Parole of Prisoners.

Roll Call revealed:

YEAS — Benson, Berndt, Boulden, Burt, Burton, Dillman, Dodge, duPont, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Lesher, McMahon, Mears, Moerschel, Murphy, Orth, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 34.

NAYS — Butcher — 1.

ABSENT — Billingsley, Fonville, Little, Phillips — 4.

HB 227 having received a constitutional majority was declared passed by the House.

Committee Reports: Education: **HB 239**, 3 favorable, 1 on merits; Judiciary: **HB 127** with **HA 1**, 3 favorable, 1 on merits.

The following prefiled bill and resolution was introduced:

HS 1 for **HB 200** — An Act to Amend Chapter 17 of Title 24, Delaware Code, Relating to Licensure to Practice Medicine and Surgery, the Termination of Human Pregnancy, and Penalties for Violation of the Said Chapter. Introduced by Rep. Burt. Referred to the Committee on Judiciary.

HCR 8 — Directing the Joint Finance Committee and Budget Directors to Provide the General Assembly With A New Estimate of the Tax Revenue That Is Due and Owing to the State and Which Is Collectable. Introduced by Rep.

Zimmerman. Mr. Zimmerman motioned for roll call vote to adopt. On motion of Mr. Stabler, **HCR 8** was assigned to the Committee on Revenue and Taxation.

House recessed to call of chair at 4:27 P.M.

The Speaker called the House to order at 1:34 P.M. Mr. Stabler moved to adjourn thereby ending the 33rd Legislative Day.

34TH LEGISLATIVE DAY

The House convened at 1:35 P.M., on Wednesday, May 21, 1969.

Prayer by the Chaplain Mr. Charles F. Mathias, Wilmington.

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

Roll Call revealed 39 members present, none absent.

Minutes of the previous legislative day were approved as posted.

Announcements: Mr. Burt announced he had distributed information on **HS 1** for **HB 200**.

The Senate informed the House it had passed **SB 276** with debt statement, **SB 269**, **SB 8**, **SB 264** and requested concurrence of the House; and, **HS 1** for **HB 62**, **HB 146**, **HB 135** with **HA 1** and **HA 2** and returned same to the House.

Committee Reports: Judiciary: **HS 1** for **HB 200**, 1 favorable, 5 on merits; **HB 201**, 1 favorable, 5 on merits; Financial Institutions: **HB 209**, 5 favorable; Government Operations: **HB 220**, 1 favorable, 5 on merits;**HB 237**, 5 on merits; Natural Resources: **SB 182**, 5 on merits; **SB 254**, 2 favorable, 3 on merits; Revenue and Taxation: **HB 252**, 2 favorable, 3 on merits; Highways and Public Safety: **HB 184**, 2 on merits, 3 unfavorable; **HB 243**, 2 favorable, 3 on merits; **SB 231**, 2 favorable, 3 on merits; **SB 232**, 2 favorable, 3 on merits; **SB 193** with **SA 1** and **2**, 2 favorable, 3 on berits; **SB 194** with **SA 1**, 2 favorable, 3 on merits; **SB 195**, 2 favorable, 3 on merits; **SB 196**, 2 favorable, 3 on merits; **SB 197** with **SA 1**, 2 favorable, 3 on merits; **SB 198** with **SA 1**, 2 favorable, 3 on merits; **SB 199** with **SA 1**, 2 favorable, 4 on merits.

The following prefiled bills were introduced:

HB 253 — An Act to Amend Title 29, Delaware Code, to Require A Fiscal Note for A Bill or Joint Resolution Having a Fiscal Effect Upon State and for Related Purposes. Introduced by Reps. Zimmerman and Little. Referred to the Committee on Appropriations.

SB 8 — An Act Agreeing to a Proposed Amendment to Article II, Section 4 of the Constitutiona of the State of Delaware, Relating to the Time and Frequency of Sessions

and Providing Termination Dates. Introduced by Senators Manning and duPont. Referred to the Committee on House Administration.

SB 264 — An Act Proposing An Amendment to the Constitution of the State of Delaware, Relating to the Time and Frequency of Sessions and Providing Termination Dates. Introduced by Senator Manning and Others. Referred to the Committee on House Administration.

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

SB 276 — An Act Authorizing the State of Delaware to Borrow Money to be Used for Capital Improvements and Expenditures and to Issue Bonds and Notes Therefore and Appropriating the Monies to the State Board of Education. Introduced by Senator Hale and Others. Referred to the Committee on Appropriations.

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

SB 149 — An Act to Amend Chapter 41, Title 29, Delaware Code, in Order to Effect Certain Changes in the State Development Department to Add the Responsibility of Promoting Employment Opportunities, to Broaden the Qualifications and Responsibilities of the Director, to Designate Certain Staff Positions, to Require Interagency Cooperation and to Assure That Proper Consideration Be Given to Existing Resources in Instituting New Development Programs. Introduced by Senator duPont.

Roll Call revealed:

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

NAYS — Mears — 1.

NOT VOTING — Phillips, Stansky — 2.

SB 149 having received a constitutional majority was declared passed by the House.

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

SS 1 for SB 109 — An Act to Amend An Act, Being Chapter 212, Volume 25, Laws of Delaware, Entitled, "An Act to Incorporate the Town of Bethany Beach and Giving It Authority to Issue Bonds" to Permit the Commissioners of

Bethany Beach to Expend Up To $20,000 to Purchase Real and Personal Property Within Its Boundaries for Any Municipal Purpose and to Sell, Lease, Hold, Manage, Control and Mortgage Such Property. Introduced by Senator Hickman.

Roll Call revealed:

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

SS 1 for **SB 109** having received a constitutional majority was declared passed by the House.

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

HB 206 — An Act Relating to a Pension for James E. Cheffins Former New Castle County and State of Delaware Employee.

Roll Call revealed:

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

NOT VOTING — Billingsley, duPont, Lesher — 3.

ABSENT — Stabler — 1.

HB 206 having received a constitutional majority was declared passed by the House.

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

HB 127 with **HA 1** — An Act to Amend Title 10, Delaware Code, Entitled "Courts and Judicial Procedure" in Respect to the Salary of Chief Deputy Prothonotaries and Registers in Chancery and Clerks of the Orphans' Court.

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

Roll Call on **HB 127** with **HA 1** revealed:

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

ABSENT — Jarvis — 1.

HB 127 with **HA 1** having received a constitutional majority was declared passed by the House.

On motion of Rep. Benson **HB 26** and **HB 60** were stricken.

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

HS 2 for **HB 131** with **HA 1** — An Act to Amend Section 375, Subchapter V, Chapter 3, Title 30, Delaware Code, Requiring the Furnishing of Surety Bonds for Payment of Taxes By Nonresident Persons or Firms Doing Business in Delaware.

HA 1 to **HS 2** for **HB 131** — Introduced by Rep. Jarvis. Adopted by voice vote.

Roll Call on **HS 2** for **HB 131** with **HA 1** revealed:

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

HS 2 for **HB 131** with **HA 1** having received a constitutional majority was declared pessed by the House.

On motion of Rep. Quillen roll call on **HA 1** to **HB 80** was lifted from the table.

Roll Call revealed:

YEAS — Billingsley, Burt, Burton, Dillman, Dodge, duPont, Gray, Heckert, Jarvis, Kirk, Moerschel, Murphy, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Stabler, Stansky, Wright, Zimmerman — 21.

NAYS — Benson, Berndt, Boulden, Fonville, Frederick, Goldfeder, Harrington, Lesher, Little, McMahon, Mears, Orth, Phillips, Spence, Unruh — 15.

NOT VOTING — Butcher, Hearn, Mr. Speaker Hering — 3.

HA 1 to **HB 80** having received a majority was declared adopted.

House recessed at 2:29 P.M.

The Speaker called the House to order at 1:33 P.M. Mr. Stabler moved to adjourn thereby ending the 34th Legislative Day.

35TH LEGISLATIVE DAY

The House convened at 1:34 P.M., on Thursday, May 22, 1969.

Prayer by the Chaplain Mr. Gilbert J. Ward, Wilmington.

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

Roll Call revealed 39 members present, none absent.

Minutes of the previous legislative day were approved as posted.

On motion of Rep. Seibel, **HB 174** was stricken.

The Senate informed the House it had passed **SB 209, SB 235, SB 239** with **SA 1, SB 290, SB 292, SCR 11** with **SA 1** and requested the concurrence of the House; and **HB 198** and **HB 241** and returned same to the House.

Committee Reports: Government Operations: **SB 236**, 1 favorable, 2 on merits, 3 unfavorable; House Administrations: **SB 8**, 1 favorable, 4 on merits; **SB 264**, 1 favorable, 4 on merits; Revised Statutes: **SB 42**, 2 favorable, 1 on merits, 2 unfavorable; **SB 44** with **HA 2**, 2 favorable, 1 on merits, 2 unfavorable.

The following prefiled bills and amendments were introduced:

HB 254 — An Act to Amend Article 4, Section 3, of the State of Delaware, to Provide for Six Year Terms for Certain Members of the Judiciary. Introduced by Rep. Kirk. Referred to the Committee on Judiciary.

HA 1 to **HB 184** — Introduced by Rep. Kirk. Placed with bill.

HA 1 to **HJR 8** — Introduced by Rep. Unruh. Placed with Resolution.

HA 1 to **HS 1** for **HB 200** — Introduced by Rep. Zimmerman. Placed with bill.

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

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

SB 239 with **SA 1** — An Act to Amend Chapter 46, Title 6, Delaware Code, Relating to Equal Rights to Housing. Introduced by Senator Isaacs. Referred to the Committee on Health and Welfare.

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

SB 292 — An Act to Amend Subsection 2823 (b), Subchapter II, Chapter 28, Title 31, Delaware Code, Relating to Disqualifications for Admission to the Delaware Home and Hospital for the Chronically Ill, By Deleting the Last Sentence Thereof Requiring Dismissal of Inmates Who Marry. Introduced by Senator Cook and Others. Referred to the Committee on Health and Welfare.

SCR 11 with **SA 1** — Relating to Sex Education in the Public Schools. Introduced by Senator Steele. Referred to the Committee on Education.

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

HB 252 — An Act to Amend Title 8 of the Delaware Code Relating to Corporations By Revising the Schedule of Fees and Franchise Taxes Paid to the Secretary of State.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Hearn, Heckert, Jarvis, Kirk, Lesher, Little, Mears, Moerschel, Murphy, Quillen, Riddagh, Sebrell, Seibel, Spence, Stabler, Stansky, Unruh, Wright, Zimmerman, Mr. Speaker Hering — 32.

NAYS — Harrington, McMahon, Orth, Rawlins — 4.

NOT VOTING — Boulden, Burton, Phillips — 3.

HB 252 having received a two-thirds majority was declared passed by the House.

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

HB 200 — An Act to Amend Chapter 17 of Title 24, Delaware Code, Relating to Licensure to Practice Medicine and Surgery, the Termination of Human Pregnancy, and Penalties for Violation of the Said Chapter.

Privilege of the floor was granted Messrs. Paul Reis and James Collins.

Rep. Sebrell moved that further privilege of the floor be denied to persons who already had spoken about the bill at the public hearings. Mr. Lesher moved to table Rep. Sebrell's motion. Motion carried.

Privilege of the floor was granted Dr. Edward Delate, Chairman of the Right for Life Committee.

HA 1 to **HS 1** for **HB 200** — Introduced by Rep. Zimmerman.

Roll Call revealed:

YEAS — Goldfeder, Stansky, Wright, Zimmerman — 4.

NAYS — Benson, Berndt, Billingsley, Burt, Burton, Dodge, duPont, Frederick, Gray, Heckert, Jarvis, Lesher, Little, Moerschel, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Stabler, Unruh, Mr. Speaker Hering — 22.

NOT VOTING — Boulden, Butcher, Dillman, Fonville, Harrington, Hearn, Kirk, Little, McMahon, Murphy, Orth, Phillips — 12.

ABSENT — Spence — 1.

HA 1 to **HB 200** not having received a majority was declared lost.

HA 2 to **HS 1** for **HB 200** — Introduced by Rep. Murphy.

Roll Call revealed:

YEAS — Benson, Berndt, Boulden, Burt, duPont, Goldfeder, Gray, Harrington, Hearn, Heckert, Kirk, Lesher, Little, Mears, Moerschel, Murphy, Phillips, Quillen, Riddagh, Seibel, Spence, Wright, Zimmerman, Mr. Speaker Hering — 24.

NAYS — Billingsley, Burton, Dodge, Frederick, Sebrell, Stabler, Unruh — 7.

NOT VOTING — Butcher, Dillman, Fonville, Jarvis, Stansky — 5.

ABSENT — McMahon, Orth, Rawlins — 3.

HA 2 to **HS 1** for **HB 200** having received a majority was declared adopted.

HA 3 to **HS 1** for **HB 200** — Introduced by Rep. Murphy.

Privilege of the floor was granted Dr. Andrew Gehret, Obstetrician, of Wilmington to answer questions regarding the amendment.

Roll call on **HA 3** to **HS 1** for **HB 200** was tabled on motion of Rep. Murphy.

HA 4 to **HS 1** for **HB 200** — Introduced by Rep. Murphy. On motion of Rep. Murphy roll call was tabled.

HA 5 to **HS 1** for **HB 200** — Introduced by Rep. Murphy. On motion of Rep. Murphy **HA 5** was stricken.

HA 6 to **HS 1** for **HB 200** — Introduced by Rep. Murphy. On motion of Rep. Murphy **HA 6** was tabled.

On motion of Rep. Frederick rules were suspended for the sole purpose of acting on the following bill:

SB 292 — An Act to Amend Subsection 2823 (b), Subchapter II, Chapter 28, Title 31, Delaware Code, Relating to Disqualifications for Admission to the Delaware Home and Hospital for the Chronically Ill, By Deleting the Last Sentence Thereof Requiring Dismissal of Inmates Who Marry. Introduced by Senator Cook.

Roll Call revealed:

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

NOT VOTING — Sebrell — 1.

ABSENT — Phillips, Spence — 2.

SB 292 having received a constitutional majority was declared passed by the House.

Privilege of the floor was again granted Dr. Andrew Gehret to answer questions regarding **HS 1** for **HB 200** as amended. On motion of Rep. Burt **HS 1** for **HB 200**, as amended, was deferred until the next legislative day.

The following resolutions were introduced:

HR 37 — Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 125th General Assembly. Introduced by Rep. Stabler. Adopted by voice vote.

HR 38 — Authorizing Payment for Services Rendered by the Legislative Staff of the House of Representatives of the 125th General Assembly. Introduced by Rep. Stabler. Adopted by voice vote.

HA 7 to **HS 1** for **HB 200** — Introduced by Rep. Murphy. Placed with bill.

On motion of Rep. Billingsley, **HB 191** was stricken.

On motion of Rep. Jarvis, **HS 1** for **HB 131** was stricken.

House recessed at 4:38 P.M. to the call of the chair.

The Speaker called the House to order at 1:41 P.M. Mr. Stabler moved to adjourn thereby ending the 35th Legislative Day.

36TH LEGISLATIVE DAY

The House convened at 1:42 P.M., on Tuesday, May 27, 1969.

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

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

Roll Call revealed 38 members present, 1 absent.

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

Absent: Burton — 1.

Minutes of the previous legislative day were approved as posted.

Communications and Announcements:

Petition presented to Mrs. Heckert from members of the Trinity Presbyterian Church, Wilmington, supporting **HS 1** for **HB 200** and **HB 201.**

Friday, June 6th, Legislative Day at Delaware Park.

Baseball Game — Philadelphia Phillies, Monday, June 2nd.

Legislative Advisory from the Office of the Governor No. 14.

May 22, 1969

TO: Rep. David S. Benson, Rep. W. Laird Stabler, Jr., Rep. John G. S. Billingsley, Rep. Lorin B. Sebrell, Rep. Rob-

ert M. Dodge, Rep. John A. Dillman, Sen. J. Donald Isaacs, Col. Charles G. Lamb, Hon. David P. Buckson, Comm. William J. O'Rourke, Chancellor William Duffy, Jr., Hon. Daniel F. Wolcott, Hon. Albert J. Stiftel, Joseph Flanzer, Esq., Charles Mohr, Norman G. Wilder, Earle Isaacs, Jr., Morris N. Jarrell, Eugene Bunting, Sec. of State, Richard H. Caldwell, Asst. Sec. of State, Daniel Ross, Treasurer, George W. Cripps, Auditor, Joseph T. Cashman, Budget Dir., Clerk of the House, Secretary of the Senate, Legislative Reference Bureau, Christopher L. Perry, Daniel Enterline, Gerald Sapienza, Mrs. Arva Jackson.

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

On the indicated date the Governor approved the following legislation:

HB 99 — 5-19-69 - Adding the phrase "or other building" to the definition of the crime of arson in the second degree.

HB 151 — 5-19-69 - Providing for recordation by the Kent County Recorder of Deeds with photocopying methods.

HB 38 — 5-20169 - creating more stringent penalties for assault on a law enforcement officer if serious bodily harm occurs.

HB 48 — 5-20-69 - authorizing the Department of Justice to recodify the Court Rules Volume of the Delaware Code.

HB 63 as amended by **HA 2** — 5-20-69 - Adding hawks and several other birds to those wild birds, the killing of which is prohibited.

HS 1 for **HB 126** as amended by **HA 1** — 5-20-69 - allowing Conrad School District to transfer funds from its local debt service account to its minor capital improvement account.

HB 203 — 5-20-69 - Permitting Milton School District to transfer funds from its local debt service account to its local fund No. 80.

SB 137 — 5-20-69 - Providing protection for bald eagles.

Legislative Advisory from the Office of the Governor No. 15.

TO: Rep. Lorin B. Sebrell, Rep. John F. Kirk, Jr., Rep. Pierre S. duPont, IV, Rep. Joseph R. Murphy, Rep. Clarice U. Heckert, Sen. J. Donald Isaacs, Sen. David Elliott, Sen. Allen J. Cook, Eugene Bunting, Sec. of State, Richard H. Caldwell, Asst. Sec. State, Daniel Ross, Treasurer, George W. Cripps, Auditor, Joseph T. Cashman, Budget Dir., Edward Beacom, Mrs. Hattie Tarburton, Russell W. Whitby, Dr. Kenneth C. Madden, Norman G. Wilder, G. Wallace Caulk, Charles Mohr, Edward Hagemeyer, Christopher L. Perry, Daniel En-

terline, Gerald Sapienza, Mrs. Arva Jackson, Clerk of the House, Secretary of the Senate, Legislative Reference Bureau.

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

On the indicated date the Governor approved the following legislation:

HB 53 as amended by **HA 1** — 5-22-69 - allowing for return of a motor vehicle license suspended for failure to pay judgment after ten years under certain conditions.

HB 107 as amended by **HA 1** — 5-22-69 - establishing an advisory board to the State Board of Education.

HB 185 — 5-22-69 - adding the SPCA to the State communications network run by the Highway Department.

HB 213 — 5-22-69 - raising interest ceiling on local school bonds from 5% to 6% (and on bond anticipation notes from 4% to 5%).

HB 217 — 5-22-69 - raising legal interest rate on educotion small loans from 6% to 7%.

SB 128 as amended by **HA 1** and **SA 2** — 5-22-69 - providing $5 fee for return of suspended or revoked motor vehicle license.

Senate Substitute 1 for **SB 154** — 5-22-69 - amending certain rules with respect to weighing and grading leguminous vegetables.

SB 166 as amended by **SA 1** — 5-22-69 - providing penalties for harrissing migratory birds.

SB 174 — 5-22-69 - raising non-resident hunting and trapping license fee.

SB 188 — 5-22-69 - creating a farmers' exception to the prohibition against dogs running at large.

The Senate informed the House it had passed **SB 275** with **SA 1** and requested the concurrence of the House; and **HB 100** with **HA 1**, **HB 106**, **HB 159**, **HB 183** with **HA 1** and **HB 210**; also **HB 17** having lost and returned same to the House.

The following prefiled bills were introduced:

HB 255 — An Act Making A Supplementary Appropriation to the State Board of Education. Introduced by Rep. Zimmerman. Referred to the Committee on Appropriations.

HB 256 — An Act Making A Supplementary Appropriation to the Delaware Commission on Children and Youth. Introduced by Rep. Zimmerman. Referred to the Committee on Appropriations.

HB 257 — An Act Making A Supplementary Appropriation to the State Board of Education. Introduced by Rep. Zimmerman. Referred to the Committee on Appropriations.

HB 258 — An Act Making A Supplementary Appropriation to the State Distribution Agency. Introduced by Rep. Zimmerman. Referred to the Committee on Appropriations.

HB 259 — An Act Making A Supplementary Appropriation to the Department of Mental Health for Delaware State Hospital. Introduced by Rep. Zimmerman. Referred to the Committee on Appropriations.

HB 260 — An Act to Deny A Dog or Kennel License to Any Person Convicted of Cruelty to Dogs. Introduced by Rep. Dillman and Others. Referred to the Committee on Natural Resources.

HB 261 — An Act to Amend Title 14, Delaware Code, By Assigning the Responsibility for Public Educational Broadcasting to the State Board of Education and Making A Supplementary Appropriation Therefor. Introduced by Rep. Lesher. Referred to the Committee on Appropriations.

HB 262 — An Act Making A Supplementary Appropriation to the State Park Commission for Purposes of Refunding and Administering the Recreation Assistance Fund Established By Title 7, Section 4730, Delaware Code. Introduced by Rep. Kirk. Referred to the Committee on Public Buildings and Lands.

HB 263 — An Act Relating to the Inspection of Dog Kennels. Introduced by Rep. Riddagh. Referred to the Committee on Natural Resources.

HB 264 — An Act Amending Chapter 45, Title 29, Delaware Code, Relating to the Custodian of the State House, His Title, Jurisdiction, Employees, and Duties, Including the Appointment of Security Guards and Their Police Powers. Introduced by Reps. Sebrell and Benson. Referred to the Committee on Public Buildings and Lands.

HA 1 to **SB 254** — Introduced by Rep. Sebrell. Placed with bill.

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

On motion of Rep. Burt, **HS 1** for **HB 200** was again brought before the House for consideration.

HA 7 to **HS 1** for **HB 200** — Introduced by Rep. Murphy.

Roll Call revealed:

YEAS — Berndt, Billingsley, Boulden, Burt, duPont, Goldfeder, Harrington, Hearn, Heckert, Jarvis, Kirk, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Rawlins, Riddagh, Seibel, Spence, Wright, Mr. Speaker Hering — 24.

NAYS — Benson, Frederick, Lesher, Quillen, Sebrell, Unruh, Zimmerman — 8.

NOT VOTING — Butcher, Dillman, Dodge, Fonville, Gray, Stabler — 6.

ABSENT — Burton — 1.

HA 7 to **HS 1** for **HB 200** having received a majority was declared adopted.

HA 8 to **HS 1** for **HB 200** — Introduced by Rep. Murphy. On further motion of Rep. Murphy **HA 8** was deferred.

Rep. Burt moved to defer action on **HS 1** to **HB 200**, as amended, until amendments could be re-drafted.

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

HB 239 — An Act to Amend Chapter 21, Title 14, Delaware Code, Relating to the Issuance of School Bonds.

Roll Call revealed:

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

NOT VOTING — Mears — 1.

ABSENT — Benson, Burton — 2.

HB 239 having received a constitutional majority was declared passed by the House.

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

HB 220 — An Act Establishing the Maximum Rate or Rates of Interest to be Borne by Bonds and Other Interest Bearing Obligations Issued by Counties.

Roll Call revealed:

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

ABSENT — Burton — 1.

HB 220 having received a constitutional majority was declared passed by the House.

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

HB 80 with **HA 1** — An Act to Amend Title 4, Delaware Code, Permitting 19 Year Olds to Consume Alcoholic Beverages on Premises.

Roll Call revealed:

YEAS — Burt, duPont, Jarvis, Murphy, Quillen, Rawlins, Sebrell — 7.

NAYS — Benson, Berndt, Boulden, Dillman, Dodge, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Kirk, Lesher, McMahon, Mears, Moerschel, Orth, Phillips, Riddagh, Spence, Unruh, Mr. Speaker Hering — 23.

NOT VOTING — Billingsley, Butcher, McMahon, Seibel, Stabler, Stansky, Wright, Zimmerman — 8.

ABSENT — Burton — 1.

HB 80 with **HA 1** not having received a constitutional majority was declared lost.

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

HB 237 — An Act to Reincorporate the City of Lewes.

Letter from Alfred A. Stango, Mayor of Lewes, as follows:

May 16, 1969

The Honorable Robert M. Dodge,
Representative, State of Delaware
Legislative Hall
Dover, Delaware

Dear Mr. Dodge:

I am writing concerning the proposed new charter for the Town of Lewes which we asked you to present to the legislature for passage.

Please be assured the Town Commissioners and myself as well as the general public are 100% in favor of the new charter. We held a public hearing concerning same and no one stressed any objection whatsoever.

Accordingly, we urge you and your committee to give your full support and encourage passage of the bill.

Would you kindly pass on a copy of this letter to the Chairman of the committee?

If anyone should have any question concerning this matter, please do not hesitate to call.

Thanking you, I am,

Sincerely,
COMMISSIONERS OF LEWES
Alfred A. Stango
Mayor

Roll Call revealed:

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

ABSENT — Burton — 1.

HB 237 having received a three-fourths majority was declared passed by the House.

HA 8 to **HS 1** for **HB 200** — Stricken on motion of Rep. Murphy.

HA 9 to **HS 1** for **HB 200** — Introduced by Rep. Murphy.

Roll Call revealed:

YEAS — Berndt, Billingsley, Boulden, Burt, duPont, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Little, McMahon, Mears, Moerschel, Murphy, Orth, Phillips, Quillen, Rawlins, Riddagh, Seibel, Spence, Stabler, Mr. Speaker Hering — 27.

NAYS — Benson, Lesher, Sebrell, Stansky, Unruh — 5.

NOT VOTING — Butcher, Dillman, Dodge, Fonville, Wright, Zimmerman — 6.

ABSENT — Burton — 1.

HA 9 to **HS 1** for **HB 200** having received a majority was declared adopted.

HA 3 to **HS 1** for **HB 200** — Rep. Murphy to lift the roll call from the table. Roll call on lifting the roll call from the table revealed:

YEAS — Frederick, Gray, Harrington, Jarvis, Kirk, Lesher, Little, Moerschel, Murphy, Quillen, Rawlins, Riddagh, Seibel, Spence, Zimmerman — 15.

NAYS — Benson, Berndt, Billingsley, Boulden, Burt, Dodge, duPont, Fonville, Heckert, McMahon, Mears, Sebrell, Stabler, Stansky, Unruh, Mr. Speaker Hering — 16.

NOT VOTING — Butcher, Dillman, Goldfeder, Hearn, Orth, Phillips, Wright — 7.

ABSENT — Burton — 1.

HA 3 to **HS 1** for **HB 200** not having received a majority, motion to lift from the table was declared tabled.

Rep. Burt read a resolution from the Delaware Federation of Democratic Clubs as follows:

RESOLUTION Passed

WHEREAS: The Delaware Federation of Democratic Clubs believe in the freedom of persons and the sanctity of life, we recognize that abortion should be a matter of responsible personal decision.

NOW, THEREFORE, BE IT RESOLVED that the Delaware Federation of Democratic Clubs urge that legislation be enacted to provide:

(1) That the termination of pregnancy prior to the end of the 12th week (first trimester), be at the request of the individual concerned and be regarded as an elective medical procedure governed by the laws regulating medical practice.

(2) After that period the termination of a pregnancy shall be performed only by a duly licensed physician at the

request of the individual concerned, in a regularly licensed hospital, for one of the following reasons as suggested by the Model Penal Code of the American Law Institute:

(a) When documented evidence exists that this is a danger to the physical or mental health of the woman;

(b) When there is documented evidence that the conceptus has a physical or mental defect;

(c) When there is documented evidence that the pregnancy was the result of rape, incest, or other felonious acts.

Rep. Fonville presented a petition from St. Patrick's Parish Council.

On motion of Rep. Burt **HS 1** for **HB 200** as amended, was again brought before the House for consideration.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Dodge, duPont, Goldfeder, Gray, Hearn, Heckert, Lesher, Mears, Murphy, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Stabler, Unruh, Mr. Speaker Hering — 22.

NAYS — Butcher, Dillman, Fonville, Frederick, Harrington, McMahon, Orth, Stansky, Wright, Zimmerman — 10.

NOT VOTING — Boulden, Jarvis, Kirk, Little, Moerschel, Spence — 6.

ABSENT — Burton — 1.

HS 1 for **HB 200** with **HA 1**, **HA 7** and **HA 9** having received a constitutional majority was declared passed by the House.

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

HB 201 — An Act to Repeal §301 and §302, Title 11, Delaware Code, Relating to Abortion.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Dodge, duPont, Frederick, Goldfeder, Gray, Hearn, Heckert, Kirk, Lesher, Mears, Moerschel, Murphy, Phillips, Quillen, Rawlins, Riddagh, Sebrell, Seibel, Stabler, Unruh, Mr. Speaker Hering — 25.

NAYS — Butcher, Fonville, Harrington, Orth, Stansky, Wright, Zimmerman — 7.

NOT VOTING — Boulden, Dillman, Jarvis, Little, McMahon, Spence — 6.

ABSENT — Burton — 1.

HB 201 having received a constitutional majority was declared passed by the House.

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

SB 8 — An Act Agreeing to a Proposed Admendment to Article II, Section 4 of the Constitution of the State of

Delaware, Relating to the Time and Frequency of Sessions and Providing Termination Dates. Introduced by Senator Manning.

Roll Call revealed:

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

NOT VOTING — Phillips — 1.

ABSENT — Burton — 1.

SB 8 having received a two-thirds majority was declared passed by the House.

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

SB 195 — An Act to Amend Chapter 27, Title 21, Delaware Code, By Providing Penalties For Any Person Driving During the Period of Suspension of His Operator's, Chauffeur's or Taxi Cab Driver's License. Introduced by Senator Isaacs.

Privilege of the floor granted Captain Downey, Delaware State Police, assigned to the Motor Vehicle Department, as Director of Driver Improvement.

Roll Call revealed:

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

NOT VOTING — Zimmerman — 1.

ABSENT — Burton, Goldfeder, Quillen, Seibel — 4.

SB 195 having received a constitutional majority was declared passed by the House.

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

SB 196 — An Act to Amend Chapter 27, Subchapter II, Title 21, Section 2733, Delaware Code, Relating to Discretionary Suspension or Revocation of License and Driving Privileges. Introduced by Senator Isaacs.

Roll Call revealed:

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

NOT VOTING — Benson, duPont — 2.

ABSENT — Billingsley, Burton, Butcher — 3.

SB 196 having received a constitutional majority was declared passed by the House.

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

SB 193 with **SA 1** & **SA 2** — An Act to Amend Chapter 27, Subchapter III, Title 21, Delaware Code, By Adding A New Section Thereto Relating to Driving During A Period of License Denial and Providing Penalties Therefor. Introduced by Senator Isaacs.

Privilege of the floor was granted Captain Downey to explain the bill.

On motion of Rep. Murphy **SB 193** with **SA 1** and **SA 2** was deferred.

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

SB 194 — An Act to Amend Chapter 27, Subchapter 2702, Delaware Code, Relating to Driver's Licenses and the Classification Thereof. Introduced by Senator Isaacs.

On motion of Rep. Murphy **SB 194** was deferred.

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

SB 197 with **SA 1** — An Act to Amend Chapter 27, Subchapter II, Title 21, Section 2732, Delaware Code, Relating to Mandatory Revocation of Drivers License and Driving Privileges. Introduced by Senator Isaacs.

On motion of Rep. Murphy roll call on **SB 197** with **SA 1** was tabled.

House recessed at 4:45 P.M., reconvened at 5:00 P.M.

Committee Reports: Appropriations: **SB 276**, 4 favorable, 2 on merits; Commerce and Labor: **HB 238**, 2 favorable, 3 on merits; Education: **HB 233**, 5 on merits;**SCR 11** with **SA 1**, 4 on merits.

The Senate informed the House it had passed the following: **SB 296** and requested the concurrence of the House; and **HB 194**, **HB 44** with **HA 1** and returned same to the House.

The following prefiled bills and amendments were introduced:

HB 265 — An Act Making An Appropriation to Big Brothers Association of Northern Delaware, Inc. Introduced by Rep. duPont. Referred to the Committee on Appropriations.

HB 266 — An Act to Amend Chapter 51, Title 30, Delaware Code, Relating to Municipal Street Aid Programs. Introduced by Rep. Seibel. Referred to the Committee on Highways and Public Safety.

HA 2 to **HB 180** — Introduced by Rep. Benson. Placed with bill.

HA 1 to HB 64 — Introduced by Rep. Unruh. Placed with bill.

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

SB 271 — An Act Making A Supplemental Appropriation to Delaware State College. Introduced by Senator Holloway. Referred to the Committee on Appropriations.

SB 277 — An Act to Amend Section 4401, Chapter 44, Title 21 of the Delaware Code, Relating to Abandoned Vehicles By, Including Disabled Vehicles. Introduced by Senator Elliott. Referred to the Committee on Highways and Public Safety.

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

SB 288 with SA 1 — An Act to Amend Section 9525, Title 10, Delaware Code, Pertaining to the Prosecution of Civil Actions in Justice of the Peace Courts. Introduced by Senator Elliott. Referred to the Committee on Judiciary.

SB 296 — An Act to Amend Title 28, Section 366 (a), Relating to Horse Racing. Introduced by Senator duPont. Referred to the Committee on Revenue and Taxation.

Committee Report: Revenue and Taxation: **SB 296**, 5 on merits.

House recessed to call of the chair at 5:15 P.M.

The Speaker called the House to order at 1:52 P.M. Mr. Stabler moved to adjourn thereby ending the 36th Legislative Day.

37TH LEGISLATIVE DAY

The House convened at 1:53 P.M., on Wednesday, May 28, 1969.

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

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

Roll Call revealed 38 members present, 1 absent.

Members present: Benson, Berndt, Billingsley, Boulden, Burt, Burton, Butcher, Dillman, Dodge, duPont, Fonville, Frederick, Goldfeder, Gray, Harrington, Hearn, Heckert, Jarvis, Kirk, Lesher, Little, McMahon, Moerschel, Murphy, Orth,

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

Absent: Mears — 1.

Minutes of the previous legislative day were approved as posted.

Communications: Legislative Advisory No. 16 from the Office of the Governor.

TO: Sen. Allen J. Cook, Sen. Reynolds duPont, Sen. David Elliott, Rep. W. Laird Stabler, Jr., Rep. Herbert A. Lesher, Rep. Warren B. Burt, Rep. Robert M. Dodge, Andrew G. T. Moore, Esq., Hon. David P. Buckson, Col. Charles G. Lamb, Comm. William J. O'Rourke, Norman G. Wilder, William C. Gordon, Esq., Det. Lt. William Brierly, Agent James Snyder, Mayor William A. Slatcher, Eugene Bunting, Sec. of State, Richard H. Caldwell, Asst. Sec. of State, Daniel Ross, Treasurer, George W. Cripps, Auditor, Joseph T. Cashman, Budget Director, Christopher L. Perry, Daniel Enterline, Gerald Sapienza, Mrs. Arva Jackson, Clerk of the House, Secretary of the Senate, Legislative Reference Bureau.

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

On the indicated date the Governor approved the following legislation:

SB 292 — 5-23-69 - repealing the marriage prohibition against patients of the Delaware Home and Hospital for the Chronically Ill.

HB 76 as amended by **SA 1** — 5-26-69 - making retired state policemen eligible for certain state jobs without loss of pension.

HS 1 for **HB 113** as amended by **HA 1** — 5-26-69 - providing a new series of criminal statutes dealing with narcotic and dangerous drugs.

HB 202 as amended by **HA 1** and **HA 2** — 5-26-69 - providing a new series of statutes dealing with amphetamines, barbiturates and other stimulant and depressant drugs.

SB 153 — 5-26-69 - amending Seaford charter to increase salaries of Mayor and City Council.

SB 175 — 5-26-69 - providing special trespass penalties for entering upon a certain type of game preserve and authorizing owner thereof to enforce such provision.

SB 217 — 5-26-69 - reflecting the change from "Legislative Reference Bureau" to "Legislative Council" in section relating to distribution of the Delaware Code.

HB 267 — An Act Relating to Uniform Anatomical Gift Act. Introduced by Rep. Moerschel. Referred to the Committee on Health and Welfare.

HS 1 for **HB 148** — An Act Conferring Upon Justices of the Peace Original Jurisdiction For Any Motor Vehicle Violation By A Child Over 16 Years of Age. Introduced by Rep. Spence. Referred to the Committee on Judiciary.

HA 1 to **HB 218** — Introduced by Rep. duPont. Placed with bill.

Committee Reports: Commerce and Labor: **SB 269**, 4 favorable; Public Buildings and Lands: **SB 245**, 4 on merits; Education: **SB 186**, 1 favorable, 3 on merits; Judiciary: **HB 189**, 3 favorable, 2 on merits; **HB 216**, 1 favorable, 1 on merits, 2 unfavorable; Natural Resources: **HB 263**, 3 favorable, 2 on merits; **SB 275** with **SA 1**, 4 favorable, 1 on merits.

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

SB 276 — An Act Authorizing the State of Delaware to Borrow Money to be Used for Capital Improvements and Expenditures and to Issue Bonds and Notes Therefore and Appropriating the Monies to the State Board of Education.

On motion of Rep. Lesher, roll call on **SB 276** was tabled.

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

SB 296 — An Act to Amend Title 28, Section 366 (a), Relating to Horse Racing.

Roll Call revealed:

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

ABSENT — Mears — 1.

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

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

SB 42 — An Act Proposing An Amendment to Article III and XV of the Constitution of the State of Delaware to Abolish the Office of Coronor. Introduced by Senator Steele.

Roll Call revealed:

YEAS — Benson, Berndt, Billingsley, Burt, Burton, Dillman, duPont, Frederick, Gray, Heckert, Jarvis, Kirk, Lesher, Little, Moerschel, Murphy, Quillen, Riddagh, Sebrell, Seibel, Spence, Stabler, Unruh, Wright, Mr. Speaker Hering — 26.

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

NOT VOTING — Butcher, Fonville, Goldfeder, Harrington, Hearn, Stansky, Zimmerman — 7.

ABSENT — Mears — 1.

SB 42 having received a two-thirds majority was declared passed by the House.

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

SB 44 with **SA 2** — An Act to Amend Chapter 47, Title 29, Delaware Code Relating to the Board of Post-Mortem Examiners and the Post of Chief State Medical Examiner and to Repeal Chapter 95, Title 9, Delaware Code, Relating to Coronors. Introduced by Senator Steele.

Roll Call revealed:

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

NOT VOTING — Rawlins, Wright, Zimmerman — 3.

ABSENT — Mears, Murphy — 2.

SB 44 with **SA 2** having received a constitutional majority was declared passed by the House.

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

HB 233 — An Act to Amend Section 6102, Title 29, Delaware Code, to Authorize the State Board of Education to Charge A Rental Rate for Portable Classrooms and to Use the Proceeds for Repairs And/Or to Lease Purchase Additional Portable Classrooms.

Roll Call revealed:

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

ABSENT — Butcher, Fonville, Mears, Stabler — 4.

HB 233 having received a constitutional majority was declared passed by the House.

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

SCR 11 with **SA 1** — Relating to Sex Education in the Public Schools. Introduced by Senator Steele.

Roll Call revealed.

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

ABSENT — Butcher, Frederick, Mears — 3.

SCR 11 with **SA 1** having received a majority was declared adopted.

Rep. Lesher was granted privilege of the floor; spoke with reference to urgency of passage of **SB 276** and then moved for a short recess. Motion carried.

House recessed at 2:34 P.M., reconvened at 3:13 P.M.

Rep. Lesher retained privilege of the floor and continued to speak relative to **SB 276.**

Rep. Zimmerman was granted privilege of the floor and also spoke with reference to **SB 276.**

Rep. Lesher moved to lift the roll call on **SB 276,** motion carried.

Roll Call revealed:

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

ABSENT — Mears — 1.

SB 276 having received a three-fourths majority was declared passed by the House.

Committee Reports: Financial Institutions: **HB 236,** 4 favorable; **SB 99,** 1 on merits, 5 unfavorable; House Administration: **SB 290,** 3 favorable, 3 on merits; Natural Resources: **SB 235,** 1 favorable, 2 on merits, 2 unfavorable.

The following prefiled bills were introduced:

HB 268 — An Act to Amend Chapter 69, Title 9, Delaware Code, By Amending Section 6907 (b) to Extend the Time the Interim Zoning Shall Be Effective for Sussex County. Introduced by Rep. Dodge. Referred to the Committee on Government Operations.

HCR 9 — Relating to the Introduction of Legislation. Introduced by Rep. Stabler.

Roll Call revealed:

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

NAYS — Boulden, Goldfeder, Harrington, Hearn, McMahon, Orth, Phillips, Rawlins, Stansky, Wright, Zimmerman — 11.

ABSENT — Butcher, Kirk, Mears — 3.

HCR 9 having received a constitutional majority was declared adopted.