

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

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

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

On motion of Senator Conner, SB 411 w/ SA 2 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 411 w/ SA 2 — “An Act to Amend Chapter 51, Title 31, Delaware Code, by Creating a New Section Relating to the Transfer and Treatment of Mentally-defective Juveniles.”

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

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

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

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

On motion of Senator Castle, HB 220 w/ HA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 220 w/ HA 1 — “An Act to Amend Chapter 51, Title 25, Delaware Code, Relating to Terms and Conditions of Residential Leases for Persons over 60 years of Age.”

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

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

ABSENT: Mr. McCullough — 1.

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

On motion of Senator Castle, HB 313 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 313 — “An Act to Amend Chapter 3, Title 25 of the Delaware Code Relating to Conveyances of Real Estate; to Create Either Joint Tenancy or Tenancy in Common Ownership of Real Estate.”

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

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

ABSENT: Mr. McCullough — 1.

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

On motion of Senator Castle, HB 434 w/ HA 3 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 434 w/ HA 3 — “An Act to Amend Title 15, Delaware Code, Relating to the Election Laws of Delaware by Amending Chapters 31 and 33, and making certain Changes in Provisions Relating to Primary Elections and Nominations of Candidates, and Nominations of Candidates by Parties.”

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

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

NAYS: Messrs. Cicione, (Mrs.) Conner, Elliott — 3.

NOT VOTING: Mr. Isaacs — 1.

ABSENT: Messrs. Hickman and McCullough — 2.

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

On motion of Senator Isaacs, HB 348 w/ HA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 348 w/ HA 1 — “An Act to Amend Chapter 6, Title 7 of the Delaware Code Prohibiting the Traffic in Hides and Skins of Certain Species of Newborn Seals.”

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

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

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

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

Senator Hart moved that SA 1 to SB 404 which had been previously placed with the Bill, now be adopted.

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

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

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

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

On motion of Senator Hart, SB 404 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 404 w/ SA 1 — “An Act to Amend Part VI, Chapter 69, Title 29 of the Delaware Code Relating to the Procurement of Materiel and Award of Contracts for Public Works by State Agencies.”

Senator Hart requested the privilege of the floor for Mr. W. Southard Jones to speak on the Bill. The privilege was granted without objection.

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

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

NAYS: Mr. McCullough — 1.

ABSENT: Mr. Slawik — 1.

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

Senator Isaacs introduced SA 2 to SB 322 w/ HA 1.

Senator Isaacs moved that the Amendment be adopted.

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

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

NOT VOTING: Messrs. duPont, Elliott, Hale — 3.

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

On motion of Senator Isaacs, SB 322 which had previously passed the Senate, was taken up for reconsideration as further amended by HA 1 and SA 2.

Therefore, on the question, “Shall the Bill (as so amended) pass the Senate?”, the yeas and nays were ordered which, being taken, were as follows:

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

NOT VOTING: Mr. duPont — 1.

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

On motion of Senator Isaacs, **HB 277** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 277 — “An Act to Amend Chapter 45, Title 7, Delaware Code, Relating to the Sale of Public Lands.”

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

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

ABSENT: Messrs. Cook and Hale — 2.

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

Senator Manning moved that **SA 1** to **HB 279 w/ HA 1** which had been previously placed with the Bill, now be adopted.

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

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

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

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

On motion of Senator Hart, **HB 279 w/ HA 1, SA 1** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 270 w/ HA 1, SA 1 — “An Act to Amend Chapter 1, Title 17, Delaware Code, Relating to the Acquisition and Sale of Real Property and the Power of Eminent Domain by the Department of Highways and Transportation.”

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

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

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

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

Senator duPont introduced SB 471 which was given its first reading by title only, as follows:

SB 471 "An Act to Amend Chapter 6, Title 29, Delaware Code Relating to the General Assembly by Providing for the Composition and Reapportionment Thereof." Assigned to Committee on Executive.

Senator Steele introduced SA 1 to SB 360.

On motion of Senator Steele, the Amendment was placed with the Bill without objection.

Senator Cicione introduced SA 1 to SB 328.

On motion of Senator Cicione, the Amendment was placed with the Bill without objection.

Senator Cicione introduced SB 472, co-sponsored by Senator Slawik, which was given its first reading by title only, as follows:

SB 472 — "An Act to Amend Part VII, Chapter 75, Title 16, Delaware Code, Relating to Entrances, Exits, and Fire Escapes, and Providing for the Display of a Wheelchair Symbol." Assigned to Committee on Public Safety.

Senator Castle introduced SA 1 to SS 1 for SB 413.

On motion of Senator Castle, the Amendment was placed with the Bill, without objection.

Senator duPont introduced SA 1 to SB 471.

On motion of Senator duPont, the Amendment was placed with the Bill, without objection.

Senator Hickman, on behalf of the Committee on Public Safety, to whom had been referred HB 455, reported the same back to the Senate: 4 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred HB 430, reported the same back to the Senate: 4 Merits.

Senator Conner, on behalf of the Committee on Health and Social Services to whom had been referred HB 377 reported the same back to the Senate: 1 Favorable; 5 Merits.

On motion of Senator Hale, HB 359 w/ HA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 359 w/ HA 1 — "An Act to Amend Chapter 172, Volume 55, Laws of Delaware, Relating to Duties and Powers of the Wilmington Board of Public Education and to Amend Chapter 367, Volume 57, Laws of Delaware Relating to the Powers and Duties of the Wilmington School Tax Commission."

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

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

NOT VOTING: Mr. McCullough — 1.

ABSENT: Messrs. Cook, Foltz and Schlor — 3.

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

On motion of Senator Hale, HB 325 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 325 — “An Act to Amend Subchapter II, Chapter 14, Title 14, Delaware Code, Relating to Procedures for the Termination of Services of Professional Employees.”

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

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

ABSENT: Messrs. Foltz and Schlor — 2.

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

On motion of Santor Manning, HB 472 w/ HA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 472 w/ HA 1 — “An Act to Amend Section 9115, Chapter 91, Title 9, Delaware Code, Relating to Bonds for the Registers in Chancery.”

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

Senator Manning introduced SCR 35, co-sponsored by Senators Castle, Cicione, Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs and Steele.

SCR 35 — “A Proposal for Legislative Cooperation in Meeting the Fiscal Crisis.”

Senator Manning moved that the Resolution be adopted.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Steele — 12.

NAYS: Messrs. Cook, McCullough and Schlor — 3.

NOT VOTING: Messrs. Hart and Slawik — 2.

ABSENT: Messrs. Cicione and Elliott — 2.

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

On motion of Senator Isaacs, SB 62 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 62 — "An Act to Amend Chapter 21, Title 14, Delaware Code, Relating to Persons Qualified to Vote in Local School Bond Elections."

On motion of Senator Isaacs, the roll call on the Bill was tabled without objection.

On motion of Senator duPont, HJR 10 was taken up for consideration and read a second time by title only in order to be adopted by the Senate.

HJR 10 — "Defining 'The Legislator's Right to Know' about and have information concerning new programs."

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

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

ABSENT: Mr. Hickman — 1.

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

On motion of Senator duPont, SJR 24 was taken up for consideration and read a second time by title only in order to be adopted by the Senate.

SJR 24 — "Relating to Regulations of State Agencies."

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

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

ABSENT: Mr. Hickman — 1.

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

On motion of Senator Robbins, SA 1 to SB 441 which had been previously placed with the Bill, was now considered for adoption.

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

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

ABSENT: Mr. Cook — 1.

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

On motion of Senator Robbins, SB 441 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 441 w/ SA 1 — “An Act to Amend Subchapter 1, Chapter 19, Title 14 of the Delaware Code relating to School Districts which are in Two Counties.”

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

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

ABSENT: Messrs. Cicione and Hart — 2.

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

On motion of Senator duPont, SR 78 which had been tabled, was now lifted for consideration of adoption.

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

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

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

The Secretary read the following message from the House:
6—29—71

Mr. President:

The House wishes to inform the Senate that it has passed **HB 212; HB 213; HJR 18; HJR 19** and requests the concurrence of the Senate.

The House also passed **SB 434; SS 1 for SB 358 w/ SA 1; SB 350; SB 349; SB 290; SB 383** and is returning same to the Senate.

The Chair presented the following House legislation which was given first reading by title only and assigned to the various Committees:

HB 423 — “An Act to Amend Section 6913, Title 29, Delaware Code by Providing Provisions for the Failure to Pay Prevailing Wage Rates.” Assigned to Committee on Judiciary and Elections.

HB 212 — “An Act to Amend Subchapter IV of Chapter 21, Title 21, Delaware Code Relating to Fee Schedule for Registration of Certain Vehicles.” Assigned to Committee on Public Safety.

HB 213 — “An Act to Amend Subchapter 11 of Chapter 21, Title 21, Delaware Code Relating to Vehicle Plates.” Assigned to Committee on Public Safety.

HJR 18 — “Requesting the Governor to Appoint a Delaware Bay Oil Transport Committee.”

On motion of Senator duPont, and without objection, this Joint Resolution was laid on the table.

HJR 19 — “Proclaiming the week of August 9 through August 15 as Voter Registration Emphasis Week.” Assigned to Committee on Judiciary and Elections.

Senator duPont introduced SR 84, entitled:

SR 84 — “In reference to Election of Officers.”

Senator duPont moved that the Resolution be adopted.

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

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

ABSENT: Mr. Hale - 1.

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

Senator Grier moved that the Senate recess until 7:00 p.m. Hearing no objection, the motion prevailed and the Senate recessed at 4:20 p.m.

The Senate reconvened at 9:10 p.m.

Senator Hale introduced SA 2 to SB 471.

On motion of Senator Hale, the Amendment was placed with the Bill, without objection.

Senator Isaacs introduced SA 6 to SS 1 for SB 48, co-sponsored by Senator Hart.

On motion of Senator Isaacs, the Amendment was placed with the Bill, without objection.

Senator Slawik introduced SA 3 to SB 471.

On motion of Senator Slawik, the Amendment was placed with the Bill, without objection.

Senator Schlör introduced SA 4 to SB 471.

On motion of Senator Schlör, the Amendment was placed with the Bill, without objection.

Senator Slawik introduced SR 85, entitled:

SR 85 — “Proposing a Method whereby The Senate Would Help in Solving the Current Fiscal Crisis in the State of Delaware.”

On motion of Senator Slawik, the Resolution was laid on the table, without objection.

Senator Isaacs introduced SA 1 to HB 292.

On motion of Senator Isaacs, the Amendment was placed with the Bill, without objection.

Senator Isaacs, on behalf of the Committee on Natural Resources and Environmental Control to whom had been referred HB 296, reported the same back to the Senate: 5 Merits.

Senator Isaacs moved that Rule 9 be suspended for the purpose of considering HB 296.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlor, Slawik, Steele — 15.

ABSENT: Messrs. Cook, Elliott, Hickman, Robbins — 4.

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

Therefore, HB 296 was read a second time by title only in order to pass the Senate.

HB 296 w/ HA 2 — "An Act Amending Chapter 527, Laws of Delaware Relating to a Declared Moratorium on Certain Activities Along the Delaware River and Bay."

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlor, Slawik, Steele — 14.

ABSENT: Messrs. Cook, Elliott, Foltz, Hickman, Robbins — 5.

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

On motion of Senator Grier, HJR 18 was taken up for consideration and read a second time by title only in order to be adopted by the Senate.

HJR 18 — "Requesting the Governor to Appoint a Delaware Bay Oil Transport Committee."

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlor, Slawik, Steele — 15.

NOT VOTING: Mr. Elliott — 1.

ABSENT: Messrs. Cook, Foltz, Robbins — 3.

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

On motion of Senator Cicione SB 401 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 401 — “An Act to Amend Chapter 22, Title 9, Delaware Code, Relating to Collection of Sewer Service Charges.”

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

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

YEAS: Messrs. Castle, duPont, Grier, Hale, Hart, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele — 11.

NAYS: Mr. Cicione, (Mrs.) Conner — 2.

NOT VOTING: Messrs. Elliott, Hickman, Holloway — 3.

ABSENT: Messrs. Cook, Foltz, Robbins — 3.

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

On motion of Senator Hickman, and without objection, Rule 9 was suspended for the purpose of considering HB 455 w/ HA 2.

Therefore, the Bill was read a second time by title only in order to pass the Senate.

HB 455 w/ HA 2 — “An Act to Amend Title 21, Delaware Code, Chapter 7, Relating to the Jurisdiction of Certain Courts over Children Sixteen or Seventeen Years Old Charged with Violations of the Motor Vehicle Laws.”

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele — 15.

NOT VOTING: Mr. Cicione — 1.

ABSENT: Messrs. Cook, Foltz, Robbins — 3.

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

Senator Conner moved that Rule 9 be suspended for the purpose of considering HB 377 w/ HA 1.

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

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

ABSENT: Messrs. Cook, Foltz and Robbins — 3.

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

Therefore the Bill was read the second time by title only, in order to pass the Senate.

HB 377 w/ HA 1 — “An Act to Amend Title 13, Section 707, Delaware Code Relating to Consents to Health Care of Minors.”

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

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

NAYS: Messrs. Cicione and Isaacs — 2.

NOT VOTING: Messrs. Cook and Elliott — 2.

ABSENT: Messrs. Foltz and Hart — 2.

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

On motion of Senator Hale, **HB 476** was taken up for consideration and read a second time by title only, in order to pass the Senate.

HB 476 — “An Act to Permit the Milford School District to Transfer Certain Funds from Its Debt Service Account to Certain Construction Accounts.”

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

On motion of Senator Castle, **HB 399 w/ HA 3** was taken up for consideration and read a second time by title only in order to pass the Senate.

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hickman, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele — 16.

ABSENT: Messrs. Cicione, Hart and Holloway — 3.

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

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

NAYS: Messrs. Hale and Robbins — 2.

NOT VOTING: Messrs. Cook, Isaacs, McCullough, Schlor, Slawik — 5.

ABSENT: Messrs. Foltz and Hart — 2.

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

On motion of Senator Manning, **HB 473 w/ HA 1** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 473 w/ HA 1 — “An Act to Amend Chapter 83, Title 16, Delaware Code, Relating to the Building Code of Rural New Castle County.”

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

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

ABSENT: Mr. Hart — 1.

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

On motion of Senator Manning HB 440 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 440 — "An Act to Amend Title 25 of the Delaware Code Relating to Landlord and Tenant by Providing that in Demises Whereby the Landlord Supplies Heat, it Shall be Supplied from October 1 to June 1 in any given year."

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

YEAS: Messrs. (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hickman, Holloway, Isaacs, (Mrs.) Manning, Schlör, Slawik, Steele — 12.

NAYS: Mr. Hale — 1.

NOT VOTING: Messrs. Castle, Cicione, Elliott, McCullough, Robbins — 5.

ABSENT: Mr. Hart — 1.

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

On motion of Senator Hickman, Rule 9 was suspended without objection for the purpose of considering HB 495.

Therefore, the Bill was read a second time by title only in order to pass the Senate.

HB 495 — "An Act Amending Section llll, Title 7, Delaware Code, to Provide for Treatment of Privately Owned Waters without Notice to Owners under Certain Conditions."

At the request of Senator Hickman, the privilege of the floor was extended to Representative Harry Derrikson, to speak on the Bill.

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

HB 399 w/ HA 3 — "An act Relating to Delaware Code Revision by Amending Sections 201, 202, 210, 211, 213 and 220, Title 1, Delaware Code, and Repealing Section 2504 (h), Title 29, Delaware Code."

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

The Secretary read the following message from the House:

6-29-71

Mr. President:

The house wishes to inform the Senate that it has passed HB 411 w/ HA 1, 2, SA 1, HA 3; HB 495 and requests the concurrence of the Senate.

The Secretary read the following message from the Governor:

EXECUTIVE DEPARTMENT

June 29, 1971

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

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

Anthony Ferrara 1413 Fresno Road Green Acres Wilmington, Delaware 19803	to be a Justice of the Peace for New Castle County, State of Delaware, for a term of four years from date of confirmation. (Fills a vacancy)
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Ronald E. Cheeseman 1209 Hillside Road Holly Oak Terrace Wilmington, Delaware 19809	to be a Justice of the Peace for New Castle County, State of Delaware, for a term of four years from date of confirmation. (Fills a vacancy)
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Robert B. Yarmey 159 Brookside Boulevard Newark, Delaware 19711	to be a Justice of the Peace for New Castle County, State of Delaware, for a term of four years from date of confirmation, replaces Judge Anna R. Hampton.
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John P. McLaughlin 119 Compass Drive Radnor Woods Claymont, Delaware 19703	to be a Justice of the Peace for New Castle County, State of Delaware, for a term of four years from date of confirmations, replaces Judge John F. Herbert, Jr.
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Mary C. Frey 5 Winding Lane Penny Acres Wilmington, Delaware 19809	to be a Justice of the Peace for New Castle County, State of Delaware, for a term of four years from date of confirmation. (Fills a vacancy)
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Ruth P. Malm 1112 Highgate Road Wilmington, Delaware 19808	to be a Justice of the Peace for New Castle County, State of Delaware, for a term of four years from date of confirmation. (Fills a vacancy)
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Your consideration of these nominations will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

The nominations were assigned to Committee on Executive
Senator Castle introduced SA 1 to SS 1 for SB 413.

Senator Castle moved that the Amendment be adopted.

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

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

ABSENT: Mr. Hart — 1.

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

On motion of Senator Cook, SS 1 for SB 413 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

SS 1 for SB 413 w/ SA 1 — "An Act to Amend Chapter 3, Subchapter XXXIII, Section 644, Title 11, Delaware Code Relating to Shoplifting."

On motion of Senator Cook, the roll call on the Bill was tabled without objection.

On motion of Senator Holloway, SB 248 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 248 — "An Act to Amend Title 29 of the Delaware Code Providing for a Termite Inspection in the Sale of Real Estate."

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

Senator Castle, on behalf of the Committee on Judiciary and Elections to whom had been referred HJR 19, reported the same back to the Senate: 3 Favorable; 3 Merits.

On motion of Senator Castle, Rule 9 was suspended (without objection) for the purpose of considering HJR 19.

Therefore, the Resolution was read a second time by title only in order to be adopted by the Senate.

HJR 19 — "Proclaiming the Week of August 9 through August 15 as Voter Registration Emphasis Week."

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

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

ABSENT: Mr. Hart — 1.

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

On motion of Senator Conner, HB 411 w/ HA 1, 2, SA 1 which had previously passed the Senate, was taken up for reconsideration as further amended by HA 3.

On further motion of Senator Conner, the Bill (as so amended) was laid on the table, without objection.

Senator Grier moved that the Senate recess for caucus until 11:15 or 11:20 p.m.; however, not reconvening at that time, to recess until 1:00 p.m., June 30, 1971. Hearing no objection, the motion prevailed and the Senate recessed.

The Senate reconvened at 1:35 p.m., Wednesday, June 30, 1971.

Senator Cook introduced SA 5 to SB 471.

On motion of Senator Cook, the Amendment was placed with the Bill without objection.

Senator Foltz introduced SA 6 to SB 471.

On motion of Senator Foltz, the Amendment was placed with the Bill, without objection.

Senator Conner introduced SA 7 to SB 471.

On motion of Senator Conner, the Amendment was placed with the Bill, without objection.

Senator Isaacs introduced SB 473, co-sponsored by Senators Hart and Robbins, which was given its first reading by title only, as follows:

SB 473 — "An Act Relating to Salaries of Justices of the Peace and Judges." Assigned to Committee on Finance.

Senator Holloway introduced SR 86, co-sponsored by Senators Conner, duPont, Manning and Slawik.

SR 86 — Expressing Appreciation of the Delaware State Senate to Mrs. Dorothy Banton for Her Long and Outstanding Service as Social Work Executive of Woods Haven-Kruse School for Girls."

WHEREAS, the members of the Senate of the 126th General Assembly of the State of Delaware note that Mrs. Dorothy Banton retired as social work executive of Woods Haven-Kruse School for Girls on April 23, 1971, after devoting thirty-one years to public service; and

WHEREAS, Mrs. Dorothy Banton, a truly pioneer black social worker in every sense of the word, came to Delaware in 1940 from Philadelphia as one of the first black social workers in Delaware with qualifications unmatched; and

WHEREAS, Mrs. Banton's first job upon arriving in Delaware was that of Superintendent of the Industrial School for Colored Girls near Marshallton, which was subsequently named Kruse School for Girls in honor of Miss Edwina Kruse, a pioneer black educator; and

WHEREAS, Mrs. Banton's many innovative programs in her tireless efforts to help delinquent girls has gained for her nationwide acclaim and attention; and

WHEREAS, Mrs. Banton's excellent performance of her duties and her dedication to her profession have been exemplary to others not only in her profession, but to the very girls whom she strived for thirty-one years to help.

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 126th General Assembly of the State of Delaware, that the members wish to acknowledge and thank Mrs. Banton for her outstanding leadership and service she rendered to the State of Delaware over the past thirty-one years as social work executive of the Woods Haven-Kruse School for Girls and the members of the Senate wish her every success and happiness during her years of retirement.

BE IT FURTHER RESOLVED that a copy of this Resolution be made a part of the Senate Journal of the 126th General Assembly of the State of Delaware and a copy be forwarded to Mrs. Dorothy Banton and her immediate family.

Senator Holloway moved that the Resolution be adopted.

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

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

ABSENT: Messrs. Foltz, Hart and Hickman — 3.

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

Senator duPont, on behalf of the Committee on Executive to whom had been referred the following six names submitted by the Governor to be Justices of the Peace for New Castle County, reported the same back to the Senate as follows: Anthony Ferrara — 5 Favorable; Ronald E. Cheeseman — 5 Favorable; Robert B. Yarmey — 5 Favorable; John P. McLaughlin — 5 Favorable; Mary C. Frey — 5 Favorable; Ruth P. Malm — 5 Favorable.

Senator duPont, on behalf of the Committee on Executive to whom had been referred SB 471, reported the same back to the Senate: 4 Favorable; 1 Unfavorable.

The Chair announced that HB 423 had been reassigned from the Committee on Judiciary and Elections to the Committee on Labor and Industrial Relations.

Senator Cicione, on behalf of the Committee on Labor and Industrial Relations to whom had been referred HB 423, reported the same back to the Senate: 1 Favorable; 3 Merits.

On motion of Senator Cicione, HB 458 w/ HA 1, 2, 3 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 458 w/ HA 1, 2, 3 — “An Act to Amend Chapter 27, Title 25, Delaware Code, Relating to Mechanics’ Liens against an Owner of a Residence who Pays the Contractor for Construction, Erection or Building thereof or Alterations, Repairs, or Improvements thereof.”

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

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

NAYS: Mr. Schlör — 1.

NOT VOTING: Mr. McCullough — 1.

ABSENT: Messrs. Foltz, Hart, Hickman — 3.

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

Senator Grier moved that the Senate adjourn until 1:55 p.m., Wednesday, June 30, 1971. Hearing no objection, the motion prevailed and the Senate adjourned at 1:55 p.m.

57TH LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:55 p.m., Wednesday, June 30, 1971, Lt. Governor Bookhammer presiding.

Prayer by the Chaplain, Rev. Clendaniel.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

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

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

On motion of Senator duPont, the nomination by the Governor of Anthony Ferrara as Justice of the Peace was considered for confirmation by the Senate.

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

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

NOT VOTING: Mr. Cicione — 1.

ABSENT: Messrs. Foltz, Hale and Hart — 3.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

On motion of Senator duPont, the nomination by the Governor of Ronald E. Cheeseman as Justice of the Peace was considered for confirmation by the Senate.

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

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

NOT VOTING: Mr. Cicione — 1.

ABSENT: Messrs. Foltz and Hickman — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

On motion of Senator duPont, the nomination by the Governor of Robert Yarmey as Justice of the Peace was considered for confirmation by the Senate.

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

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

NOT VOTING: Mr. Cicione — 1.

ABSENT: Messrs. Foltz and Hickman — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

On motion of Senator duPont, the nomination by the Governor of John P. McLaughlin as Justice of the Peace was considered for confirmation by the Senate.

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

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, dupont, Elliott, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, Schlör, Slawik, Steele — 14.

NAYS: Messrs. McCullough and Robbins — 2.

NOT VOTING: Mr. Cicione — 1.

ABSENT: Messrs. Foltz and Hickman — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

On motion of Senator duPont, the nomination by the Governor of Mary C. Frey as Justice of the Peace was considered for confirmation by the Senate.

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

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

NOT VOTING: Mr. Cicione — 1.

ABSENT: Messrs. Foltz and Hickman — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

On motion of Senator duPont, the nomination by the Governor of Ruth P. Malm as Justice of the Peace was considered for confirmation by the Senate.

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

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

NAYS: Messrs. McCullough and Robbins — 2.

NOT VOTING: Mr. Cicione — 1.

ABSENT: Messrs. Foltz and Hickman — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator Grier moved that the Senate recess until 3:00 p.m. Hearing no objection, the motion prevailed and the Senate recessed at 2:05 p.m.

The Senate reconvened at 4:40 p.m.

Senator duPont moved that SA 1 to SB 471 which had been previously placed with the Bill, now be adopted.

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

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

NOT VOTING: Mr. Hart — 1.

ABSENT: Messrs. Hickman, Isaacs and Schlör — 3.

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

Senator Hale moved that SA 2 to SB 471 which had been previously placed with the Bill, now be adopted.

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

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

NOT VOTING: Mr. Hart — 1.

ABSENT: Messrs. Isaacs and Schlör — 2.

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

Senator Slawik moved that SA 3 to SB 471 which had been previously placed with the Bill, now be adopted.

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

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

NOT VOTING: Mr. Hart — 1.

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

Senator Schlör moved that SA 4 to SB 471 which had been previously placed with the Bill, now be adopted.

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

YEAS: Messrs. Cook, Robbins, Schlör — 3.

NAYS: Messrs. Castle, duPont, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Steele — 9.

NOT VOTING: Messrs. Cicione, (Mrs.) Conner, Elliott, Foltz, Grier, Hart, Slawik — 7.

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

Senator Cook introduced SA 5 to SB 471.

Senator Cook moved that the Amendment be adopted.

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

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

NAYS: Messrs. Castle, duPont, Hale, Hickman, (Mrs.) Manning — 5.

NOT VOTING: Messrs. Cicione, (Mrs.) Conner, Elliott, Foltz, Grier, Hart, Isaacs, Steele — 8.

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

Senator Foltz introduced SA 6 to SB 471.

Senator Foltz moved that the Amendment be adopted.

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

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

NAYS: Mr. Cook — 1.

NOT VOTING: Messrs. Hart, McCullough, Robbins, Schlör — 4.

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

Senator Conner introduced SA 7 to SB 471.

Senator Conner moved that the Amendment be adopted.

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

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

NAYS: Mr. Cook — 1.

NOT VOTING: Messrs. Hart, McCullough, Robbins, Schlör, Slawik — 5.

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

Senator Foltz introduced SA 8 to SB 471.

Senator Foltz moved that the Amendment be adopted.

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

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

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

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

On motion of Senator duPont, SB 471 w/ SA 1, 2, 3, 6, 7, 8 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 471 w/ SA 1, 2, 3, 6, 7, 8 — "An Act to Amend Chapter 6, Title 29, Delaware Code, Relating to the General Assembly by Providing for the Composition and Reapportionment Thereof."

Senator Robbins moved that final consideration of the Bill be deferred.

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

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

NAYS: Messrs. Castle, Cicione, (Mrs.) Conner, Hickman, Isaacs, (Mrs.) Manning, Steele — 7.

NOT VOTING: Messrs. duPont, Elliott, Foltz, Grier, Hale, Hart — 6.

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

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

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

NAYS: Messrs. Cook, Hart, Robbins and Schlor — 4.

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

On motion of Senator Schlor, SB 166 was taken up for consideration and read a second time by title only in order to pass the Senate.

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

On motion of Senator Schlor, the Bill was tabled without objection.

Senator Steele moved that SA 1 to SB 459 which had been previously placed with the Bill, now be adopted.

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

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

ABSENT: Mr. Robbins — 1.

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

On motion of Senator Hart, SB 459 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 459 w/ SA 1 — “An Act to Amend Titles 16 and 29, Delaware Code, Relating to Permits for the Cremation of Dead Bodies.”

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

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

NAYS: Mr. McCullough — 1.

NOT VOTING: Mr. Schlor — 1.

ABSENT: (Mrs.) Manning — 1.

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

On motion of Senator Steele HB 56 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 56 — “An Act Making a Supplementary Appropriation to Boys Home of Delaware, Inc.”

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

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

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

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

On motion of Senator Steele **HB 58** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 58 — “An Act Relating to Education of the Citizens of Delaware by Making an Appropriation to Delaware Safety Council, Inc. Engaged in Educating the People of this State.”

On motion of Senator Steele, the roll call on the Bill was tabled without objection.

On motion of Senator Steele, **HB 61** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 61 — “An Act to Aid Organizations Maintaining Residential Facilities by Making Appropriations thereto.”

On motion of Senator Steele, the roll call on the Bill was tabled without objection.

On motion of Senator Steele, **HB 62** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 62 — “An Act Making an Appropriation to Big Brothers Association of Northern Delaware, Inc.”

On motion of Senator Steele, the roll call on the Bill was tabled without objection.

On motion of Senator Steele, **HB 63** was taken up for consideration and read a second time by Title only in order to pass the Senate.

HB 63 — “An Act to Aid Certain Civic Organizations which Maintain Emergency Vehicles by Making Appropriations therefor.”

On motion of Senator Steele, the roll call on the Bill was tabled without objection.

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

HB 59 — “An Act Relating to Education of the Citizens of Delaware by Making an Appropriation to the “Delaware State Fair, Inc.”

On motion of Senator Steele, the roll call on the Bill was tabled without objection.

On motion of Senator Steele, **HB 55** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 55 s — “An Act relating to Education of the Citizens of Delaware by Making an Appropriation to WHYY, Inc., engaged in Educating the People of this State.”

On motion of Senator Steele, the roll call on the Bill was tabled without objection.

Senator Cicione introduced **SA 1** to **HS 1** for **HB 57**.

Senator Cicione moved that the Amendment be adopted.

On motion of Senator Cicione, the roll call on the Amendment was tabled without objection.

Senator Cicione introduced **SA 2** to **HS 1** for **HB 57**.

Senator Cicione moved that the Amendment be adopted.

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

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

ABSENT: Mr. Cook — 1.

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

On motion of Senator Steele, **HS 1** for **HB 57 w/ SA 2** was taken up for consideration and read a second time by title only in order to pass the Senate.

HS 1 for **HB 57 w/ SA 2** — “An Act to Aid Veterans’ Organizations by Making an Appropriation therefor.”

On motion of Senator Steele, the roll call on the Bill was tabled without objection.

Senator Cook petitioned for the release of **SCR 5 w/ HA 1** from the Committee on Highways, Transportation and Insurance.

Senator Isaacs moved that the petition be tabled.

The Chair ruled that the tabling motion was out of order.

Senator Cook moved that the Secretary be directed to prepare a duplicate to **SCR 5 w/ HA 1** and that it be adopted in lieu of the Original.

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

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Grier, Hale, Hickman, McCullough, Robbins, Schlör, Slawik, Steele — 12.

NAYS: Messrs. Cicione, Elliott, Hart, Isaacs — 4.

NOT VOTING: Messrs. Foltz, Holloway, (Mrs.) Manning — 3.

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

On motion of Senator Foltz, SB 325 w/ SA 1, which had previously passed the Senate, was taken up for reconsideration as further amended by HA 1.

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

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

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

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

On motion of Senator Conner, HB 411 w/ HA 1, 2, SA 1 which had previously passed the Senate, was taken up for reconsideration as further amended by HA 3.

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

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

NOT VOTING: Mr. Isaacs — 1.

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

Senator Isaacs, on behalf of the Committee on Natural Resources and Environmental Control to whom had been referred HB 467 w/ HA 1, reported the same back to the Senate: 4 Merits.

Senator Isaacs moved that Rule 9 be suspended for the purpose of considering HB 467 w/ HA 1.

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

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

NOT VOTING: Messrs. Cook, Elliott, McCullough, Schlör — 4.

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

Therefore, the Bill was given second reading by title only in order to pass the Senate.

HB 467 w/ HA 1 — "An Act Providing Authority to the Department of Natural Resources and Environmental Control for Relocation Assistance to Persons Displaced in the Acquisition of Burton Island, for State Park Purposes, upon which They live or conduct a Business."

On request of Senator Isaacs, the privilege of the floor was granted to Peter Geldof of the Department of Natural Resources and Environmental Control to speak on the Bill.

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

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

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

Senator duPont introduced SR 87, entitled:

SR 87 — "To Debit Senate Travel Account for Legislators' Mileage of the Present Session of the 126th General Assembly."

Senator duPont moved that the Resolution be adopted.

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

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

NAYS: (Mrs.) Manning — 1.

ABSENT: Mr. Holloway — 1.

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

Senator Isaacs moved that the Senate recess for dinner.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning — 11.

NAYS: Messrs. Cook, Grier, Hickman, McCullough, Robbins, Schlör, Slawik — 7.

NOT VOTING: Mr. Steele — 1.

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

The Senate reconvened at 10:45 p.m.

Senator Hale moved that Rule 9 be suspended for the purpose of considering SB 474.

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

YEAS: (Mrs.) Conner, Messrs. Elliott, Hale, Hart — 4.

NAYS: Messrs. Cicione, duPont, Foltz, (Mrs.) Manning, Robbins, Schlör — 6.

NOT VOTING: Messrs. Castle, Grier, McCullough, Steele — 4.

ABSENT: Messrs. Cook, Hickman, Holloway, Isaacs, Slawik — 5.

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

The Secretary read the following message from the House:

6—30—71

Mr. President:

The House wishes to inform the Senate that it has passed **HS 2** for **HB 179; HB 214; HB 395 w/ HA 1; HB 497; HB 498; HB 499; HB 500; HB 501** and **HJR 20** and requests the concurrence of the Senate.

The House also passed **SB 437 w/ SA 2, HA 1; SB 305; SB 346; SB 345 w/ SA 1, HA 1; SB 322 w/ SA 1, HA 1, SA 2; SB 429** and **SB 430** and is returning same to the Senate.

Senator Steele moved that Rule 9 be suspended for the purpose of considering **HB 498**.

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

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

NAYS: Messrs. Hale, Hart, McCullough, Robbins, Schlör, Slawik — 6.

NOT VOTING: Mr. Cook — 1.

ABSENT: Messrs. Holloway and Isaacs — 2.

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

Therefore, the Bill was read by title only in order to pass the Senate.

HB 498 — "An Act Relating to the Number of Administrative and Professional Positions Authorized for Public Schools."

On request of Senator Steele, the privilege of the floor was granted to Al Jones, representing the Delaware School Boards Association, to speak on the Bill.

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

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

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

NOT VOTING: Mr. Isaacs — 1.

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

Senator Steele moved that Rule 9 be suspended for the purpose of considering **HB 497**.

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

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

NAYS: Messrs. Cook, Hale, Hart, McCullough, Robbins, Schlör, Slawik — 7.

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

Therefore, the Bill was read by title only in order to pass the Senate.

HB 497 — "An Act to Amend House Bill 200 of the 126th General Assembly by Making Certain Reductions in Money Appropriated therein."

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

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

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

NOT VOTING: Mr. Cicione — 1.

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

Senator Hale moved that Rule 9 be suspended for the purpose of considering **SB 474**.

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

YEAS: (Mrs.) Conner, Messrs. Elliott, Hale, Hart, Isaacs, — 5.

NAYS: Messrs. Castle, Cicione, Cook, duPont, Foltz, Hickman, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 12.

NOT VOTING: Mr. Holloway — 1.

ABSENT: Mr. Grier — 1.

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

Senator Steele moved that Rule 9 be suspended for the purpose of considering **HB 499**.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, Steele — 11.

NAYS: Messrs. Hart, Isaacs, McCullough, Robbins, Schlör, Slawik — 6.

NOT VOTING: Messrs. Cook and Elliott — 2.

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

Therefore, the Bill was read by title only in order to pass the Senate.

HB 499 — “An Act to Amend Chapter 17, Title 14, Delaware Code, by Increasing the Number of Pupils Composing a “Unit” for Certain Purposes.”

On request of Senator Hale, the privilege of the floor was granted to Jack Freeberg, a Newark School Teacher, to speak on the Bill.

Senator duPont moved that the Senate recess for 5 minutes. Hearing no objection, the motion prevailed and the recess was taken

Senator Steele moved that the roll call on the Bill be tabled.

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

YEAS: Messrs. Castle, Cicione, duPont, Foltz, Grier, Hale, Hickman, Isaacs, (Mrs.) Manning, Steele — 10.

NAYS: Messrs. (Mrs.) Conner, Elliott, Hart, Holloway, McCullough, Robbins, Schlör, Slawik — 8.

ABSENT: Mr. Cook — 1.

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

On motion of Senator duPont, **SB 471 w/ SA 1, 2, 3, 6, 7, 8** which had previously passed the Senate, was taken up for reconsideration as further amended by **HA 1, 2, 5**.

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

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

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

NOT VOTING: Mr. Holloway — 1.

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

Senator Hale moved that Rule 9 be suspended for the purpose of considering **SB 474**.

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

YEAS: Messrs. (Mrs.) Conner, Cook, Elliott, Hale, Hart, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik — 11.

NAYS: Messrs. Castle, Cicione, duPont, Foltz, Grier, Hickman, (Mrs.) Manning — 8.

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

On motion of Senator Grier, and without objection, a five-minute recess was taken by the Senate; at which time the hour of 12:00 midnight passed, thus ending the Session as provided by the Constitution of the State of Delaware.

1ST LEGISLATIVE DAY SPECIAL SESSION

Pursuant to the call of a special session, provided by the Constitution of the State of Delaware, jointly by the Speaker of the House of Representatives and the President of the Senate, the Senate reconvened for the purpose of transacting the business put before it at 12:01 a.m., July 1, 1971, Lt. Governor Bookhammer presiding. Nineteen Senators present.

Pursuant to the motion to suspend Rule 9 for the purpose of considering SB 474, the Bill was read by title only in order to pass the Senate.

SB 474 — “An Act to Amend Chapter 333, Volume 57, Laws of Delaware Relating to the 5% Pay Raise for School Employees.”

Senator Hale moved that the roll call on the Bill be tabled.

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

YEAS: Messrs. (Mrs.) Conner, Cook, Hale, Hart, Holloway, Isaacs, McCullough, Robbins, Schlor — 9.

NAYS: Messrs. Castle, Cicione, (Mrs.) Manning, Steele — 4.

NOT VOTING: Messrs. duPont and Foltz — 2.

ABSENT: Messrs. Elliott, Grier, Hickman, Slawik — 4.

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

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

YEAS: Messrs. (Mrs.) Conner, Hale, Hart, Holloway, Isaacs, McCullough, Robbins, Schlor — 8.

NAYS: (Mrs.) Manning — 1.

NOT VOTING: Messrs. Castle, Cicione, duPont, Steele — 4.

ABSENT: Messrs. Cook, Elliott, Foltz, Grier, Hickman, Slawik — 6.

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

Senator Steele moved that Rule 9 be suspended in order to consider HB 500.

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

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

NAYS: Messrs. Hale, Hart, Schlör — 3.

NOT VOTING: Messrs. Cook, McCullough, Robbins, Slawik — 4.

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

Therefore, the Bill was read by title only in order to pass the Senate.

HB 500 — "An Act Directing that Certain State Employees Receive Merit Increases at a Rate not to Exceed 2½% per Year without Changing Step."

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

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

NAYS: Messrs. Hart, McCullough, Robbins — 3.

NOT VOTING: Messrs. Cicione, Schlör, Slawik — 3.

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

Senator Steele moved that Rule 9 be suspended for the purpose of considering **HB 501**.

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

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

NAYS: Messrs. Cook, Hale, Hart, McCullough, Robbins, Schlör, Slawik — 7.

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

Therefore, the Bill was read by title only in order to pass the Senate.

HB 501 — "An Act to Amend Chapter 333, Volume 57, Delaware Laws by Changing the Effective Date of a 5% Pay Raise for School Employees, and Providing for the Variability of State Public School Employment Contracts by the General Assembly."

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

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

NAYS: Messrs. Cook, Hale, Hart, McCullough, Robbins, Schlör, Slawik — 7.

ABSENT: Messrs. Elliott and Isaacs — 2.

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

Senator Slawik moved that SB 474 be reconsidered for passage by the Senate.

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

YEAS: Messrs. (Mrs.) Conner, Cook, Elliott, Hale, Hart, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik — 11.

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

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

Senator Cicione moved that the Bill be tabled.

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

YEAS: Messrs. Castle, Cicione, duPont, Foltz, Grier, Hickman, (Mrs.) Manning, Steele — 8.

NAYS: Messrs. (Mrs.) Conner, Cook, Elliott, Hale, Hart, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik — 11.

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

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

YEAS: Messrs. Cicione, (Mrs.) Conner, Cook, Elliott, Hale, Hart, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik — 12.

NAYS: Messrs. Castle, duPont, Foltz, Grier, Hickman, (Mrs.) Manning, Steele — 7.

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

On motion of Senator Steele, and without objection, the roll call on HB 499 was lifted.

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

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

NAYS: Messrs. Hale, Hart, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik — 8.

ABSENT: Mr. Cook — 1.

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

On motion of Senator Grier, and without objection, the Senate took a five-minute recess.

The Senate reconvened five minutes later.

On motion of Senator Steele, and without objection, SA 1 to HB 224 w/ HA 1 was stricken.

On motion of Senator Steele, HB 224 w/ HA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 224 w/ HA 1 — “An Act Making an Appropriation to the Department of Highways and Transportation for the Greater Wilmington Transportation Authority during the Fiscal Year Ending June 30, 1972.”

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Grier, Hart, Holloway, (Mrs.) Manning, Schlör, Slawik — 11.

NAYS: Messrs. Elliott, Isaacs, McCullough, Robbins — 4.

NOT VOTING: Messrs. Foltz, Hickman, Steele — 3.

ABSENT: Mr. Hale — 1.

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

Senator Steele moved that SA 1 to SB 360 which had been previously placed with the Bill, now be adopted.

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

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

NAYS: Messrs. McCullough, Robbins, Schlör — 3.

NOT VOTING: Messrs. Cook, Elliott, Foltz, Hart, Isaacs, — 5.

ABSENT: Mr. Slawik — 1.

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

On motion of Senator Steele, SB 360 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 360 w/ SA 1 — “An Act to Amend Chapter 70, Title 6, of the Delaware Code Relating to Economic Development and Environmental Facilities, Authorizing the Department of Community Affairs and Economic Development to Issue Bonds with

or without the Full Faith and Credit of the State Being Pledged to the Payment thereof, Limiting the Amount of Bonds to which the Full Faith and Credit of the State may be Pledged, Defining the Purposes for which Such Bonds may be Issued, and Related Matters.”

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

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

NAYS: Mr. Robbins — 1.

NOT VOTING: Mr. Elliott — 1.

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

On motion of Senator Castle, SB 345 w/ SA 1 which had previously passed the Senate, was taken up for reconsideration of passage as further amended by HA 1.

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

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

ABSENT: Mr. McCullough — 1.

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

On motion of Senator Cook, SCR 5 which had previously been adopted by the Senate, was reconsidered for adoption as further amended by HA 1 (certified duplicate.)

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

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

NAYS: Messrs. Hart and Isaacs — 2.

NOT VOTING: Messrs. Cicione, Elliott, Foltz — 3.

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

On motion of Senator Cicione, the roll call on SA 1 to HS 1 for HB 57 was lifted, without objection.

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

YEAS: Messrs. Cicione, (Mrs.) Conner, Cook, Elliott, Hart, Hickman, Holloway, (Mrs.) Manning, McCullough, Schlör, Slawik — 11.

NOT VOTING: Messrs. Castle, duPont, Foltz, Grier, Hale, Isaacs, Steele — 7.

ABSENT: Mr. Robbins — 1.

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

On motion of Senator Cicione, the roll call on **HS 1** for **HB 57 w/ SA 1, 2** was lifted.

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

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

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

On motion of Senator Isaacs, **SB 437** which had previously passed the Senate, was taken up for reconsideration as further amended by **HA 1**.

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

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

NAYS: Mr. Robbins — 1.

NOT VOTING: Mr. Schlör — 1.

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

On motion of Senator Hale, **HB 476** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 476 — "An Act to Permit the Milford School District to Transfer Certain Funds from Its Debt Service Account to Certain Construction Accounts."

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

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

ABSENT: Mr. Cicione — 1.

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

On motion of Senator Hale, **HS 1** for **HB 380** was taken up for consideration and read a second time by title only in order to pass the Senate.

HS 1 for **HB 380** — “An Act to Permit the Board of Education of the Marshallton-McKean School District to Transfer Certain Funds from its Local Debt Service Account to its Construction Fund, 71-80.”

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

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

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

On motion of Senator Isaacs, Rule 9 was suspended without objection, for the purpose of considering **HB 230 w/ HA 1**.

The Bill was read for the second time by title only in order to pass the Senate.

HB 230 w/ HA 1 — “An Act to Amend Subchapter 1 of Chapter 7, Title 7, Delaware Code, Creating a Hunting Season during which Primitive Weapons may be Used.”

Senator Isaacs moved that the roll call be tabled.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hart, Isaacs, (Mrs.) Manning, Steele — 11.

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

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

On motion of Senator Steele, Rule 9 was suspended without objection, for the purpose of considering **HB 395 w/ HA 1**.

The Bill was therefore read a second time by title only in order to pass the Senate.

HB 395 w/ HA 1 — “An Act Making a Supplementary Appropriation to the Department of Health and Social Services, Division of Juvenile Corrections for the Purpose of Operating the Delaware Youth Center.”

Senator Foltz moved that consideration of the Bill be deferred.

Senator Foltz then withdrew his motion.

On request of Senator Conner, the privilege of the floor was granted to Representative Michael Harkins, to speak on the Bill.

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

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

NAYS: ,Mr. Robbins — 1.

NOT VOTING: Messrs. Castle, Cook, Elliott, Foltz, Hart, Isaacs, McCullough, Schlör — 8.

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

The Secretary read the following message from the House:

6—30—71

Mr. President:

The House wishes to inform the Senate that it has passed SB 293 w/ SA1, 4; SB 471 w/ SA 1, 2, 3, 6, 7, 8, HA 1, 2, 5 and is returning same to the Senate.

On motion of Senator Steele, the roll call on HB 451 was lifted without objection.

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

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

NOT VOTING: Messrs. Foltz and Isaacs — 2.

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

On motion of Senator Isaacs, and without objection, the roll call on SB 62 was lifted.

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

YEAS: Messrs. Cicione, Cook, Foltz, Hart, Isaacs, (Mrs.) Manning, McCullough, Robbins, Slawik, Steele — 10.

NAYS: Messrs. (Mrs.) Conner, duPont, Hale, Hickman — 4.

NOT VOTING: Messrs. Castle and Grier — 2.

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

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

On motion of Senator Steele, the roll call on HB 61 was lifted without objection.

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

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

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

On motion of Senator Elliott, HS 1 for HB 167 w/HA 1,2 was taken up for consideration and read a second time by title only in order to pass the senate.

HS 1 for HB 167 w/ HA 1,2 — "An Act to Amend Chapter 51, Title 6, Delaware Code, Relating to Weights, Measures, and Standards."

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

YEAS: Messrs. Castle, Cicione, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele — 15.

NAYS: Mr. McCullough — 1.

NOT VOTING: Mr. Cook — 1.

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

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

Senator duPont introduced SR 88, entitled:

SR 88 — "Authorizing Payments for Services Rendered by the Staff of the Senate for the 126th General Assembly."

Senator duPont moved that the Resolution be adopted.

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

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

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

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

On motion of Senator duPont, and without objection, Rule 9 was suspended for the purpose of considering HJR 20.

Therefore, the Resolution was read by title only in order to be adopted by the Senate.

HJR 20 — "Authorizing the Governor to Reduce Appropriations to Solve the Revenue Crisis in the State of Delaware."

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

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

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

NOT VOTING: Mr. Hart — 1.

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

On motion of Senator Steele, and without objection, the roll call on **HB 62** was lifted.

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

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

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

On motion of Senator Steele, the roll call on **HB 59** was lifted without objection.

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

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

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

On motion of Senator Steele, the roll call on **HB 63** was lifted without objection.

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

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

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

On motion of Senator Steele, the roll call on **HB 58** was lifted without objection.

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

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

NOT VOTING: Mr. McCullough — 1.

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

On motion of Senator Steele, the roll call on HB 55 was lifted without objection.

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

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

NAYS: Messrs. McCullough and Schlör — 2.

NOT VOTING: Messrs. Foltz and Isaacs — 2.

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

On motion of Senator Steele, the roll call on HB 54 was lifted without objection.

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

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

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

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

SB 285 — "An Act to Amend Chapter 469, Volume 56, Laws of Delaware, Known as the "Annual Capital Improvement Act of 1969" by Extending the Deadline for Starting the Newark State Service Center Project."

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

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

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

On motion of Senator Steele, SB 399 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 399 — “An Act to Amend Chapter 469, Volume 56, Laws of Delaware, Known as the “Annual Capital Improvement Act of 1969” by Extending the Deadline for Starting the Dover State Service Center Project.”

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

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

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

On motion of Senator Steele, SB 426 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 426 — “An Act to Amend Chapter 469, Volume 56, Laws of Delaware, Known as the “Annual Capital Improvement Act of 1969,” by Allowing for the Construction and Renovation of a Work-release Center in Sussex County and Extending the time for Such Project.”

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

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

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

Senator duPont prefiled SB 475 for introduction when the Senate reconvenes at a later date.

On motion of Senator Hale, SB 408 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 408 — “An Act to Amend Title 14 and Title 29, Delaware Code annotated, as the Same Refer to Local School Bonds, School Construction Capital Improvements, and Bonds of the State of Delaware and the Duties of the Secretary of Finance with Reference thereto.”

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

On motion of Senator Hale, SB 392 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 392 — “An Act to Amend Title 14 and Title 29, Delaware Code annotated, as the Same Refer to Local School Bonds, School Construction Capital Improvements, and Bonds of the State of Delaware, and the Duties of the Secretary of Finance with Reference thereto.”

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

Senator Grier moved that this First Day of the Special Session recess until 1:30 p.m., July 13, 1971. Hearing no objection, the motion prevailed and the Senate recessed at 2:30 a.m., July 1, 1971.

The Senate reconvened at 5:00 p.m., Monday, July 26, 1971.

Senator duPont presented the following Veto Message from the Governor and on his motion was included in the Senate Journal:

EXECUTIVE DEPARTMENT
DOVER

July 13, 1971

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

On July 2, 1971, I received Senate Substitute 1 for Senate Bill 199 entitled:

“AN ACT TO AMEND CHAPTER 45, TITLE 21,
DELAWARE CODE, RELATING TO SIZE AND
WEIGHT OF VEHICLES AND TRUCK LOADS.”

I am returning this bill without my signature for the following reasons:

This bill is not properly enacted because it fails, in its enactment clause, to contain a two-thirds vote provision. Article IV, Section 28 of the Constitution of the State of Delaware reads in pertinent part as follows:

“The General Assembly may by law give to any inferior courts by it established. . . jurisdiction of the criminal matters following, that is to say. . . such other misdemeanors as the General Assembly may from time to time, with the concurrence of two-thirds of all the members elected to each house, prescribe.”

Senate Substitute 1 for Senate Bill 199, by enacting new weight standards, violations of which are punishable criminally, in effect would create a new misdemeanor. In addition, the bill would vest jurisdiction in a statutory court by way of the already existing applicable penalty provision (21 Delaware Code, R4507). That penalty section does not specifically provide that Superior Court will have exclusive original jurisdiction over the crimes to

which it refers. Under our court setup, the Courts of Common Pleas, which are statutory courts, would have jurisdiction. Therefore, the bill comes within the Constitution's two-thirds requirement, and I would fail in my constitutional obligation if I signed it.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

On motion of Senator duPont, SB 475 was stricken without objection.

Senator Elliott introduced SB 476 which was given its first reading by title only, as follows:

SB 476 — "An Act to Amend Chapter 17, Title 14 of the Delaware Code, Relating to the Number of Pupils Composing a "Unit" for Certain Purposes."

On motion of Senator Elliott, and without objection, the Bill was laid on the table.

Senator Steele introduced **SB 477** which was given its first reading by title only, as follows:

SB 477 — "An Act to Further Ameliorate the Financial Integrity of the State of Delaware by Eliminating, Restricting, Reducing in Whole or in Part, or Postponing Certain Programs, Projects and Various Expenditures Previously Authorized by the General Assembly of the State of Delaware; to Decree Certain Budgetary Restrictions and Procedures and to Repeal, Amend or Temporarily Suspend Certain Other Pertinent Statutory Provisions."

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

Senator Foltz introduced SA 1, SA 2, SA 3 and SA 4 to SB 477, co-sponsored by Senator Steele.

On motion of Senator Foltz, the four Amendments were placed with the Bill, without objection.

Senator Foltz introduced SA 5 to SB 477.

On motion of Senator Foltz, the Amendment was placed with the Bill without objection.

Senator Steele introduced SA 6, SA 7, SA 8 and SA 9 to SB 477, co-sponsored by Senator Foltz.

On motion of Senator Steele, the four Amendments were placed with the Bill, without objection.

Senator Steele introduced SA 10, SA 11, SA 12 and SA 13 to SB 477.

On motion of Senator Steele, the Amendments were placed with the Bill without objection.

Senator Hale introduced SA 14 to SB 477.

On motion of Senator Hale, the Amendment was placed with the Bill without objection.

Senator Elliott introduced SA 15, SA 16, SA 17, SA 18, SA 19 and SA 20 to SB 477.

On motion of Senator Elliott, the Amendments were placed with the Bill without objection.

Senator Hickman introduced SA 21 and SA 22 to SB 477.

On motion of Senator Hickman, the Amendments were placed with the Bill without objection.

Senator Steele, on behalf of the Committee on Finance to whom had been referred SB 50 reported the same back to the Senate: 3 Favorable; 1 Merits.

Senator Steele, on behalf of the Committee on Finance to whom had been referred HB 474, reported the same back to the Senate: 2 Favorable; 2 Merits.

The Chair presented the following House Bills which were given first reading by title only, as follows:

HS 2 for HB 179 — “An Act to Amend Subchapter 11 of Chapter 29, Title 21, Delaware Code Relating to Deposit of Security.” Assigned to Committee on Public Safety.

HB 214 — “An Act to Amend Chapter 1, Title 21, Delaware Code Relating to Definitions.” Assigned to Committee on Public Safety.

Senator duPont introduced SR 89, entitled:

SR 89 — “In Reference to the Senate Legislative Staff.”

On motion of Senator duPont, the Resolution was laid on the table, without objection.

Senator Cook introduced SR 90, entitled:

SR 90 — “Expressing Sincere Sympathy to the Family of Clifton Reynolds, Legislative Hall Printer.”

Senator Cook moved that the Resolution be adopted.

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

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

ABSENT: Mr. Isaacs — 1.

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

Senator Steele introduced SB 478 which was given its first reading by title only, as follows:

SB 478 — “An Act to Amend Subchapter XXXI, Chapter 3, Title 11 of the Delaware Code, Subchapter XVII, Chapter 3, Title 11 of the Delaware Code and Chapter 53, Title 16 of the Delaware Code, Relating to Intoxication and Alcoholism.”

On motion of Senator Steele, the Bill was laid on the table.

Senator Foltz introduced SB 479, co-sponsored by Senators Cook, Holloway and Robbins, which was given its first reading by title only, as follows:

SB 479 — “An Act to Validate the Publication of Certain Construction Bid Notices, and to Authorize Delaware State

College to Award the Contract for Construction of the Education and Humanities Center to the Lowest Responsible Bidder."

Senator Foltz moved that Rule 9 be suspended for the purpose of considering SB 479.

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

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

ABSENT: Mr. Isaacs — 1.

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

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

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

ABSENT: Mr. Isaacs — 1.

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

Senator Hart introduced SA 1 to HB 474.

On motion of Senator Hart, the Amendment was placed with the Bill without objection.

On motion of Senator duPont, and without objection, the roll call was lifted on SR 77.

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

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

NOT VOTING: Mr. McCullough — 1.

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Grier moved that the Senate adjourn until 2:00 p.m., Tuesday, July 27, 1971. Hearing no objection, the motion prevailed and the Senate adjourned at 5:30 p.m.

**2ND LEGISLATIVE DAY
SPECIAL SESSION**

The Senate met pursuant to adjournment at 8:20 p.m., Tuesday, July 27, 1971, Lt. Governor Bookhammer presiding.

A prayer was offered by Senator Steele.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

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

ABSENT: Mr. Isaacs — 1.

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

Senator Foltz moved that SA 1 to SB 477, which had been previously placed with the Bill, now be adopted.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, (Mrs.) Manning, Steele — 8.

NAYS: Messrs. Cook, Hale, Holloway, McCullough, Robbins, Schlör, Slawik — 7.

NOT VOTING: Messrs. Grier and Hickman — 2.

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Foltz moved that SA 2 to SB 477 which had been previously placed with the Bill, now be adopted.

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

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, Elliott, Foltz, Hale, Steele — 7.

NAYS: Messrs. Cicione, duPont, Grier, Hickman, (Mrs.) Manning, Robbins — 6.

NOT VOTING: Messrs. Holloway, Schlör, Slawik — 3.

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

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

Senator Foltz moved that SA 3 to SB 477, which had been previously placed with the Bill, now be adopted.

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

YEAS: Messrs. Foltz and Steele — 2.

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

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Foltz moved that SA 5 to SB 477 which had been previously placed with the Bill, now be adopted.

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

YEAS: Messrs. Cicione, Cook, duPont, Foltz, Grier, (Mrs.) Manning, Steele — 7.

NAYS: Messrs. Castle, (Mrs.) Conner, Hale, Hickman, Holloway, McCullough, Robbins, Schlör, Slawik — 9.

NOT VOTING: Mr. Elliott — 1.

ABSENT: Messrs. Hart and Isaacs — 2.

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

On motion of Senator Foltz, SA 4 to SB 477 which had been previously placed with the Bill, was stricken without objection.

Senator Steele moved that SA 6 to SB 477 which had been previously placed with the Bill, now be adopted.

Senator Foltz requested that his name be removed as co-sponsor of SA 6 to SB 477. There was no objection.

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

YEAS: None.

NAYS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik — 15.

NOT VOTING: Messrs. Grier and Steele — 2.

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Steele moved that SA 7 to SB 477 which had been previously placed with the Bill, now be adopted.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Foltz, Grier, (Mrs.) Manning, Robbins, Steele — 8.

NAYS: Messrs. Cicione, Cook, Elliott, Hale, Hickman, Holloway, McCullough, Schlör, Slawik — 9.

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Steele moved that SA 8 to SB 477 which had been previously placed with the Bill, now be adopted.

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

YEAS: Messrs. Cicione, Cook, Elliott, Foltz, McCullough, Robbins, Schlör, Slawik, Steele — 9.

NAYS: Messrs. Castle, (Mrs.) Conner, duPont, Hale, Hickman, Holloway, (Mrs.) Manning — 7.

NOT VOTING: Mr. Grier — 1.

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Steele moved that SA 9 to SB 477 which had been previously placed with the Bill, now be adopted.

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

YEAS: Messrs. Foltz, (Mrs.) Manning, Robbins, Steele — 4.

NAYS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hickman, Holloway, Slawik — 11.

NOT VOTING: Messrs. McCullough and Schlör — 2.

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Steele moved that SA 10 to SB 477 which had been previously placed with the Bill, now be adopted.

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

YEAS: Messrs. Cicione, Cook, Foltz, Robbins, Steele — 5.

NAYS: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, McCullough, Schlör, Slawik — 12.

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Steele moved that SA 11 to SB 477 which had been previously placed with the Bill, now be adopted.

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

YEAS: None.

NAYS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik — 14.

NOT VOTING: Messrs. Cicione, Elliott and Steele — 3.

ABSENT: Messrs. Hart and Isaacs — 2.

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

On motion of Senator Steele, SA 12 to SB 477 which had been previously placed with the Bill, was stricken without objection.

Senator Steele moved that SA 13 to SB 477 which had been previously placed with the Bill, now be adopted.

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

YEAS: Messrs. (Mrs.) Conner, Cook, duPont, Foltz, Grier, (Mrs.) Manning, McCullough, Robbins, Steele — 9.

NAYS: Messrs. Cicione, Hale, Hickman, Schlör — 4.

NOT VOTING: Messrs. Castle, Elliott, Holloway, Slawik — 4.

ABSENT: Messrs. Hart and Isaacs — 2.

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

On motion of Senator Elliott, SA 15 through SA 20 which had been previously placed with the Bill, were stricken without objection.

Senator Hickman moved that SA 21 to SB 477 which had been previously placed with the Bill, now be adopted.

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

YEAS: Messrs. Cicione, Cook, duPont, Foltz, Grier, Hickman, Holloway, Robbins, Schlör, Slawik — 10.

NAYS: Messrs. Castle, (Mrs.) Conner, Hale, (Mrs.) Manning, McCullough, Steele — 6.

NOT VOTING: Mr. Elliott — 1.

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Hickman moved that SA 22 to SB 477 which had been previously placed with the Bill, now be adopted.

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

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

NAYS: Messrs. Foltz and Steele — 2.

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Cicione introduced SA 23 and SA 24 to SB 477.

On motion of Senator Cicione, the two Amendments were stricken without objection.

Senator Cicione introduced SA 25 to SB 477.

Senator Cicione moved that the Amendment be adopted.

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

YEAS: Messrs. Cicione, (Mrs.) Conner, Holloway, (Mrs.) Manning, Robbins, Schlör, Slawik — 7.

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

NOT VOTING: Messrs. Cook, Elliott, McCullough — 3.

ABSENT: Messrs. Hart, Hickman, Isaacs — 3.

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

Senator Manning introduced SA 26 to SB 477.

Senator Manning moved that the Amendment be adopted.

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

YEAS: (Mrs.) Conner, Messrs. Cook, duPont, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, Robbins, Schlör, Slawik — 12.

NAYS: Messrs. Castle and Steele — 2.

NOT VOTING: Messrs. Elliott and McCullough — 2.

ABSENT: Messrs. Cicione, Hart and Isaacs — 3.

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

Senator Steele introduced SA 27 to SB 477.

Senator Steele moved that the Amendment be adopted.

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

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

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Hale introduced SA 28 to SB 477.

Senator Hale moved that the Amendment be adopted.

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

YEAS: Messrs. Castle, (Mrs.) Conner, Elliott, Hale, Holloway, Schlör, Slawik — 7.

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

NOT VOTING: Messrs. Cicione, Cook, Foltz, Grier, (Mrs.) Manning, McCullough, Robbins, — 7.

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator duPont introduced SA 29 to SB 477.

Senator duPont moved that the Amendment be adopted.

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

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

NOT VOTING: Mr. McCullough — 1.

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Castle introduced SA 30 to SB 477, co-sponsored by Senators Hale and Holloway.

Senator Castle moved that the Amendment be adopted.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hickman, Holloway, McCullough, Schlör, Slawik — 13.

NAYS: Messrs. Foltz, (Mrs.) Manning, Robbins, Steele — 4.

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Elliott introduced SA 31 to SB 477.

Senator Elliott moved that the Amendment be adopted.

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

YEAS: Messrs. Cook and Elliott — 2.

NAYS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele — 15.

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Elliott introduced SA 32 to SB 477.

Senator Elliott moved that the Amendment be adopted.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, (Mrs.) Manning, Slawik, Steele — 11.

NAYS: Messrs. McCullough and Robbins — 2.

NOT VOTING: Messrs. Grier, Hickman, Holloway and Schlor — 4.

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Conner introduced SA 33 to SB 477, co-sponsored by Senator Holloway.

Senator Conner moved that the Amendment be adopted.

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

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

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Elliott introduced SA 34 to SB 477.

Senator Elliott moved that the Amendment be adopted.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Hale, (Mrs.) Manning, Robbins, Steele — 10.

NAYS: Messrs. Cook, Grier, Hickman, Holloway, McCullough, Schlor, Slawik — 7.

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Slawik introduced SA 35 to SB 477.

Senator Slawik moved that the Amendment be adopted.

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

YEAS: Messrs. Cicione, (Mrs.) Conner, Cook, Hale, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik — 10.

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

NOT VOTING: Messrs. Castle, Elliott, Foltz, Grier — 4.

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Holloway introduced SA 36 to SB 477, co-sponsored by Senator Castle.

Senator Holloway moved that the Amendment be adopted.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik — 14.

NOT VOTING: Messrs. Elliott, Foltz, Steele — 3.

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Castle introduced SA 37 to SB 477.

On motion of Senator Castle, the Amendment was stricken without objection.

Senator Slawik introduced SA 38 to SB 477.

Senator Slawik moved that the Amendment be adopted.

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

YEAS: None.

NAYS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hickman, (Mrs.) Manning, Robbins, Schlör, Steele — 14.

NOT VOTING: Mr. Slawik — 1.

ABSENT: Messrs. Hart, Holloway, Isaacs, McCullough — 4.

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

Senator Cicione introduced SA 39 to SB 477.

On motion of Senator Cicione, the Amendment was stricken without objection.

Senator Elliott introduced SA 40 to SB 477.

Senator Elliott moved that the Amendment be adopted.

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

YEAS: Messrs. Elliott, McCullough, Robbins — 3.

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

NOT VOTING: Messrs. Holloway and Slawik — 2.

ABSENT: Messrs. Cicione, Hart and Isaacs — 3.

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

Senator Conner introduced SA 41 to SB 477, co-sponsored by Senators Holloway and Slawik.

Senator Conner moved that the Amendment be adopted.

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

YEAS; Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hickman, Holloway, (Mrs.) Manning McCullough, Schlör, Slawik — 14.

NOT VOTING: Messrs. Foltz, Robbins, Steele — 3.

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Hale yielded the floor to Senator Cicione for the consideration of SA 46 to SB 477.

Senator Cicione introduced SA 46 to SB 477, co-sponsored by Senator Hale.

Senator Cicione moved that the Amendment be adopted.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Elliott, Hale, Hickman, Holloway, McCullough, Schlör, Slawik — 10.

NAYS: Messrs. duPont, Foltz, (Mrs.) Manning, Steele — 4.

NOT VOTING: Messrs. Cook, Grier, Robbins — 3.

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Hale introduced SA 42 to SB 477.

Senator Hale moved that the Amendment be adopted.

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

YEAS; Messrs. Castle, Cicione, (Mrs.) Conner, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, McCullough, Schlör, Slawik — 11.

NAYS: Mr. Steele — 1.

NOT VOTING: Messrs. Cook, duPont, Elliott, Foltz, Robbins — 5.

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Conner introduced SA 43 to SB 477, co-sponsored by Senators Holloway and Slawik.

Senator Conner moved that the Amendment be adopted.

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

YEAS: Messrs. (Mrs.) Conner, Hale, Holloway, McCullough, Slawik — 5.

NAYS: Messrs. Castle, Cook, duPont, Foltz, Grier, Hickman, (Mrs.) Manning, Robbins, Steele — 9.

NOT VOTING: Messrs. Cicione, Elliott, Schlör — 3.

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Conner introduced SA 44 to SB 477 co-sponsored by Senators Holloway and Slawik.

Senator Conner moved that the Amendment be adopted.

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

YEAS: Messrs. (Mrs.) Conner, Hale, Holloway, (Mrs.) Manning, McCullough, Slawik — 6.

NAYS: Messrs. Castle, Cook, duPont, Steele — 4.

NOT VOTING: Messrs. Cicione, Elliott, Foltz, Grier, Robbins, Schlör — 6.

ABSENT: Messrs. Hart, Hickman and Isaacs — 3.

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

Senator Cicione introduced SA 45 to SB 477.

Senator Cicione moved that the Amendment be adopted.

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

YEAS: Messrs. Castle, Cicione, Cook, Hale, Holloway, Schlör, Slawik — 7.

NAYS: Messrs. (Mrs.) Conner, McCullough, Steele — 3.

NOT VOTING: Messrs. duPont, Elliott, Foltz, Grier, Hickman, Robbins, — 6.

ABSENT: Messrs. Hart, Isaacs, (Mrs.) Manning — 3.

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

Senator Cook introduced SA 47 to SB 477.

Senator Cook moved that the Amendment be adopted.

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

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

NAYS: Messrs. Castle, Hickman, Steele — 3.

NOT VOTING: Messrs. Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Hale — 6.

ABSENT: Messrs. Hart, Isaacs, (Mrs.) Manning — 3.

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

On motion of Senator Steele SB 477 w/ SA 21, 22, 26, 27, 29, 30, 32, 33, 34, 35, 36, 41, 42, 46 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 477 w/ SA 21, 22, 26, 27, 29, 30, 32, 33, 34, 35, 36, 41, 42, 46 — "An Act to Further Ameliorate the Financial Integrity of the State of Delaware by Eliminating, Restricting, Reducing in Whole or in Part, or Postponing Certain Programs, Projects and Various Expenditures Previously Authorized by the General Assembly of the State of Delaware; to Decree Certain Budgetary Restrictions and Procedures and to Repeal, Amend or Temporarily Suspend Certain Other Pertinent Statutory Provisions."

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

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

NAYS: Messrs. Foltz, McCullough, Robbins, Slawik — 4.

NOT VOTING: Messrs. Cicione, Cook, Schlor — 3.

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Grier moved that the Senate recess until 1:00 p.m., Wednesday, July 28, 1971. Hearing no objection, the motion prevailed and the Senate recessed at 11:55 p.m.

The Senate reconvened at 3:40 p.m., Wednesday, July 28, 1971.

Senator Hart, on behalf of the Committee on Highways, Transportation and Insurance to whom had been referred HB 480, reported the same back to the Senate: 4 Merits.

Senator Hart, on behalf of the Committee on Highways, Transportation and Insurance to whom had been referred HB 368, reported the same back to the Senate: 4 Merits.

The following messages of nomination by the Governor were read into the record:

EXECUTIVE DEPARTMENT

July 27, 1971

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

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

Franklin W. Butler
2609 North Pine Street
Wilmington, Delaware
19802

to be a member of the Council
on Highways, State of Delaware,
for a term of one year from date
of confirmation, succeeding
Bernard B. Isaacson.

L. Donald McKnatt
50 Commerce Street
Harrington, Delaware

to be a member of the Council
on Highways, State of Delaware,
for a term of one year from date
of confirmation, succeeding
Ernest Killen.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

EXECUTIVE DEPARTMENT

July 27, 1971

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

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

Grover C. Brown, Esq.
924 Sunset Terrace
Dover, Delaware 19901

to be a Judge of the Family
Court of the State of Delaware,
For a term of twelve years
from date of confirmation.
(New)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

EXECUTIVE DEPARTMENT

July 27, 1971

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

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

George M. Worrilow
225 Cheltenham Road
Newark, Delaware

to be a member of the State
Coastal Zone Industrial Control
Board, to serve During the
Pleasure of the Governor.
(New)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

EXECUTIVE DEPARTMENT

July 27, 1971

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

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

James A. Rambo	to be a Justice of the Peace
19 Manor Avenue	for New Castle County, State
Claymont, Delaware 19703	of Delaware, for a term of
	four years from date of
	confirmation. (Fills a vacancy)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

EXECUTIVE DEPARTMENT

July 27, 1971

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

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

Preston C. Townsend	to be a member of the Board
15 Pennsylvania Avenue	of Trustees, University of
Rehoboth, Delaware	Delaware, for a six-year term
	from date of confirmation,
	(Reappointment)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

EXECUTIVE DEPARTMENT

July 27, 1971

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

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

Mrs. Gwynn Smith	to be a member of the State
1419 Fresno Road	Coastal Zone Industrial Control
Green Acres	Board, for a term of four years
Wilmington, Delaware	from date of confirmation.
	(New)

John W. Sievers	to be a member of the State
595 Lake Drive, West	Coastal Zone Industrial Control
Smyrna, Delaware 19977	Board, for a term of three years
	from date of confirmation.
	(New)

Robert W. Tunnell, Esq.
2195 Bedford Street
Georgetown, Delaware

to be a member of the State
Coastal Zone Industrial Control
Board, for a term of two years
from date of confirmation.
(New)

Irving G. Burton
2 Clark Avenue
Milford, Delaware

to be a member of the State
Coastal Zone Industrial Control
Board, for a term of one year
from date of confirmation.
(New)

Your consideration of this nomination will be appreciated.
Respectfully submitted,
(Signed) Russell W. Peterson
Governor

EXECUTIVE DEPARTMENT

July 27, 1971

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

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

Robert F. Handy
420 West 4th Street
Lewes, Delaware

to be a Justice of the Peace
for Sussex County, State of
Delaware, for a term of four
years from date of confirmation.
(Fills a vacancy)

Your consideration of this nomination will be appreciated.
Respectfully submitted,
(Signed) Russell W. Peterson
Governor

EXECUTIVE DEPARTMENT

July 27, 1971

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

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

John D. Holler
Box 326A
Felton, Delaware 19943

to be a Justice of the Peace
for Kent County, State of
Delaware, for a term of four
years from date of confirmation,
succeeding Judge Edwin B. Walls.

Mrs. Elizabeth C. Henry
529 Roberta Avenue
Dover, Delaware 19901

to be a Justice of the Peace
for Kent County, State of
Delaware, for a term of four
years from date of confirmation,
succeeding Judge Maurice W. Carrow.

Peter A. Gordon
3123 B. Hawthorne Drive
Dover, Delaware 19901

to be a Justice of the Peace
for Kent County, State of
Delaware, for a term of four
years from date of confirmation.
(Fills a vacancy)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

EXECUTIVE DEPARTMENT

July 27, 1971

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

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

James C. Harkins
3031 Maple Shade Lane
Woodbine
Wilmington, Delaware

to be a member of the Delaware
Alcoholic Beverage Control
Commission, State of Delaware,
for a three-year term from date
of confirmation. (Reappointment)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

On motion of Senator duPont, and without objection, all of
the nominations were laid on the table.

The Secretary read the following message from the House:

July 27, 1971

Mr. President:

The House wishes to inform the Senate that it has passed **HB 211; HB 504; HB 506 w/ HA 1, 2; HB 508 w/ HA 1** and requests the concurrence of the Senate.

The House also passed **SB 51 w/ SA 1; and SB 479** and is returning same to the Senate.

The Chair presented the following House Bills which were read for the first time by title only, as follows:

HB 504 — "An Act to Amend Title 30, Delaware Code, by Creating a New Part V thereof Relating to a Tax on Hotel, Motel and Tourist Home Accommodations."

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

HB 506 w/ HA 1, 2 — "An Act to Amend Sections 2701 and 2702 of Chapter 27, Title 30, Delaware Code by Changing the Definition of "Gross Receipts" and the Rate of Manufacturers' License Taxes."

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

HB 508 w/ HA 1 — “An Act to Amend Chapter 13, Title 30, Delaware Code Relating to Inheritance Taxes.”

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

HB 211 — “An Act to Amend Subchapter 11 of Chapter 11, Title 30, of the Delaware Code Relating to Personal Income Tax.”

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

Senator Steele introduced **SS 2** for **SB 48**.

On motion of Senator Steele, the Substitute Bill was laid on the table, without objection.

Senator Slawik introduced **SJR 25**, co-sponsored by Senator Cicione, as follows:

SJR 25 — “Authorizing and Directing the Secretary of the Department of Finance and the State Treasurer to Initiate Payroll Deductions for the Deferred Compensation Plan.”

On motion of Senator Slawik, the Resolution was laid on the table, without objection.

Senator duPont introduced **SJR 26**, co-sponsored by Senators Castle, Cook, Grier and Schlör, as follows:

SJR 26 — “Declaring a Prohibition against the Expenditure of any State Funds for Out-of-State Travel Purposes.”

On motion of Senator duPont, the Resolution was laid on the table, without objection.

On motion of Senator Steele, **SB 50** was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 50 — “An Act making a Supplemental Appropriation to the Self-insurance Fund from the Capital Investment Fund.”

On motion of Senator Steele, the roll call on the Bill was tabled without objection.

On motion of Senator Cook, and without objection, the Senate took a five-minute recess at 3:45 p.m.

The Senate reconvened at 3:50 p.m.

Senator Hale moved that **SA 1** to **SB 392** which had been previously placed with the Bill, now be adopted.

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

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

ABSENT: Messrs. Hart, Hickman and Isaacs — 3.

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

On motion of Senator Hale, SB 392 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 392 w/ SA 1 — “An Act to Amend Title 14 and Title 29, Delaware Code Annotated, as the Same Refer to Local School Bonds, School Construction Capital Improvements, and Bonds of the State of Delaware, and the Duties of the Secretary of Finance with Reference Thereto.”

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

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

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Grier moved that the Senate adjourn until 4:05 p.m., Wednesday, July 28, 1971. Hearing no objection, the motion prevailed and the Senate adjourned at 4:05 p.m.

3RD LEGISLATIVE DAY SPECIAL SESSION

The Senate met pursuant to adjournment at 4:05 p.m., Wednesday, July 28, 1971, Lt. Governor Bookhammer presiding.

A prayer was offered by Senator Foltz.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

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

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Holloway introduced SR 91, co-sponsored by Senator Hart, entitled:

SR 91 — "Expressing Happy July Birthday Wishes to Senator Margaret R. "Meg" Manning."

Senator Holloway moved that the Resolution be adopted.

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

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

NOT VOTING: (Mrs.) Manning — 1.

ABSENT: Messrs. Hart, Isaacs and Steele — 3.

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

Senator Elliott introduced SB 480 entitled:

SB 480 — "An Act to Amend Chapter 13, Title 14 of the Delaware Code Relating to Administrative and Professional Positions Authorized for Public Schools; Chapter 333, Volume 57, Laws of Delaware Relating to Pay Raises for School Employees and the Variability of Public School Employment Contracts; and Repeal of House Joint Resolution No. 20, Authorizing the Governor to Reduce Appropriations within the Budget Bill."

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

Senator Slawik introduced SB 481 which was given first reading by title only, as follows:

SB 481 — "An Act to Amend Chapter 333, Volume 57, Laws of Delaware by Changing the Present Effective Date of a Five Percent Pay Raise for School Employees and Relating to the

Variability of State Public School Employment Contracts.”
Assigned to Committee on Finance.

Senator Holloway introduced SB 482 which was given its first reading by title only, as follows:

SB 482 — “An Act to Amend Chapter 7, Title 13 of the Delaware Code, Relating to Age of Majority and Duty to Support Minor Child.” Assigned to Committee on Judiciary and Elections.

Senator Elliott introduced SB 483 which was given its first reading by title only, as follows:

SB 483 — “An Act to Provide for a Referendum on the Question of Methods of Taxation and to Provide a Supplementary Appropriation Therefor.”

On motion of Senator Elliott, and without objection, the Bill was laid on the table.

Senator duPont introduced SA 1 to HB 211.

On motion of Senator duPont, the Amendment was placed with the Bill, without objection.

Senator Hale introduced SCR 36, entitled:

SCR 36 — “Expressing the Concern of the General Assembly with Regard to the Effectiveness of the Experimental Program Authorized by Senate Bill No. 171 of the 125th General Assembly.”

Senator Hale moved that the Resolution be adopted.

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

YEAS: (Mrs.) Conner, Messrs. duPont, Elliott, Grier, Hale, Hickman, Robbins — 7.

NAYS: Messrs. Holloway, (Mrs.) Manning, McCullough, Slawik — 4.

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

ABSENT: Messrs. Cicone, Hart, Isaacs, Steele — 4.

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

Senator Hale introduced SJR 27, co-sponsored by Senator Robbins, entitled:

SJR 27 — “Relating to the Establishment of a Committee to Study the Staffing Patterns of the Public Schools of Delaware.”

On motion of Senator Hale, the Resolution was laid on the table, without objection.

Senator Slawik introduced SB 484 which was given its first reading by title only, as follows:

SB 484 — “An Act to Amend Chapter 13, Title 14 of the Delaware Code, Relating to the Number of Administrative and Professional Positions Authorized for Public Schools.”

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

Senator duPont introduced SA 1 to HB 506.

On motion of Senator duPont, the Amendment was placed with the Bill, without objection.

Senator Elliott introduced SB 485 which was read for the first time by title only, as follows:

SB 485 — "An Act Authorizing the Sale of Certain State-owned Land, Known as Burton's Island." Assigned to Committee on Finance.

Senator Cicione introduced SB 486 which was given first reading by title only, as follows:

SB 486 — "An Act to Amend Subchapter VI, Chapter 40, Title 1, of the Delaware Code, Relating to the Housing Development Fund of the Delaware State Housing Authority." Assigned to Committee on Finance.

On motion of Senator Steele, the roll call on SB 50 was lifted, without objection.

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

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

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

ABSENT: Mr. Hart — 1.

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

On motion of Senator Steele, HB 430 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 430 — "An Act to Amend Chapters 65 and 83 of Title 29 of the Delaware Code, Relating to Advances to Departments."

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

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

NOT VOTING: Mr. McCullough — 1.

ABSENT: Messrs. Hart and Isaacs — 2.

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

On motion of Senator duPont, the various letters of nomination for confirmation were lifted from the table, without objection.

On motion of Senator duPont, the nomination of Preston Townsend by the Governor was considered for confirmation by the Senate.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, Steele — 11.

NOT VOTING: Messrs. Cook, McCullough, Robbins, Schlor, Slawik — 5.

ABSENT: Messrs. Cicione, Hart and Isaacs — 3.

So the question was decided in the affirmative and the nomination was confirmed.

On motion of Senator duPont, the nomination of Mrs. Gwyn Smith by the Governor was considered for confirmation by the Senate.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, Steele — 11.

NOT VOTING: Messrs. Cook, McCullough, Robbins, Schlor, Slawik — 5.

ABSENT: Messrs. Cicione, Hart and Isaacs — 3.

So the question was decided in the affirmative and the nomination was confirmed.

On motion of Senator duPont, the nomination of John Sievers by the Governor was considered for confirmation by the Senate.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, Steele — 11.

NOT VOTING: Messrs. Cicione, Cook, McCullough, Robbins, Schlor, Slawik — 6.

ABSENT: Messrs. Hart and Isaacs — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

On motion of Senator duPont, the nomination of Robert Tunnell by the Governor was considered for confirmation by the Senate.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, Steele — 11.

NOT VOTING: Messrs. Cicione, Cook, McCullough, Robbins, Schlor, Slawik — 6.

ABSENT: Messrs. Hart and Isaacs — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

On motion of Senator duPont, the nomination of Irving G. Burton by the Governor was considered for confirmation by the Senate.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, Steele — 11.

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

ABSENT: Messrs. Hart and Isaacs — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

On motion of Senator duPont, the nomination of George Worriow by the Governor was considered for confirmation by the Senate.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, Steele — 11.

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

ABSENT: Messrs. Hart and Isaacs — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

On motion of Senator duPont, the nomination of James Harkins by the Governor was considered for confirmation by the Senate.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, Steele — 11.

NAYS: Mr. McCullough — 1.

NOT VOTING: Messrs. Cook, Foltz, Robbins, Schlör, Slawik — 5.

ABSENT: Messrs. Hart and Isaacs — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

On motion of Senator duPont, the nomination of Franklin W. Butler by the Governor was considered for confirmation by the Senate.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, Steele — 11.

NAYS: Mr. McCullough — 1.

NOT VOTING: Messrs. Cicione, Cook, Robbins, Schlör, Slawik — 5.

ABSENT: Messrs. Hart and Isaacs — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

On motion of Senator duPont, the nomination of L. Donald McKnott by the Governor was considered for confirmation by the Senate.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, Steele — 11.

NAYS: Mr. McCullough — 1.

NOT VOTING: Messrs. Cicione, Cook, Robbins, Schlör, Slawik — 5.

ABSENT: Messrs. Hart and Isaacs — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

On motion of Senator duPont, the nomination of Roxanna Arsht by the Governor was considered for confirmation by the Senate.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, Steele — 11.

NAYS: Mr. McCullough — 1.

NOT VOTING: Messrs. Cicione, Cook, Robbins, Schlör, Slawik — 5.

ABSENT: Messrs. Hart and Isaacs — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

On motion of Senator duPont, the nomination of Grover C. Brown by the Governor was considered for confirmation by the Senate.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hickamn, Holloway, (Mrs.) Manning, Steele — 11.

NOT VOTING: Messrs. Cicione, Cook, McCullough, Robbins, Schlor, Slawik — 6.

ABSENT: Messrs. Hart and Isaacs — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

On motion of Senator duPont, the nomination of James C. Rambo by the Governor was considered for confirmation by the Senate.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hickamn, Holloway, (Mrs.) Manning, Steele — 11.

NOT VOTING: Messrs. Cicione, Cook, McCullough, Robbins, Schlor, Slawik — 6.

ABSENT: Messrs. Hart and Isaacs — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

On motion of Senator duPont, the nomination of John D. Holler by the Governor was considered for confirmation by the Senate.

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

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

NAYS: Messrs. McCullough and Robbins — 2.

NOT VOTING: Messrs. Cook, Schlor and Slawik — 3.

ABSENT: Messrs. Hart and Isaacs — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

On motion of Senator duPont, the nomination of Mrs. Elizabeth C. Henry by the Governor was considered for confirmation by the Senate.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, Steele — 11.

NAYS: Messrs. McCullough and Robbins — 2.

NOT VOTING: Messrs. Cicione, Cook, Schlör, Slawik — 4.

ABSENT: Messrs. Hart and Isaacs — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

On motion of Senator duPont, the nomination of Peter A. Gordon by the Governor was considered for confirmation by the Senate.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, Steele — 11.

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

ABSENT: Messrs. Hart and Isaacs — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

On motion of Senator duPont, the nomination of Robert F. Handy by the Governor was considered for confirmation by the Senate.

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

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

NAYS: Mr. McCullough — 1.

NOT VOTING: Messrs. Cook, Robbins, Schlör, Slawik — 4.

ABSENT: Messrs. Hart and Isaacs — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that Rule 9 be suspended for the purpose of considering **HB 504**.

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

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

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

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator duPont moved that the roll call on the passage of the Bill be tabled.

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

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

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Slawik moved that Rule 9 be suspended for the purpose of considering **SJR 25**.

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

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

ABSENT: Messrs. Hart and Isaacs — 2.

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

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

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

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Holloway introduced **SCR 37**

SCR 37 — "Congratulating Radio Station WDEL, Wilmington, on its Golden Anniversary of Broadcasting."

WHEREAS, fifty yeas ago this month, the first radio voice of the First City of the First State, WDEL in Wilmington came alive and

WHEREAS, radio station WDEL throughout the "golden years" of the radio media grew into one of the leading stations affiliated with the National Broadcasting Company; and

WHEREAS, WDEL radio has continued to maintain a high level of broadcasting with its emphasis upon local programming including statewide news and sports coverage, high calibre public service offerings, and comprehensive and accurate reporting of the activities of the Delaware State Legislature; and

WHEREAS, the staff and management of WDEL has always been helpful and cooperative with representative of organizations emanating from every area, urban and rural, within the State of Delaware; and

WHEREAS, the members of the Senate of the 126th General Assembly of the State of Delaware, with the members of the House of Representatives concurring, are desirous of congratulating WDEL, 115 on the dial in Wilmington, for its multitude of accomplishments throughout its fifty exciting years on the air.

NOW THEREFORE,

BE IT RESOLVED that the Delaware Senate, with the House of Representatives concurring, announce warm wishes to Mr. Harvey C. Smith, General Manager, and all other management and staff personnel of Radio Station WDEL, on this, the Golden Anniversary broadcasting year of Delaware's premier station spanning the First State from Hockessin to Hardscrabble and from Bellefonte to Bethel, and all dialing points therein.

BE IT FURTHER RESOLVED that this resolution be spread upon the Journals of the Senate and House, that a copy be forwarded to Harvey C. Smith, General Manager of WDEL, and that an additional copy be sent for posting in a prominent place for the benefit of the members of the WDEL organization based on Shipley Road, Wilmington, Delaware.

Senator Holloway moved that the Resolution be adopted.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hickman, Holloway, (Mrs.) Manning, Robbins, Schlör, Slawik — 14.

NAYS: Mr. McCullough — 1.

ABSENT: Messrs. Grier, Hart, Isaacs and Steele — 4.

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

On motion of Senator Steele, and without objection, SS 2 to SB 48 was lifted and referred to the Committee on Finance.

Senator duPont introduced SA 1 to HB 506.

Senator duPont moved that the Amendment be adopted.

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

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

NOT VOTING: Messrs. Cicione and Schlör — 2.

ABSENT: Messrs. Hart and Isaacs — 2.

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

On motion of Senator Hickman, **HB 506 w/ HA 1, 2, SA 1** was lifted.

HB 506 w/ HA 1, 2, SA 1 — “An Act to Amend Sections 2701 and 2702 of Chapter 27, Title 30, Delaware Code by changing the Definition of “Gross Receipts” and the Rate of Manufactures’ License Taxes.”

On motion of Senator Hickman, the roll call on the Bill was tabled without objection.

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

The House wishes to inform the Senate that it has passed **HB 514 w/ HA 1** and requests the concurrence of the Senate.

On motion of Senator Hickman, **HB 508 w/ HA 1** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 508 w/ HA 1 — “An Act to Amend Chapter 13, Title 30, Delaware Code Relating to Inheritance Taxes.”

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

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

NAYS: Messrs. Elliott and Schlör — 2.

NOT VOTING: Messrs. Cook, Foltz, McCullough, Robbins — 4.

ABSENT: Messrs. Hart, Isaacs and Steele — 3.

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

On motion of Senator duPont, **SJR 26** was taken up for consideration and read a second time by title only in order to be adopted by the Senate.

SJR 26 — “Declaring a Prohibition against the Expenditures of any State funds for Out-of-State Travel Purposes.”

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik — 16.

ABSENT: Messrs. Hart, Isaacs and Steele — 3.

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

Senator duPont instructed that **SJR 26** be sent to all agencies upon passage and signature by the Secretary of the Senate. There was no objection.

The Secretary read the following message from the House:

7-28-71

Mr. President:

The House wishes to inform the Senate that it has passed **HB 521** and requests the concurrence of the Senate.

Senator Grier moved that the Senate recess until 7:30 p.m. for Dinner. Hearing no objection, the motion prevailed and the Senate recessed at 5:25 p.m.

The Senate reconvened at 9:30 p.m.

The Secretary read the following message from the House.

7-28-71

Mr. President:

The House wishes to inform the Senate that it has passed **HB 511 w/ HA 1**; **HB 512 w/ HA 4, 5** and requests the concurrence of the Senate.

The House also passed **SJR 25**.

The Chair presented the following House Bills which were given first reading by title only:

HB 511 — "An Act to Amend Chapter 19, Title 30, Delaware Code, Relating to the Corporate Income Tax."

The Bill was laid on the table, without objection.

HB 512 w/ HA 1, 2, 3, 4 — "An Act to Amend Chapter 5, Title 4, Delaware Code, by Increasing the Rate of Taxation on Ethyl Alcohol, by Providing for a Floor Stock Tax, and by Regulating the Increase of Prices."

The Bill was laid on the table, without objection.

HB 514 w/ HA 1 — "An Act to Amend Title 30, Delaware Code by Creating a New Chapter 14 Relating to Gift Taxes."

The Bill was laid on the table, without objection.

Senator Slawik introduced **SR 92**, co-sponsored by Senators Elliott and Robbins.

SR 92 — "Acknowledging the Illness of Monroe Whaley and Expressing Best Wishes of the Senate for a Speedy and Full Recovery."

WHEREAS, the members of the Senate of the 126th General Assembly have learned that Monroe Whaley, Legislative Representative for the Delmarva Power and Light Company was admitted to Peninsula General Hospital in Salisbury, Maryland on Saturday, July 24, 1971; and

WHEREAS, on Monday, July 26, 1971, Monroe Whaley underwent surgery and upon completion of same was placed within the intensive care unit of Peninsula General Hospital where he remains as of the date of this resolution; and

WHEREAS, the Senate wants Monroe Whaley to know that his presence in Legislative Hall is missed during this special session of the 126th General Assembly.

NOW, THEREFORE:

BE IT RESOLVED, that the members of the Senate of the 126th General Assembly of the State of Delaware forward its very

best wishes for a speedy and full recovery and a return to the active life he so happily enjoyed.

BE IT FURTHER RESOLVED that a copy of this resolution be entered upon the minutes of the Senate of the 126th General Assembly and a copy sent to Monroe Whaley and his immediate family.

Senator Slawik moved that the Resolution be adopted.

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

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

ABSENT: Messrs. Cicione, Hart, Isaacs and Steele — 4.

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

The Chair presented **HB 521** which was given its first reading by title only, as follows:

HB 521 — "An Act to Amend Chapter 182, Volume 58, Laws of Delaware, Entitled "An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1972" by Repealing Section 10, Subsection (f) thereof relating to Transportation of Pupils Enrolled in Nonpublic and Nonprofit Schools."

The Bill was laid on the table.

Senator McCullough introduced **SA 1** to **SS 2** for **SB 48**.

On motion of Senator McCullough, the Amendment was laid on the table and then placed with the Bill, without objection.

Senator McCullough introduced **SA 2** to **HB 211**.

On motion of Senator McCullough, the Amendment was placed with the Bill, without objection.

Senator Steele, on behalf of the Committee on Finance to whom had been referred **SS 2** for **SB 48**, reported the same back to the Senate: 4 Merits.

On motion of Senator duPont, **HB 511** was lifted from the table and read a second time by title only in order to pass the Senate.

HB 511 — "An Act to Amend Chapter 19, Title 30, Delaware Code, Relating to the Corporate Income Tax."

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

Senator Grier moved that the Senate recess until 10:00 a.m., Thursday, July 29, 1971. Hearing no objection, the motion prevailed and the Senate recessed at 10:00 p.m.

The Senate reconvened at 11:16 a.m., Thursday, July 29, 1971.

Senator Cicione introduced **SA 1** to **HB 532**.

On motion of Senator Cicione, the Amendment was placed with the Bill, without objection.

Senator Elliott introduced SA 1 to SB 480.

On motion of Senator Elliott, the Amendment was placed with the Bill, without objection.

On motion of Senator Steele, HB 452 w/ HA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 452 w/ HA 1 — “An Act to Amend Chapter 255, Volume 57, Laws of Delaware, Granting an Extension in the Time Period Required for Funds to be Expended by the Public Archives Commission.”

On motion of Senator Steele, the roll call on the Bill was tabled without objection.

On motion of Senator Manning, HB 521 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 521 — “An Act to Amend Chapter 182, Volume 58, Laws of Delaware, entitled “An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1972” by Repealing Section 10, Subsection (f) thereof Relating to Transportation of Pupils Enrolled in nonpublic and nonprofit Schools.”

Senator Schlör moved that the Bill be tabled.

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

YEAS: Messrs. Cicione, Cook, McCullough, Robbins, Schlör, Slawik — 6.

NAYS: Messrs. (Mrs.) Conner, duPont, Foltz, Grier, Hale, (Mrs.) Manning, Steele — 7.

ABSENT: Messrs. Castle, Elliott, Hart, Hickman, Holloway, Isaacs — 6.

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

Then Senator Cicione moved that the roll call on the Bill be tabled.

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

YEAS: Messrs. Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Grier, (Mrs.) Manning, Robbins, Schlör, Slawik — 10.

NAYS: Messrs. Hale and Steele — 2.

ABSENT: Messrs. Castle, Elliott, Hart, Hickman, Holloway, Isaacs, McCullough — 7.

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

On motion of Senator duPont, the roll call on **HB 511** was lifted without objection.

Then on further motion of Senator duPont, the roll call on the Bill was again tabled, without objection.

On motion of Senator Conner, **HB 512 w/ HA 4, 5** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 512 w/ HA 4, 5 — “An Act to Amend Chapter 5, Title 4, Delaware Code, by Increasing the Rate of Taxation on Ethyl Alcohol, by Providing for a Floor Stock Tax, and by Regulating the Increase of Prices.”

On motion of Senator Conner, and without objection, final consideration of the Bill was deferred for fifteen minutes.

On motion of Senator duPont, **HB 514 w/ HA 1** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 514 w/ HA 1 — “An Act to Amend Title 30, Delaware Code by Creating a New Chapter 14 Relating to Gift Taxes.”

On motion of Senator duPont, the roll call on the Bill was tabled, without objection.

On motion of Senator Hale, **SJR 27** was taken up for consideration and read a second time by title only in order to be adopted by the Senate.

SJR 27 — “Relating to the Establishment of a Committee to Study the Staffing Patterns of the Public Schools of Delaware.”

On motion of Senator Hale, the roll call on the Resolution was tabled, without objection.

On motion of Senator duPont, **SR 89** was lifted, without objection.

Senator duPont moved that the roll call on the Resolution be tabled.

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

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

NAYS: Messrs. Cook, Robbins, Schlör, Slawik — 4.

ABSENT: Messrs. Castle, Elliott, Hart, Hickman, Holloway, Isaacs, McCullough — 7.

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

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

YEAS: (Mrs.) Conner, Messrs. duPont, Foltz, Grier, Hale, (Mrs.) Manning, Steele — 7.

NAYS: Messrs. Cook, Schlör, Slawik — 3.

NOT VOTING: Messrs. Cicione and Robbins — 2.

ABSENT: Messrs. Castle, Elliott, Hart, Hickman, Holloway, Isaacs, McCullough — 7.

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

Senator Robbins introduced SA 1 to HB 512 w/ HA 4, 5.

Senator Robbins moved that the Amendment be adopted.

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

YEAS: Messrs. Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hickman, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele — 13.

ABSENT: Messrs. Castle, Cook, Hale, Hart, Holloway, Isaacs — 6.

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

Senator Slawik introduced SA 2 to HB 512 w/ HA 4, 5.

Senator Slawik moved that the Amendment be adopted.

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

YEAS: Messrs. Cook, Holloway, McCullough, Robbins, Schlor, Slawik — 6.

NAYS: Messrs. (Mrs.) Conner, duPont, Foltz, Grier, Hickman, (Mrs.) Manning — 6.

NOT VOTING: Messrs. Cicione, Elliott, Steele — 3.

ABSENT: Messrs. Castle, Hale, Hart, Isaacs — 4.

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

On motion of Senator Conner, HB 512 w/ HA 4, 5, SA 1 which had been deferred for final consideration, was now lifted.

Then, on motion of Senator Conner, the roll call on the Bill was tabled, without objection.

Senator Manning moved that the Senate recess until 2:30 p.m. for lunch. Hearing no objection, the motion prevailed and the Senate recessed at 12:05 p.m.

The Senate reconvened at 2:55 p.m.

Senator Steele introduced SB 487 which was given its first reading by title only, as follows:

SB 487 — "An Act Authorizing the State of Delaware to Borrow Money to be Used to Extricate Itself from a Financial Predicament which no one Seems Willing to Solve in an Otherwise Responsible Fashion and to Issue Bonds and Notes therefore and to Place the Proceeds in the General Fund to Overcome the Existing and Projected Deficit therein."

The Bill was laid on the table.

Senator duPont introduced SB 488 which was given its first reading by title only, as follows:

SB 488 — “An Act to Amend Chapter 280, Volume 58, Laws of Delaware, Entitled “An Act to Amend Chapter 6, Title 29, Delaware Code, Relating to General Assembly by Providing for the Composition and Reapportionment thereof” by Making Technical Corrections in Certain Representative and Senatorial Districts contained Therein.”

The Bill was laid on the table.

Senator duPont introduced SR 93, entitled:

SR 93 — “In Reference to the Senate Legislative Staff.”

On motion of Senator duPont, the Resolution was laid on the table, without objection.

Then on motion of Senator duPont, the Resolution was lifted without objection.

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

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

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

ABSENT: Mr. Isaacs — 1.

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

On motion of Senator Elliott, SB 476 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 476 — “An Act to Amend Chapter 17, Title 14 of the Delaware Code, Relating to the Number of Pupils Composing a “Unit” for Certain Purposes.”

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

YEAS: Messrs. Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hickman, Holloway, McCullough, Robbins, Schlör, Slawik — 13.

NAYS: (Mrs.) Manning — 1.

NOT VOTING: Messrs. Foltz and Steele — 2.

ABSENT: Messrs. Castle, Hart and Isaacs — 3.

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

Senator Steele introduced SB 489 which was given its first reading by title only, as follows:

SB 489 — “An Act to Amend Chapter 63, Title 29, Delaware Code, to Provide for Limitations on Total Appropriations and Taxes.”

The Bill was laid on the table.

Senator Elliott introduced SA 1 to SB 480.

On motion of Senator Elliott, the Amendment was stricken without objection.

On motion of Senator Elliott, SB 480 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 480 — “An Act to Amend Chapter 13, Title 14 of the Delaware Code Relating to Administrative and Professional Positions Authorized for Public Schools Chapter 333, Volume 57, Laws of Delaware Relating to Pay Raises for School Employees and the Variability of Public School Employment Contracts and Repeal of House Joint Resolution No. 20, authorizing the Governor to Reduce Appropriations within the Budget Bill.”

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

YEAS: Messrs. Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hickman, Holloway, McCullough, Robbins, Schlör, Slawik — 13.

NAYS: Messrs. Foltz, (Mrs.) Manning, Steele — 3.

ABSENT: Messrs. Castle, Hart and Isaacs — 3.

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

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

The Senate reconvened at 8:20 p.m.

Senator Slawik introduced SB 490, co-sponsored by Senators Cook, Holloway, McCullough and Robbins, entitled:

SB 490 — “An Act to Amend Title 15, Delaware Code, Relating to Primary Elections of Delegates to a Party Convention.” Assigned to Committee on Judiciary and Elections.

Senator Castle introduced SA 2 to SS 2 for SB 48, co-sponsored by Senator Holloway.

On motion of Senator Castle, the Amendment was placed with the Bill without objection.

On motion of Senator duPont, SB 488 was taken up for consideration and read a second time by title only in order to pass the Senate.

SB 488 — “An Act to Amend Chapter 280, Volume 58, Laws of Delaware, Entitled “An Act to Amend Chapter 6, Title 29, Delaware Code, Relating to General Assembly by Providing for the Composition and Reapportionment thereof” by Making Technical Corrections in Certain Representative and Senatorial Districts therein.”

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

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

NAYS: Mr. Robbins — 1.

ABSENT: Messrs. Foltz and Isaacs — 2.

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

Senator Manning introduced SR 94, co-sponsored by Senators Castle, Cicione, Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik and Steele.

SR 94 — “Saluting the Senate Staff for their Cooperation and Untiring Efforts During the Special Session of the Senate.”

WHEREAS, these have been trying days for members of the 126th General Assembly of the State of Delaware as they attempt to solve the unwelcome fiscal crisis which has descended upon the State; and

WHEREAS, members of the staff of the Senate have had an unexpected burden thrust upon their collective shoulders during this time of crisis; and

WHEREAS, the members of the Senate staff have responded to the call to work during the current Special Session despite the fact their summer plans, in many cases, have had to be revised in large measure.

NOW THEREFORE:

BE IT RESOLVED that the staff of the Senate of the 126th General Assembly of the State of Delaware be given a warm salute with thanks by the members of the Senate for their cheerful cooperation and for service rendered above and beyond the call of duty, particularly during this time of fiscal crisis.

BE IT FURTHER RESOLVED that the text of this resolution be included in the Journal of the Senate.

Senator Manning moved that the Resolution be adopted.

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

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

ABSENT: Mr. Isaacs — 1.

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

On motion of Senator Hale, SJR 27 which had been tabled, was now lifted for consideration for adoption by the Senate.

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

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

ABSENT: Messrs. Isaacs and Steele — 2.

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

On motion of Senator Schlör, SB 166 which had been tabled, was now considered for passage by the Senate.

Then, on the motion of Senator Schlör, the roll call on the Bill was tabled, without objection.

On motion of Senator duPont, the roll call on HB 511 was lifted.

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

YEAS; Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hart, Hickman, (Mrs.) Manning — 10

NOT VOTING: Messrs. Cook, Elliott, Robbins, Schlör, Slawik, Steele — 6.

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

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

On motion of Senator duPont, the roll call on HB 504 was lifted without objection.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning — 11.

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

ABSENT: Messrs. Hart and Isaacs — 2.

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

On motion of Senator Hickman, the roll call on HB 506 w/ HA 1, 2, SA 1 was lifted.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning — 11.

NAYS: Messrs. McCullough and Schlör — 2.

NOT VOTING: Messrs. Cook, Elliott, Robbins and Slawik — 4.

ABSENT: Messrs. Isaacs and Steele — 2.

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

On motion of Senator duPont, the roll call on HB 514 was lifted.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, McCullough, Slawik — 13.

NOT VOTING: Messrs. Cook, Elliott, Robbins, Schlor, Steele — 5.

ABSENT: Mr. Isaacs — 1.

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

On motion of Senator Conner, the roll call on HB 512 w/ HA 4, 5, SA 1 was lifted.

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

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

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

NOT VOTING: Messrs. Cicione and Steele — 2.

ABSENT: Messrs. Hart and Isaacs — 2.

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

Senator Grier moved that the Senate recess for 15 minutes. Hearing no objection, the motion prevailed and the Senate recessed at 8:40 p.m.

The Senate reconvened at 11:00 p.m.

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

The House wishes to inform the Senate that it has passed HB 536 and HB 537 and requests the concurrence of the Senate.

Senator duPont introduced SR 95, entitled:

SR 95 — "To Debit Senate Travel Account for Legislators' Mileage of the Present Session of the 126th General Assembly."

Senator duPont moved that the Resolution be adopted.

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

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

NOT VOTING: Mr. Holloway — 1.

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

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

Senator duPont introduced SR 96, entitled:

SR 96 — "Authorizing Payments for Services Rendered by the Staff of the Senate for the 126th General Assembly."

Senator duPont moved that the Resolution be adopted.

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

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

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

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

The Secretary read the following message from the House:
7—29—71

Mr. President:

The House wishes to inform the Senate that it has passed SB 488 and SCR 37 and is returning same to the Senate.

Senator duPont, on behalf of the Committee on Executive to whom had been referred HB 131, reported the same back to the Senate: 1 Favorable; 3 Merits.

Senator Elliott moved that SA 1 to HB 131 which had been previously placed with the Bill, now be adopted.

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

YEAS: Messrs. Cicione, (Mrs.) Conner, Elliott, Hickman, Robbins — 5.

NAYS: Messrs. Cook, duPont, Foltz, Grier, Hale, Hart, Holloway, (Mrs.) Manning, Schlör, Slawik, Steele — 12.

NOT VOTING: Mr. McCullough — 1.

ABSENT: Mr. Isaacs — 1.

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

Senator duPont moved that Rule 9 be suspended for the purpose of considering HB 131 w/ HA 1.

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

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

NAYS: Mr. Robbins — 1.

NOT VOTING: Messrs. Elliott and McCullough — 2.

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

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

Then, on motion of Senator duPont and without objection, the roll call on the passage of the Bill was tabled.

Senator duPont moved that Rule 9 be suspended for the purpose of considering **HB 503**.

Then, on motion of Senator duPont and without objection, the roll call on the suspension of rules was tabled.

Senator duPont moved that Rule 9 be suspended for the purpose of considering **HB 505**.

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

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

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

NOT VOTING: Mr. Holloway — 1.

ABSENT: Mr. Isaacs — 1.

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

Therefore, **HB 505** was given second reading by title only in order to pass the Senate.

HB 505 — "An Act to Amend Chapter 51, Title 30, Delaware Code, Relating to the Motor Fuel Tax."

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

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

NAYS: Messrs. Cook, Elliott, McCullough, Robbins, Schlör, Slawik — 6.

NOT VOTING: Messrs. Holloway and Steele — 2.

ABSENT: Mr. Isaacs — 1.

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

Senator duPont moved that Rule 9 be suspended for the purpose of considering **HB 507**.

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

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

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

ABSENT: Mr. Isaacs — 1.

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

Therefore, **HB 507 w/ HA 1 2** was given second reading by title only in order to pass the Senate.

HB 507 w/ HA 1, 2 — "An Act to Amend Sections 2701 of Chapter 27, Title 30, Delaware Code by Changing the Definition of "Gross Receipts" and the Rate of Manufacturers' License Taxes."

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning — 11.

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

NOT VOTING: Messrs. Slawik and Steele — 2.

ABSENT: Mr. Isaacs — 1.

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

Senator duPont moved that Rule 9 be suspended for the purpose of considering **HS 1** for **HB 518**.

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

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

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

ABSENT: Mr. Isaacs — 1.

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

Therefore, **HS 1** for **HB 518** was read a second time by title only in order to pass the Senate.

HS 1 for **HB 518** — "An Act to Amend Chapter 30, Title 30, Delaware Code, Relating to the Motor Vehicle Document Fee."

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

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

NAYS: Messrs. Cook, Elliott, McCullough, Robbins, Schlör, Slawik — 6.

NOT VOTING: Mr. Holloway and Mr. Steele — 2.

ABSENT: Mr. Isaacs — 1.

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

On motion of Senator Grier, HB 532 w/ HA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 532 w/ HA 1 — "An Act to Amend Chapter 11, Title 30, Delaware Code, Relating to Personal Income Tax."

On motion of Senator Grier, the Bill was laid on the table.

On motion of Senator Grier, HB 537 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 537 — "An Act to Amend Chapter 52, Title 30 of the Delaware Code Relating to the Fee Charged for Registration of Vehicles under the Motor Carriers Fuel Purchase Law."

On motion of Senator Grier, the Bill was laid on the table.

On motion of Senator Grier, HB 516 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 516 — "An Act Amending Chapter 5, Title 28, Delaware Code, Relating to Taxes on Pari-Mutuel and Totalizator Pools."

On motion on Senator Grier, the Bill was laid on the table.

Senator Cicione moved that Rule 9 be suspended for the purpose of considering HB 536.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele — 16.

NOT VOTING: Mr. Slawik — 1.

ABSENT: Messrs. Foltz and Isaacs — 2.

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

HB 536 — "An Act to Amend Chapter 96, Volume 58, Laws of Delaware, Entitled "An Act to Amend Chapter 23, Title 19 of the Delaware Code Relating to Additional Payments for Injuries or Death and Incidental Benefits."

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

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

ABSENT: Mr. Isaacs — 1.

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

Senator Castle introduced SA 1 to HB 503, co-sponsored by Senator Cicione.

Senator Castle moved that the Amendment be adopted.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hickman, Holloway, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele — 14.

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

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

Senator duPont moved that the roll call on the motion to suspend Rule 9 for consideration of HB 503 w/ SA 1 be lifted.

Therefore, on the question, "Shall the motion to suspend the rules prevail?", the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, (Mrs.) Manning, Steele — 11.

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

ABSENT: Mr. Isaacs — 1.

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

Therefore, HB 503 w/ SA 1 was read a second time by title only in order to pass the Senate.

HB 503 w/ SA 1 — "An Act to Amend Chapter 54, Title 30, Delaware Code by Increasing the Rate of the Realty Transfer Tax and by Apportioning Said Tax Between Grantor and Grantee."

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Foltz, Grier, Hart, Hickman, Holloway, (Mrs.) Manning — 10.

NAYS: Messrs. Cook, Hale, McCullough, Robbins, Schlör, Slawik — 6.

NOT VOTING: Mr. Steele — 1.

ABSENT: Messrs. Elliott and Isaacs — 2.

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

On motion of Senator duPont, the roll call on HB 131 was lifted, without objection.

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

YEAS: Messrs. Castle, Cicione, Cook, duPont, Foltz, Grier, Hale, Hart, Holloway, (Mrs.) Manning, Schlör, Slawik, Steele — 13.

NAYS: (Mrs.) Conner, Messrs. Elliott, Hickman, McCullough, Robbins — 5.

ABSENT: Mr. Isaacs — 1.

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

Senator Grier moved that the Senate recess for 30 minutes. Hearing no objection, the motion prevailed and the Senate recessed at 1:00 a.m.

The Senate reconvened at 2:00 a.m.

The Secretary read the following message from the House:
7—30—71

Mr. President:

The House wishes to inform the Senate that it has passed HB 503; HB 507 w/ HA 1, 2; HS 1 / HB 518; HB 532 w/ HA 1; HB 505; HB 516; HB 515 w/ HA 1, 2; HB 520 w/ HA 1; HB 524; HB 526; HB 543; HB 503 w/ SA 1, HA 2; HB 523 w/ HA 1; HB 542 and HB 544 and requests the concurrence of the Senate.

The House also passed SB 50; SB 467; SB 477 w/ SA 21, 22, 26, 27, 29, 30, 32, 33, 34, 35, 37, 41, 42, 46, HA 1, 2, 5, 10, 11, 14, 18, 19, 21, 22, 25, 31, 32 and SJR 26 and is returning same to the Senate.

Senator Hale introduced SA 48 to SB 477 as amended.

Senator Hale moved that the Amendment be adopted.

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

YEAS: Messrs. Cicione, (Mrs.) Conner, Cook, Elliott, Hale, Hart, Holloway, Robbins, Schlör, Slawik — 10.

NAYS: (Mrs.) Manning — 1.

NOT VOTING: Messrs. Castle, duPont, Foltz, Grier, Hickman, Steele — 6.

ABSENT: Messrs. Isaacs and McCullough — 2.

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

Senator Hart introduced SA 49 to SB 477 as amended.

Senator Manning moved that the Amendment be tabled.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Foltz, Grier, Hickman, Holloway, (Mrs.) Manning, Robbins, Steele — 11.

NAYS: Messrs. Cook, Hale, Hart, Schlör, Slawik — 5.

NOT VOTING: Mr. Elliott — 1.

ABSENT: Mr. Isaacs — 1.

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

Senator Hart introduced SA 50 to SB 477 as amended.

Senator Manning moved that the Amendment be tabled.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hickman, (Mrs.) Manning, Steele — 11.

NAYS: Messrs. Cook, Hart, Holloway, McCullough, Robbins, Schlör, Slawik — 7.

ABSENT: Mr. Isaacs — 1.

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

Senator duPont introduced SA 51 to SB 477 as amended.

Senator duPont moved that the Amendment be adopted.

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

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

ABSENT: Mr. Isaacs — 1.

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

Senator Manning moved that SB 477 w/ SA 21, 22, 26, 27, 29, 30, 32, 33, 34, 35, 36, 41, 42, 46, HA 1, 2, 5, 10, 11, 14, 18, 19, 21, 22, 25, 31, 32 be reconsidered for passage by the Senate as further amended by SA 48, 51.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, (Mrs.) Manning — 11.

NAYS: Messrs. Slawik and Steele — 2.

NOT VOTING: Messrs. Cook, Holloway, McCullough, Robbins, Schlör — 5.

ABSENT: Mr. Isaacs — 1.

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

On motion of Senator Castle, Rule 9 was suspended without objection, for the purpose of considering HB 515.

Therefore the Bill was read a second time by title only in order to pass the Senate.

HB 515 — “An Act Amending Chapters 3 and 4, Title 28, Delaware Code, Relating to Taxes of Pari-mutuel and Totalizator Pools.”

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

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

NAYS: Messrs. McCullough, Robbins, Schlör, Slawik — 4.

NOT VOTING: Messrs. Cook and Steele — 2.

ABSENT: Mr. Isaacs — 1.

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

On motion of Senator Castle, Rule 9 was suspended, without objection, for the purpose of considering HB 516.

Therefore, the Bill was read a second time by title only in order to pass the Senate.

HB 516 — “An Act Amending Chapter 5, Title 28, Delaware Code, Relating to the Tax on Pari-mutuel and Totalizator Pools.”

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Foltz, Grier, Hart, Hickman, Holloway, (Mrs.) Manning — 10.

NAYS: Messrs. Robbins and Slawik — 2.

NOT VOTING: Messrs. Cook, Elliott, Hale, McCullough, Schlör, Steele — 6.

ABSENT: Mr. Isaacs — 1.

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

Senator duPont moved that the Senate recess for ten minutes. Hearing no objection, the motion prevailed and the Senate recessed at 4:55 a.m.

The Senate reconvened at 4:58 a.m.

On motion of Senator duPont, and without objection, Rule 9 was suspended for the purpose of considering HB 544 w/ HA 1.

Therefore, the Bill was read the second time by title only in order to pass the Senate.

HB 544 w/ HA 1 — “An Act to Amend Title 30, Delaware Code, by Creating a New Chapter Relating to Taxes on Certain Public Utilities.”

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

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

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

NOT VOTING: Messrs. Elliott, Holloway and Steele — 3.

ABSENT: Mr. Isaacs — 1.

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

On motion of Senator Conner, and without objection, Rule 9 was suspended for the purpose of considering **HB 542**.

Therefore, the Bill was read a second time by title only in order to pass the Senate.

HB 542 — “An Act to Amend Section 2905, Title 14, Delaware Code, to Correct the Provisions Respecting the Transportation of Non-public School Students.”

On motion of Senator Conner, and without objection, the roll call on the Bill was tabled.

Senator duPont moved that the Senate recess for 30 minutes. Hearing no objection, the motion prevailed and the Senate recessed at 5:45 a.m.

The Senate reconvened at 6:30 a.m.

On motion of Senator Foltz, and without objection, Rule 9 was suspended for the purpose of considering **HB 532 w/ HA 1**.

Therefore, the Bill was read a second time by title only in order to pass the Senate.

HB 532 w/ HA 1 — “An Act to Amend Chapter 11, Title 30, Delaware Code, Relating to Personal Income Tax.”

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Steele — 11.

NAYS: Messrs. Cook, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik — 6.

ABSENT: Messrs. Holloway and Isaacs — 2.

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

Senator Hart introduced **SA 1 to HB 474**.

Senator Hart moved that the Amendment be adopted.

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

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

NAYS: Mr. Steele — 1.

ABSENT: Messrs. Holloway and Isaacs — 2.

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

On motion of Senator Hart, HB 474 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 474 w/ SA 1 — “An Act to Amend Chapter 83, Title 11, Delaware Code, Relating to Salaries for State Police and Providing for State Police Pensions to be Tied to the National Consumer Price Index and Making a Supplementary Appropriation.”

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

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

ABSENT: Messrs. Holloway and Isaacs — 2.

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

On motion of Senator Hale, the roll call on SA 48 to SB 477 (as amended) was rescinded without objection.

On motion of Senator duPont, the roll call on SA 51 to SB 477 (as amended) was rescinded without objection.

Senator Manning moved that SB 477 w/ SA 21, 22, 26, 27, 29, 30, 32, 33, 34, 35, 36, 41, 42, 46 which had previously passed the Senate, now be taken up for reconsideration as further amended by HA 1, 2, 5, 10, 11, 14, 18, 19, 21, 22, 25, 31, 32.

Therefore, on the question, “Shall the Bill (as so amended) pass the Senate?”, the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, (Mrs.) Manning — 11.

NAYS: Messrs. Cook, McCullough, Robbins, Schlör — 4.

NOT VOTING: Messrs. Slawik and Steele — 2.

ABSENT: Messrs. Holloway and Isaacs — 2.

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

Senator Castle introduced SA 2 to HB 503.

Senator Castle moved that the Amendment be adopted.

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

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

NAYS: Messrs. Hale, Hickman and (Mrs.) Manning — 3.

NOT VOTING: (Mrs.) Conner, Messrs. duPont, Elliott, Foltz, Grier, Hart, Steele — 7.

ABSENT: Messrs. Holloway and Isaacs — 2.

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

On motion of Senator Foltz, **HB 503** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 503 — “An Act to Amend Chapter 54, Title 30, Delaware Code by Increasing the Rate of the Realty transfer Tax and by Apportioning Said Tax Between Grantor and Grantee.”

Senator Castle moved that the roll call on the Bill be tabled.

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

YEAS: Messrs. Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, (Mrs.) Manning, Steele — 11.

NAYS: Messrs. Castle, Cook, McCullough, Robbins, Schlör, Slawik — 6.

ABSENT: Messrs. Holloway and Isaacs — 2.

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

On motion of Senator Cicione, and without objection, Rule 9 was suspended for the purpose of considering **HB 524**.

Therefore, the Bill was read for a second time by title only in order to pass the Senate.

HB 524 — “An Act to Amend Chapter 191, Volume 58, Laws of Delaware, Relating to Merit Increases Received by State Employees.”

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hart, Hickman, (Mrs.) Manning, Robbins, Schlör, Slawik — 14.

NOT VOTING: Mr. Steele — 1.

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

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

On motion of Senator Hale, Rule 9 was suspended, without objection, for the purpose of considering **HB 520 w/ HA 1**.

Therefore, the Bill was read a second time by title only in order to pass the Senate.

HB 520 w/ HA 1 — “An Act to Amend Chapter 17, Title 14, Delaware Code, by Changing the Number of Pupils Composing a Unit.”

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

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

NOT VOTING: Mr. Steele — 1.

ABSENT: Messrs. Holloway and Isaacs — 2.

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

On motion of Senator Hale, and without objection, Rule 9 was suspended for consideration of **HB 526**.

Therefore, the Bill was read a second time by title only in order to pass the Senate.

HB 526 — “An Act to Amend Chapter 333, Volume 57, Laws of Delaware by Changing the Present Effective Date of a Five Percent Pay Raise for School Employees and Relating to the Variability of State Public School Employment Contracts.”

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

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

NOT VOTING: Mr. Steele — 1.

ABSENT: Messrs. Holloway and Isaacs — 2.

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

On motion of Senator Hale, and without objection, Rule 9 was suspended for the purpose of considering **SB 491**.

Therefore, the Bill was read a second time by title only in order to pass the Senate.

SB 491 — “An Act Making a Supplementary Appropriation to the Department of Agriculture for the Control and Eradication of Equines Infected with Equine Infectious Anemia.”

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

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

NOT VOTING: Messrs. McCullough, Robbins, Schlör, Slawik — 4.

ABSENT: Messrs. Holloway and Isaacs — 2.

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

Senator duPont introduced SA 1 to HB 211.

Senator duPont moved that the Amendment be adopted.

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

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

NAYS: Messrs. Cook, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik — 6.

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

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

Senator McCullough introduced SA 3 to HB 211.

Senator McCullough moved that the Amendment be adopted.

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

YEAS: Messrs. Cook, Hart, McCullough, Robbins, Schlör, Slawik — 6.

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

NOT VOTING: Messrs. Elliott, Foltz, Grier — 3.

ABSENT: Messrs. Holloway and Isaacs — 2.

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

On motion of Senator Slawik, HB 211 w/ SA 1 was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 211 w/ SA 1 — "An Act to Amend Subchapter 11 of Chapter 11, Title 30, of the Delaware Code Relating to Personal Income Tax."

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

YEAS; Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Robbins, Slawik — 12.

NAYS: Messrs. Cook, (Mrs.) Manning, McCullough, Schlör, Steele — 5.

ABSENT: Messrs. Holloway and Isaacs — 2.

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

On motion of Senator Hale, **HB 534** was taken up for consideration and read a second time by title only in order to pass the Senate.

HB 534 — “An Act Relating to the Number of Administrative and Other Positions Authorized for Public Schools.”

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

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

NOT VOTING: Messrs. McCullough and Steele — 2.

ABSENT: Messrs. Cook, Holloway, Isaacs and Schlor — 4.

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

On motion of Senator Foltz, and without objection, the roll call on **HB 503** was lifted.

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

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

NAYS: Messrs. Castle, Cook, Elliott, McCullough, Robbins, Schlor — 6.

NOT VOTING: Mr. Steele — 1.

ABSENT: Messrs. Holloway and Isaacs — 2.

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

Senator Grier moved that the Senate recess until the call of the Chair. Hearing no objection, the motion prevailed and the Senate recessed at 7:20 a.m., Friday, July 30, 1971.

The Senate reconvened at 5:10 p.m. October 5, 1971, President Pro Tem duPont presiding.

The following communications from the Governor, were read and referred to the Committee on Executive.

October 5, 1971

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

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

Robert Y. Lathrop
63 Pine Reach
Henlopen Acres
Rehoboth Beach, Delaware

to be Personnel Director
for a term beginning October
16, 1971 and to serve During
the Pleasure of the Governor,
succeeding William F. Spotswood,
resigned.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

* * * * *

October 5, 1971

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

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

Reverend Maurice J. Moyer 1 Herbert Drive Penn Acres New Castle, Delaware	to be a member of the State Personnel Commission, filling an unexpired term ending September 7, 1972 of James H. Gilliam, Sr., resigned.
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Thomas R. Hunt 7 Wood Road Wilmington, Delaware	to be a member of the State Personnel Commission, for a three-year term from August 11, 1971 to expire August 11, 1974, succeeding Harlan Scott.
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William F. Spotswood 2 Queen Street Rehoboth Beach, Delaware	to be a member of the State Personnel Commission, for a term beginning October 16, 1971 to expire August 11, 1974, succeeding William C. Gordon, resigned.
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Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

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

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

Arthur F. DiSabatino 6 Hurst Road Deerhurst Wilmington, Delaware	to be a Judge of the Court of Common Pleas for New Castle County, for a twelve-year term from date of confirmation, succeeding Judge A. James Gallo.
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Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

October 5, 1971

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

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

Robert H. Wahl	to be a Judge of the Court of
2522 Eaton Road	Common Pleas for New Castle
Chalfonte	County, for a twelve-year term
Wilmington, Delaware	from date of confirmation.
	(Reappointment)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

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October 5, 1971

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

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

Nutter D. Marvel	to be a member of the Public
West Market Street	Service Commission, for a
Georgetown, Delaware	five-year term from September
	1, 1971 to expire September 1,
	1976. (Reappointment)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

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October 5, 1971

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

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

Edmund N. Carpenter, II, Esq.	to be a member of the Board
Center Mill Road	of Trustees, University of
Greenville, Delaware	Delaware, for a six-year term
	from date of confirmation,
	succeeding Walter S. Carpenter,
	Jr., retired.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

October 5, 1971

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

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

Frederick D. Thomas	to be a member of the Board
P.O. Box 40	of Trustees, State Employees
Nassau, Delaware	Retirement Fund, for a four
	year term from September 29,
	1971 to expire September 29,
	1975. (Reappointment)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

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October 5, 1971

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

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

Charles A. Hammett	to be a Justice of the Peace
401 New Road	for New Castle County, for a
Elsmere, Delaware	four-year term from date of
	confirmation. (Reappointment)

Morris Levenberg	to be a Justice of the Peace
306 West 37th Street	for New Castle County, for a
Wilmington, Delaware	four-year term from date of
	confirmation. (Reappointment)

Thomas J. Newell	to be a Justice of the Peace
1522 Sycamore Street	for New Castle County, for a
Wilmington, Delaware	four-year term from date of
	confirmation. (Reappointment)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

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October 5, 1971

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

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

John T. Gallagher, Esq.
616 Whitby Drive
Sharpley
Wilmington, Delaware

to be a member of the Delaware
Code Revisors, for a term
expiring with the termination
of the 127th General Assembly.
(New)

Glen E. Hitchens, Esq.
630 North State Street
Dover, Delaware

to be a member of the Delaware
Code Revisors, for a term
expiring with the termination
of the 126th General Assembly.
(New)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

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October 5, 1971

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

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

Conrad Maxmin
1008 Overbrook Road
Westover Hills
Wilmington, Delaware

to be a member of the Depart-
ment of Elections for New Castle
County, for a four-year term
from date of confirmation, fill-
ing the vacancy of Dan Hastings,
deceased.

Joseph S. Yucht
1105 Piper Road
Graylyn Crest
Wilmington, Delaware

to be a member of the Depart-
ment of Elections for New Castle
County, for a four-year term
from date of confirmation.
(Reappointment)

Joseph F. Grabowski
1102 Sycamore Street
Wilmington, Delaware

to be a member of the Depart-
ment of Elections for New Castle
County, for a four-year term
from date of confirmation.
(Reappointment)

Ruffin N. Noisette
507 West 19th Street
Wilmington, Delaware

to be a member of the Depart-
ment of Elections for New Castle
County, for a four-year term
from date of confirmation,
succeeding Daniel J. Monigle, Jr.

Hayward Roach
1008 French Street
Wilmington, Delaware

to be a member of the Depart-
ment of Elections for New Castle
County, for a four-year term
from date of confirmation,
succeeding Mrs. Lavinia Starks.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

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October 5, 1971

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

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

Robert B. Hopkins Laws Street Bridgeville, Delaware	to be a member of the Department of Elections for Sussex County, for a four-year term from date of confirmation. (Reappointment)
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Richard I. Merrill 419 Hickory Lane Seaford, Delaware	to be a member of the Department of Elections for Sussex County, for a four-year term from date of confirmation, succeeding Lewis Trivits.
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Charles W. Cole 37 Olive Avenue Rehoboth Beach, Delaware	to be a member of the Department of Elections for Sussex County, for a four-year term from date of confirmation. (Reappointment)
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Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

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October 5, 1971

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

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

C. Robert Downham 13 East Street Camden, Delaware	to be a member of the Department of Elections for Kent County, for a four-year term from date of confirmation. (Reappointment)
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Mrs. Alta C. Harrington Commerce Street Harrington, Delaware	to be a member of the Department of Elections for Kent County, for a four-year term from date of confirmation. (Reappointment)
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Robert L. Zook, Sr.
Milford-Canterbury Road
Milford, Delaware

to be a member of the Department of Elections for Kent County, for a four-year term from date of confirmation.
(Reappointment)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

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October 5, 1971

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

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

John W. Green
2134 Ferguson Drive
Del Park Manor
Wilmington, Delaware

to be State Bank Commissioner,
for a four-year term from
September 8, 1971 to expire
September 8, 1975. (Reappt.)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

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October 5, 1971

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

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

Murray M. Schwartz, Esq.
320 Center Hill
Centerville
Wilmington, Delaware

to be a member of the Board
of Parole, for a four-year
term from September 29, 1971
to expire September 29, 1975,
succeeding Claude L. Tease.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

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October 5, 1971

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

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

Remsen C. Barnard, III
409 South Walnut Street
Milford, Delaware

to be a member of the Delaware
River and Bay Authority, for
a five-year term ending July
1, 1976. (Reappointment)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

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October 5, 1971

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

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

Edward J. Murphy
42 West 5th Street
New Castle, Delaware

to be a member of the Bingo
Control Commission, for a
five-year term from September
1, 1971 to expire September 1,
1976. (Reappointment)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

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October 5, 1971

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

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

William Philip Short, Jr.
Bethany Beach, Delaware

to be a member of the Council
on Highways, for a two-year
term from date of confirmation,
filling the vacancy of John
Hitchens, deceased.

William F. Brooks
210 Churchill Drive
Carrcroft
Wilmington, Delaware

to be a member of the Council
on Highways, for a two-year
term from date of confirmation,
filling the vacancy of Frances
West.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

October 5, 1971

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

On behalf of the Board of Trustees of the University of Delaware and in conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate, the following, elected by the Board of Trustees to be a member of that Board:

Edmond duPont	to be a member of the Board of
2106 Grant Avenue	Trustees, University of Delaware,
Wilmington, Delaware	for a six-year term from June 12,
	1971 to expire June 12, 1977.
	(Reappointment)

The above name is not a gubernatorial appointment.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

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October 5, 1971

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

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

Walton H. Simpson	to be Secretary of State,
Camden, Delaware	for a term beginning November
	1, 1971 and to serve During the
	Pleasure of the Governor,
	succeeding Eugene Bunting,
	resigned.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

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October 5, 1971

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

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

William Bradford	to be Secretary of Finance,
239 Philadelphia Pike	for a term beginning November
Wilmington, Delaware	1, 1971 and to serve During
	the Pleasure of the Governor,
	succeeding Joseph T. Cashman,
	resigned.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

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At their request, Senators Castle and Hart were marked "Present" for October 5, 1971.

Senator Grier moved that the Senate recess until 3:00 p.m. Wednesday, October 6, 1971. Hearing no objection, the motion carried and the Senate recessed at 5:40 p.m.

The Senate reconvened at 4:00 p.m. Wednesday, October 6, 1971, Lt. Governor Bookhammer presiding.

Senator Elliott introduced SB 492, co-sponsored by Senators Cicione, Conner and Manning, entitled:

SB 492 — "An Act to amend Subchapter XLIV, Chapter 3, Title II of the Delaware Code relating to Statutory Rape and Age of Consent." Assigned to Committee on Judiciary and Elections.

Senator Cicione introduced SB 493 which was given its first reading by title only, as follows:

SB 493 — "An Act to Amend Subchapter IV, Chapter II, Title 28 of the Delaware Code relating to Bingo Limitations and Regulations under License."

On motion of Senator Cicione, Rule 9 was suspended (without objection) for the purpose of considering the passage of SB 493.

The Bill was therefore given its final reading by title only in order to pass the Senate.

SB 493 — "An Act to Amend Subchapter IV, Chapter II, Title 28 of the Delaware Code relating to Bingo Limitations and Regulations under License."

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hart, Holloway, (Mrs.) Manning, McCullough, Schlor, Slawik, Steele — 15.

NAYS: Messrs. Elliott, Hickman and Robbins — 3.

NOT VOTING: Mr. Isaacs — 1.

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

Senator Cicione introduced SB 494 which was given its first reading by title only, as follows:

SB 494 — "An Act to Amend Chapter 43, Title 6 of the Delaware Code relating to Retail Installment Sales." Assigned to Committee on Community Affairs.

Senator Cicione introduced SB 495 which was given its first reading by title only, as follows:

SB 495 — “An Act to Amend Part I and Part III, Title 21 of the Delaware Code Relating to the Equipment and Construction of Motor Vehicles.” Assigned to Committee on Public Safety.

Senator Elliott introduced SR 97.

SR 97 — “Expressing Opposition to Delmarva Power and Light Company’s Request for a Rate Increase and Requesting the Public Service Commission to Deny Said Rate Increase.”

WHEREAS, it has come to the attention of the members of the Senate of the 126th General Assembly that Delmarva Power and Light Company has filed a formal request with the Public Service Commission for an almost 20% hike in its rates charged to customers; and

WHEREAS, Delmarva Power and Light Company was granted a 4.5 percent rate increase late last year by the Public Service Commission; and

WHEREAS, a rate increase of the magnitude formally filed for would be contrary and adverse to the President’s newly pronounced economic policy of trying to curb runaway wages and prices which contributed enormously to the inflationary spiral we found ourselves in; and

WHEREAS, Delmarva Power and Light Company profits would seem to indicate that they are receiving a fair and equitable return on their investment; and

WHEREAS, it is a known fact that there are other avenues of financial benefits to which Delmarva Power and Light Company could undoubtedly realize profits.

WHEREAS, there is presently pending before the Congress of the United States a 4% “flow through” tax credit for business which has a retroactive clause to April 1, 1971, and should, upon favorable passage, affect Delmarva Power and Light Company’s profits; and

WHEREAS, the Treasury Department’s ruling that corporations can accelerate their rate of plant and equipment depreciation by up to 20%, which if utilized by Delmarva Power and Light Company should yield Delmarva Power and Light Company a tax break which would undoubtedly favorably affect its profits.

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 126th General Assembly of the State of Delaware, that the members wish to publicly express their emphatic opposition to any rate increase request by Delmarva Power and Light Company at this time.

BE IT FURTHER RESOLVED that the members of the Senate wish to request the members of the Public Service Commission to flatly deny any rate increase and that they further deny Delmarva Power and Light Company from invoking proposed rates under provisions of present law whereby said utility puts up a security bond.

BE IT FURTHER RESOLVED that a copy of this Resolution be entered upon the Journal of the Senate and copies be forwarded to each member of the Public Service Commission.

Senator Elliott moved that the Resolution be adopted.

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

YEAS: Messrs. Cicione, Elliott, Isaacs — 3.

NAYS: (Mrs.) Conner, Messrs. duPont, Hale, Hickman, Steele — 5.

NOT VOTING: Messrs. Castle, Grier, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik — 8.

ABSENT: Messrs. Cook, Foltz, Hart — 3.

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

Senator Steele introduced SA 1 to SB 489.

On motion of Senator Steele, the Amendment was placed with the Bill without objection.

Senator Elliott introduced SR 98.

SR 98 — "Relating to the Restoration of Senate Bill No. 1 to the Senate Chamber."

WHEREAS, Senate Bill No. 1 entitled: "An Act to Amend Chapter 35, Title II of the Delaware Code, with reference to possession of narcotics and other drugs with quantities needed to create a reasonable presumption of intent to sell" was introduced January 12, 1971; and

WHEREAS, after the sponsor of the bill had it stricken from the calendar, the Delaware Supreme Court ruled that possession of an illegal drug in itself, without reference to quantity, is not by itself proof of "intent to sell" the drug; and

WHEREAS, the Court was reported as specifically pointing out that at this time "there is no statutory standard or guideline as to the quantity of drug from which an inference or presumption of intent to sell may arise."

NOW, THEREFORE:

BE IT RESOLVED by the Senate of the 126th General Assembly that Senate Bill No. 1 be, and it is hereby, fully and completely restored to the Senate calendar.

BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the Senate Journal.

Senator Elliott moved that the Resolution be adopted.

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

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

NAYS: Mr. McCullough — 1.

ABSENT: Messrs. Cook, Foltz, Hart — 3.

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

Senator Robbins introduced SR 99, co-sponsored by Senators Castle, Cicione, Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, Manning, McCullough, Schlör, Slawik and Steele.

SR 99 — "In Remembrance of Former State Senator Robert I. Carney, Sr."

WHEREAS, on August 25, 1971, former State Senator Robert I. Carney, Sr., of Wilmington Manor entered the gates of a larger and greater life; and

WHEREAS, the Senate of the 126th General Assembly wishes to pay respect to the memory of this former colleague who served from 1964 — 1968; and

WHEREAS, former Senator Carney, a native of Nashville, Tennessee, held positions of esteem in distinguished organizations of his community, state and country, including the Kiwanis Club of New Castle Hundred, the New Castle Loyal Order of Moose — Lodge 6665, the Delmarva Council of the Boy Scouts of America, and the National Society of State Legislators of which he was a charter member; and

WHEREAS, former Senator Carney was a leader in education, having served as President of the William Penn High School P.T.A., and as a member of the Delaware P.T.A.; and

WHEREAS, former Senator Carney as a member of Asbury Methodist Church had a deep concern for his fellow men, particularly the youth of his community.

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 126th General Assembly of the State of Delaware that the sincere condolences of its members be extended to the family of former Senator Carney, particularly his beloved wife, Ida; his sons, Colonel Robert I. Carney, Jr., and Dr. W. James Carney.

BE IT FURTHER RESOLVED that the text of this Resolution be spread upon the minutes of the Senate and ten copies forwarded to Mrs. Robert I. Carney, Sr. of Wilmington Manor.

Senator Robbins moved that the Resolution be adopted.

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

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

ABSENT: Messrs. Cook and Foltz — 2.

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

Senator Slawik introduced SS 1 for SB 490.

On motion of Senator Slawik, and without objection, the Substitute Bill was adopted in lieu of the Original Bill.

Senator Hale introduced SA 1 to HS 1 for HB 513.

On motion of Senator Hale, and without objection, the Amendment was placed with the Bill.

Senator Hale introduced SA 1 to HB 534.

On motion of Senator Hale and without objection, the Amendment was placed with the Bill.

Senator Manning introduced SB 496, entitled:

SB 496 — “An Act to Amend Chapter 80, Part VII, Title 29 of the Delaware Code Relating to the Powers, Duties and Functions of the Division of Environmental Control.”

On motion of Senator Manning, and without objection, Rule 9 was suspended for the purpose of considering SB 496 for passage.

Therefore, the Bill was read a second time by title only in order to pass the Senate.

SB 496 — “An Act to Amend Chapter 80, Part VII, Title 29 of the Delaware Code Relating to the Powers, Duties and Functions of the Division of Environmental Control.”

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

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

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

Senator Manning introduced SB 497, entitled:

SB 497 — “An Act to Amend Chapter 80, Part VII, Title 29 of the Delaware Code Relating to the Powers, Duties and Functions of the Division of Environmental Control.”

On motion of Senator Manning, and without objection, the Bill was then stricken from the calendar.

Senator Isaacs introduced SB 498, entitled:

SB 498 — “An Act to Amend Chapter 86, Title 29 of the Delaware Code Relating to the Powers, Duties, and Functions of the Department of Consumer Affairs in Regulating Mobile Home Parks.”

On motion of Senator Isaacs, and without objection, the Bill was laid on the table.

Senator Isaacs introduced SCR 38, co-sponsored by Senator Hart.

SCR 38 — “Concerning Amendments or Alterations proposed for the Capital Bond Bill, and Requesting that the Joint Finance Committee First Meet to Consider such Proposals before any Action by Either House.”

On motion of Senator Isaacs, and without objection, the Resolution was then stricken from the calendar.

Senator Isaacs introduced SS 1 to SB 465, co-sponsored by Senator Hart.

On motion of Senator Isaacs, and without objection, the Substitute Bill was laid on the table.

Senator Holloway introduced SB 499, entitled:

SB 499 — “An Act to Amend Subchapter 1, Chapter 19, Part I, Title 10 of the Delaware Code Relating to the Organization, Powers, Jurisdiction and Operation of the Courts of the State of Delaware.” Assigned to Committee on Judiciary and Elections.

Senator Slawik introduced SB 500, entitled:

SB 500 — “An Act to Amend Chapter 306, Volume 58, Laws of Delaware, entitled “An Act to Further Ameliorate the Financial Integrity of the State of Delaware by Eliminating, Restricting, Reducing in whole or in part, or Postponing Certain Programs, Projects and Various Expenditures Previously Authorized by the General Assembly of the State of Delaware; to Decree Certain Budgetary Restrictions and Procedures and by Repeal, Amend to Temporarily Suspend Certain Other Pertinent Statutory Provisions.” Assigned to Committee on Finance.

Senator Isaacs introduced SB 501, entitled:

SB 501 — “An Act to Amend Title 29, Delaware Code, by Providing for the Transfer of the Powers, Duties and Functions of the Council on Adult Corrections and the Council on Youth Services from the Department of Health and Social Services to the Department of Public Safety.”

On motion of Senator Isaacs, and without objection, the Bill was laid on the table.

Senator Holloway introduced SB 502, entitled:

SB 502 — “An Act to Amend Chapter 7, Title 4 of the Delaware Code Relating to the Sunday Sale of Alcoholic Liquors.” Assigned to Committee on Administration Services.

Senator Isaacs introduced SB 503, entitled:

SB 503 — “An Act to Provide a Supplementary Appropriation to the Department of Health and Social Services for the Purpose of Erecting Guard Towers Around the Delaware Correctional Center.”

On motion of Senator Isaacs, and without objection, the Bill was laid on the table.

Senator Isaacs introduced SB 504, entitled:

SB 504 — “An Act Authorizing the State of Delaware to Borrow Money to be Used for the Installation of Guard Towers and to Issue Bonds and Notes Therefor and Appropriating the Money Borrowed to the Department of Health and Social Services.”

On motion of Senator Isaacs, and without objection, Rule 9 was suspended for the purpose of considering SB 504 for passage.

Therefore, the Bill was read a second time by title only in order to pass the Senate.

SB 504 — “An Act Authorizing the State of Delaware to Borrow Money to be Used for the Installation of Guard Towers and to Issue Bonds and Notes therefor and Appropriating the Money Borrowed to the Department of Health and Social Services.”

On motion of Senator Isaacs, and without objection, the roll call on the Bill was tabled.

Senator Isaacs introduced **SB 505**, entitled:

SB 505 — “An Act to amend Title 29, Delaware Code Relating to Transfer of the Powers, Duties and Functions of the Division of Adult Corrections of the Department of Health and Social Services to the Department of Public Safety.”

On motion of Senator Isaacs, and without objection, the Bill was laid on the table.

Senator Foltz introduced **SB 506**, entitled:

SB 506 — “An Act to Amend Chapter 6, Title 29, Delaware Code, Relating to the Boundaries of Certain Senatorial Districts.”

On motion of Senator Foltz, Rule 9 was suspended for the purpose of considering **SB 506**.

Therefore, the Bill was read a second time by title only in order to pass the Senate.

SB 506 — “An Act to Amend Chapter 6, Title 29, Delaware Code, Relating to the Boundaries of Certain Senatorial Districts.”

On motion of Senator Foltz, and without objection, the Bill was laid on the table.

Senator duPont introduced **SR 100**.

SR 100 — “Authorizing the Legislative Council to Furnish Postage for the Special Session of the 126th General Assembly.”

Senator duPont moved that the Resolution be adopted.

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

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

NAYS: Messrs. Isaacs and McCullough — 2.

ABSENT: Mr. Cook — 1.

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

Senator Hale introduced **SB 507**, entitled:

SB 507 — “An Act to Amend Chapter 306, Volume 58, Laws of Delaware, Entitled “An Act to Further Ameliorate the Financial Integrity of the State of Delaware by Eliminating, Restricting, Reducing in whole or in part, or Postponing Certain Programs, Projects and Various Expenditures Previously Authorized by the General Assembly of the State of Delaware; to

Decree Certain Budgetary Restrictions and Procedures and by Repeal, Amend to Temporarily Suspend Certain Other Pertinent Statutory Provisions." Assigned to Committee on Finance.

On motion of Senator duPont, and without objection, HB 537 was lifted from the table.

Then on motion of Senator duPont, and without objection, the Bill was again tabled.

The Chair introduced HB 543, entitled:

HB 543 — "An Act amending Chapters 4 and 5, Title 28 Delaware Code, Relating to the Taxes on Admissions to Race Tracks." Assigned to Committee on Finance.

The Secretary read the following message from the House:

10-6-71

Mr. President:

The House wishes to inform the Senate that it has passed HB 550 and requests the concurrence of the Senate.

The House also passed SB 392 w/ SA 1.

SB 283 was defeated in the House.

The Chair introduced HB 550, entitled:

HB 550 — "An Act to Increase the Amount of Tax on the Floor Stocks and Inventories of Spirits as such Floor Stocks and Inventories were on August 15, 1971."

The Bill was laid on the table, without objection.

The Secretary read the following message from the Governor:

August 3, 1971

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

On July 31, 1971, I received Senate Bill 477 as Amended by Senate Amendments 21, 22, 26, 27, 29, 30, 32, 33, 34, 35, 36, 41, 42, 46

AND

House Amendments 1, 2, 5, 10, 11, 14, 18, 19, 21, 22, 25, 31, 32 entitled:

"An Act to further Ameliorate the Financial Integrity of the State of Delaware by Eliminating, Restricting, Reducing in Whole or in Part, or Postponing Certain Programs, Projects and Various Expenditures Previously Authorized by the General Assembly of the State of Delaware; to Decree Certain Budgetary Restrictions and Procedures and to Repeal, Amend or Temporarily Suspend Certain Other Pertinent Statutory Provisions."

While I have today signed this bill, I have made six item vetoes through the authority afforded me in Article III, Section 8 of the Constitution of the State of Delaware.

Let me stress that my item vetoes, which involve an identifiable total of only \$77, 079, are limited to items which would have a far more severe impact than was intended. This

legislation represents a concerted and successful effort by the General Assembly and my office to solve the serious fiscal problem that faced the State of Delaware.

After the vetoes, this bill will reduce the budget by \$3,837,017. This is in addition to earlier budget cuts of \$5,167,831 made by House Bill 497. The \$3.8 million is a net figure after removal of items which would duplicate reductions provided for in House Bill 497. The sum of budget reductions made by House Bill 497 and Senate Bill 477 is \$9,004,848.

Here are the items I have vetoed and my reasons for each:

adio Page 13, Section 7, Lines 26 through 35

This Section would bar exempt employees of the Executive Branch from receiving during Fiscal 1972 a salary "in excess of the gross wages or earnings he received from the State of Delaware" during Fiscal 1971.

There are hundreds of exempt employees in the Executive Branch, including uniformed and non-uniformed employees of the State Police, and other employees in the offices of the Attorney General, Auditor, Insurance Commissioner and Public Defender, and at the University of Delaware, Delaware State College and Delaware Technical and Community College.

While all school employees and most merit system employees will be receiving raises in Fiscal 1972, the exempt employees would be excluded by this Section from any consideration whatsoever. In fact, those who received a raise sometime during Fiscal 1971, would have their salaries reduced in Fiscal 1972. And an exempt employee hired, for example, in mid-year of Fiscal 1971 would, under this Section, be paid only six months' salary in Fiscal 1972.

If allowed to stand, this Section would be grossly unfair as well as impractical.

I am sure that was not the intent of the General Assembly.

Page 5, Line 37

This would reduce funds for the Rat Control Program to \$43,000. The appropriation earlier had been out from \$75,010 to \$65,010 by House Bill 497. An additional cut of \$22,010 would be unwise since this new program is serving the community well and merits continued support.

Page 6, Line 8, and Page 11, Section 4, Lines 14 through 17

These items would cripple the treatment program for chronic alcoholics at Delaware State Hospital by requiring that a \$50,000 reduction be applied solely to the alcoholic program. My veto will still require the Delaware State Hospital's budget to be cut by \$50,000, but it need not all come from the program for alcoholics.

Page 6, Line 18

This would reduce to \$150,000 the appropriation for the State Service Centers. The Centers already have been cut by House Bill 497 to \$188,316 from the \$222,020 originally appropriated in House Bill 200. A further reduction of \$38,316

would seriously hamper this vitally important program to make community services more readily available to the people of Delaware.

Page 7, Line 19

This would reduce to \$63,057 the appropriation for salaries and wages in the Division of Forestry and Fire Protection. The funds for this Division already have been cut by House Bill 497 from \$1100,164 to \$78,960, a reduction of four employees from the 15 proposed in the original budget. The additional reduction of \$15,903 would cut the number of employees to eight, and this would seriously hamper the State's ability to prevent and fight forest fires.

Page 8, Lines 35 through 37

This would eliminate an \$850 appropriation for the Governor's Committee on Employment of the Handicapped. The Committee, which enlists hundreds of volunteers to help thousands of handicapped, including many veterans, received \$1,300 last year, so the \$850 in itself represents a reduction. To eliminate that sum would seriously hamper the Committee and is unwarranted.

Respectfully submitted,
(Signed) Russell W. Peterson
Governor

Senator duPont on behalf of the Committee Executive, reported the following nominations for appointment by the Governor back to the Senate:

William F. Brooks — 6 Favorable; William P. Short, Jr. — 5 Favorable; Charles W. Cole — 6 Favorable; Richard I. Merrill — 5 Favorable; Robert B. Hopkins — 5 Favorable; John W. Green — 6 Favorable; Murray M. Schwartz, Esq. — 6 Favorable; Edward J. Murphy — 6 Favorable; Robert L. Zook, Sr. — 6 Favorable; Alta C. Harrington — 6 Favorable; C. Robert Downham — 5 Favorable; William Bradford — 6 Favorable; Remsen C. Barnard, III — 6 Favorable; Walton H. Simpson — 6 Favorable; Edmond duPont — 6 Favorable; Edmund N. Cappenter, II, Esq. — 6 Favorable; Arthur F. DiSabatino — 6 Favorable; Robert H. Wahl — 1 Unfavorable, 5 Favorable; Nutter D. Marvel — 6 Favorable; Robert Y. Lathrop — 6 Favorable; William F. Spotswood — 5 Favorable, 1 Unfavorable; Thomas Hunt — 3 Favorable; Maurice Moyer — 4 Favorable; Thomas J. Newell — 6 Favorable; Morris Levenberg — 5 Favorable; Charles A. Hammett — 5 Favorable; Frederick D. Thomas — 6 Favorable; Glen E. Hitchens, Esq. — 6 Favorable; John T. Gallagher, Esq. — 4 Favorable; Hayward Roach — 6 Favorable; Ruffin N. Noisette — 5 Favorable; Joseph F. Grabowski — 5 Favorable; Joseph Yucht — 5 Favorable; Conrad Maxim — 5 Favorable.

Senator Grier moved that the Senate adjourn until 6 p.m. Tuesday, Oct. 6, 1971. Hearing no objection, the motion prevailed and the Senate adjourned at 6 p.m.

4TH LEGISLATIVE DAY SPECIAL SESSION

The Senate met pursuant to adjournment at 6:00 p.m., Wednesday, October 6, 1971, Lt. Governor Bookhammer presiding.

A prayer was offered by Senator Holloway.

The pledge of Allegiance to the Flag was given.

By roll call, the following Senators were present:

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

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

Senator Isaacs introduced SB 508 which was given its first reading by title only:

SB 508 — "An Act authorizing the Budget Director to Transfer certain funds from the Department of Natural Resources and Environmental Control Designated for Creek Dredging to the Department of Health and Social Services."

Senator Isaacs moved that SB 508 be laid on the table. Motion prevailed, without objection.

The Senate recessed for dinner.

The Senate reconvened at 8:00 p.m.

Senator Steele introduced SS 3 for SB 48 which was given its first reading by title only.

Senator Steele moved that SS 3 for SB 48 be laid on the table. Motion prevailed without objection.

Senator Steele moved that Rule 9 be suspended for the purpose of considering passage of SS 3 for SB 48. Motion prevailed without objection.

Therefore the Bill was read a second time by title only in order to pass the Senate:

SS 3 for SB 48 — "An Act authorizing the State of Delaware to Borrow Money to be Used for Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes therefore and Appropriating the Monies to Various Agencies of the State."

On motion of Senator Steele, and without objection, the roll call on the Bill was tabled.

Senator duPont moved that the Governor's nomination for appointment of Edward J. Murphy be considered for confirmation by the Senate.

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

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

ABSENT: Messrs. Elliott, Grier, Hickman and Isaacs — 4.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senaotr duPont moved that the Governor's nomination for appointment of Murray Schwartz be considered for confirmation by the Senate.

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

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

ABSENT: Mr. Elliott — 1.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of Robert B. Hopkins was considered for confirmation by the Senate.

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

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

ABSENT: Mr. Elliott — 1.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of Richard Merrill be considered for confirmation by the Senate.

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

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

ABSENT: Mr. Elliott — 1.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of Charles W. Cole be considered for confirmation by the Senate.

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

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

ABSENT: Mr. Elliott — 1.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator moved that the Governor's nomination for appointment of William Bradford be considered for confirmation by the Senate.

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

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

ABSENT: Mr. Elliott — 1.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of Walton Simpson be considered for confirmation by the Senate.

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

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

ABSENT: Mr. Elliott — 1.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of Robert H. Wahl be considered for confirmation by the Senate.

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

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

NAYS: (Mrs.) Manning — 1.

ABSENT: Mr. Elliott — 1.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of Arthur diSabatino be considered for confirmation by the Senate.

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

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

NAYS: Messrs. Hart and Isaacs — 2.

ABSENT: Mr. Elliott — 1.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of Remsen C. Barnard be considered for confirmation by the Senate.

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

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

ABSENT: Messrs. Cicione, Elliott — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of Edmund duPont be considered for confirmation by the Senate.

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

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele — 15.

ABSENT: Messrs. Cicione, Cook, Elliott, Hickman — 4.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of Edmond Carpenter be considered for confirmation by the Senate.

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

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

ABSENT: Messrs. Elliott and Hickman — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of Nutter Marvel be considered for confirmation by the Senate.

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

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

ABSENT: Mr. Elliott — 1.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of Robert Lathrop be considered for confirmation by the Senate.

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

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, Robbins, Schlör, Steele — 14.

NOT VOTING: Messrs. Cook, Isaacs, McCullough, Slawik — 4.

ABSENT: Mr. Elliott — 1.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of Maurice Moyer be considered for confirmation by the Seante.

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

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

NAYS: Mr. McCullough — 1.

ABSENT: Mr. Elliott — 1.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of Thomas Hunt be considered for confirmation by the Senate.

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

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

ABSENT: Mr. Elliott — 1.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of William Spotswood be considered for confirmation by the Senate.

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

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

NAYS: Messrs. Hart, Isaacs, (Mrs.) Manning — 3.

ABSENT: Messrs. Cicione, Elliott, Slawik — 3.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of Charles Hammit be considered for confirmation by the Senate.

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

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

ABSENT: Messrs. Elliott and Slawik — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of Morris Levenberg be considered for confirmation by the Senate.

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

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

ABSENT: Mr. Elliott — 1.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of Thomas Newell be considered for confirmation by the Senate.

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

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

ABSENT: Mr. Elliott — 1.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of Frederick Thomas be considered for confirmation by the Senate.

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

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

ABSENT: Messrs. Elliott and Slawik — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of John Gallagher be considered for confirmation by the Senate.

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

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

ABSENT: Messrs. Cicione, Elliott and Isaacs — 3.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of Glen Hitchens be considered for confirmation by the Senate.

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

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

ABSENT: Messrs. Cicione and Elliott — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of Conrad Maxim be considered for confirmation by the Senate.

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

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

ABSENT: Messrs. Cicione and Elliott — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of Joseph Yucht be considered for confirmation by the Senate.

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

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

ABSENT: Messrs. Elliott, McCullough and Steele — 3.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of Joseph Grabowski be considered for confirmation by the Senate.

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

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

ABSENT: Mr. Elliott — 1.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority was confirmed.

Senator duPont moved that the Governor's nomination for appointment of Ruffin Noisette be considered for confirmation by the Senate.

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

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

ABSENT: Mr. Elliott — 1.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of Hayward Roach be considered for confirmation by the Senate.

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

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

ABSENT: Mr. Elliott — 1.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

ABSENT: Mr. Elliott — 1.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of C. Robert Downham be considered for confirmation by the Senate.

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

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

ABSENT: Mr. Elliott — 1.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of Alta C. Harrington be considered.

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

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

ABSENT: Mr. Elliot — 1.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of Robert Zook be considered for confirmation.

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

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

ABSENT: Mr. Elliott — 1.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of William Short, Jr. be considered for confirmation.

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

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

ABSENT: Messrs. Cicione and Elliott — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

Senator duPont moved that the Governor's nomination for appointment of William F. Brooks be considered for confirmation.

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

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

ABSENT: Messrs. Elliott and Holloway — 2.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

On motion of Senator Isaacs, SB 498 was lifted without objection.

Senator Isaacs moved that Rule 9 be suspended for the purpose of considering passage of SB 498. Motion prevailed without objection.

Therefore, the Bill was read by title only as follows:

SB 498 — "An Act to Amend Chapter 86, Title 29 of the Delaware Code relating to the Powers, Duties and Functions of the Department of Consumer Affairs in Regulating Mobile Home Parks."

Senator Isaacs moved that the privilege of the floor be granted to Christine Whitehead of the Legislative Council, to speak on the Bill. Motion prevailed without objection.

On further motion of Senator Isaacs, the Bill was again tabled.

Senator Holloway introduced **SB 509**, co-sponsored by Senator Castle; Representatives Johnson, Justice and Miller (Honorary-co-sponsors), which was given first reading by title only, as follows:

SB 509 — “An Act making an Appropriation to the Wilmington School District for the Purpose of Constructing two Pedestrian Overpasses; one over New Castle Avenue and one Over the Governor Printz Boulevard in Wilmington and Acquiring the necessary rights of way therefor and appropriating the Sum of \$72,000.”

Senator Holloway moved that the Bill be laid on the table. Motion prevailed, without objection.

Senator Foltz introduced **SB 510**, Co-sponsored by Senators Cook and Robbins, which was given first reading by title only, as follows:

“SB 510 — “An Act to Amend Subchapter 11, Chapter 41, Part III, Title 9 of the Delaware Code Relating to Kent County, and Enumerating Certain Powers and Duties of the Levy Court.”

Senator Foltz moved that the Bill be laid on the table. Motion prevailed, without objection.

Senator Isaacs moved that the Senate recess for a fifteen minute period at 10:20 p.m. Motion prevailed, without objection.

The Senate reconvened at 10:45 p.m.

On motion of Senator Steele, **HB 550** was lifted.

Senator Cook introduced **SA 1** to **HB 550**.

Senator Cook moved that the Amendment be adopted.

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

YEAS: Messrs. Cook, Elliott, Holloway, Isaacs, McCullough, Schlör, Slawik — 7.

NAYS: Messrs. Castle, (Mrs.) Conner, duPont, Foltz, Hale, Hickman, (Mrs.) Manning, Steele — 8.

NOT VOTING: Mr. Cicione — 1.

ABSENT: Messrs. Grier, Hart and Robbins — 3.

So the question was decided in the negative and the Amendment, having failed to receive the required constitutional majority, was lost.

Senator Cook introduced **SA 2** to **HB 550**.

Senator Cook moved that the Amendment be adopted.

On the question, “Shall the Amendment be adopted?”, the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Cook, Elliott, Holloway, Isaacs, McCullough, Schlor, Slawik — 7.

NAYS: Messrs. Castle, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hickman, (Mrs.) Manning, Steele — 9.

NOT VOTING: Mr. Cicione — 1.

ABSENT: Messrs. Hart and Robbins — 2.

So the question was decided in the negative and the Amendment, having failed to receive the required constitutional majority, was lost.

Senator Steele moved that Rule 9 be suspended for the purpose of considering passage of **HB 550**. Motion prevailed without objection.

Therefore, the Bill was read by title only, as follows:

HB 550 — “An Act to Increase the Amount of Tax on the Floor Stocks and Inventories of Spirits as Such Floor Stocks and Inventories were on August 15, 1971.”

Senator Isaacs moved that the privilege of the floor be granted to Representative Billingsley to speak on the Bill. Motion prevailed, without objection.

The roll call on the Bill was tabled without objection on the motion of Senator Steele.

Senator Grier moved that the Senate recess for a short period at 11:50 p.m. Motion prevailed, without objection.

The Senate reconvened at 1:45 a.m.

Senator duPont moved that the Governor's nomination for appointment of John W. Green be considered for confirmation.

On the question, “Shall the appointment be confirmed?”, the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Isaacs, (Mrs.) Manning, Slawik, Steele — 12.

ABSENT: Messrs. Cook, Hart, Hickman, Holloway, McCullough, Robbins, Schlor — 7.

So the question was decided in the affirmative and the nomination, having received the required constitutional majority, was confirmed.

On motion of Senator Foltz, **SB 506** was lifted and considered for passage.

Therefore the Bill was read by title only as follows:

SB 506 — “An Act to Amend Chapter 6, Title 29, Delaware Code, relating to the Boundaries of Certain Senatorial Districts.”

On the question, “Shall the Bill pass the Senate?”, the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Isaacs, (Mrs.) Manning, Slawik, Steele — 12.

ABSENT: Messrs. Cook, Hart, Hickman, Holloway, McCullough, Robbins, Schlör — 7.

So the question was decided in the affirmative and the Bill, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

Senator Isaacs introduced SB 511, co-sponsored by Senators Conner, Foltz, Manning and Slawik, entitled:

SB 511 — “An Act Changing the Position Classification of Certain Employees within the Merit System of Personnel Administration, and Providing a Supplemental Appropriation therefor.”

Senator Isaacs moved that Rule 9 be suspended for the purpose of considering SB 511.

On the question, “Shall the motion prevail?”, the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Cicione, (Mrs.) Conner, Foltz, Isaacs, (Mrs.) Manning, Slawik — 6.

NOT VOTING: Messrs. Castle, duPont, Elliott, Grier, Hale, Hickman, Steele — 7.

ABSENT: Messrs. Cook, Hart, Holloway, McCullough, Robbins, Schlör — 6.

So the question was decided in the negative and the motion, having failed to receive the required constitutional majority, was lost.

On further motion of Senator Isaacs, and without objection, SB 511 was laid on the table.

Senator Isaacs moved that Rule 9 be suspended for the purpose of considering SB 503.

On the question, “Shall the motion be adopted?”, the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Cicione, Elliott, Hickman, Isaacs, (Mrs.) Manning, Slawik — 6.

NAYS: Messrs. Castle, duPont, Foltz, Hale and Steele — 5.

NOT VOTING: (Mrs.) Conner and Mr. Grier — 2.

ABSENT: Messrs. Cook, Hart, Holloway, McCullough, Robbins, Schlör — 6.

So the question was decided in the negative and the motion, having failed to receive the required constitutional majority, was lost.

Senator Grier moved that the Senate adjourn until 2:00 p.m., Thursday October 7, 1971. Hearing no objection, the motion prevailed and the Senate adjourned at 2:00 a.m., October 7, 1971.

FIFTH LEGISLATIVE DAY SPECIAL SESSION

The Senate met pursuant to adjournment at 3:50 p.m., Thursday October 7, 1971, Lt. Governor Bookhammer presiding.

A prayer was offered by Senator Foltz.

Pledge of Allegiance to the Flag.

By roll call the following Senators were present:

PRESENT: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele — 18.

ABSENT: Mr. Robbins — 1.

The Secretary proceeded to read the minutes of the preceding day's session, when Senator Grier moved that so much be considered the reading of the Journal and the Journal be approved as posted.

The Secretary read the following message from the House:

10-6-71

Mr. President:

The House wishes to inform the Senate that it has passed HCR 36; HB 466 w/ HA 2; HB 555; HS 1 for HB 57 w/ SAs 1, 2, 4, HAs 2, 3, 4; HJR 64 and requests the concurrence of the Senate.

The House also passed SB 360 w/ SA 1, HA 1; SCR 16 w/ HA 1 and is returning same to the Senate.

Senator Castle introduced SA 1 to SS 3 for SB 48.

On motion of Senator Castle and without objection, the Amendment was placed with the Bill.

Senator Elliott introduced SA 2 to SS 3 for SB 48.

Senator Elliott moved that the Amendment be placed with the Bill. Hearing no objection, the motion prevailed.

Senator Steele moved that Rule 9 be suspended for the purpose of considering HB 466 w/ HA 1. The motion prevailed without objection.

Therefore, the Bill was read by title only in order to pass the Senate:

HB 466 w/ HA 1 — "An Act to Amend Chapter 11, Title 30, Delaware Code, Relating to Exclusions from Income."

On the question, "Shall the Bill pass the Senate?", the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele — 17.

ABSENT: Messrs. Holloway and Robbins — 2.

So the question was decided in the affirmative and the Bill, having received the required constitutional majority, passed the Senate and was ordered back to the House.

Senator Steele moved that Rule 9 be suspended for the purpose of considering HB 555. The motion prevailed without objection.

Therefore, the Bill was read by title only in order to pass the Senate:

HB 555 — "An Act to Amend Chapter 19, Title 30, Delaware Code, Relating to the Corporate Income Tax."

On the question, "Shall the Bill pass the Senate?", the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Schlor, Slawik, Steele — 15.

NOT VOTING: Mr. McCullough — 1.

ABSENT: Messrs. Grier, Holloway and Robbins — 3.

So the question was decided in the affirmative and the Bill, having received the required constitutional majority, passed the Senate and was ordered back to the House.

Senator Steele moved that the roll call on **HB 550** be lifted. The motion prevailed without objection.

On the question, "Shall the Bill pass the Senate?", the roll call was ordered, which, being taken, was as follows:

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hickman, (Mrs.) Manning, Steele — 10.

NAYS: Messrs. Cook, Elliott, Isaacs, McCullough, Schlor, Slawik — 6.

NOT VOTING: Mr. Holloway — 1.

ABSENT: Messrs. Hart and Robbins — 2.

So the question was decided in the affirmative and the Bill, having received the required constitutional majority, passed the Senate and was ordered back to the House.

Senator Isaacs introduced **SA 3** to **SS 3** for **SB 48**.

On motion of Senator Isaacs and without objection, the Amendment was placed with the Bill.

Senator Isaacs introduced **SA 4** to **SS 3** for **SB 48**, s.

On motion of Senator Isaacs, the Amendment was placed with the Bill. Hearing no objection, the motion prevailed.

On motion of Senator Cicione **HS 1** for **HB 57 w/ SA 1, 2** which had previously passed the Senate was taken up for reconsideration as further amended by **HA 2, 3, 4**.

On the question, "Shall the Bill, as so amended, pass the Senate?", the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Schlor, Slawik, Steele — 17.

ABSENT: Messrs. Holloway and Robbins — 2.

So the question was decided in the affirmative and the Bill, having received the required constitutional majority, passed the Senate and was ordered back to the House.

On motion of Senator Steele, **SB 360 w/ SA 1** which had previously passed the Senate was taken up for reconsideration as further amended by **HA 1**.

On the question, "Shall the Bill, as so amended, pass the Senate?", the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Schlör, Slawik, Steele — 16.

NAYS: Mr. McCullough — 1.

ABSENT: Messrs. Holloway and Robbins — 2.

So the question was decided in the affirmative and the Bill, having received the required constitutional majority, passed the Senate.

Senator duPont moved that **HJR 25** be read by title only in order to pass the Senate, as follows:

HJR 25 — “Making an Appropriation to the Liquor Study Commission.”

Senator Isaacs moved that the Resolution be committed to Committee.

On the question, “Shall the motion prevail?”, the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Elliott, Foltz, Hart, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik — 8.

NAYS: Messrs. Castle, duPont, Hale — 3.

NOT VOTING: Messrs. Cicione (Mrs.) Conner, Grier, Steele — 4.

ABSENT: Messrs. Cook, Hickman, Holloway and Robbins — 4.

So the question was decided in the negative and the motion, having failed to receive the required constitutional majority, was lost.

Senator duPont moved that Rule 9 be suspended for the purpose of considering the adoption of **HJR 25**.

On the question, “Shall the motion prevail?”, the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Grier, Hale, Hickman, Steele — 8.

NAYS: Messrs. Isaacs and Slawik — 2.

NOT VOTING: Messrs. Cook, Elliott, Foltz, Hart, (Mrs.) Manning, McCullough, Schlör — 7.

ABSENT: Messrs. Holloway and Robbins — 2.

So the question was decided in the negative and the motion, having failed to receive the required constitutional majority, was lost.

Thereupon, the Chair assigned **HJR 25** to Committee on Administrative Services.

The Chair introduced **HCR 36**, entitled:

HCR 36 — “Expressing Congratulations to Miss Paula Susan Kusmer, the Reigning “Miss Delaware”, on her Selection as “Miss Congeniality” at the 1972 Miss America Pageant and Designating Her an Official Hostess of and for the State of Delaware.”

Senator Slawik moved that the Resolution be adopted.

On the question, "Shall the Resolution be adopted?", the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele — 17.

ABSENT: Messrs. Holloway and Robbins — 2.

So the question was decided in the affirmative and the Resolution, having received the required constitutional majority, was adopted by the Senate and returned to the House.

On motion of Senator Isaacs, the roll call on SB 498 was lifted.

Therefore, on the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Cicione, (Mrs.) Conner, duPont, Grier, Hale, Hart, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele — 12.

NAYS: Messrs. Castle, Foltz, Hickman — 3.

NOT VOTING: Messrs. Cook and Elliott — 2.

ABSENT: Messrs. Holloway and Robbins — 2.

So the question was decided in the affirmative and the Bill, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

Senator Castle moved that SA 1 to SS 3 for SB 48 be adopted.

On the question, "Shall the Amendment be adopted?", the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Steele — 14.

NOT VOTING: Messrs. Cook, McCullough, Schlör and Slawik — 4.

ABSENT: Mr. Robbins — 1.

So the question was decided in the affirmative and the Amendment, having received the required constitutional majority, was adopted.

Senator Elliott moved that SA 2 to SS 3 for SB 48 be adopted.

Senator Elliott requested the privilege of the floor for William Keene to speak on the Amendment. Hearing no objection, the privilege was granted.

On the question, "Shall the Amendment be adopted?", the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Steele — 12.

NAYS: Messrs. Foltz, Holloway, McCullough, Slawik — 4.

NOT VOTING: Mr. Schlör — 1.

ABSENT: Messrs. Cook and Robbins — 2.

So the question was decided in the affirmative and the Amendment, having received the required constitutional majority, was adopted.

Senator Isaacs moved that SA 3 to SS 3 for SB 48 be adopted.

On the question, “Shall the Amendment be adopted?”, the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Castle, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, Steele — 12.

NAYS: Messrs. Cook, Holloway, McCullough, Schlör and Slawik — 5.

ABSENT: Messrs. Cicione and Robbins — 2.

So the question was decided in the affirmative and the Amendment, having received the required constitutional majority, was adopted.

Senator Isaacs moved that SA 4 to SS 3 for SB 48 be adopted.

On the question, “Shall the Amendment be adopted?”, the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlör, Steele — 16.

NOT VOTING: Mr. Slawik — 1.

ABSENT: Messrs. Cicione and Robbins — 2.

So the question was decided in the affirmative and the Amendment, having received the required constitutional majority, was adopted.

On motion of Senator Steele, SS 3 for SB 48 w/ SA 1, 2, 3, 4 w/ Debt Statement was read a second time by title only in order to pass the Senate.

SS 3 for SB 48 w/ SA 1, 2, 3, 4 w/ Debt Statement — “An Act Authorizing the State of Delaware to Borrow Money to be used for Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes therefore and Appropriating the Monies to Various Agencies of the State.”

Senator Steele moved that the roll call on the Bill be tabled. Hearing no objection, the motion prevailed.

Senator Grier moved that the Senate recess for ten minutes.

Senator Grier then withdrew his motion.

Senator Hale moved that the Senate recess for a thirty-minute period.

On the question, “Shall the motion prevail?”, the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Hale, Holloway and Slawik — 3.

NAYS: Messrs. (Mrs.) Conner, Cook, (Mrs.) Manning and McCullough — 4.

NOT VOTING: Messrs. Castle, Cicione, duPont, Elliott, Foltz, Grier, Hart, Hickman, Isaacs, Schlor, Steele — 11.

ABSENT: Mr. Robbins — 1.

So the question was decided in the negative and the motion, having failed to receive the required constitutional majority, was lost.

Senator Cicione moved that the Senate recess for ten minutes. Hearing no objection, the motion prevailed and the Senate recessed.

The Senate reconvened twenty minutes later.

Senator Foltz introduced SB 512, co-sponsored by Senator Cook, entitled:

SB 512 — “An Act to Amend Part III, Title 9 of the Delaware Code Relating to the Power of the Levy Court of Kent County to appropriate funds for Certain Purposes.”

Senator Foltz moved that Rule 9 be suspended for the purpose of considering SB 512.

Hearing no objection, the motion prevailed.

Therefore the Bill was read a second time by title only in order to pass the Senate:

SB 512 — “An Act to Amend Part III Title 9 of the Delaware Code Relating to the Power of the Levy Court of Kent County to appropriate funds for Certain Purposes.”

On the question, “Shall the Bill pass the Senate?”, the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlor, Slawik, Steele — 17.

ABSENT: Messrs. Hickman and Robbins — 2.

So the question was decided in the affirmative and the Bill, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

Senator Isaacs moved that SA 1 to SS 1 for SB 465 which had been previously placed with the Bill now be adopted.

On the question, “Shall the Amendment be adopted?”, the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Hale, Hart, Isaacs, (Mrs.) Manning, Slawik, Steele — 11.

NAYS: Mr. Castle — 1.

NOT VOTING: Messrs. Foltz, Grier, Holloway, McCullough, Schlor — 5.

ABSENT: Messrs. Hickman and Robbins — 2.

So the question was decided in the affirmative and the Amendment, having received the required constitutional majority, was adopted.

On motion of Senator Hart and without objection, Rule 9 was suspended for the purpose of considering SS1 for SB 465w/SA1.

Therefore the Bill was read a second time by title only:

SS 1 for SB 465 w/ SA 1 — “An Act Authorizing the State of Delaware to Borrow Money to be Used for Capital Improvements and Expenditures and to Issue Bonds and Notes therefor and Appropriating the Monies to the State Board of Education.”

Senator Hart moved that the roll call on the Bill be tabled.

On the question, “Shall the motion prevail?”, the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlör, Slawik, Steele — 16.

ABSENT: Messrs. Hickman and Robbins — 2.

So the question was decided in the affirmative and the motion, having received the required constitutional majority, prevailed and the roll call was tabled.

Senator duPont introduced **SR 101**.

SR 101 — “To Debit Senate Travel Account for Legislators’ Mileage of the Special Session of the 126th General Assembly.”

Senator duPont moved that the Resolution be adopted.

On the question, “Shall the Resolution be adopted?”, the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, Schlör, Slawik, Steele — 15.

ABSENT: Messrs. Cicione, Hickman, McCullough and Robbins — 4.

So the question was decided in the affirmative and the Resolution, having received the required constitutional majority, was adopted.

Senator Foltz introduced **SB 513**; co-sponsored by Senators Conner and Holloway, entitled:

SB 513 — “An Act to Amend Chapter 306, Volume 58, Laws of Delaware entitled “An Act to Further Ameliorate the Financial Integrity of the State of Delaware by Eliminating, Restricting, Reducing in Whole or in Part, or Postponing Certain Programs, Projects and Various Expenditures Previously Authorized by the General Assembly of the State of Delaware; to Decree Certain Budgetary Restrictions and Procedures and to Repeal, Amend or Temporarily Suspend Certain Other Pertinent Statutory Provisions” by Authorizing the Transfer of Funds by the Office of Human Relation.”

Senator Foltz moved that Rule 9 be suspended for the purpose of considering the Bill.

On the question, “Shall the motion prevail?”, the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Holloway, (Mrs.) Manning, Schlör, Slawik — 13.

NAYS: Mr. Steele — 1.

NOT VOTING: Mr. Isaacs — 1.

ABSENT: Messrs. Hart, Hickman, McCullough, Robbins —

4.

So the question was decided in the affirmative and the motion, having received the required constitutional majority, prevailed.

Therefore the Bill was read a second time by title only:

SB 513 — “An Act to Amend Chapter 306, Volume 58, Laws of Delaware Entitled “An Act to Further Ameliorate the Financial Integrity of the State of Delaware by Eliminating, Restricting, Reducing in whole or in Part, or Postponing Certain Programs, Projects and Various Expenditures Previously Authorized by the General Assembly of the State of Delaware; to Decree Certain Budgetary Restrictions and Procedures and to Repeal, Amend or Temporarily Suspend Certain other Pertinent Statutory Provisions” by Authorizing the Transfer of Funds by the Office of Human Relations.”

Senator Foltz requested the privilege of the floor for Mrs. Lawrence J. Taylor, representing the State Human Relations Commission, to speak on the Bill. Hearing no objection, the privilege was granted.

Senator Foltz moved that the roll call be tabled. Hearing no objection, the motion prevailed.

Senator duPont introduced **SR 102**.

SR 102 — “Authorizing Payments for Services Rendered by the Staff of the Senate for the 126th General Assembly.”

Senator duPont moved that the Resolution be adopted.

On the question, “Shall the Resolution be adopted?”, the yeas and nays were ordered which, being taken, were as follows:

YEAS: Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, Schlör, Slawik, Steele — 15.

ABSENT: Messrs. Cicione, Hickman, McCullough and Robbins — 4.

So the question was decided in the affirmative and the Resolution, having received the required constitutional majority, was adopted.

The Secretary read the following Petition:

WE, THE UNDERSIGNED MEMBERS OF THE SENATE OF THE 126TH GENERAL ASSEMBLY, DO HEREBY RESPECTFULLY REQUEST THAT HOUSE BILL No. 448 BE BROUGHT BEFORE THIS BODY FOR CONSIDERATION.

(SIGNED): Anthony J. Cicione, George F. Schlör, H. M. Holloway, Calvin R. McCullough, Melvin A. Slawik, Allen J. Cook, George A. Robbins, David H. Elliott, William F. Hart, J. Donald Isaacs.

Senator Isaacs moved that his name be deleted from the Petition. Hearing no objection, the motion prevailed.

Senator Hart moved that his name be deleted from the Petition. Hearing no objection, the motion prevailed.

The Chair ruled that no further action be necessary on the Petition.

Senator Holloway introduced SR 103.

SR 103 — "Commending John N. "Jack" McDowell for an Outstanding Contribution as a Member of the Board of Trustees of Delaware State College as He Retires after Eighteen Years of Service."

WHEREAS, John N. McDowell is a popular and distinguished Delawarean who has many outstanding accomplishments accredited to his record; and

WHEREAS, Jack McDowell served with honor as the Secretary of State of the State of Delaware from January, 1953, to June, 1958, during the gubernatorial reign of the Honorable J. Caleb Boggs; and

WHEREAS, Jack McDowell, a resident of Newark and a graduate of the University of Delaware, was appointed to the Board of Trustees of Delaware State College, Dover, in August of 1953; and

WHEREAS, Jack McDowell has seen his long-range goal achieved and therefore has chosen to retire from the Board of Trustees of Delaware State College.

NOW, THEREFORE:

BE IT RESOLVED by the Senate of the 126th General Assembly that Mr. McDowell be accorded sincere thanks and congratulations for a job "well-done."

WHEREAS, Jack McDowell displayed great concern for the problems of Delaware State College and worked diligently as a member of the Board of Trustees from 1953 through 1971 to assure that this fine school would be highly acclaimed as an outstanding institution of learning; and

BE IT FURTHER RESOLVED that the text of this resolution be included in the minutes of the Senate and copies forwarded to Jack McDowell; his beloved wife, Mary; his daughter, Nancy; and son, John, Jr."

Senator Holloway moved that the Resolution be laid on the table. Hearing no objection, the motion prevailed.

Senator Holloway moved that Rule 9 be suspended for the purpose of considering SB 509 which had been laid on the table. Hearing no objection, the motion prevailed and the Bill was read a second time by title only in order to pass the Senate.

SB 509 — "An Act Authorizing an Appropriation to the Wilmington School District for the Purpose of Constructing Two Pedestrian Overpasses; One over New Castle Avenue and One over the Governor Printz Boulevard in Wilmington and Acquiring the necessary rights of way therefore and appropriating the sum of \$72,000."

On the question, "Shall the Bill pass the Senate?", the yeas and nays were ordered which, being taken, were as follows: