

YEAS—Messrs. Cicione, Cook, duPont, Foltz, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, Robbins, Schlor, Steele-13.

NAYS—Messrs. Elliott, McCullough-2.

NOT VOTING—Messrs. Castle, (Mrs.) Conner, Isaacs-3.

ABSENT—Mr. Slawik-1.

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

On motion of Senator Manning to lift roll call on **SB 503** motion prevailed, 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. Cicione, Cook, duPont, Foltz, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, Schlor, Steele-12.

NAYS—Messrs. (Mrs.) Conner, Elliott, McCullough, Robbins-4.

NOT VOTING—Messrs. Castle, Isaacs-2.

ABSENT—Mr. Slawik-1.

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

On motion of Senator Foltz, **HB 505 with HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 505 with HA 1—“An Act to Amend Subchapter IV, Chapter 9, Title 10, Delaware Code, Relating to Family Court Procedure.”

Senator Castle introduced **SA 1 to HB 505**.

Senator Manning asked for the privilege of the floor for Rep. William L. Frederick to explain **HB 505**. Hearing no objection the privilege was granted.

Senator Castle moved to defer action on **SA 1 to HB 505**. Motion prevailed without objection.

Senator Foltz moved that **HB 505 with HA 1** be deferred. Motion prevailed without objection.

Senator Isaacs introduced **SA 2 to HB 285**.

Senator Isaacs moved that **SA 2 to HB 285** be placed with the bill. Motion prevailed without objection.

On motion of Senator Cicione, **HB 516** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Chapter 155, Volume 28, Laws of Delaware, as amended, entitled ‘An Act to incorporate the town of Blades’ to permit the borrowing of money in anticipation of revenues.”

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

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

ABSENT—(Mrs.) Manning, Mr. Slawik-2.

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

On motion of Senator Cicione, **HB 517** with title as follows was

taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Chapter 155, Volume 28, Laws of Delaware, as amended, entitled ‘An Act to incorporate the town of Blades’ by changing the qualifications for voters at the annual municipal election and providing a registration system for voters.”

On the question “Shall the bill pass the Senate.” The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlor, Steele-16.

NAYS—(Mrs.) Manning-1.

ABSENT—Messrs. Foltz, Slawik-2.

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

Senator Cicione introduced **SB 544** co-sponsored by Senators Hart, Isaacs, and Slawik, entitled, “An Act to amend Title 14, Delaware Code, Chapter 41, Relating to General Regulatory provisions concerning education by providing for a certificate of exemption from tuition fees for Viet Nam veterans,” which was given its first reading by title only and assigned to Committee on Education.

Senator Steele introduced **SB 545** entitled, “An Act to amend Title 16, Delaware Code Section 9005 relating to repayment of hospital capital improvement loans by providing for the first payment on loans made under this section to be made thirty (30) months after the hospital receives the loan or sooner at the election of the hospital,” which was given its first reading by title only and assigned to Committee on Health and Welfare.

Senator Manning introduced **SB 546** co-sponsored by Senator Hart, entitled, “An Act to amend Chapter 113, Volume 32, Laws of Delaware, as amended, entitled ‘An Act providing for a police pension fund: for members of the police force of the City of Wilmington, in order to permit Marjorie V. Gaines, widow of Patrolman John A. Gaines, to become eligible for Wilmington Police Pension Benefits,” which was given its first reading by title only and assigned to Committee on Government Operations.

Senator Hart introduced **SB 547** co-sponsored by Senators duPont, Castle, Grier, Steele, Cicione, Isaacs, Hale, Elliott, Foltz, entitled, “An Act to amend Title 29, Delaware Code, by creating a new Chapter to be designated as Chapter 84 relating to the establishment of a Department of Highways and Transportation, defining its organization, powers duties and functions and providing a supplementary appropriation to the Governor to implement the provisions of this act,” which was given its first reading by title only and assigned to Committee on Joint Committee on Reorganization.

Senator McCullough introduced **SB 548** entitled, “An Act to amend Title 22, Delaware Code, entitled ‘Municipalities’ by adding thereto a new Chapter relating to exemptions from taxation on real property of residents of municipalities of the age of 65 or more years having an income not in excess of \$3,000 per year,” which was given its first reading by title only and assigned to Committee on Government Operations.”

Senator duPont introduced **SCR 30** entitled "Relating to the payment for two bronze plaques delivered and installed in Legislative Hall and appropriating money for that purpose."

Senator duPont moved that **SCR 30** be adopted.

On the question "Shall the resolution be adopted?"

The yeas and nays were ordered which being taken were as follows:

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

ABSENT—Mr. Slawik-1.

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

Senator Elliott on behalf of the Committee on Agricultural and Natural Resources to whom had been referred **SB 498**, reported the same back to the Senate; 1 Favorable 4 Merits.

Senator Cicione on behalf of the Committee on Labor and Industrial Relations to whom had been referred **SB 429**, reported the same back to the Senate; 5 Merits.

Senator Conner on behalf of the Committee on Health and Welfare to whom had been referred **SB 480**, reported the same back to the Senate; 5 Merits.

Senator Cicione on behalf of the Committee on Government Operations to whom had been referred **SB 502**, reported the same back to the Senate; 3 Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **SS 1 for SB 447**, reported the same back to the Senate; 5 Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **SS 1 for SB 444**, reported the same back to the Senate; 1 Favorable, 4 Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **SS 1 for SB 449**, reported the same back to the Senate; 5 Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **SS 1 for SB 446**, reported the same back to the Senate; 5 Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **SS 2 for SB 443**, reported the same back to the Senate; 5 Merits.

Senator Steele requested that **SB 443, SS 1 for 443, SB 444, SB 446, SB 447, SB 449**, be stricken from the calendar. Motion prevailed without objection.

Senator Manning requested that **SB 440** be stricken from the calendar. Motion prevailed without objection.

Senator Steele on behalf of the Committee on Finance to whom had been referred **SB 529**, reported the same back to the Senate; 5 Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **SB 532**, reported the same back to the Senate; 5 on Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **SB 533**, reported the same back to the Senate; 5 Merits.

Senator Steele on behalf of the Committee on Finance to whom had

been referred **SB 537**, reported the same back to the Senate; 5 Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **SB 538**, reported the same back to the Senate; 5 Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **SB 539**, reported the same back to the Senate; 5 Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **SB 540**, reback to the Senate; 5 Merits.

Senator Cicione on behalf of the Committee on Government Operations to whom had been referred **HB 481**, reported the same back to the Senate; 5 Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **HB 562**, reported the same back to the Senate; 5 on Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **HB 566**, reported the same back to the Senate; 3 Favorable, 2 Merits.

Senator Conner on behalf of the Committee on Education to whom had been referred **HB 579**, reported the same back to the Senate; 6 Merits.

Senator Foltz, introduced **SB 549** entitled, "An Act to amend Title 14, Delaware Code, relating to sick leave provisions for school employees by adding additional allowable sick leave days," which was given its first reading by title only and assigned to Committee on Education.

The Chair presented the following House Bills and Concurrent Resolutions which were given first reading and referred to Committee as follows:

HB 41—"An Act to amend Chapter 389, Volume 56, Laws of Delaware entitled 'An Act to Amend Section 122, Title 16, Delaware Code, relating to State Board of Health by Granting the Power to Regulate Medical Examinations for Food Handlers,'" to committee on Health and Welfare.

HB 267—"An Act relating to uniform anatomical gift act;"—Committee on Health and Welfare.

HB 532—"An Act to amend Title 6, Delaware Code, relating to damages awarded to victims of deceptive trade practices;"—Committee on Commerce and Corporations.

HB 491—"An Act to amend Title 25, Delaware Code, relating to mechanics' liens against an owner who pays the contractor for alterations or repairs;"—Committee on Revised Statutes.

HB 537—"An Act to amend Title 29, Delaware Code, by creating a new chapter to be designated as Chapter 81 relating to the establishment of a department of Agriculture, defining its organization, powers, duties and functions and providing a supplementary appropriation to the Governor to implement the provisions of this act;"—Committee on Joint Committee on Reorganization.

HB 551—"An Act to Amend Title 10, Section 345, Delaware Code, Relating to investment of Monies held under Court Order and to payment of the Income therefrom to the State," to committee on Judiciary.

HB 568—"An Act to amend Chapter 21 of Title 23, Delaware Code, so as to confer jurisdiction of offenses upon Justices of the Peace;"—Committee on Judiciary.

HB 582—"An Act to amend an act being Chapter 197, Volume 54, Laws of Delaware, as amended, entitled "An Act revising the prior charter of the city of Rehoboth Beach and establishing a new charter therefor and

prescribing the powers and duties of the commissioners of Rehoboth Beach' to permit certain leaseholders to hold elective office, to define the term leaseholder, to permit certain leaseholders to vote in the annual municipal election, to change the date when the tax rate is set, to change the date when the budget is adopted, to permit the borrowing of funds against anticipated revenues, to establish a salary for the elected officers;" Committee on Government Operations.

HB 587—"An Act to amend Title 19, Section 517, Delaware Code relating to the minimum age for the selling of newspapers;"—Committee on Labor and Industrial Relations.

HB 592—"An Act to amend Section 122 (b) (6), Title 14, Delaware Code, relating to the criteria for the selection of textbooks and other instructional materials;"—Committee on Education.

HCR 26 as amended by HA 1 establishing April 22nd as Earth Day and the week of April 22nd as Earth Week.

On motion of Senator Grier **HCR 26 with HA 1** was read in full without objection.

Senator Grier moved that **HCR 26 with HA 1** 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, Grier, Hale, Hart, Holloway, McCullough, Robbins, Schlor, Steele-13.

ABSENT—Messrs. Cicione, Foltz, Hickman, Isaacs, (Mrs.) Manning, Slawik-6.

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

Senator Holloway introduced **SA 1 to SB 107**.

Senator Holloway moved that **SA 1 to SB 107** be placed with bill. Motion prevailed without objection.

Senator Grier moved that the Senate adjourn until March 25, 1970 at 1:30 P.M. Hearing no objection, motion prevailed.

13th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:30 P.M. on Wednesday, March 25, 1970, Lt. Gov. Bookhammer presiding.

Prayer by the Rev. Stapleton.

Flag Salute.

By roll call the following Senators were present:

MEMBERS 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 Journal 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 read.

Senator duPont announced the following Committee changes:

Senator Slawik from Fish, Oyster and Game to Health and Welfare;

Senator McCullough from Health and Welfare to Fish, Oyster and Game.

The Chair announced that the House wishes to inform the Senate

that it has passed **HB 549, 558, 572, 574, 600** with **HA 1, 611, 620, 624**; and requests the concurrence of the Senate; also, **SB 421, SB 451, SCR 30** and is returning same to the Senate.

Senator Hale on behalf of the Committee on Senate Administration to whom had been referred **HCR 28** reported the same back to the Senate; 3 Favorable, 2 Merits.

Senator Hale introduced **HCR 28**.

Senator Hale moved that **HCR 28** 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, Foltz, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Slawik, Steele-15.

NAYS—Messrs. Cicione, Elliott-2.

NOT VOTING—Messrs. Isaacs, Schlor-2.

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

Senator Manning introduced **SR 92** entitled:

**EXPRESSING THE BEST WISHES
OF THE
SENATE OF THE 125th GENERAL ASSEMBLY
TO
SENATE PRESIDENT PRO TEM REYNOLDS duPONT
ON HIS BIRTHDAY**

WHEREAS, the Members of the Senate of the 125th General Assembly have learned of the great importance of this date (March 25) in history; and

WHEREAS, near the end of World War I, Soon after the Battle of Verdun, In New Castle County a boy was born on a bright and brisk March 25 morn; and

WHEREAS, upon his head there wasn't a hair, (52 years later there's still none there.) "Let's call him REYNOLDS," said his mother fair, "An excellent choice," said Dad Pierre; and

WHEREAS, this little baby with rattle of gold grew to success in the duPONT mold. Pride of the hallowed Greenville crowd, he moves only forward, head unbowed; and

WHEREAS, on Fisher Island he loves to abound, within the waters of Long Island Sound, and racing sloops he wants to steer every summer of every year; and

WHEREAS, as Republican choice for Senate Pro-Tem he's proven to be a G-O-P gem, guiding his forces thru many a clash never has shaken our man with the cash; and

WHEREAS, REYN is celebrating on this day while his beloved Kathy is far away; visiting the children in Honolu(lu) and helping to spoil their grandchild, too;

NOW THEREFORE,

BE IT RESOLVED by the Senate of the 125th General Assembly of the State of Delaware;

THAT the Senate's best wishes go out to REYN for Happy Birthdays again and again may good health always be his take and may he enjoy this birthday cake!

BE IT FURTHER RESOLVED that a copy of this Resolution be entered on the Journal of the Senate and a copy presented to Senate Pro-Tem REYNOLDS duPONT.

Senator Manning moved that **SR 92** 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, Cicone, (Mrs.) Conner, Cook, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele-18.

NOT VOTING—Mr. duPont.

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

Senator Manning moved for a 5 minute recess to celebrate Senator duPont's birthday by cutting the cake presented to him by the Senators. Motion prevailed, without objection.

Senator McCullough introduced **SCR 31** entitled:

RELATING TO THE PROMOTION OF RAILROAD SAFETY

WHEREAS, there are presently pending in the United States Senate two bills relating to railroad safety; and

WHEREAS, **SB 1933** enables the states to impose regulations upon the railroad concerning local hazards; and

WHEREAS, **SB 3061** prescribes rules and regulations would be set by the Secretary of Transportation relating to railroad safety and to conduct railroad safety research; and

WHEREAS, there are presently being stored and transported within the State of Delaware highly explosive chemicals by the Penn Central Railroad;

NOW THEREFORE,

BE IT RESOLVED, by the Senate of the 125th General Assembly of the State of Delaware, the House of Representatives concurring therein, that members of the 125th General Assembly believe that the health and safety of the citizens of Delaware must be protected by imposing more stringent rules and regulations upon the railroads with regard to the transportation and storage of hazardous material; and

BE IT FURTHER RESOLVED, that since **SB 1933** and **SB 3061** would prescribe rules and regulations relating to railroad safety, that Delaware's Congressional delegation is hereby urged to publicly support and to aid in the enactment of these bills; and

BE IT FURTHER RESOLVED, that a copy of this resolution be made a part of the Journal of the Senate and copies be forwarded to the two United States Senators: John J. Williams and J. Caleb Boggs, and to United States Representative William V. Roth, Jr.

Senator McCullough moved that **SCR 31** be adopted.

On the question "Shall the resolution be adopted?"

The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cicone, Cook, Elliott, Foltz, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Slawik-12.

NOT VOTING—Messrs. Castle, (Mrs.) Conner, duPont, Grier, Hale, Steele-6.

ABSENT—Mr. Schlor-1.

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

Senator Elliott moved that **SA 3 to HB 285** be placed with bill. Motion prevailed without objection.

Senator Elliott introduced **SB 550** co-sponsored by Senators Hickman and Castle entitled, "An Act to amend Chapter 41, Title 11, Delaware Code; Chapter 49, Title 10, Delaware Code, relating to fines and costs becoming judgments against the convicted person and providing attachment of wages therefor," which was given its first reading by title only and assigned to Committee on Judiciary.

Senator Elliott introduced **SB 551** co-sponsored by Senators Hickman, Castle, entitled, "An Act to amend Title 11, Delaware Code, Chapter 41, Section 4106, relating to persons who are sentenced to imprisonment and fine and persons who have defaulted on payments of fine," which was given its first reading by title only and assigned to Committee on Judiciary.

Senator Elliott introduced **SB 552** co-sponsored by Senators Hickman and Castle entitled, "An Act to amend Title 11, Delaware Code, subchapter XV, by giving justices of the peace power to punish for contempt," which was given its first reading by title only and assigned to Committee on Judiciary.

Senator Elliott introduced **SB 553** co-sponsored by Senators Hickman and Castle entitled, "An Act to amend Title 10, Delaware Code, Chapter 95, by giving justices of the peace power to punish for civil contempt," which was given its first reading by title only and assigned to Committee on Judiciary.

Senator Elliott introduced **SB 554** co-sponsored by Senators Hickman and Castle entitled, "An Act to amend Title 21, Delaware Code, Chapter 27, relating to the suspension of the drivers license of persons who have not paid fines," which was given its first reading by title only and assigned to committee on Highways and Public Safety.

Senator Elliott introduced **SB 555**, co-sponsored by Senators Hickman and Castle, entitled, "An Act to Amend Title 11, Delaware Code, Chapter 41, Making Certain Amendments to Volume 57, Delaware Laws, Chapter 198, Known as **HB 400** of the 125th General Assembly, relating to the payment of fines, which was given its first reading by title only and assigned to committee on Judiciary.

Senator Elliott introduced **SB 556** co-sponsored by Senator Hickman entitled, "An Act to amend Chapter 9, Title 28, Delaware Code, pertaining to liability insurance required to be purchased by automobile race operators and providing for penalties for the violation thereof," which was given its first reading by title only and assigned to committee on Highways and Public Safety.

Senator Cicione introduced **SB 557** entitled, "An Act to amend Title 3, Delaware Code, by creating a new chapter to be designated as Chapter 80 relating to the humane slaughter of livestock, establishing standards therefor, violations and penalties," which was given its first reading by title only and assigned to Committee on Health and Welfare.

Senator Isaacs introduced **SB 558** entitled "An Act to amend

Chapters 9 and 11, Title 7, Delaware Code, relating to fishing, the catching devices that may be used in certain areas and providing penalties for the violation thereof," which was given its first reading by title only and assigned to Committee on Fish, Oyster and Game.

Senator Manning introduced **SB 559** co-sponsored by Senator Robbins, entitled, "An Act to amend Delaware Code, Title 14, relative to the Public School System by defining the lawful authority of Teachers and Pupils, which was given its first reading by title only and assigned to Committee on Education.

Senator Foltz introduced **SB 560** entitled, "An Act to amend Title 14, Delaware Code, relating to procedures for the termination of services and to provide for long-term contracts for professional employees," which was given its first reading by title only and assigned to Committee on Education.

Senator Castle introduced **SA 2 to HB 505**.

Senator Castle moved that **SA 2 to HB 505** be placed with the bill. Motion prevailed without objection.

On motion of Senator Conner, **HB 579** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to permit Indian River School Board to transfer certain funds from its debt service account to its minor capital improvement fund."

On the question "Shall the bill pass the Senate?" The yeas and nays were ordered which being taken were as follows;

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

NOT VOTING—Mr. Schlor-1.

ABSENT—Mr. Robbins-1.

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

On request of Senator Slawik the following letter was read and made part of the record.

Senator Melvin A. Slawik
3 Forrest Circle
Stratford
New Castle, Delaware 19720

Februray 2, 1970

Dear Senator Slawik;

This association will have approximately 40 families attending a National convention in Michigan from July 10th to 17th.

We are planning to have a float in the national parade and are in hopes that we can ge financial assistance from the state. We will be needing \$150.00 to cover the rental of a wagon and purchase of other materials and equipment to build this float.

We are proud to represent the first state at this national affair and we do all we can to encourage visitation to our fine state.

Please do what you can for us to get the assistance needed. Your efforts will be greatly appreciated.

Thank you.

Sincerely your,
 Dave Petrucci
 State Director-NCHA Del.

NON-PROFIT EDUCATIONAL FAMILY CAMPING ORGANIZATION

On motion of Senator Slawik **SB 506** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act making a supplementary appropriation to the Delaware State Development Department.”

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, Grier, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlor, Slawik, Steele-14.

NOT VOTING—Messrs. duPont, Elliott, Foltz, (Mrs.) Manning—4.

ABSENT—Mr. Hale-1.

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

On motion of Senator Hickman **SB 484** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Chapter 171, Volume 54, Laws of Delaware, entitled an Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for said Purpose, Authorizing the Financing of such Enlargement and improvement by the Issuance of Bonds and Bond Anticipation notes of the State and by Contributions from certain School Districts, and the City of Wilmington, defining School Districts; Authorizing the Issuance of Bonds of Certain School Districts and the City of Wilmington for the purpose of raising Money to make such Contributions; and Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions.”

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele-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 Castle **HB 421** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Subchapter IV, Chapter 17, Title 24, Delaware Code, relating to certificates and state licenses issued to osteopathic physicians.”

Senator Castle asked for the privilege of the floor for Dr. John C. Bradford, Wilmington to speak for **HB 421** and Dr. Andrew M. Gehret, Wilmington, to speak against it.

Hearing no objection the privilege was granted.

On motion of Senator Castle **HB 421** was taken up for consideration in order to pass the Senate.

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

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

NOT VOTING—Mr. Cicione-1.

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.

On motion of Senator Schlor **SB 525** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Chapter 118, Volume 33, Laws of Delaware, as amended, entitled 'An Act providing for a firemen's pension fund for members of the Bureau of Fire of the Department of Public Safety of the City of Wilmington, and the amendments thereth by permitting Anthony L. Augustynowicz, a member of the Wilmington Bureau of benefits as provided for members of the Bureau of Fire of the Department of Public Safety of the City of Wilmington."

Senator Cicione moved that action on **SB 525** be deferred.

Senator Schlor moved to have **SB 525** withdrawn. Motion prevailed without objection.

On motion of Senator Conner **HB 272** with **HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Chapter 7, Title 13, Delaware Code relating to minors' consent to diagnostic and lawful therapeutic procedures, care and treatment for pregnancy or contagious diseases."

Senator Conner introduced **SA 3** to **HB 272** with **HA 1**.

Senator Conner moved that **SA 3** to **HB 272** with **HA 1** 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, (Mrs.) Manning, Robbins, Slawik, Steele-15.

NAYS—Messrs. Cicione, Isaacs, McCullough-3.

NOT VOTING—Mr. Schlor-1.

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

Senator Castle moved to have roll call on **HB 196** with **SA 2** and **3** lifted. Motion prevailed 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. Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Slawik, Steele-13.

NAYS—Messrs. Cook, McCullough, Robbins, Schlor-4.

NOT VOTING—Messrs. Castle-, 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 to the House.

On motion of Senator Conner **HB 272 with HA 1 and SA 3** was taken up for consideration in order to pass the Senate.

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

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Holloway, (Mrs.) Manning, Robbins, Schlor, Steele-11.

NAYS—Messrs. Cicione, Elliott, Hale, Hart, Isaacs, McCullough, Slawik-7.

ABSENT—Mr. Hickman-1.

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

On motion of Senator Elliott **SB 433** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend an act being Chapter 42, Volume 53, Laws of Delaware, as amended intitled 'An Act amending revising and consolidating the Charter of the City of Seaford' to permit the establishing of a service charge."

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

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

ABSENT—Messrs. Cicione, Cook-2.

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

On motion of Senator Elliott **SB 485** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Chapter 23, Title 30, Delaware Code, relating to occupational licenses and fees."

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

YEAS—messrs. Castle, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Steele-13.

NAYS—Messrs. Cook, Schlor-2.

NOT VOTING—Messrs. McCullough, Robbins, Slawik-3.

ABSENT—Mr. Cicione-1.

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

Senator Grier moved for recess at 4:40 P.M. Motion prevailed without objection.

The Senate reconvened at 5 P.M. with President Pro Tem duPont presiding.

Senator duPont on behalf of the Committee on Joint Committee Reorganization to whom had been referred **HB 537** reported the same back to the Senate; 5 Favorable.

Senator Foltz on behalf of the Committee on Judiciary to whom had

been referred **SB 114** reported the same back to the Senate; 1 Favorable, 4 Merits.

Senator Hart on behalf of the Committee on Highways and Public Safety to whom had been referred **SB 505** reported the same back to the Senate; 4 Favorable, 1 Merits.

Senator Hart on behalf of the Committee on Highways and Public Safety to whom had been referred **SB 542** reported the same back to the Senate; 2 Favorable, 4 Merits.

Senator Hart on behalf of the Committee on Highways and Public Safety to whom had been referred **HS 1 for HB 454** reported the same back to the Senate; 5 Favorable, 1 Merits.

Senator Hart on behalf of the Committee on Highways and Public Safety to whom had been referred **SB 528** reported the same back to the Senate; 2 Favorable, 4 Merits.

Senator Hart on behalf of the Committee on Highways and Public Safety to whom had been referred **SB 520** reported the same back to the Senate; 3 Favorable, 3 Merits.

Senator Slawik introduced **SB 561** entitled, "An Act to establish a family court for the State of Delaware by merging into one court the family court of the State of Delaware, in and for New Castle County and the Family Court of Kent and Sussex counties, and to provide for its organization, duties, powers and procedures and to increase its state-wide jurisdiction," which was given its first reading by title only and assigned to Committee on Judiciary.

Senator Isaacs introduced **SB 562** co-sponsored by Senator Robbins entitled, "An Act relating to a pension for Edward Kirby, a former employee of the State of Delaware," which was given its first reading by title only and assigned to Committee on Miscellaneous.

Senator Holloway introduced **SA 1 to SB 470**.

Senator Holloway moved that **SA 1 to SB 470** be placed with bill. Motion prevailed without objection.

Senator Hart introduced **SA 1 to HB 208**.

Senator Hart moved that **SA 1 to HB 208** be placed with bill. Motion prevailed without objection.

Senator Hale introduced **SR 93** entitled, "Appropriating money out of the general fund of the State Treasury to pay certain expenses of the present session of the 125th General Assembly."

Senator Hale moved that **SR 93** 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, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele-17.

ABSENT—Messrs. Hart, Hickman-2.

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

Senator Hale introduced **SR 94** entitled, "In reference to election of officers."

Senator Hale moved that **SR 94** 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, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele-17.

ABSENT—Messrs. Hart, Hickman-2.

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

Senator Hale introduced **SR 95** entitled, "Authorizing payments for services rendered by the staff of the Senate for the 125th General Assembly."

Senator Hale moved that **SR 95** be adopted.

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

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

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

The Chair presented the following House Bills which were given first reading and referred to Committee as follows:

HB 549—"An Act to amend Chapter 7, Title 4, Delaware Code relating to the sale or delivery of alcoholic liquor, wines and beer,"—Committee on Government Operations.

HB 558—"An Act to amend Chapter 42, Volume 53, Laws of Delaware, entitled, 'An Act amending, revising and consolidating the charter of the City of Seaford' to delete any abatement of taxes,"—Committee on Government Operations.

HB 572—"An Act to extend the expiration date of the Wilmington Civic Center Office Building Commission,"—Committee on Government Operations.

HB 574—"An Act to Amend Title 21, Delaware Code, Section 4176 (a), Relating to Operation of Vehicle while under the influence of Intoxicating Liquor or Narcotics," to committee on Highways and Public Safety.

HB 600—"An Act to Amend Title 29, Delaware Code, by Adding a New Chapter 22, Thereto to create a Governor-Elect Transitional Fund and to Provide for the use thereof, and Making a Supplementary Appropriation Therefore." to committee on Finance.

HB 611—"An Act to amend Title 7, Sections 106 and 2943, Delaware Code, relating to the power of the chief Game and Fish Warden and State Forest Officer to arrest for littering."—Committee on Fish, Oyster and Game.

HB 620—"An Act to amend sections 1054 and 1061, Title 14, Delaware Code, relating to vacancies on School Boards."—Committee on Elections.

HB 624—"An Act making a supplementary appropriation to the Legislative Council of Delaware," to committee on Finance.

The following message from the Governor was read and referred to the Executive Committee.

March 25, 1970

To the Senate of the 125th General Assembly
of the State of Delaware:

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 of the University of Delaware to be members of that Board:

Dr. Luna I. Mishoe, Delaware State College, Dover, Delaware; for a six-year term from June 7, 1969 to expire June 7, 1975, succeeding Arthur F. Walker, resigned.

Mr. Walter J. Beadle, 1101 Westover Road, Westover Hills, Wilmington, Delaware; for a six-year term from December 7, 1969 to expire December 7, 1975. (Reappt.)

Mr. R.R.M. Carpenter, Jr. Church and Montchanin Road, Montchanin, Delaware; for a six-year term from December 14, 1969 to expire December 14, 1975. (Reappt.)

Mr. Joseph L. Marshall, 105 East Third Street, Lewes, Delaware; for a six-year term from December 14, 1969 to expire December 14, 1975. (Reappt.)

N. Maxson Terry, Esquire, 36 The Green, Dover, Delaware; for a six-year term from December 1, 1969 to expire December 1, 1975. (Reappt.)

Mr. Warner W. Price, Jr., 204 West Mount Vernon Street, Smyrna, Delaware; for a six-year term from December 6, 1969 to expire December 6, 1975, succeeding Dr. Henry V.P. Wilson, resigned.

Respectfully submitted,
Russell W. Peterson
Governor

On motion of Senator Steele **SB 526** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act making a supplementary appropriation in the amount of \$78, 724.00 to the University of Delaware for “Operations”

Senator Steele asked for the privilege of the floor for Dr. George W. Worriow, Vice President, University of Delaware, to speak on **SB 526**. Hearing no objection, the privilege was granted.

On motion of Senator Steele **SB 526** was taken up for consideration in order to pass the Senate.

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

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

ABSENT—Mr. Slawik-1.

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

Senator Grier moved the Senate recess until March 31, 1970 at 1:30 P.M. Hearing no objections motion prevailed.

14th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:50 P.M. on Tuesday, March 31, 1970, Lt. Gov. Bookhammer presiding.
Prayer by the Rev. J. Gordon Stapleton.

Flag Salute.

By roll call the following Senators were present:

MEMBERS 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 Journal 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 read.

The following communication was read:

The Chair announced that the House wishes to inform the Senate that it has passed **HB 613, 544 with HA 1, HB 599, HS 2 for HB 510** and requests the concurrence of the Senate, also **SB 488**, and is returning same to the Senate.

Senator Steele on behalf of the Committee on Finance to whom had been referred **SB 530** reported the same back to the Senate; 3 Favorable 1 Merits.

Senator Hale introduced **SB 563** entitled, "An Act establishing a Governor's Action Force on School Construction costs and prescribing certain powers and responsibilities for such action force and making a supplementary appropriation to the Governor's Office to carry out the purposes of this act," which was given its first reading by title only and assigned to Committee on Finance.

Senator Slawik introduced **SB 564** co-sponsored by Senator Conner, entitled, "An Act to amend Section 2120, Chapter 21, Title 14, Delaware Code, relating to Elections to authorize school bond issues, by deleting subsection (h) to permit elections without limitation as to time," which was given its first reading by title only and assigned to Committee on Education.

Senator Steele introduced **SA 2 to HB 385**.

Senator Steele moved that **SA 2 to HB 385** be placed with bill. Motion prevailed without objection.

On motion of Senator Steele **HB 566** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act making a supplementary appropriation to reimburse the Governor's contingency fund for funds transferred to the Family Court of Kent and Sussex Counties."

Senator Steele moved that action on **HB 566** be deferred. Hearing no objection the motion prevailed.

On motion of Senator Isaacs **SB 480** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Chapter 7, Title 24, Delaware Code, relating to the eligibility of Chiropractic Physicians for compensation from Insurance Group Hospital Services and related plans.

Senator Isaacs asked for the privilege of the floor for Dr. Byatt Smith, Wilmington to discuss **SB 480**. Hearing no objection the privilege was granted.

The following letter from Insurance Commissioner, Robert A. Short, was read and made part of record.

March 4, 1970

Dr. John Feeney
 Delaware Association of Chiropractic Physicians
 183 S. duPont Highway
 New Castle, Delaware 19720
 Dear Dr. Feeney;

Representative Boulden and Senator Conner will have a letter explaining my support of a measure that would provide for payment of chiropractic services under insurance contracts prior to the eventual reconvening of the General Assembly late this month.

I have not, heretofore, furnished such a letter simply because I have not been able to find the time to relate my thoughts exactly to the provisions of the three bills now before the General Assembly.

Rest assured that Mr. Boulden and Mrs. Conner will have benefit of my opinion by the time they are required to seek further action on the legislation.

Very truly yours,
 Robert A. Short
 Insurance Commissioner

Senator Isaacs moved that roll call on **SB 480** be tabled. Hearing no objection, motion prevailed.

Senator Cicione introduced **SR 96**.

**RELATIVE TO THE DEATH
 OF
 FORMER STATE REPRESENTATIVE
 ROBERT J. WILSON**

WHEREAS, the Senate of the 125th General Assembly of the State of Delaware has learned with regret of the much too early passing from this earth of former State Representative Robert J. Wilson; and

WHEREAS, Robert J. Wilson has served well the people of the State of Delaware and the community in which he lived as a Representative of the 123rd General Assembly and as a member of the Town Council of Elsmere (1963-64); and

WHEREAS, Robert J. Wilson loved his native city of Wilmington, his native county of New Castle and his native state of Delaware; and

WHEREAS, Robert J. Wilson was an esteemed member of the Knights of Columbus and United Auto Workers Local Union 1212, AFL-CIO; and

WHEREAS, Robert J. Wilson served his beloved country well in the Korean conflict of the 1950's; and

WHEREAS, Robert J. Wilson was a proud father of seven wonderful children borne by his dear wife Anna; and

WHEREAS, the members of the Senate of the 125th General Assembly desire to express to the family of the deceased, in this public manner, their sympathy at the occasion of this loss;

NOW THEREFORE,

BE IT RESOLVED, by the Senate of the 125th General Assembly of the State of Delaware that the members thereof wish to express their regret at the passing of former Representative Robert J. Wilson—age 40— a prominent figure in his community, and a former member of the House of

Representatives of the State of Delaware; and

BE IT FURTHER RESOLVED that the family of Robert J. Wilson has the full sympathy of the members of the Senate of the 125th General Assembly of the State of Delaware which is extended by sending a copy of this resolution to his immediate family; and Senate of the 125th General Assembly of the State of Delaware.

Senator Cicione moved that **SR 96** be adopted.

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

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

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

On motion of Senator Cicione **HB 171** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Section 9121, Title 9, Delaware Code, relating to the authorized mileage rate for officers or employees of all of the counties of the State of Delaware."

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, Robbins, Schlor, Slawik, Steele-18.

ABSENT—Mr. Elliott-1.

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

On motion of Senator Cicione **HB 481 with SA 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Title 17, Section 518, Delaware Code so as to increase litter penalties."

Senator Cicione asked for the privilege of the floor for Representative Jerome N. Unruh and Senate Attorney Samuel Lewis to explain **HB 481 with HA 2**. Hearing no objection the privilege was granted.

On motion of Senator Cicione **HB 481 with HA 2** was taken up for consideration to pass the Senate.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Isaacs, (Mrs.) Manning, Schlor, Slawik, Steele-15.

NAYS—Messrs. Hickman, McCullough-2.

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

On motion of Senator Slawik **SB 114** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Section 3519, Title 10, Delaware Code, relating to garnishment of employers, by prohibiting dismissal of an employee when

the employer is summoned as garnishee.”

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

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

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

Senator Holloway introduced **SA 1 to SB 107**.

Senator Holloway moved that **SA 1 to SB 107** be adopted.

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

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

ABSENT—Mr. Cicione-1.

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

On motion of Senator Holloway **SB 107 with SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Chapter 39, Title 11, Delaware Code, by providing for the expungement of a misdemeanor from a person’s criminal record.”

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

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele-16.

ABSENT—Messrs. Cicione, Hickman, 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 for a 15 minute recess. Hearing no objection, the motion was carried. The Senate reconvened at 4:30 P.M.

The Chair presented the following House Bills which were given first reading and referred to Committee as follows:

HB 544—“An Act to allow payment of interest upon local school funds on deposit,”—Committee on Education.

HS 2 for HB 510—“An Act to amend Title 3, Delaware Code, by adding a new Chapter 72 relating to the possession of foreign animals or reptiles,”—Committee on Agriculture and Natural Resources.

HB 599—“An Act to amend Chapter 6, Title 29, Delaware Code, relating to the General Assembly by making certain technical corrections in the boundaries of the 8th and 9th senatorial districts and the 14th and 23rd representative districts,”—Committee on Miscellaneous.

HB 613—“An Act to amend **HS 1 for HB 540** of the 125th General Assembly, being Volume 57 Delaware Laws, Chapter 331 relating to the salary of the superintendent of the State police,”—Committee on Highways and Public Safety.

Senator Steele on behalf of the Committee on Finance to whom had

been referred **HB 624** reported the same back to the Senate; 2 Favorable, 4 Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **HB 600 with HA 1** reported the same back to the Senate; 1 Favorable, 5 Merits.

Senator Hickman introduced **SA 2 to HB 393**.

Senator Hickman moved that **SA 2 to HB 393** be placed with bill. Motion prevailed without objection.

Senator Steele introduced **SA 3 to HB 393**.

Senator Steele moved that **SA 3 to HB 393** be placed with the bill. Motion prevailed without objection.

Senator Steele introduced **SB 565** entitled, "An Act making a supplementary appropriation in the amount of \$14,300 to Delaware State College for salaries," which was given its first reading by title only and assigned to Committee on Finance.

Senator Elliott introduced **SB 566** entitled, "An Act to amend Title 21, Delaware Code, Chapter 21, Subchapter 1 by providing for refunds of fees paid for unused registrations of motor vehicles by persons entering the Armed Forces of the United States or persons 65 years of age or older who voluntarily surrender their operator's license," which was given its first reading by title only and assigned to Committee on Highways and Public Safety.

Senator Hickman introduced **SB 567** entitled, "An Act to amend Volume 57, Chapter 299, Laws of Delaware, entitled 'An Act authorizing the State of Delaware to borrow money to be used for capital improvements and expenditures in the nature of capital investments and to issue bonds and notes therefor and appropriating the monies to various agencies of the State,'" which was given its first reading by title only and assigned to Committee on Finance.

Senator Elliott introduced **SA 1 to SB 498**.

Senator Elliott moved that **SA 1 to SB 498** be placed with bill. Motion prevailed without objection.

Senator Manning requested that **SB 399 and SB 524** be stricken from the calendar. Motion prevailed without objection.

Senator Castle introduced **SA 2 to HB 505**.

Senator Castle moved that **SA 2 to HB 505** be adopted.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, Elliott, Foltz, Grier, Hale, Hart, Holloway, Isaacs, McCullough, Schlor, Slawik-14.

NAYS—Messrs. duPont, Hickman, (Mrs.) Manning, Robbins, Steele-5.

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

On motion of Senator Manning **HB 505 with SA 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Subchapter IV, Chapter 9, Title 10, Delaware Code, relating to family court procedure."

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning,

McCullough, Robbins, Schlor, 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.

Senator Hart introduced **SA 1 to HB 208**.

Senator Hart moved that **SA 1 to HB 208** be adopted.

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

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

ABSENT—(Mrs.) Conner, Mr. 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 208 with SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Section 4338, Subchapter 11, Chapter 43, Title 21, Delaware Code, relating to additional equipment required on slow-moving vehicles."

Senator Hart moved that action on **HB 208 with SA 1** be deferred. Motion prevailed without objection.

On motion of Senator Hart **SB 348** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Section 3114, Title 24, Delaware Code, relating to expiration of Certificate of Undertakers."

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

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

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

On motion of Senator Robbins **SB 293** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act relating to a pension for Homer Wright, a former employee of the Magnolia School District."

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

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

NOT VOTING—Messrs. duPont, Isaacs-2.

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

On motion of Senator Elliott **SB 429** with title as follows was taken up for consideration and read a second time by title in order to pass the

Senate.

"An Act to amend Chapter 19, Title 3, Delaware Code, relating to liming materials."

Senator Elliott moved that action on **SB 429** be deferred. Motion prevailed without objection.

Senator Conner introduced **SB 568** co-sponsored by Senator Hale entitled, "An Act to amend Chapter 17, Title 14, Delaware Code, relating to State Appropriations," which was given its first reading by title only and assigned to Committee on Finance.

Senator Elliott introduced **SA 1 to SB 429**.

Senator Elliott moved that **SA 1 to SB 429** 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, Isaacs, (Mrs.) Manning, Robbins, Schlor, Slawik, Steele-14.

NAY—Mr. Cicione—1.

NOT VOTING—Messrs. Hart, Hickman, Holloway-3.

ABSENT—Mr. McCullough-1.

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

On motion of Senator Elliott **SB 429 with SA 1** was taken up for consideration in order to pass the Senate.

Senator Elliott moved that action on **SB 429 with SA 1** be deferred. Motion prevailed without objection.

Senator Grier moved that the Senate adjourn until April 1, 1970 at 1:30 P.M. Hearing no objection, motion prevailed.

15th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:15 p.m. on Tuesday, March 31, 1970, President Pro Tem duPont presiding.

Prayer by the Rev. J. Gordon Stapleton.

Flag Salute

By roll call the following Senators were present:

MEMBERS 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 Journal 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 read.

The following communications were read:

February 26, 1970

LEGISLATIVE ADVISORY NO. 33

FROM: Jerome O. Herlihy, Counsel to the Governor

The Governor approved the following legislation on the indicated dates:

SB 409 2-13-70 - providing for inspection and certification of dog kennels.

SB 410 2-13-70 - defining the standards for dog kennels.

HB 508 2-13-70 - relating to the appropriations for school units.

HB 535 2-13-70 - relating to a pension for Edith E. Francis.

HB 538 2-13-70 - appropriating \$9700 to the Industrial Accident Board.

HB 374 2-13-70 - providing \$15,000 for vocational education for children of fathers killed in Vietnam.

HB 469 2-13-70 - relating to the interest rate ceiling for bonds issued by the City of Dover.

The Chair announced that The House wishes to inform the Senate that it has passed **HB 505 w/HA 1, 3, SA2, 553, 559, 569, 585, 631, 641** and requests the concurrence of the Senate, **SB 424, 489** and is returning same to the Senate.

Senator Conner on behalf of the committee on Education to whom had been referred **SB 559**, reported the same back to the Senate; 3 Favorable, 3 on Merits.

Senator Manning introduced **SB 569**, co-sponsored by Senator Cook, entitled, "An Act to Amend Title 31, Delaware Code, Chapter 3, Relating to Child Welfare by Providing for a New Subchapter Concerning the Interstate Compact on the Placement of Children," which was given its first reading by title only and assigned to committee on Health and Welfare.

Senator Hart introduced **SB 570** co-sponsored by Senator Elliott entitled, "An Act to Amend Titles 17 and 26, Delaware Code, conferring upon the Public Service Commission exclusive Jurisdiction over the inspection, location, construction, improvement, protection and abolition of railroad and railway crossings; removing certain authority from the Delaware State Highway Department; increasing the penalties for non-compliance with orders of the Public Service Commission and making a supplementary appropriation to Public Service Commission," which was given its first reading by title only and assigned to committee on Highways and Public Safety.

Senator Slawik introduced **SR 97** entitle, "Relative to the protection of the Rights of Delaware Citizens to the Enjoyment of camping at Delaware Camp sites by the State Department of Natural Resources.

Senator Slawik moved that **SR 97** be Laid on the Table. Motion prevailed, without objection.

Senator Hart introduced **SA 1 to HB 340**.

Senator Hart moved that **SA 1 to HB 340** be Placed with the Bill. Motion prevailed without objection.

On motion of Senator Hale **SB 532** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act making a supplementary appropriation to the Delaware National Guard."

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

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

ABSENT—Messrs. Hickman, McCullough, Schlor, Slawik—4.

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

On motion of Senator Cicione, **SB 345** with title as follows was taken

up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Chapter 59, Title 11, Delaware Code to enlarge the jurisdiction of Justices of the Peace in New Castle County to include violations or ordinances, codes and regulations of the Government of 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, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele—17

NAYS—Mr. Isaacs—1

ABSENT—Mr. Hart—1

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

On motion of Senator Foltz, **SB 505** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Chapter 83, Title 11, Delaware Code by adding thereto a new Section 8308, relating to personal use of State Police Cars by members of the State Police, and providing a supplementary appropriation 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, Foltz, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Slawik—10.

NAYS—Messrs. Cook, duPont, Elliott, Grier, Hale, Robbins, Slawik—7

NOT VOTING—(Mrs.) Conner, Mr. Schlor—2.

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

Lt. Governor Bookhammer presiding over Senate beginning at 2:30 p.m.

On motion of Senator Steele **HB 566** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act making a supplementary appropriation to reimburse the Governor’s Contingency Fund for Funds transferred to the Family Court of Kent and Sussex 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, Cook, duPont, Elliott, Grier, Hale, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlor, Slawik, Steele—15

ABSENT—Messrs. Cicione, (Mrs.) Conner, Foltz, (Mrs.) Manning—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.

On motion of Senator duPont **HB 537** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Title 29, Delaware Code, by creating a new chapter to be designated as Chapter 81 relating to the establishment of a Department of Agriculture, defining its organization powers, duties, and functions and providing a supplementary appropriation to the Governor to implement the provisions of this act."

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

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

NAYS—Messrs. McCullough, Robbins—2

NOT VOTING—Mr. Schlor—1

ABSENT—Mr. Cicione—1

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

On motion of Senator Steele **HB 624 with HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act making a supplementary appropriation to the Legislative Council of Delaware."

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

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

ABSENT—Mr. Cicione—1

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

On motion of Senator Hart **SB 528** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend SB 710, Title 17, Delaware Code, relating to the cost of safety devices at a railroad grade crossing."

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

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

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

On motion of Senator Hart **HS 1 for HB 454** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act to Amend Title 17, 705, relating to Railroad Crossings of Public Highways."

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

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

NOT VOTING—Mr. Robbins—1

ABSENT—Messrs. Elliott, Foltz—2

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

Senator Hart introduced **SA 2 to HB 208**.

Senator Hart moved that **SA 2 to HB 208** 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, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Schlor, Slawik, Steele—15

NAYS—Messrs. McCullough, Robbins—2

ABSENT—Messrs. Elliott, Foltz—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 208 with SA 1 and 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 208 with SA 1 and 2—"An Act to Amend Section 4334, Subchapter 11, Chapter 43, Title 21, Delaware Code, relating to Additional Equipment required on slow-moving vehicles."

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, duPont, Foltz, Grier, Hale, Hart, (Mrs.) Manning, McCullough, Steele—10

NAYS—Messrs. Cook, Hickman, Robbins—3

NOT VOTING—Messrs. Isaacs, Schlor—2

ABSENT—Messrs. Cicione, Elliott, Holloway, Slawik—4

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

On motion of Senator Hale **SB 530** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 530—"An Act Relating to a Pension for Cecila Troup, a Former Employee of the Delaware Department of Mental Health."

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, Robbins, Schlor, Slawik, Steele—18

ABSENT—Mr. Elliott—1

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

Senator Grier moved for 15 minute recess. Motion prevailed without objection.

The Senate reconvened at 4:30 p. m.

On motion of Senator Hickman **SB 502** with title as follows was taken up for consideration and read a second time by title in order to pass the

Senate:

SB 502—"An Act to Amend Chapter 81, Title 9, Delaware Code, relating to the limitations upon taxing power, by Exempting Lands and Improvements of Lewes Senior Citizens Center, Incorporated from Assessment and Taxation."

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

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

ABSENT—Messrs. Elliott, Isaacs, (Mrs.) Manning—3

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

On motion of Senator Schlor **SB 525** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 525—"An Act to Amend Chapter 118, Volume 33, Laws of Delaware, as Amended, entitled 'An Act Providing for a Firemen's Pension Fund for Members of the Bureau of Fire of the Department of Public Safety of the City of Wilmington, and the amendments thereto by Permitting Anthony L. Augustynowicz, a Member of the Wilmington Bureau of Benefits as Provided for Members of the Bureau of Fire of the Department of Public Safety of the City of Wilmington.'"

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

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

ABSENT—(Mrs.) Conner, Mr. Elliott—2.

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

Senator Manning introduced **SB 571** co-sponsored by Senator Cook entitled:

SB 571 "An Act to amend Title 16, Delaware Code, by providing for a new chapter, to be designated as chapter 52, relating to the mentally disordered offender by entering into the Interstate Compact on the Mentally Disorder offender and providing for the implementation of the Compact," which was given its first reading by title only and Assigned to Committee on Health and Welfare.

Senator Holloway introduced **SB 572** entitled, "An Act to Amend Sections 3314 and 3315, Chapter 33, Title 19, Delaware Code, relating to eligibility and disqualification for unemployment compensation benefits by excepting from ineligibility those choosing to attend school but who are otherwise able and available for work," which was given its first reading by title only and assigned to committee on Labor and Industrial Relations.

Senator Steele introduced **SB 573** entitled, "An Act to Amend Chapter 371, Volume 56, Laws of Delaware making an appropriation to Alfred I. duPont School District for the purpose of Constructing Sidewalks and Acquiring the Necessary Rights of Way therefore within the School District at Specified Location," which was given its first reading by title

only and assigned to committee on Finance.

Senator Schlor introduced **SA 1 to SB 500**.

Senator Schlor moved that **SA 1 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Slawik introduced **SR 98** entitled: "Relative to the protection of the rights of Delaware citizens to the enjoyment of camping at Delaware Campsites by the State Department of Natural Resources."

Senator Slawik moved that **SR 98** be adopted.

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

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

ABSENT—Mr. Elliott—1

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

Sen. Steele on behalf of the Committee on Finance to whom had been referred **SB 563** reported the same back to the Senate; 6 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **SB 567**, reported the same back to the Senate; 5 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **SB 565**, reported the same back to the Senate; 1 Favorable, 5 on Merits.

Senator Hart was granted personal privilege of floor to discuss handling of accidents by State Police.

Senator McCullough granted personal privilege of floor for remarks on Budget for City of Wilmington, on water rents, etc.

Senator Foltz presented an informative report on **SB 500** for the Judiciary Committee.

Senator Hickman on behalf of the committee on Public Buildings and Lands to whom had been referred **HB 314**, reported the same back to the Senate; 5 on Merits.

Senator Foltz on behalf of the committee on Judiciary to whom had been referred **SB 500** reported the same back to the Senate; 6 on Merits.

Senator Foltz introduced **SA 2 to SB 500**.

Senator Foltz moved that **SA 2 to SB 500** be placed with the bill. Motion prevailed without objection.

Senator Conner introduced **SA 3 to SB 500**.

Senator Conner moved that **SA 3 to SB 500** be placed with the bill. Motion prevailed without objection.

Senator Cook introduced **SR 99** entitled "Relative to the Death of Rebecca A. Phillips, wife of Senate Sergeant-at-Arms Webster Phillips."

Senator Cook moved that **SR 99** be adopted.

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

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

ABSENT—Mr. Elliott—1

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

Senator Hart on behalf of the committee on Commerce and Corporations to whom had been referred **SB 230** reported the same back to the Senate; 1 Favorable, 3 on Merits.

Senator Conner on behalf of the committee on Education to whom had been referred **SB 564**, reported the same back to the Senate; 2 Favorable, 4 on Merits.

Senator Conner, on behalf of the committee on Education to whom had been referred **HB 544**, reported the same back to the Senate; 2 Favorable, 4 on Merits.

On motion of Senator Manning **HB 505 with HA 1, 3 and SA 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 505 with HA 1, 3 and SA 2—"An Act to Amend Subchapter IV, Chapter 9, Title 10, Delaware Code, Relating to Family Court Procedure."

On motion of Senator Manning the Bill was deferred.

Motion prevailed, without objection.

The Chair presented the following House Bills, which were given first reading and referred to Committee as follows:

HB 553—"An Act to amend Chapter 9, Title 26, Delaware Code, relating to the laying of pipes, conduits or wires by electric utility corporations,"—Committee on Commerce and Corporations.

HB 599—"An Act to amend Chapter 29, Title 14, Delaware Code, relating to the transportation of school children,"—Committee on Education.

HB 569—"An Act to amend Chapter 44, Title 9, Delaware Code, relating to building permits in Kent County by providing for the exemption of properties within incorporated cities and towns from the provisions requiring building permits for new construction as issued by the Levy Court,"—Committee on Government Operations.

HB 585—"An Act to amend Section 2920, Title 24, Delaware Code, relating to real estate brokers and salesman,"—Committee on Commerce and Corporations.

HB 631—"An Act approving the Sale, transfer and conveyance of certain public land by the State of Delaware to the Town of Smyrna,"—Committee on Public Buildings and Lands.

HB 641—"An Act to amend Subchapter XXXVIII, Title 11, Delaware Code, relating to outdoor motion picture theatres which exhibit restricted films,"—Committee on Health and Welfare.

Sen. Grier moved that the Senate adjourn until Thursday, April 2, 1970 at 1:30 p. m. Hearing no objection, motion prevailed.

16th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 1:50 P.M. on Thursday, April 2, 1970. Lt. Gov. Bookhammer presiding.

Prayer by the Chaplain Rev. J. G. Stapleton.

Flag salute.

By Roll Call the following Senators were present:

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

The Secretary proceeded to read the Journal 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 read.

The following communication was read:

OFFICE OF THE GOVERNOR

April 1, 1970

Legislative Advisory No. 34

From: Jerome O. Herlihy, Counsel to the Governor

The Governor approved the following legislation on the indicated dates:

HB 545—March 23, 1970—Relating to Requisitions for School Supplies.

HB 205 as amended by HA 1—March 23, 1970—Providing for Certain Special Number and Registration Plates.

HS 1 for HB 271—March 23, 1970—Employing Municipalities to Make Short Term Investments From Street Aid Funds.

HCR 25—March 23, 1970—Expressing Smypathy over the Death of the Honorable Charles L. Terry, Jr.

SJR 12—March 23, 1970—Relating to Road Construction on the St. George's Bridge.

HB 464—March 24, 1970—Providing that an Illegal Abortion shall be a Felony.

HB 501—March 25, 1970—Regarding Welfare Recipients who own two (2) or more Automobiles.

HS 1 for HB 530—March 25, 1970—Relating to State Capital Gains Tax.

SB 278 as amended by HA 2—March 25, 1970—Requiring certain Minimum Safety instruction for Hunting Licenses.

The Chair announced that the House wishes to inform the Senate that it has passed **HCR 29**. Also, **HB 503 with HA 1**, **HB 645**, **HB 654**, and **HB 655**, and requests the concurrence of the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 495**, **HB 496**, **HB 578**, **HB 619**, **HB 647**, **HB 651** and requests concurrence of the Senate; also, **SB 526**, **SB 497 with HA 3** and is returning same to the Senate.

Senator Castle, on behalf of the committee on Revised Statutes to whom had been referred **HB 491**, reported the same back to the Senate; 4 on Merits.

Senator Castle, on behalf of the committee on Revised Statutes to whom had been referred **SB 519**, reported the same back to the Senate; 1 Unfavorable, 4 on Merits.

Senator Castle, on behalf of the committee on Revised Statutes to whom had been referred **SB 541**, reported the same back to the Senate; 5 on Merits.

Senator Castle, on behalf of the committee on Revised Statutes to whom had been referred **SB 535**, reported the same back to the Senate; 5 on Merits.

Senator Steele, on behalf of the committee on Finance to whom had been referred **SB 573**, reported the same back to the Senate; 2 Favorable, 3 on Merits.

Senator Hart, on behalf of the committee on Highways and Public

Safety to whom had been referred **SB 466** reported the same back to the Senate; 3 Favorable, 2 on Merits.

Senator Hart, on behalf of the committee on Highways and Public Safety to whom had been referred **HB 340**, reported the same back to the Senate; 2 Favorable, 3 on Merits.

Senator Hart, on behalf of the committee on Highways and Public Safety to whom had been referred **HB 613**, reported the same back to the Senate; 2 Favorable, 3 on Merits.

Senator Cicione introduced **SB 574**, co-sponsored by Senator duPont, entitled: "An Act to Amend Chapter 1, Title 26, Delaware Code, Relating to the Public Service Commission, By Requiring a Certificate of Public Convenience and Necessity Before an Electric Utility Corporation Mission Line, Providing for a Public Hearing with Respect Thereto, Authorizing Condemnation for the Acquisition of such Rights-of-Way by an Electric Utility Corporation issued a Certificate of Public Convenience and Necessity Therefor, and Providing the Procedure for the Determination of Just Compensation in such Cases," which was given its first reading by title only and assigned to committee on Government Operations.

Senator Slawik introduced **SB 575** co-sponsored by Senators Cicione and Schlor, entitled: "An Act to Amend Section 3904, Chapter 39, Part I, Title 18, Delaware Code, Relating to Cancellation of Casualty Insurance Contracts, by Providing that no Casualty Insurance Contract Shall be Subject to Cancellation because of the Age of the Insured," which was given its first reading by title only and assigned to committee on Banking and Insurance.

Senator Cicione introduced **SS 1 for SB 362**, entitled: **An Act to Amend Subsection 2143 (a), Subchapter III, Chapter 21, Title 21, Delaware Code, Relating to Inspection of Motor Vehicles, by Providing that inspection shall Determine that all Operating Equipment Designed to Promote the Safety of the Traveling Public is in Proper Working Order,**" which was given its first reading by title only and assigned to committee on Highways and Public Safety.

Senator Elliott introduced **SB 576** co-sponsored by Senators Hart, Robbins, and Isaacs, entitled: "An Act to Amend Chapter 21, Title 11, Delaware Code Relating to Release of Persons Accused of Crimes by Adding a New Section known as Section 2103A to Provide that the Court Shall not Permit Bail to Persons Convicted of more than one Felony Pending the Court's Sentencing," which was given its first reading by title only and assigned to committee on Judiciary.

Senator Steele introduced **SA 2 to HB 393**.

Senator Steele moved that **SA 2 to HB 393** be placed with the Bill. Motion prevailed without objection.

Senator Manning was granted personal privilege of floor to discuss **SB 500**.

On motion of Senator Manning **SB 559**, with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 559—"An Act to Amend Delaware Code, Title 14, Relative to the Public School System by Defining the Lawful Authority of Teachers and Pupils."

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, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlor, Slawik, Steele—16.

NOT VOTING—Mr. Castle—1.

ABSENT—Messrs. Elliott, McCullough—2.

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

On motion of Senator Hale **SB 563** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 563—“An Act Establishing a Governor’s Action Force on School Construction Costs and Prescribing Certain Powers and Responsibilities for Such Action Force and Making a Supplementary Appropriation to the Governor’s Office to Carry out the Purposes of this Act.”

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

YEAS—Messrs. (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Robbins, Schlor, Steele—13.

NAYS—Messr. Isaacs, (Mrs.) Manning, McCullough, Slawik—4.

NOT VOTING—Messrs. Castle, Cicione—2.

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

On motion of Senator Foltz **HB 284** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 284—“An Act to Amend Section 2711, Title 11, Delaware Code, Relating to Prosecution of Children as Adults and Sentencing of Such Children.”

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

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

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

On motion of Senator Hart **SB 520** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 520—An Act to Amend Section 2707, Chapter 27, Subchapter 1, Title 21, Delaware Code, Relating to School Bus Driver’s License.”

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

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

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

On motion of Senator Hart **SB 542** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 542—"An Act to Amend Section 612, Title 17, Delaware Code, Relating to the Issuance of Turnpike Revenue bonds."

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

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

ABSENT—Mr. Cicione—1.

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

On motion of Senator Castle **SB 497** with **HA 3** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 497 with **HA 3**—"An Act to Amend Chapter 163, Volume 32, Laws of Delaware as Amended, being an Act Entitled "An Act to Further Amend Chapter 92, Volume 23, Laws of Delaware being an Act Entitled "An Act to Provide for the Organization and Control of the Public Schools of the City of Wilmington."

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

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, Elliott, Foltz, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik—14.

NAYS—Mr. duPont—1.

NOT VOTING—Messrs. Isaacs, Steele—2.

ABSENT—Messrs. Cicione, Grier—2.

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

Senator Connor, on behalf of the committee on Education to whom had been referred **HB 559**, reported the same back to the Senate; 2 Favorable, 4 on Merits.

Senator Connor, on behalf of the committee on Health and Welfare to whom had been referred **HB 641**, reported the same back to the Senate; 1 Favorable, 5 on Merits.

Senator Connor, on behalf of the committee on Health and Welfare to whom had been referred **SB 571**, reported the same back to the Senate; 1 Favorable, 5 on Merits.

Senator Cicione, on behalf of the committee on Government Operations to whom had been referred **SB 546**, reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Cicione, on behalf of the committee on Government Operations to whom had been referred **SB 121** reported the same back to the Senate; 5 on Merits.

Senator Cicione, on behalf of the committee on Labor to whom had been referred **SB 534**, reported the same back to the Senate; 5 on Merits.

Senator Cicione, on behalf of the committee on Labor to whom had been referred **SB 543**, reported the same back to the Senate; 5 on Merits.

Senator Cicione, on behalf of the committee on Government Operations to whom had been referred **SB 492**, reported the same back to the Senate; 5 on Merits.

Senator Cicione, on behalf of the committee on Government Operations to whom had been referred **SB 522**, reported the same back to the Senate; 1 Favorable, 1 Unfavorable, 3 on Merits.

Senator Foltz, on behalf of the committee on Judiciary to whom had been referred **HB 498**, reported the same back to the Senate; 2 Favorable, 4 on Merits.

Senator Foltz, on behalf of the committee on Judiciary to whom had been referred **HB 551**, reported the same back to the Senate; 4 Favorable, 2 on Merits.

Senator Cicione, on behalf of the committee on Government Operations to whom had been referred **HB 522**, reported the same back to the Senate; 5 on Merits.

Senator Cicione, on behalf of the committee on Government Operations to whom had been referred **HB 550**, reported the same back to the Senate; 5 on Merits.

Senator Cicione, on behalf of the committee on Government Operations to whom had been referred **HB 572**, reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Cicione, on behalf of the committee on Government Operations to whom had been referred **HB 558**, reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Cicione, on behalf of the committee on Government Operations to whom had been referred **HB 582**, reported the same back to the Senate; 5 on Merits.

Senator Cicione, on behalf of the committee on Labor and Industrial Relations to whom had been referred **HB 587**, reported the same back to the Senate; 2 Favorable, 2 on Merits.

The Chair presented the following Concurrent Resolution which was given first reading.

HCR 29—"Memorializing the United States Army Corps of Engineers to Withhold Approval of the Plans for the Proposed Construction of an Off-Shore Floating Oil Terminal for the Unloading of Oil Tankers in the Delaware Bay off the Coast of Delaware."

Senator Steele moved to place **HCR 29** in committee.

On the question "Shall the Motion be Adopted?" the yeas and nays were ordered which being taken were as follows:

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

NAYS—Messrs. Cook, Holloway, Robbins, Slawik—4.

ABSENT—Messrs. Cicione, Schlor—2.

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

HCR 29 was placed in Committee on Revised Statutes.

Senator Cicione introduced **SB 577**, entitled "An Act to Amend Chapter 21, Title 21, Delaware Code, Relating to Motor Vehicles Owned by Disabled Veterans who Purchased the Vehicles Pursuant to Certain Federal Statutes to be Exempted from Registration Fees," which was given its first reading by title only and assigned to committee on Highways and Public Safety.

Senator Steele introduced **SA 1 to SS 1 for SB 444**.

Senator Steele moved that **SA 1 to SS 1 for SB 444** be placed with bill. Motion prevailed without objection.

On motion of Senator Conner **HB 138** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 138—"An Act to Amend Chapter 34, Title 14, Delaware Code, Relating to "Education" by Providing Scholarships for Students Pursuing Courses of Higher Education not Available in State Institutions."

Senator Conner asked for the privilege of the floor for Mr. Charles Harris, Executive Secretary of DSEA, to discuss **HB 138**. Hearing no objection the privilege was granted.

Senator McCullough moved that action on **HB 138** be tabled.

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

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

NAYS—(Mrs.) Conner, Mr. duPont—2.

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

On motion of Senator Conner **HB 544** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 544—"An Act to Allow Payment of Interest upon Local School Funds on Deposit."

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, Isaacs, (Mrs.) Manning, McCullough, Schlor, Steele—15.

NOT VOTING—Messrs. Cicione, Robbins—2.

ABSENT—Messrs. Holloway, Slawik—2.

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

On motion of Senator Hickman **SB 567** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 567—"An Act to Amend Volume 57, Chapter 299, Laws of Delaware, Entitled "An Act Authorizing the State of Delaware to Borrow Money to be Used for Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes Therefor and Appropriating the Monies to Various Agencies of the State."

On the motion of Senator Hickman the Bill was tabled.

Motion prevailed, without objection.

Senator Grier moved that Senate go into Executive Session at 4:05 P.M. Motion prevailed without objection.

The Senate resumed regular Session at 4:20 P.M.

Senator Isaacs introduced **SA 2 to SB 429** co-sponsored by Senator Robbins.

Senator Isaacs moved that **SA 2 to SB 429** 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, McCullough, Robbins, Schlor, Slawik, Steele—18.

ABSENT—(Mrs.) Manning—1.

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

On motion of Senator Elliott **SB 429 with SA 1 and 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 429 with SA 1 and 2—"An Act to Amend Chapter 19, Title 3, Delaware Code, Relating to Liming Materials."

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

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

ABSENT—(Mrs.) Manning—1.

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

Senator Isaacs introduced **SA 4 to HB 285**.

Senator Isaacs moved that **SA 4 to HB 285** 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, Robbins, Schlor, Slawik, Steele—18.

ABSENT—(Mrs.) Manning—1.

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

Senator Elliott requested that **SA 3 to HB 285 with HA 1, 2, 3, 4 and SA 1**, be stricken from the calendar. Motion prevailed without objection.

On motion of Senator Elliott, **HB 285 with HA 1, 2, 3, 4, and SA 1, 4** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 285 with HA 1, 2, 3, 4, and SA 1 and 4—"An Act to Amend Chapter 79, Title 3, Delaware Code, Affecting the Authority of the Delaware Society for the Prevention of Cruelty to Animals to Enforce Laws Related to Animals.

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

Senator Isaacs introduced **SA 1 to HB 303**.

Senator Isaacs moved that **SA 1 to HB 303** 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, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele—18.

ABSENT—(Mrs.) Conner—1.

So the question was decided in the affirmative and the amendment

having received the required constitutional majority was adopted.

On motion of Senator Isaacs **HB 303 with SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

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

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

NOT VOTING—Mr. Isaacs—1.

ABSENT—Mr. Holloway—1.

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

Senator Cicione requested the **SB 201 with SA 1** be stricken from the calendar. Motion prevailed without objection.

On motion of Senator Steele **SB 565** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 565—"An Act Making a Supplementary Appropriation in the Amount of \$14,300 to Delaware State College for Salaries."

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

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

ABSENT—(Mrs.) Manning—1.

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

Senator McCullough introduced **SB 578**, entitled "An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of Penn Acres Swim Club, Inc., from Assessment. and Taxation," which was given its first reading reading by title only and assigned to committee on Commerce and Corporations.

Senator McCullough introduced **SB 579**, co-sponsored by Senators Isaacs, Hart and Slawik, entitled "An Act to Amend Chapter 11, Title 9, Delaware Code, Relating to the Government of New Castle County by Imposing a Limitation on the Tax Rate in New Castle County," which was given its first reading by title only and assigned to committee on Government Operations.

Senator Steele introduced **SA 1 to SS 1 for SB 447**.

Senator Steele moved that **SA 1 to SS 1 for SB 447** be placed with bill. Motion prevailed without objection.

Senator Steele introduced **SA 1 to SS 1 for SB 449**.

Senator Steele moved that **SA 1 to SS 1 for 449** be placed with bill. Motion prevailed without objection.

Senator Castle introduced **SA 4 to SB 500**, co-sponsored by Senators Conner and Holloway.

Senator Castle moved that **SA 4 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Conner introduced **SA 5 to SB 500**, co-sponsored by Senators Castle, Foltz, and Slawik.

Senator Conner moved that **SA 5 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Schlor introduced **SA 1 to SB 546**.

Senator Schlor moved that **SA 1 to SB 546** be placed with bill. Motion prevailed without objection.

Senator Schlor introduced **SA 2 to SB 546**.

Senator Schlor moved that **SA 2 to SB 546** be placed with bill. Motion prevailed without objection.

Senator Slawik introduced **SA 1 to SB 519**.

Senator Slawik moved that **SA 1 to SB 519** be placed with bill. Motion prevailed without objection.

Senator McCullough introduced **SS 1 for SB 230**.

Assigned to committee on Commerce and Corporations.

Senator Foltz, on behalf of the committee on Judiciary to whom had been referred **HB 527**, reported the same back to the Senate; 2 Favorable, 4 on Merits.

Senator Foltz, on behalf of the committee on Judiciary to whom had been referred **HB 568**, reported the same back to the Senate; 2 Favorable, 4 on Merits.

Senator Hickman, on behalf of the committee on Public Buildings and Lands to whom had been referred **HB 631**, reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Elliott introduced **SR 100**, entitled "Relative to an Investigation by the Department of Health and Social Services into the Cause of Death of Mrs. Josephine Jackson."

Senator Elliott moved that **SR 100** be adopted.

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

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

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

Senator Foltz, on behalf of the committee on Judiciary to whom had been referred **SB 550**, reported the same back to the Senate; 4 Favorable, 2 on Merits.

Senator Foltz, on behalf of the committee on Judiciary to whom had been referred **SB 551**, reported the same back to the Senate; 4 Favorable, 2 on Merits.

Senator Foltz, on behalf of the committee on Judiciary to whom had been referred **SB 552**, reported the same back to the Senate; 4 Favorable, 2 on Merits.

Senator Foltz, on behalf of the committee on Judiciary to whom had been referred **SB 553**, reported the same back to the Senate; 4 Favorable, 2 on Merits.

Senator Foltz, on behalf of the committee on Judiciary to whom had been referred **SB 555**, reported the same back to the Senate; 4 Favorable, 2 on Merits.

The Chair presented the following House Bills which were given first reading and referred to Committee as follows:

HB 655—"An Act to Amend Title 30, Chapter 11, Delaware Code, Section 1186, by Authorizing the Tax Commissioner to Permit the Finance Officer of any Municipality of this State Levying Wage or Income Tax to Inspect the Income Tax Return of any Individual, Company or Corporation," to the committee on Revised Statutes.

HB 645—"An Act Relating to a Pension for Hettie D. Gardner, a Former Employee of the Governor Bacon Health Center and the State of Delaware," to the committee on Finance.

HB 647—"An Act to Amend Title 14, Delaware Code, Chapter 51, Section 5115 Relating to the Authority of the University of Delaware to Issue Bonds by Removing the Ceilings on Interest Rates and Interest Costs," to the committee on Finance.

HB 495—"An Act to Amend Chapter 1, Title 10, Delaware Code, Regarding Consequences of Failure to Appeal from Interlocutory Orders," to the committee on Judiciary.

HB 496—"An Act to Amend Chapter 1, Title 10, Delaware Code, Providing for Time for Appeals to Supreme Court from Interlocutory Orders," to the committee on Judiciary.

HB 503 with HA 1—"An Act to Amend Section 2710, Title 21, Delaware Code, Relating to the Application by a Minor for a Driver's License and to Amend Section 6105, Title 21, Delaware Code, Relating to the Liability of Parent, Guardian or Employer for the Negligence of a Minor," to the committee on Highways and Public Safety.

HB 578—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations upon Taxing Power, by Exempting Lands and Improvements of Penn Acres Swim Club, Inc., From Assessment and Taxation," to committee on Miscellaneous.

HB 619—"An Act to Amend Chapter 112, Volume 45, Laws of Delaware, Relating to the Regulation and Control of Various Construction and the Registration of Persons Engaged in such Construction in New Castle County Outside the City of Wilmington," to the committee on Labor and Industrial Relations.

HB 651—"An Act to Amend Title 11, Section 871, Delaware Code, Relating to Trespass upon Realty," to committee on Judiciary.

HB 654—"An Act making a Supplementary Appropriation to the Department of Civil Defense," to the committee on Finance.

HB 655—"An Act to Amend Title 30, Chapter 11, Delaware Code, Section 1186, by Authorizing the Tax Commissioner to Permit the Finance Officer of any Municipality of this State Levying Wage or Income Tax to Inspect the Income Tax Return of any Individual, Company or Corporation," to the committee on Revised Statutes.

Senator Grier moved the Senate recess to April 7, 1970, at 1:30 P.M. Hearing no objections motion prevailed.

17th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:30 P.M. on Tuesday, April 7, 1970, Lt. Gov. Bookhammer presiding.

Prayer by the Rev. J. Gordon Stapleton.

Flag Salute

By roll call the following Senators were present:

MEMBERS 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 Journal 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 read.

The following communication was read:

The Chair announced that the House wishes to inform the Senate that it has passed **HB 590, 625, 634 with HA 3, 635, 667** and requests the concurrence of the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **SB 442 with SA 1, SA 3 and HA 3** and is returning same to the Senate.

Senator Steele introduced **SB 580** by request, entitled, "An Act to amend Chapter 11, Title 30, Delaware Code, relating to allowable deductions and rates pertaining to personal income taxes and to make certain supplementary appropriations from the revenues thereby derived," which was given its first reading by title only and assigned to Committee on Finance.

Senator Isaacs introduced **SB 581** entitled, "An Act to amend Title 9, Sections 1120, 1442, and 1451 requiring the County Council for the removal or suspension by the County Executive," which was given its first reading by title only and assigned to Committee on Government Operations.

Senator Conner introduced **SA 6 to SB 500**.

Senator Conner moved that **SA 6 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Steele introduced **SA 1 to SB 522** by request.

Senator Steele moved that **SA 1 to SB 522** be placed with bill. Motion prevailed without objection.

Senator Conner requested that **SA 1 to SB 497** be stricken from the calendar. Motion prevailed without objection.

Senator Foltz introduced **SA 7 to SB 500**.

Senator Foltz moved that **SA 7 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Foltz introduced **SA 8 to SB 500**.

Senator Foltz moved that **SA 8 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Foltz introduced **SA 1 to HB 321**.

Senator Foltz moved that **SA 1 to HB 321** be placed with bill. Motion prevailed without objection.

Senator Elliott introduced **SJR 13** co-sponsored by Senators Grier, Hickman, Castle, Robbins, entitled, "Pertaining to proposed terminal facilities in the Delaware Bay," which was assigned to Committee on Miscellaneous.

On motion of Senator Steele **SB 573** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Chapter 371, Volume 56, Laws of Delaware making an appropriation to Alfred I. duPont School District for the purpose of constructing sidewalks and acquiring the necessary rights of way therefore within the school district as specified locations."

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.

ABSENT—Messrs. McCullough, Schlor, Mrs. Manning-3.

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

On motion of Senator Steele **SB 529** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Chapter 75, Title 29, Delaware Code, relating to school construction capital improvements."

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, Robbins, Slawik, Steele-15.

NOT VOTING—Mr. Cicione-1.

ABSENT—Messrs. McCullough, Schlor, Mrs. Manning-3.

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

Senator Steele moved that **SA 1 to SB 522** be adopted.

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

NAYS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, Schlor-14.

NOT VOTING—Messrs. (Mrs.) Manning, McCullough, Robbins, Steele-4.

ABSENT—Mr. Slawik-1.

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

On motion of Senator Isaacs **SB 522** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Title 9, Section 102 and 103 Delaware Code relating to the boundaries of New Castle County and Kent County."

Senator Isaacs moved that roll call on **SB 522** be tabled.

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

YEAS—Messrs. Cicione, Cook, Elliott, Foltz, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Slawik-12.

NAYS—Messrs. (Mrs.) Conner, duPont, Hale, Schlor, Steele-5.

NOT VOTING—Messrs. Castle, Grier-2.

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

Senator Elliott requested that **SB 121** be stricken from the calendar. Motion prevailed without objection.

On motion of Senator Elliott **SB 550** with title as follows was taken up for consideration and read a second time by title in order to pass the

Senate.

“An Act to amend Chapter 41, Title 11, Delaware Code; Chapter 49, Title 10, Delaware Code; relating to fines and costs becoming judgements against the convicted person and providing attachment of wages therefor.”

Senator Elliott asked for the privilege of the floor for Mr. Jerome O. Herlihy, Legal Counsel to the Governor, to explain **SB 550**.

Hearing no objection the privilege was granted.

On motion of Senator Elliott **SB 550** was taken up for consideration in order to pass the Senate.

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

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

NAYS—Mr. Schlor-1.

NOT VOTING—Mr. Slawik-1.

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

On motion of Senator Elliott **SB 551** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Title 11, Delaware Code, Chapter 41, Section 4106, relating to persons who are sentenced to imprisonment and fine and persons who have defaulted on payments of fine.”

Senator Elliott asked for the privilege of the floor for Mr. Jerome O. Herlihy to explain **SB 551**.

Hearing no objection the privilege was granted.

On motion of Senator Elliott **SB 551** was taken up for consideration in order to pass the Senate.

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

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

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

On motion of Senator Elliott **SB 552** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Title 11, Delaware Code, subchapter XV, by giving justices of the peace power to punish for contempt.”

Senator Elliott asked for the privilege of the floor for Mr. Jerome O. Herlihy to explain **SB 552**.

Hearing no objection the privilege was granted.

On motion of Senator Elliott **SB 552** was taken up for consideration in order to pass the Senate.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott,

Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlor, 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 to the House for concurrence.

On motion of Senator Elliott **SB 553** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Title 10, Delaware Code, Chapter 95, by giving justices of the peace power to punish for civil contempt.”

Senator Elliott asked for the privilege of the floor for Mr. Jerome O. Herlihy to explain **SB 553**.

Hearing no objection the privilege was granted.

On the question “Shall the bill pass the Senate?” The yeas and Nays were ordered which being taken wereas follows:

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

ABSENT—Messrs. Hart, McCullough-2.

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

On motion of Senator Elliott **SB 555** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Title 11, Delaware Code, Chapter 41, making certain amendments to Volume 57, Delaware Laws, Chapter 198 known as **HB 400** of the 125th General Assembly relating to the payment of fines.”

Senator Elliott asked for the privilege of the floor for Mr. Jerome O. Herlihy to explain **SB 555**. Hearing no objection the privilege was granted.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, Slawik, Steele-13.

NAYS—Mr. Foltz,-1.

NOT VOTING—Messrs. Cook, Isaacs, McCullough, Robbins, Schlor-5.

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

On motion of Senator Castle **HB 655** was taken up for consideration in order to pass the Senate.

“An Act to amend Title 30, Chapter 11, Delaware Code, Section 1186, by authorizing the Tax Commissioner to permit the finance officer of any municipality of this state levying wage or income tax to inspect the income tax return of any individual, company or corporation.”

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, Foltz, Grier, Hale, Holloway, (Mrs.) Manning, Schlor, Steele-10.

NAYS—Messrs. Hickman, Isaacs, McCullough, Robbins, Slawik-5.

NOT VOTING—Messrs. Cicione Cook, Elliott, Hart-4

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

Senator Cicione introduced **SA 1 to HB 587**.

Senator Cicione moved that action on **SA 1 to HB 587** be deferred. Motion prevailed without objection.

Senator Isaacs on behalf of the Committee on Miscellaneous to whom had been referred **SJR 13** reported the same back to the Senate; 5 Favorable.

Senator Steele on behalf of the Committee on Finance to whom had been referred **SB 580** reported the same back to the Senate; 4 Unfavorable, 2 Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **SB 517** reported the same back to the Senate; 1 Favorable, 1 Unfavorable, 4 Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **SB 509** reported the same back to the Senate; 1 Favorable, 1 Unfavorable, 4 Merits.

Senator Foltz on behalf of the Committee on Judiciary to whom had been referred **SB 515** reported the same back to the Senate; 3 Favorable, 2 Unfavorable, 1 Merits.

Senator Foltz on behalf of the Committee on Judiciary to whom had been referred **SB 518** reported the same back to the Senate; 3 Favorable, 2 Unfavorable, 1 Merits.

Senator Foltz on behalf of the Committee on Judiciary to whom had been referred **SB 514** reported the same back to the Senate; 3 Favorable, 2 Unfavorable, 1 Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **SB 516** reported the same back to the Senate; 1 Favorable, 1 Unfavorable, 4 Merits.

Senator Foltz on behalf of the Committee on Judiciary to whom had been referred **SB 510** reported the same back to the Senate; 3 Favorable, 2 Unfavorable, 1 Merits.

Senator Foltz on behalf of the Committee on Judiciary to whom had been referred **SB 508** reported the same back to the Senate; 3 Favorable, 2 Unfavorable, 1 Merits.

Senator Foltz on behalf of the Committee on Judiciary to whom had been referred **SB 507** reported the same back to the Senate; 3 Favorable, 2

Senator Foltz, on behalf of the committee on Judiciary to whom had been referred **SB 512** reported the same back to the Senate; 3 Favorable, 2 Unfavorable, 1 on Merits.

Senator Hart on behalf of the Committee on Highways and Public Safety to whom had been referred **SB 511** reported the same back to the Senate; 4 Favorable, 1 Merits.

Senator Hart on behalf of the Committee on Highways and Public Safety to whom had been referred **SB 554** reported the same back to the Senate; 5 Favorable.

Senator Hart on behalf of the Committee on Highways and Public Safety to whom had been referred **SB 556** reported the same back to the Senate; 5 Favorable.

Senator Hart on behalf of the Committee on Highways and Public Safety to whom had been referred **SB 577** reported the same back to the Senate; 4 Favorable, 1 Merits.

Senator Hart on behalf of the Committee on Highways and Public Safety to whom had been referred **SS 1 for SB 362** reported the same back to the Senate; 4 Favorable, 1 Merits.

Senator Hart on behalf of the Committee on Commerce and Corporations to whom had been referred **HB 553** reported the same back to the Senate; 1 Favorable, 3 Merits.

Senator Hart on behalf of the Committee on Commerce and Corporations to whom had been referred **HB 585** reported the same back to the Senate; 1 Favorable, 3 Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **HB 647** reported the same back to the Senate; 2 Favorable, 4 Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **HB 654** reported the same back to the Senate; 1 Favorable, 5 Merits.

Senator Hart on behalf of the Committee on Highways and Public Safety to whom had been referred **HB 574** reported the same back to the Senate; 3 Favorable, 2 Merits.

Senator Castle on behalf of the Committee on Elections to whom had been referred **HB 620** reported the same back to the Senate; 1 Favorable, 4 Merits.

On motion of Senator Isaacs **SB 522** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Title 9, Section 102 and 103 Delaware Code relating to the boundaries of New Castle County and Kent County.”

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

YEAS—Messrs. Cicione, Cook, Elliott, Foltz, Hart, Hickman, Holloway, Isaacs, Robbins, Slawik-10.

NAYS—Messrs. Castle, (Mrs.) Conner, duPont, Hale, Schlör, Steele-6.

NOT VOTING—Messrs. Grier, (Mrs.) Manning, 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.

Senator Elliott introduced **SA 5 to HB 285 with HA 1,2,3,4, and SA 1, SA 4.**

Senator Elliott moved that **SA 5 to HB 285 with HA 1,2,3,4, and SA 1, SA 4** be adopted?”

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

YEAS—Messrs, Castle, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning.

NAYS—(Mrs.) Conner, Mr. Holloway—2.

NOT VOTING—Messrs. McCullough, Schlör, Slawik-3.

ABSENT—Mr. Cicione-1.

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

On motion of Senator Isaacs, **HB 285 with HA 1,2,3,4, and SA 1,4,5**

with title as follows was taken up for consideration and read a second time by title only in order to pass the Senate.

“An Act to amend Chapter 79, Title 3, Delaware Code, affecting the authority of the Delaware Society for the Prevention of Cruelty to Animals to enforce laws related to animals.”

Senator Foltz asked for the privilege of the floor for Rep. John A. Dillman to discuss **HB 285 with HA 1,2,3,4 and SA 1,4,5.**

Hearing no objection the privilege was granted.

Senator Manning moved that roll call on **SA 4 to HB 285** be rescinded.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Hale, (Mrs.) Manning, Slawik, Steele-7.

NAYS—Messrs. Cook, Elliott, Foltz, Grier, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins—10.

NOT VOTING—Messrs. Castle, Schlor-2.

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

On motion of Senator Isaacs **HB 285 with HA 1,2,3,4 and SA 1,4,5** was taken up for consideration in order to pass the Senate.

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

YEAS—Messrs. Castle, Elliott, Foltz, Grier, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Slawik, Steele-12.

NAYS—Messrs. (Mrs.) Conner, Cook, duPont, Hale-4.

NOT VOTING—Messrs. Cicione, McCullough, Schlor-3.

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

On motion of Senator Hale **SB 442 with SA 1,2,3, and HA 3** with title as follows was taken up for consideration and read a final time by title in order to pass the Senate.

“An Act to amend Title 29, Delaware Code, by creating a new Chapter to be designated as Chapter 82 relating to the establishment of a Department of Public Safety, defining its organization, powers, duties and functions and providing for the transfer of materials and equipment of said Department from various State Agencies and providing a supplementary appropriation to the Governor to implement the provisions of this act.”

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

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

NOT VOTING—Mr. Schlor-1.

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

The Chair presented the following House Bills which were given first reading and referred to Committee as follows:

HB 634—“An Act to amend Title 4, Delaware Code, authorizing the alcoholic beverage control commission to impose fines against licensees found guilty of a violation of the rules of the commission or of the Delaware Liquor Control Act.”—Committee on Government Operations.

HB 625—"An Act to amend Chapter 27, Title 24, Delaware Code, relating to the qualifications of professional engineers,"—Committee on Revised Statutes.

HB 635—"An Act to amend Title 4, Delaware Code relating to location of the head office of the Delaware Alcoholic Beverage Control Commission, annual renewal of licenses, establishing an application process fee, and allowing the commission to assess costs in hearings,"—Committee on Revised Statutes.

HB 667—"An Act to amend Title 31, Section 503, Delaware Code, relating to eligibility for Welfare assistance,"—Committee on Health and Welfare.

HB 590—"An Act to amend Title 25, Delaware Code, relating to the risk of loss in the sale of realty,"—Committee on Revised Statutes.

Senator Steele introduced **SB 582** entitled, "An Act to amend Sections 3404 and 3405, Title 14, Delaware Code, relating to higher education scholarships," which was given its first reading by title only and assigned to Committee on Finance.

Senator Manning introduced **SB 583** co-sponsored by Senator Cicione, entitled, "An Act directing the State Board of Education to approve an amended certificate of necessity for the capital improvement requests of the Marshallton McKean School District," which was given its first reading by title only and assigned to Committee on Education.

Senator McCullough introduced **SA 1 to SB 230**.

Senator McCullough moved that **SA 1 to SB 230** be placed with bill. Motion prevailed without objection.

Senator Castle introduced **SA 1 to HB 551**.

Senator Castle moved that **SA 1 to HB 551** be placed with bill. Motion prevailed without objection.

Senator McCullough introduced **SA 1 to SB 579**.

Senator McCullough moved that **SA 1 to SB 579** be placed with bill. Motion prevailed without objection.

Senator Conner introduced **SA 9 to SB 500**.

Senator Conner moved that **SA 9 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Conner introduced **SA 10 to SB 500**.

Senator Conner moved that **SA 10 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Castle introduced **SA 11 to SB 500**.

Senator Castle moved that **SA 11 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Castle introduced **SA 12 to SB 500**.

Senator Castle moved that **SA 12 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Grier moved that the Senate adjourn until April 8, 1970 at 1:30 P.M. Hearing no objection, motion prevailed.

18th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:12 P.M. on Wednesday April 8, 1970 Lt. Gov. Bookhammer presiding.
Prayer by the Rev. J. Gordon Stapleton.

Flag Salute.

By roll call the following Senators were present:

MEMBERS PRESENT: Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele-18.

MEMBERS ABSENT: Mr. Grier-1.

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

The following communication was read:

The Chair announced that the House wishes to inform the Senate that it has passed **HB 150 with HA 1, HA 3, SA 3, HB 618, HB 617 with HA 1 HB 627 with HA 1** and requests the concurrence of the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **SB 358 with HA 1, 532, 415** and is returning same to the Senate.

Senator Steele introduced **SB 584** entitled, "An Act providing for the funding of monies appropriated by Chapter 414 of Volume 56 of the Laws of Delaware and specifying the purposes for which such money may be spent and reaffirming said appropriation," which was given its first reading by title only and assigned to committee on Finance.

Senator Grier introduced **SB 585** co-sponsored by Senator Robbins entitled, "An Act making an appropriation to Milford School District for the purpose of constructing sidewalks and acquiring the necessary rights-of-way therefor within the school district at specified locations," which was given its first reading by title only and assigned to Committee on Finance.

Senator Manning introduced **SA 13 to SB 500**.

Senator Manning moved that **SA 13 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Elliott introduced **SR 101** entitled, "Expressing the best wishes of the Senate of the 125th General Assembly to Senator J. Donald Isaacs on the occasion of his birthday."

Senator Elliott moved that **SR 101** 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, Hale, Hart, Hickman, Holloway, Robbins, Schlor, Steele-13.

NOT VOTING—Messrs. Isaacs, McCullough-2.

ABSENT—Messrs. Cicione, Grier, (Mrs.) Manning, Slawik-4.

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

Senator Holloway introduced **SJR 14** co-sponsored by Senator Manning entitled, "Requesting the Governor, President Pro-tempore of the Senate and the Speaker of the House of Representatives each to appoint certain members to a committee to hold hearings and conduct a study into the problems of housing, treating and rehabilitating certain 16 to 20 year old persons convicted of crimes and report to the Governor and members of the General Assembly its findings and recommendations," which was given its first reading by title only and assigned to Committee on Senate Administration.

Senator Isaacs introduced **SB 586** entitled, "An Act to amend Title

21, Delaware Code, Subsection 4176, Subsections (d) and (a) relating to subsequent offenses of driving under the influence of intoxicating liquor or narcotic drugs and the penalties therefor," which was given its first reading by title only and assigned to Committee on Highways and Public Safety.

Senator duPont introduced **SR 102**.

SR 102

WHEREAS, the proposed additional costs for first-class mail are to be shared equitably between business and private citizens; and

WHEREAS, so called "junk" advertising mail is a creation of business and is neither requested nor solicited, and is frequently not wanted by the private citizens; and

WHEREAS, further "junk" advertising mail is given a special low preferred third-class bulk mailing rate, which places a burden on the postal system completely out of proportion to the mailing fees charged; and

WHEREAS, this special low fee for "junk" mail is a form of direct subsidy to this special segment of the business community; and

WHEREAS, the drop in volume of "junk" advertising mail anticipated to result by an increase in mailing fees will provide relief for our overworked postal system;

NOW, THEREFORE,

BE IT RESOLVED by the Senate of the 125th General Assembly that the third-class bulk mailing fee be increased to that of the first-class mailing fee, and that the additional money so generated be used to help offset the additional cost of increased wages for the postal workers and that any increase in first-class mailing fees be kept as low as possible compatible with good business management.

BE IT FURTHER RESOLVED that a copy of this Resolution be mailed to Delaware Congressional Delegation, namely, United States Representative William V. Roth, Jr., United States Senator John J. Williams and United States Senator J. Caleb Boggs; and

BE IT FURTHER RESOLVED that the text of this Resolution be made a part of the Journal of the proceedings of the Senate of the 125th General Assembly of the State of Delaware.

Senator duPont moved that **SR 102** be tabled. Motion prevailed without objection.

Senator Manning introduced the following letter and requested it be read and made part of the record. Request granted.

25 Amstel Avenue
Newark, Delaware 19711
April 6, 1970

Senator Margaret R. Manning
605 Greenbank Road
Marshallton, Delaware 19808
Dear Meg:

Last Sunday night at about 9 P.M., two ladies were mugged as they returned home from church. Home was only a couple of doors down and across the street. They almost made it safely. They were going up the concrete steps in front of the house when they were attacked. Both ladies

were beaten or shoved to the ground. One suffered a broken arm; the other got off with a lump on the head. Their purses were stolen.

Both of these ladies are senior citizens. The one who got the lump on her head, because she hung on to her purse, is a young 90 going on 91. She rents a second story apartment from the other lady. They had attended church seperately but decided to walk home together for safety.

The attack was a complete surprise. Apparently the two criminals were waiting in the dark planning a surprise attack and swift getaway. They were successful.

Successful if you can call success knocking two little old ladies down and stealing the few dollars in their purse. Senator, I don't know what makes punks like these. These guys were young and well dressed. The neighborhood is a good family neighborhood. We'll never know whether they came from this neighborhood or another until they are caught. What I do know is that when they are caught, they should be put away, and they should stay away, until there is no question at all that they will be no danger to the neighborhood or its little old ladies.

I'm writing this letter in the hope that it will provide background and testimony for your current legislative efforts. I should have written several weeks ago when the same thing happened to a couple of other ladies in the same neighborhood. I didn't because I was too busy. I got awfully unbusy Sunday night, however, when I had to go to the hospital to pick up that "gutsy" little old 90 year old.

She happens to be my mother-in-law!

Sincerely, Henry Folsom

Senator duPont requested that the letter about Police Seminar be read.

Senator Schlor moved that **SA 2 to SB 546** 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, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik-7.

NAYS—Messrs. (Mrs.) Conner, duPont, Hart, Hickman, Holloway, Steele-6.

NOT VOTING—Messrs. Castle, Elliott, Foltz-3.

ABSENT—Messrs. Cicione, Grier, Hale-3.

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

Senator Schlor moved that **SA 1 to SB 546** be adopted.

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

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

ABSENT—Messrs. Cicione, Grier-2.

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

On motion of Senator Manning **SB 546 with SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Chapter 113, Volume 32, Laws of Delaware, as

amended, entitled, 'An Act providing for a police pension fund: for members of the police force of the City of Wilmington, in order to permit Marjorie V. Gaines, widow of Patrolman John A. Gaines, to become eligible for Wilmington Police Pension 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, Hale, Hart, Hickman, (Mrs.) Manning, Robbins, Schlor, Slawik, Steele-15.

NAYS—Mr. Holloway-1.

NOT VOTING—Messrs. Isaacs, McCullough-2.

ABSENT—Mr. Grier-1.

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

Senator duPont moved to have **SR 102** lifted from table. Motion prevailed without objection.

Senator duPont moved that **SR 102** be adopted.

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

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

ABSENT—Mr. Grier-1.

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

On motion of Senator Elliott **SJR 13** with title as follows was brought up for consideration and read a second time in order to pass the Senate.

"Pertaining to proposed terminal facilities in the Delaware Bay."

Senator Elliott moved that **SJR 13** be adopted.

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

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

ABSENT—Mr. Grier-1.

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

On motion of Senator Elliott **SB 534** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act relating to a pension for Samuel Joseph, a former employee of the State of Delaware."

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Steele-15.

ABSENT—Messrs. Foltz, Grier, Hart, Slawik-4.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was

ordered to the House for concurrence.

On motion of Senator Elliott **SB 535** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Section 518 of Title 17, Delaware Code, by conferring jurisdiction over violations thereof upon the Justices of the Peace.”

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

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

ABSENT—Mr. Grier-1.

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

On motion of Senator Steele **HB 647** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Title 14, Delaware Code, Chapter 51, Section 5115 relating to the authority of the University of Delaware to issue bonds by removing the ceilings on interest rates and interest costs.”

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele-16.

NOT VOTING—Mr. Cook-1.

ABSENT—Messrs. Grier, 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 Steele **HB 654** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act making a supplementary appropriation to the Department of Civil Defense.”

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

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

ABSENT—Messrs. Grier, 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.

On motion of Senator Steele **SB 43** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Section 702, Chapter 7, Title 16, Delaware Code, relating to the report of venereal disease cases.”

On the question “Shall the bill pass the Senate?” The yeas and nays

were ordered which being taken were as follows:

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, McCullough, Robbins, Schlör, Slawik, Steele-15.

NOT VOTING—Messrs. Cicione, Isaacs-2.

ABSENT—Messrs. Grier, 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 Castle **HB 620** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Sections 1054 and 1061, Title 14, Delaware Code, relating to vacancies on school boards.”

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

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

ABSENT—Mr. Grier, (Mrs.) Manning-2

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

Senator Foltz moved that **SA 1 to HB 321** 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, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele-15.

NAYS—Mr. Castle-1.

ABSENT—Messrs. Elliott, Grier, (Mrs.) Manning-3.

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

On motion of Senator Castle **HB 321 with SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act making a supplementary appropriation to the Delaware State Development Department for program development for the State of Delaware’s participation in the bicentennial celebrations attendant to the independence of the United States as proposed for the Philadelphia region in 1976.”

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

YEAS— Messrs. Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele-16.

NAYS—Mr. Castle—1.

ABSENT—Mr. Grier, (Mrs.) Manning—2.

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

On motion of Senator Cicione **SB 478** with title as follows was taken

up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Chapter 67, Title 25, Delaware Code, relating to escrow funds of tenant held by landlord.”

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

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

ABSENT—Mr. Grier, (Mrs.) Manning—2.

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

On motion of Senator Cicione **SB 577** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Chapter 21, Title 21, Delaware Code, relating to motor vehicles owned by disabled veterans who purchased the vehicles pursuant to certain federal statutes to be exempted from registration fees.”

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

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

ABSENT—Mr. Grier, (Mrs.) Manning—2.

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

On motion of Senator Hickman, **HB 631** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act approving the Sale, transfer and conveyance of certain public land by the State of Delaware to the Town of Smyrna.”

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

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlor, Slawik, Steele-16.

ABSENT—Messrs. Cicione, Grier, (Mrs.) Manning-3.

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

On motion of Senator Hart **SB 383** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to Amend Chapter 5, Title 4, Delaware Code, Relating to grounds for Cancellation or Suspension of License.”

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

YEAS—Messrs. (Mrs.) Conner, Cook, duPont, Foltz, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele-13.

NOT VOTING—Messrs. Castle, Elliott—2.

ABSENT—Messrs. Cicione, Grier, Hale, Hickman—4.

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

Senator Hale on behalf of the Committee on Senate Administration to whom had been referred **SJR 14** reported the same back to the Senate; 4 Favorable, 1 Merits.

Senator Isaacs on behalf of the Committee on Fish, Oyster and Game to whom had been referred **SB 125** reported the same back to the Senate; 2 Favorable, 2 Merits.

Senator Conner on behalf of the Committee on Education to whom had been referred **SB 583** reported the same back to the Senate; 1 Unfavorable, 5 Merits.

Senator Isaacs, on behalf of the Committee on Miscellaneous to whom had been referred **SB 562** reported the same back to the Senate; 2 Favorable, 3 Merits.

Senator Isaacs on behalf of the Committee on Fish, Oyster and Game to whom had been referred **HB 611** reported the same back to the Senate; 2 Favorable, 2 Merits.

Senator Cicione on behalf of the Committee on Labor and Industrial Relations to whom had been referred **HB 619** reported the same back to the Senate; 4 Favorable.

Senator Conner on behalf of the Committee on Health and Welfare to whom had been referred **HB 667** reported the same back to the Senate; 2 Favorable, 3 Merits.

Senator Castle introduced **SA 14 to SB 500**.

Senator Castle moved that **SA 14 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Hart introduced **SB 587** co-sponsored by Senator Slawik entitled, "An Act making a supplementary appropriation to the Delaware Junior Miss Pagenat for the purpose of providing funds fro Delaware's Junior Miss to attend the National Junior Miss Pagenat, and to defray related expenses," which was given its first reading by title only and assigned to Committee on Finance.

Senator Holloway introduced **SR 103** co-sponsored by Senators Schlor and Castle entitled, "Expressing the best wishes of the 125th General Assembly of the State of Delaware to recipients of Wilmington Teen-agers of the Year Awards."

Senator Holloway moved that **SR 103** 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, Hale, Hart, Holloway, (Mrs.) Manning, McCullough, Robbins, Slawik, Steele-15.

ABSENT—Messrs. Foltz, Grier, Hickman, Schlor-4.

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

On motion of Senator Cicione **HB 558** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Chapter 42, Volume 53, Laws of Delaware,

entitled, 'An Act amending, revising and consolidationg the Charter of the City of Seaford' to delete any abatement of taxes."

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

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

ABSENT—Messrs. Grier, Schlor—2.

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

Personal privilege of floor granted to Senator McCullough to read a communication.

Personal privilege of floor granted to Senator Holloway.

Senator Isaacs requested that **SB 357** be stricken from the calendar. Motion prevailed without objection.

Senator Elliott invited Agricultural and Natural Resources Committee to inspect off shore pollution.

On motion of Senator Cook **SB 540** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act making a supplementary appropriation to the State Fire Prevention Commission Office of the State Fire Marshall, for operation of the office ending June 30, 1970."

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, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele-17.

ABSENT—Messrs. Grier, Hickman-2

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

Senator Steele requested that **SA 2 to HB 385** be stricken from calendar. Motion prevailed without objection.

Senator Steele requested that **SA 3 to HB 393** be stricken from calendar. Motion prevailed without objection.

Senator Foltz on behalf of the Committee on Judiciary to whom had been referred **SB 456** reported the same back to the Senate; 1 Favorable, 5 Merits.

On motion of Senator McCullough **SB 230** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Section 122, Subchapter 11, Chapter 1, Title 26, Delaware Code, relating to jurisdiction of public service commission over municipally owned public utilites, by authorizing the public service commission to supervise or regulate rates and charges for water supplied non-residents."

Senator McCullough moved to defer action on **SB 230**. Motion prevailed without objection.

The Chair presented the following House Bills and Amendments which were given first reading and referred to Committee as follows:

HB 627—"An Act to amend Section 4302, Chapter 43, Title 30, Delaware Code, relating to use tax on leases of tangible personal property to provide for the exemption of certain property,"—Committee on Revised Statutes.

HB 617—"An Act to Amend Title 4, Delaware Code, Section 701 relating to the sale and delivery of alcoholic liquor," to Committee on Miscellaneous.

HB 618—"An Act to amend Title 10, Delaware Code, by providing new fees of the prothonotary for the services specified in criminal proceedings."—Committee on Judiciary.

Senator Hart moved that **HA 3 to HB 150 as amended** be adopted.

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

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

NOT VOTING—Mr. Isaacs-1.

ABSENT—Messrs. Grier, (Mrs.) Manning, Schlor-3.

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

Senator Foltz on behalf of the Committee on Judiciary to whom had been referred **HB 180** reported the same back to the Senate; 1 Favorable, 4 Merits.

Senator duPont moved that the Senate adjourn until April 9, 1970 at 1 :30 P.M. Hearing no objection , motion prevailed.

19th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 4:15 p.m. on Thursday, April 9, 1970, Lt. Gov. Bookhammer presiding.

Prayer by the Rev. J. Gordon Stapleton.

Flag Salute.

By roll call the following Senators were present:

Members 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 Journal 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 read.

The following communications were read:

Wilmington, Del.
Melvin A. Slawik
Senate, Dover, Del.

April 9, 1970

RE FAMILY Court Legislation. The appropriate Committee of the Delaware State Bar Association is actively considering the pending Senate Bills dealing with the proposed statewide Family Court. This measure is of utmost concern to the Administration of Justice in Delaware and will have

considerable impact not only on the Family Court but also upon the Court of Chancery and the Superior Court. Accordingly we respectfully request that final action on this proposed Legislation be deferred at least until the end of April when the Bar Association will be in a position to submit its views.

H. James Conaway, Jr. President
Delaware Bar Association.

April 9, 1970

Mr. President:

The Chair announced that the House wishes to inform the Senate that it has passed **HB 486 with HA 2, HB 520 with HA 1, HB 525, HB 593, HB 608, HB 632, HB 639, HB 650 with HA 1, HB 659 with HA 1, HB 672, HS 1 for HB 541 with HA 1** and requests the concurrence of the Senate; also, **SB 436 with HA 1, SB 559** and is returning same to the Senate.

Senator Grier introduced **SS 1 for SB 585**, co-sponsored by Senator Robbins.

Senator Grier moved that **SS 1 for SB 585** be Placed with the Bill. Motion prevailed without objection.

Senator Castle introduced **SR 104** entitled "Directing a Senator sponsoring any Bill, Amendment or Resolution with the Written or Oral Designation "By Request" to specify the Individual or Organization Requesting such Legislation.

Senator Cicone moved that **SR 104** be tabled.

Senator Cicione moved that Roll Call to Table **SR 104** be Tabled.

On the question, "Shall the Motion Pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cicione, Isaacs, (Mrs.) Manning, McCullough, Robbins, Slawik, Steele—7.

NAYS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hart, Hickman, holloway, Schlor—11.

ABSENT—Mr. Elliott—1.

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

On the question, "Shall the Motion to Table **SR 104** Pass the Senate?" The yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cicione, Cook, Hickman, Isaacs, McCullough, Robbins, Schlor, Slawik, Steele—9.

NAYS—Messrs. Castle, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hart, Holloway—8.

NOT VOTING—(Mrs.) Manning—1

ABSENT—Mr. Elliott—1

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

Senator Castle moved that **SR 104** be Adopted.

Senator Castle moved that **SR 104** be Tabled.

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

YEAS—Messrs. Castle, (Mrs.) Conner, duPont, Grier, Hale, Holloway—6.

NAYS—Messrs. Cicione, Cook, Foltz, Hart, Hickman, Isaacs, McCullough, Robbins, Schlor, Slawik Steele—11.

NOT VOTING—(Mrs.) Manning—1.

ABSENT—Mr. Elliott—1.

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

On the question, "Shall Resolution 104 be Adopted?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Holloway—7.

NAYS—Messrs. Cicione, Cook, Hart, Hickman, Isaacs, McCullough, Robbins, Schlor, Slawik, Steele—10.

NOT VOTING—(Mrs.) Manning—1

ABSENT—Mr. Elliott—1.

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

Senator Holloway introduced **SJR 15** entitled "Requesting the Governor to Direct the Department of Health and Social Services to hold Hearings and conduct a Study into the Problems of Housing, Treating and Rehabilitating certain 16 to 20 year old persons convicted of Crimes and Report to the Governor and Members of the General Assembly its Findings and Recommendations," assigned to committee on Judiciary.

Senator Holloway requested that **SJR 14** be stricken from the calendar. Motion prevailed without objection.

Senator Schlor introduced **SA 15 to SB 500.**

Senator Schlor moved that **SA 15 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Schlor requested that **SA 15 to SB 500** be stricken from the calendar. Motion prevailed without objection.

Senator Cicione introduced **SA 16 to SB 500.**

Senator Cicione moved that **SA 16 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Cicione introduced **SA 17 to SB 500.**

Senator Cicione moved that **SA 17 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Hickman introduced **SA 188 to SB 500.**

Senator Hickman moved that **SA 18 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Isaacs introduced **SA 19 to SB 500.**

Senator Isaacs moved that **SA 19 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Isaacs introduced **SA 20 to SB 500.**

Senator Isaacs moved that **SA 20 to SB 500** be placed with bill. Motion prevailed without objection.

The Chair presented the following House Bill which was referred to committee as follows: **HS 1 for HB 541,**"—committee on Judiciary.

On motion of Senator Manning **SB 500** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 500—"An Act to Establish a Family Court for the State of Delaware by Merging into one Court, the Family Court of the State of Delaware in and for New Castle County and the Family Court of Kent and Sussex Counties and to provide for its organization, duties, powers, jurisdiction, and procedures."

Senator Conner introduced **SA 6 to SB 500.**

Senator Slawik asked for the privilege of the floor for Mr. Charles

Marvel from the Family Court of New Castle County to discuss **SA 6 to SB 500**. Hearing no objection the privilege was granted.

Senator Conner moved that **SA 6 to SB 500** 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, duPont, Hale, Hart, Hickman, Holloway, Slawik—7.

NAYS—Messrs. Castle, Cook, Foltz, Grier, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele—10.

NOT VOTING—Mr. Cicione—1.

ABSENT—Mr. Elliott—1.

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

Senator Manning moved that action on **SB 500** be deferred on condition that it be first order of business on next Legislative Day. Hearing no objection the motion prevailed.

Senator Foltz moved that Senate recess until Tuesday, April 14, 1970 at 1:30 p.m.

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

YEAS—Messrs. Cicione, Cook, duPont, Grier, Hale, Hart, Hickman, Holloway, Robbins, Schlör, Slawik, Steele—12.

NAYS—Messrs. Castle, (Mrs.) Conner, Foltz, Isaacs, (Mrs.) Manning—5.

NOT VOTING—Mr. McCullough—1.

ABSENT—Mr. Elliott—1.

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

The Senate recessed until Tuesday, April 14, 1970, at 1:30 p.m.

Senator duPont moved that the Senate adjourn until April 14, 1970 at 2:13 p.m. Hearing no objection, motion prevailed.

20th LEGISLATIVE DAY

Sen. duPont moved that the Senate adjourn until Tuesday, April 14, 1970, at 2:13 p.m. Hearing no objection motion prevailed.

The Senate met pursuant to adjournment at 2:13 p.m. on Tuesday, April 14, 1970, Lt. Gov. Bookhammer presiding.

Prayer by the Rev. J. Gordon Stapleton.

Flag Salute.

By roll call the following Senators were present:

MEMBERS PRESENT:

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

MEMBERS ABSENT: Mr. Grier—1.

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

The following communications were read:

April 14, 1970

Mr. President:

The Chair announced that the House wishes to inform the Senate that it has passed **HCR 30** and requests the concurrence of the Senate.

OFFICE OF THE GOVERNOR

April 10, 1970

LEGISLATIVE ADVISORY NO. 35

FROM: Jerome O. Herlihy, Counsel to the Governor

The Governor approved the following legislation on the indicated dates:

HB 509 - 3-25-70 - relating to vocational education.

HB 655 - 4-7-70 - authorizing Tax Commissioner to permit certain local officials to inspect tax returns.

SB 488 - 4-9-70 - relating to eligibility of State employees and pensioners for a health care insurance plan.

SB 421 - 4-9-70 - relating to regulation of surplus lines insurance carriers.

SB 451 - 4-9-70 - relating to closing hours for businesses which sell alcoholic beverages.

HB 492 As Amended by HA 1 and HA 2 - 4-9-70 - requiring towns and permitting school districts to use voting machines in their elections.

HB 481 as amended by HA 2 - 4-9-70 - authorizing Courts to order persons convicted of littering to clean up along public highways.

HB 460 - 4-9-70 - Exempting Central Grange No. 61 from real property taxes.

HB 516 - 4-9-70 - Authorizing the Town of Blades to Borrow funds up to \$10,000.00.

HB 517 - 4-9-70 - changing requirements of eligibility for voting in the Town of Blades.

HB 504 - 4-9-70 - increasing juror's fees from \$10.00 to \$20.00.

HB 579 - 4-9-70 - authorizing the Indian River School District to transfer \$23,000.00 of its local debt service account for minor capital improvements.

HB 566 - 4-9-70 - appropriating \$13,000.00 to the Contingency Fund to replace money spent in the Family Court of Kent and Sussex Counties.

HB 624 - 4-9-70 - appropriating \$23,000.00 to Legislative Council.

HB 228 - 4-9-70 - appropriating \$8,000.00 to the Blind Commission for certain bus transportation.

HC 26 - 4-9-70 - establishing Earth Day and Earth Week.

The President Pro Tem announced that **SB 500** was still before the Senate.

Senator Foltz requested that **SA 2** to **SB 500** be stricken from the calendar. Motion prevailed without objection.

Senator Castle moved that **SA 11** to **SB 500** be adopted.

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

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

McCullough, Robbins, Schlor, Slawik, Steele—18.

ABSENT—Mr. Grier—1.

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

Senator Isaacs moved that **SA 19 to SB 500** 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, duPont, Elliott, Foltz, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Steele—12.

NAYS—Messrs. (Mrs.) Conner, Cook, Holloway, Robbins, Schlor, Slawik—6.

ABSENT—Mr. Grier—1.

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

Senator Hickman moved that **SA 18 to SB 500** 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, Hale, Hart, Hickman, Holloway, Isaacs, Robbins, Slawik—11.

NAYS—Messrs. duPont, Foltz, (Mrs.) Manning, McCullough, Steele—5.

NOT VOTING—Messrs. Cicione, Schlor—2.

ABSENT—Mr. Grier—1.

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

Senator Isaacs moved that **SA 20 to SB 500** be adopted.

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

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

ABSENT—Mr. Grier—1.

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

Senator Cicione moved that **SA 17 to SB 500** be adopted.

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

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

ABSENT—Mr. Grier—1.

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

Senator Cicione moved that **SA 16 to SB 500** 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, Hickman, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik—10.

NAYS—Messrs. Castle, (Mrs.) Conner, duPont, Foltz, Hale, Holloway, Steele—7.

NOT VOTING—Mr. Hart—1.

ABSENT—Mr. Grier—1.

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

Senator Conner requested that **SA 3 and 5 to SB 500** be stricken from the calendar. Motion prevailed without objection.

Senator Castle requested that **SA 4 to SB 500** be stricken from the calendar. Motion prevailed without objection.

Senator Elliott introduced **SA 26 to SB 500**.

Senator Elliott moved that action on **SA 266 to SB 500** be deferred until other amendments read in. Motion prevailed without objection.

Senator Slawik requested that **SA 21 to SB 500** be stricken from the calendar. Motion prevailed without objection.

Senator Castle introduced **SA 22 to SB 500**.

Senator Castle moved that **SA 22 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Castle introduced **SA 23 to SB 500**.

Senator Castle moved that **SA 23 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Castle

Senator Castle introduced **SA 24 to SB 500**.

Senator Castle moved that **SA 24 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Castle introduced **SA 25 to SB 500**.

Senator Castle moved that **SA 25 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Elliott moved that **SA 26 to SB 500** be adopted.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, Elliott, Foltz, Hart, Hickman, Isaacs, (Mrs.) Manning, Robbins, Schlor, Steele—13.

NAYS—Messrs. duPont, Hale, Holloway, McCullough, Slawik—5.

ABSENT—Mr. Grier—1.

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

Senator Foltz moved that **SA 7 to SB 500** be adopted.

Senator Foltz asked for the privilege of the floor for Mr. Ray S. Shiels, Attorney, to speak against **SA 7**. Hearing no objection the privilege was granted.

Senator Hickman asked for the privilege of the floor for Judge Roger D. Kelsey to speak against **SA 7 to SB 500**. Hearing no objection the privilege was granted.

Senator Foltz moved that **SA 7 to SB 500** be adopted.

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

YEAS—Messrs. duPont, Elliott, Foltz, Hart, Holloway, Isaacs, McCullough—7.

NAYS—Messrs. (Mrs.) Conner, Cook, Hale, Hickman, (Mrs.) Manning, Robbins, Schlor, Slawik, Steele—9.

NOT VOTING—Messrs. Castle, Cicione—2.

ABSENT—Mr. Grier—1.

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

Senator Castle requested that **SA 14 to SB 500** be stricken from the calendar. Motion prevailed without objection.

Senator Castle requested that **SA 23 to SB 500** be stricken from the calendar. Motion prevailed without objection.

Senator Castle moved that **SA 22 to SB 500** 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, Foltz, Hart, Hickman, Holloway, Slawik—7.

NAYS—Messrs. Cook, duPont, Elliott, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Steele—9.

ABSENT—Messrs. Cicione, Grier, Hale—3.

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

Senator Conner requested that **SA 9 and 10 to SB 500** be stricken from the calendar. Motion prevailed without objection.

Senator Castle introduced **SA 27 to SB 500** by request.

Senator Castle moved that **SA 27 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Castle introduced **SA 28 to SB 500**.

Senator Castle moved that **SA 28 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Schlor introduced **SA 29 to SB 500**.

Senator Schlor moved that **SA 29 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Castle moved that **SA 24 to SB 500** be adopted.

Senator Steele asked for the privilege of the floor for Judge Kelsey to speak about **SA 24 to SB 500**. Hearing no objection the privilege was granted.

Senator Castle moved that action on **SA 24 to SB 500** be deferred to check technical wording of the amendment. Motion prevailed without objection.

Senator Elliott moved that **SA 28 to SB 500** be adopted.

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

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

ABSENT—Mr. Grier—1.

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

Senator Manning moved that action on **SB 500** be tabled so that the Senate could consider **HCR 30**. Motion prevailed without objection.

The Chair presented **HCR 30** entitled "Expressing the Concern of the People of the State of Delaware for the Safe Return of the Apollo 13 Astronauts in Requesting all Citizens of the State to Pause at 9:00 O'Clock P.M., April 14, 1970, to ask the help of God in Assuring their Safe Journey."

Senator duPont moved that **HCR 30** be adopted.

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

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

ABSENT—Mr. Grier—1.

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

Senator Manning moved that action on **SB 500** be resumed. Motion prevailed without objection.

Senator Castle moved that **SA 12 to SB 500** be adopted.

Senator duPont moved that action on **SB 500** be deferred until first business of next legislative day. Hearing no objection the motion prevailed.

Senator Cicione announced a Public Hearing on Eminent Domain would be held Thursday, April 16, 1970 in Legislative Hall.

Senator duPont moved that the Senate adjourn until Wednesday, April 15, 1970, at 1:30 P.M. Hearing no objection, motion prevailed.

21st LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2 p.m. on Wednesday, April 15, 1970, Lt. Gov. Bookhammer presiding.

Prayer by the Rev. Donald O. Clendaniel.

Flag Salute.

By roll call the following Senators were present:

MEMBERS 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 Journal of the previous day's Session when Senator Robbins moved that so much be considered the reading of the Journal and the Journal be approved as read.

The following communication was read:

April 14, 1970

Mr. President:

The Chair announced that the House wishes to inform the Senate that it has passed **HB 543, 606 with HA 2, HB 196 with SA 2, 3 and HA 1, and HCR 31** and requests the concurrence of the Senate.

Senator Slawik introduced **SA 1 to HB 634**.

Senator Slawik moved that **SA 1 to HB 634** be placed with bill. Motion prevailed without objection.

Senator Castle introduced **SA 30 to SB 500**.

Senator Castle moved that **SA 30 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Slawik introduced **SB 588** entitled, "An Act to Amend Chapter 55, Title 29, Delaware Code, entitled 'State Employees' Pension Plan," by revising the entire said Chapter 55," which was given its first reading by title only, and assigned to committee on Finance.

Senator Holloway introduced **SB 589** co-sponsored by Senators Castle, Conner, and Slawik entitled "An Act to Amend Section 503, Chapter 5, Title 31, Delaware Code, relating to eligibility for assistance, by

ensuring money Payments of Public Assistance up to the Maximum available Regradless of the Physical Living Arrangements," which was given its first reading by title only, and assigned to committee on Health and Welfare.

Senator Cicione introduced **SB 590** co-sponsored by Senator Slawik, entitled "An Act to Amend Title 19, Delaware Code, Section 109, relating to duties of Child Labor Inspectors," which was given its first reading by title only, and assigned to committee on Labor and Industrial Relations.

Senator Cicione introduced **SB 591** entitled "An Act to Amend Title 21, Section 2106, Delaware Code, Relating to the Registration of Motor Vehicles," which was given its first reading by title only, and assigned to committee on Highways and Public Safety.

Senator Cicione introduced **SB 592** co-sponsored Senator Slawik, entitled "An Act to Amend Title 19, Delaware Code, Chapter 5, Subchapter IV, Relating to Employment Certificates and Wages for Children," which was given its first reading by title only and assigned to committee on Labor and Industrial Relations.

Senator Slawik introduced **SB 593** co-sponsored by Senators Isaacs, Cicione, and McCullough, entitled "An Act Making an Appropriation to the New Castle - Gunning Bedford reorganized School District for the purpose of constructing two pedestrian overpasses over U.S. Route 13 in Wilmington Manor and acquiring the necessary rights-of-way therefor," which was given its first reading by title only and assigned to committee on Finance.

Senator Hale introduced **SR 105** entitled, "Relating to the Performance of Duties during the Temporary Absence of the Bill Clerk and the Appointment of an Acting Bill Clerk."

Senator Hale moved that **SR 105** be adopted.

On the question, "Shall the Resolution **SR 105** be Adopted?" the yeas and nays were ordered which being taken were as follows:

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

ABSENT—Messrs. duPont, Hart, Hickman, McCullough—4.

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

Senator Isaacs introduced **SJR 16** entitled, "Requesting the Governor to request the County Council of New Castle County and the County Executive to review the Zoning and Building Codes with Reference to Mobile Homes," which was given first reading by title only and assigned to committee on Miscellaneous.

Senator Isaacs on behalf of the committee on Miscellaneous to whom had been referred **HB 578**, reported the same back to the Senate; 3 Favorable, 3 on Merits.

Senator Steele, on behalf of the committee on Finance to whom had been referred **SB 513**, reported the same back to the Senate; 6 on Merits.

Senator Steele, on behalf of the committee on Finance to whom had been referred **SB 582**, reported the same back to the Senate; 2 Favorable, 3 on Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **SB 584** reported the same back to the Senate; 2 Favorable, 3 on Merits.

Senator Steele, on behalf of the committee on Finance to whom had been referred **SS 1 for SB 585** reported the same back to the Senate; 2 Favorable, 3 on Merits.

Senator Steele, on behalf of the committee on Finance to whom had been referred **SB 587**, reported the same back to the Senate; 5 on Merits.

HB 486 with HA 2—"An Act to Amend Section 101, Title 26, Delaware Code, Relating to public Utilities" to committee on Commerce and Corporations.

HB 520 w/HA1—"An Act to amend Chapter 19, Title 17, Delaware Code, to permit additional relocation expenses to be paid by the State Highway Department to property owners acquiring new or replacement property" to committee on Highways and Public Safety.

HB 525—"An Act to Amend Title 21, Delaware Code, Chapter 43, Section 4371, relating to the Escape of Contents from Motor Vehicles," to committee on Highways and Public Safety.

HB 608—"An Act to amend Title 9, Chapter 65, Delaware Code, relating to the establishment of sanitary and water districts and qualifications for voters," to committee on Government Operations.

HB 639—"An Act authorizing the Division of Corrections of the Department of Health and Social Services to pay certain obligations incurred in a prior fiscal year," to committee on Health and Welfare.

HB 650 with HA 1—"An Act to Amend Title 11, Section 4347, Delaware Code, Relating to the Notification of the State Police as part of the Payrole Procedure," to committee on Judiciary.

HB 593—"An Act to Repeal Title 9, Delaware Code, Section 1902, 2001, 2004, and 2005, Relating to volunteer fire companies," to committee on Revised Statutes.

HB 659 with HA 1—"An Act to Amend Title 11, Delaware Code, Chapter 3, Section 461, Relating to Licenses to carry Concealed Deadly Weapons by Providing for the Automatic Renewal of Licenses for the Period of one Year upon Certain Conditions," to committee on Judiciary.

HB 672—"An Act to permit Smyrna School Board to transfer certain funds from its local debt service account to its construction fund account," to committee on Finance.

HB 632—"An Act to amend Title 14, Delaware Code, Section 1321, relating to the employment of Driver Education Teachers," to committee Education.

On motion of Senator Manning, **SB 436 with SA 1 and HA 1** was taken up for consideration in order to pass the Senate: "An Act making a Supplementary Appropriation to the Department of Correction, State of Delaware."

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

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

ABSENT—Messrs. duPont, Hart, Hickman—3.

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

Senator Hart introduced **SA 1 to SB 527**.

Senator Hart moved that **SA 1 to SB 527** be placed with bill. Motion

prevailed without objection.

Senator Castle introduced **SA 31 to SB 500**.

Senator Castle moved that **SA 31 to SB 500** be place with bill.
Motion prevailed without objection.

Senator Cicione introduced **SA 32 to SB 500**.

Senator Cicione moved that **SA 32 to SB 500** be Placed with Bill.
Motion prevailed without objection.

The Chair presented the following House Bills, which were given first reading and referred to Committee as follows:

HB 543—"An Act to amend Title 30, Chapter 19, Delaware Code, relating to deductions on corporate income," to committee on Finance.

HB 606 with HA 2—"An Act to amend Chapter 11, Title 30, Delaware Code, permitting a deduction of Legal and Agency Fees Incurred from the Adoption of Children," to committee on Finance.

HB 196 with HA 1—"An Act to Amend Title 9, Delaware Code, entitled Counties to Permit Elected Officeholders to Employ and Set the Salary of a Chief Deputy in the Several County Offices in New Castle County," to committee on Government Operations.

Senator Foltz, on behalf of the Committee on Banking and Insurance to whom had been referred **SB 475**, reported the same back to the Senate; 2 Favorable, 2 on Merits.

Senator Isaacs asked for personal privilege of the floor to check on status of his resolution. Hearing no objection the privilege was granted.

The Executive Secretary was to check same.

Senator Manning moved that **SB 500** be lifted from the table. Motion carried without objection.

Senator Cicione moved that **SA 32 to SB 500** be adopted.

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

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

NAYS—Mr. Holloway—1.

ABSENT—Messrs. Cook, Hickman—2.

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

Senator Cicione moved to rescind roll call on **SA 16 to SB 500**.

Senator Elliott noted that **SA 32 to SB 500** strikes **SA 16** so there is no need to recind roll call on **SA 16**.

Senator Schlor moved that **SA 29 to SB 500** 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, Hickman, Isaacs, McCullough, Robbins, Schlor, Steele—8.

NAYS—Messrs. Castle, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Holloway, (Mrs.) Manning, Slawik—9.

ABSENT—Messrs. Elliott, Hart—2.

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

Senator Castle moved that **SA 31 to SB 500** 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, Foltz, Grier, Hale, Hart, Holloway, (Mrs.) Manning, Robbins, Schlor, Slawik, Steele—12.

NAYS—Mr. McCullough—1.

NOT VOTING—Mr. Isaacs—1.

ABSENT—Messrs. Cicione, Cook, duPont, Elliott, Hickman,—5.

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

Senator Castle requested that **SA 12 to SB 500** be stricken from the calendar. Motion prevailed without objection.

Senator Foltz requested that **SA 8 to SB 500** be stricken from the calendar. Motion prevailed without objection.

Senator Conner introduced **SA 33 to SB 500**.

Senator Conner moved that **SA 33 to SB 500** be placed with bill. Motion prevailed without objection.

Senator Conner requested that **SA 13 to SB 500** be stricken from the calendar. Motion prevailed without objection.

Senator Castle requested that **SA 27 and SA 24 to SB 500** be stricken from the calendar. Motion prevailed without objection.

Senator Castle introduced **SA 25 to SB 500**.

Senator Castle moved that **SA 25 to SB 500** be adopted.

Senator Manning requested that **SA 13 to SB 500** be stricken from the calendar. Motion prevailed without objection.

Senator Isaacs asked for the privilege of the floor for Judge Kelsey to discuss **SA 25 to SB 500**. Hearing no objection the privilege was granted.

Senator Slawik moved that Roll Call on **SA 25 to SB 500** be tabled.

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

YEAS—Messrs. Conner, Cook, Hale, Hickman, Holloway, Isaacs, McCullough, Slawik—8.

NAYS—Messrs. Foltz, Grier, Hart, (Mrs.) Manning, Schlor, Steele—6.

NOT VOTING—Messrs. Castle, Cicione, duPont, Robbins—4.

ABSENT—Mr. Elliott—1.

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

Senator Castle asked for the privilege of the floor for Mr. Charles Marvel to discuss **SA 25 to SB 500**. Hearing no objection the privilege was granted.

On the question, "Shall **SA 25 to SB 500** be adopted?" the yeas and nays were ordered which being taken were as follows:

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

NOT VOTING—Messrs. Cicione, Hickman, Holloway, Isaacs, Slawik—5.

ABSENT—Mr. Elliott—1.

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

Senator Conner moved that **SA 33 to SB 500** 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, 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 amendment having received the required constitutional majority was adopted.

Senator Slawik introduced **SA 34 to SB 500**, co-sponsored by Senator McCullough.

Senator Slawik moved that **SA 34 to SB 500** 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, Isaacs, McCullough, Slawik—4.

NAYS—Messrs. duPont, Foltz, Hale, Hart, Hickman, Steele—6.

NOT VOTING—Messrs. Castle, (Mrs.) Conner, Cook, Grier, Holloway, (Mrs.) Manning, Robbins, Schlor—8.

ABSENT—Mr. Elliott—1.

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

Senator Castle requested that **SA 30 to SB 500** be stricken from the calendar. Motion prevailed without objection.

Senator Schlor moved that **SA 15 to SB 500** 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, Hickman, Isaacs, McCullough, Robbins, Schlor, Steele—8.

NAYS—Messrs. Castle (Mrs.) Conner, duPont, Foltz, Grier, Hale, Holloway, (Mrs.) Manning, Slawik—9.

ABSENT—Messrs. Elliott, Hart—2.

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

On motion of Sen. Manning, **SB 500 w/SA 11, 16, 17, 18, 19, 20, 25, 26, 28, 31, 32, 33**, was taken up for consideration in order to pass the Senate.

Senator Isaacs moved that action on **SB 500** as amended be deferred.

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

YEAS—Messrs. Cook, Hickman, Holloway, Isaacs, Robbins, Slawik—6.

NAYS—Messrs. Castle, (Mrs.) Conner, duPont, Foltz, Grier, Hale, (Mrs.) Manning, McCullough, Steele—9.

NOT VOTING—Messrs. Cicione, Hart, Schlor—3.

ABSENT—Mr. Elliott—1.

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

Senator Foltz asked for the privilege of the floor for Mrs. William Henry duPont to speak on **SB 500 as amended**. Hearing no objection the privilege was granted.

Senator Manning moved that roll call on **SB 500 as amended** be tabled.

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

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, (Mrs.) Manning, McCullough, Schlor, Steele—11.

NOT VOTING—Messrs. Cicione, Hart, Hickman, Holloway, Isaacs, Robbins—6.

ABSENT—Messrs. Elliott, Slawik—2.

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

Senator Manning introduced **SA 1 to SB 583** co-sponsored by Senator Cicione.

Senator Manning moved that **SA 1 to SB 583** be placed with bill. Motion prevailed without objection.

Senator Holloway introduced **SB 594** entitled, "An Act to Amend Chapter 39, Title 18, Delaware Code, relating to casualty insurance," which was given its first reading by title only and assigned to committee on Banking and Insurance.

On motion of Senator Grier **HCR 31** entitled "Expressing Sympathy over the Death of Henry Belin duPont" was brought up for consideration and read a second time in order to pass the Senate.

WHEREAS, the Members of the 125th General Assembly of the State of Delaware desire to express their sadness over the death on April 13, 1970 of community leader Henry Belin duPont; and

WHEREAS, Henry Belin duPont, a great-great-grandson of duPont Company founder Eleuthere Ireene duPont, was born on July 23, 1898 in Wilmington, Delaware; and

WHEREAS, Henry Belin duPont served in a distinguished manner as a "giant" in Industry, in Education, in Sports and in Community Affairs; and

WHEREAS; Henry Belin duPont during his years on this earth displayed a deep concern for his fellowman and for his native City of Wilmington; and

WHEREAS, Henry Belin duPont, as Board Chairman of the Greater Wilmington Development Council, devoted endless hours to the concept of developing Wilmington as a city meeting all the challenges of a modern urban center; and

WHEREAS, Henry Belin duPont, to aid in the beautification and revitalization of his beloved Wilmington, donated park land for that purpose; and

WHEREAS, Henry Belin duPont was the recipient of many awards highlighting his outstanding contributions to the City, County, State, Country and World in which he lived;

NOW THEREFORE,

BE IT RESOLVED by the Members of the House of Representatives of the 125th General Assembly of the State of Delaware, the Senate concurring therein, that they extend their sincere sympathies to Emily, the beloved wife of Henry Belin duPont and to other members of his family; and

BE IT FURTHER RESOLVED that a copy of this Resolution be entered upon the Journals of the House and Senate, and a copy forwarded to Mrs. Henry Belin duPont and her family.

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, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlor, Steele—16.

ABSENT—Messrs. Elliott, McCullough, Slawik—3.

So the question was decided in the affirmative and the resolution

having received the required constitutional majority was adopted.

On motion of Senator Isaacs **HB 611** with title as follows was taken up for consideration and read a second time in order to pass the Senate.

HB 611—"An Act to Amend Title 7, Sections 106 and 2943, Delaware Code, Relating to the Power of the Chief Game and Fish Warden and State Forest Officer to Arrest for Littering."

On motion of Senator Isaacs **HB 611** was tabled, motion prevailed without objection.

Sen. Grier moved that the Senate adjourn until Thursday, April 16, 1970, at 1:30 p.m. Hearing no objection motion prevailed.

22nd LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:30 P.M. on Thursday, April 16, 1970, Lt. Gov. Bookhammer presiding.

Prayer by the Rev. J. Gordon Stapleton.

Flag Salute.

By roll call the following Senators were present:

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

MEMBERS ABSENT—Mr. Slawik-1.

The Secretary proceeded to read the Journal 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 read.

The following communciations were read:

OFFICE OF THE GOVERNOR

April 15, 1970

LEGISLATIVE ADVISORY NO. 36

FROM: Jerome O. Herlihy, Counsel to the Governor

The Governor approved the following legislation on the indicated dates:

HB 357— 4-11-70 —making certain amendments to laws dealing with abandoned children and the adoption of children.

HB 325 as amended by HA 1 and 2— 4-11-70 —relating to minors possessing spear guns.

HB 421— 4-13-7- —relating to osteopathic doctors practicing medicine.

HB 369 as amended by SA 1— 4-13-7- —creating a Medical advisory Board in connection with drivers licenses.

SB 497 as amended by HA 3— 4-13-70 —relating to the Wilmington School Tax Commission.

HB 537 as amended by HA 1— 4-15-70 —creating a State Department of Agriculture.

*It should be noted that **HB 228** which was included with the preious Advisory did not include a mention of **HA 1** on the bill. Such inclusion should be noted.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 594** with **HA 1, 595, 681, 685** and requests the concurrence of the Senate.

The Chair announced that the House wishes to inform the Senate

that it has passed **SB 253, 365, 528** and is returning same to the Senate.

Senator Foltz introduced **SB 595** entitled, "An Act providing for the appropriation of money to James Day Wallace, a veteran eligible for the bonus paid by the State pursuant to the Veteran's Military Pay Act No. II, who did not receive his bonus," which was given its first reading by title only and assigned to Committee on Government Operations.

On motion of Senator Grier **SS 1 for SB 585** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act making an appropriation to Milford School District for the purpose of constructing sidewalks and acquiring the necessary rights-of-way therefor within the school district at specified locations."

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, Schlor, Steele-17.

ABSENT—Messrs. Cicione, Slawik-2.

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

Senator Manning moved that **SA 1 to SB 583** be adopted.

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

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

ABSENT—Messrs. Cicione, Slawik-2.

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

On motion of Senator Manning **SB 583 with SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act directing the State Board of Education to approve an amended certificate of necessity for the capital improvement requests of the Marshallton McKean School District."

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

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

ABSENT—Mr. Slawik-1.

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

On motion of Senator Cicione **SB 477** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

"An Act to amend Section 5515, Title 25, Delaware Code, relating to public sale of property distrained."

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

YEAS—Messrs. Cicione, (Mrs.) Conner, duPont, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Steele-11.

NAYS—Messrs. Cook, Foltz, Robbins-3.

NOT VOTING—Mr. Castle, Elliott, McCullough, Schlor-4.

ABSENT—Mr. Slawik-1.

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

On motion of Senator Hickman **SB 567** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Volume 57, Chapter 299, Laws of Delaware, entitled ‘An Act authorizing the State of Delaware, to borrow money to be used for capital improvements and expenditures in the nature of capital investments and to issue bonds and notes therefor and appropriating the monies to various agencies of the State.’”

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, Steele-15.

NOT VOTING—Messrs. McCullough, Robbins, Schlor, Slawik-4.

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

On motion of Senator Steele **HB 562** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act making a supplementary appropriation to the Youth Services 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, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Steele-17.

ABSENT—Mrs. Conner, Mr. Slawik-2.

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

On motion of Senator Castle, **HB 393** was taken up for consideration and read a second time in order to pass the Senate.

On motion of Senator Hickman **SA 2 to HB 393** was taken up for consideration.

Senator Hickman asked for the privilege of the floor for Rep. Robert J. Berndt to discuss **HB 393** as well as as Mr. Richard Barnard from the trucking industry for the same purpose. Hearing no objection the privilege was granted.

Senator Hickman moved that **SA 2 to HB 393** 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, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough,

Robbins, Steele-16.

ABSENT—Messrs. (Mrs.) Conner, Schlor, Slawik—3.

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

Senator Steele moved that **SA 4 to HB 393** be adopted.

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

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

ABSENT—Mr. Slawik-1.

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

Senator Steele moved that **SA 1 to HB 393** be adopted.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Steele-14.
NOT VOTING—Messrs. Cook, Holloway, Robbins, Schlor-4.

ABSENT—Mr. Slawik-1.

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

Senator Castle moved for roll call on **HB 393 with HA 1,2,3 and SA 1,2,4.**

Motion by Senator Cook that action be deferred to check amount of bond required. Motion withdrawn to give privilege of floor again to Rep. Berndt. Motion prevailed, without objection.

Senator Castle moved that action on **HB 393 with HA 1,2,3 and SA 1,2,4** be deferred.

Hearing no objection the motion prevailed.

On motion of Senator Steele **SB 584** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act providing for the funding of monies appropriated by Chapter 414 of Volume 56 of the Laws of Delaware and specifying the purposes for which such money may be spent and reaffirming said 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, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlor, Steele-17.

NOT VOTING—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.

Pres. Pro Tem duPont replaced Lt. Gov. Bookhammer on the rostrum at 4:30 P.M.

On motion of Senator Hale **SB 541** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Title 13, Section 108, Delaware Code, relating to the fee for issuing marriage licenses.”

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, McCullough, Schlor, Steele-14.

NAYS—Messrs. Foltz, Holloway, Isaacs, Robbins-4.

ABSENT—Mr. Slawik-1.

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

On motion of Senator Conner **HB 667** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Title 31, Section 503, Delaware Code, relating to eligibility for welfare assistance.”

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, Schlor, Steele-17.

NAYS—Mr. Robbins-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.

Senator Conner introduced **SA 1 to HB 267**.

Senator Conner moved that **SA 1 to HB 267** be placed with bill. Motion prevailed without objection.

On motion of Senator Foltz **SB 475** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Title 18, Delaware Code, relating to creation of a Delaware Insurance Guaranty Association.”

Senator Foltz asked for the privilege of the floor for State Insurance Commissioner, Robert A. Short, to speak on **SB 475**.

Hearing no objection the privilege was granted.

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

YEAS—Messrs. Cicione, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hickman, Holloway, McCullough, Robbins, Schlor, Steele-14.

NAYS—Messrs. Hart, Isaacs, (Mrs.) Manning-3.

NOT VOTING—Mr. Castle-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 duPont on behalf of the Committee on Joint Committee on Reorganization to whom had been referred **SB 547** reported the same back to the Senate; 4 Favorable.

Senator Isaacs on behalf of the Committee on Miscellaneous to

whom had been referred **SJR 16** reported the same back to the Senate; 1 Favorable, 3 Merits.

Senator Conner on behalf of the Committee on Health and Welfare to whom had been referred **HB 267** reported the same back to the Senate; 2 Favorable, 2 Merits.

Senator Castle on behalf of the Committee on Revised Statutes to whom had been referred **HB 438** reported the same back to the Senate; 2 Favorable, 3 Merits.

Senator Castle on behalf of the Committee on Revised Statutes to whom had been referred **HB 593** reported the same back to the Senate; 5 Merits.

Senator Castle on behalf of the Committee on Revised Statutes to whom had been referred **HB 627 with HA 1** reported the same back to the Senate; 2 Favorable, 3 Merits.

Senator Castle on behalf of the Committee on Health and e to whom had been referred **HB 639** reported the same back to the Senate; 2 Favorable, 2 Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **HB 672** reported the same back to the Senate; 2 Favorable, 3 Merits.

Senator Cicione introduced **SB 596** co-sponsored by Senator Isaacs entitled, "An Act to amend Title 11, Delaware Code, by providing that commercial or business establishments providing shopping carts for its customers shall erect barriers so as to prevent the carts from being taken past the barriers more than twenty (20) feet from any doorway thereof, prescribing penalties for violation thereof, and granting jurisdiction to the Justices of the Peace," which was given its first reading by title only and assigned to Committee on Judiciary.

Senator duPont introduced **SB 597** entitled, "An Act to amend Section 465, Title 11, Delaware Code, relating to possession of machine guns," which was given its first reading by title only and assigned to Committee on Judiciary.

Senator Grier introduced **SB 598** entitled, "An Act to amend Title 24, Delaware Code, Section 1424, relating to bonds required of master electricians," which was given its first reading by title only and assigned to Committee on Labor and Industrial Relations.

Senator Hale introduced **SR 106** entitled: "Appropriation of money out of the general fund of the State Treasury to pay certain expenses of the present session of the 125th General Assembly."

Senator Hale moved that **SR 106** 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, Steele-17.

NOT VOTING—Mr. Isaacs-1.

ABSENT—Mr. Slawik-1.

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

Senator Hale introduced **SR 107** entitled, "Authorizing payments for services rendered by the staff of the Senate for the 125th General Assembly."

Senator Hale moved that **SR 107** be adopted.

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

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

ABSENT—Mr. Slawik-1.

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

Senator Manning introduced **SR 108** entitled, "Relative to the establishment of a committee to review the 'rules of the road.'"

Senator Manning moved that **SR 108** be adopted.

Senator Manning requested that **SR 108** be stricken for error. Motion prevailed without objection.

Senator Cicione introduced **SJR 17** co-sponsored by Senators Slawik, Hart, Holloway and Isaacs, entitled, "Providing for a Joint Committee of the General Assembly to study and recommend legislation providing for group life insurance for State employees," which was assigned to Committee on Government Operations.

Senator Isaacs introduced **SCR 32** entitled, "Providing for the judiciary committees of the Senate and the House of Representatives to hold joint hearings and conduct a full inquiry into the practices, procedures, jurisdiction, and structure of the family court for New Castle County and the Family Court of Kent and Sussex Counties," which was assigned to Committee on Judiciary.

The Chair presented the following House Bills which were given first reading and referred to Committee as follows:

HB 594 with HA 1—"An Act to amend Title 4, Section 512, Delaware Code, relating to the purchasing, sale and dispensing of alcoholic liquors by providing for the consumption of alcoholic liquors on the premises at dinner theaters."—Committee on Miscellaneous.

HB 595—"An Act to amend Title 4, Delaware Code, Section 555 Relating to license fees for the sale of alcoholic liquors."—Committee on Miscellaneous.

HB 681—"An Act to amend Title 7, Chapter 17, Delaware Code, relating to impounding and disposition of dogs running at large."—Committee on Fish, Oyster and Game.

HB 685—"An Act directing the Veterans' Military Pay Commission to issue a VietNam conflict bonus payment to Roy Alexander and Grisbeth L. Brown, deserving veterans."—Committee on Government Operations.

Senator Grier moved the Senate recess until April 21, 1970 at 1:30 P.M. Hearing no objection motion prevailed.

23 LEGISLATIVE DAY

Senator Grier moved that the Senate adjourn until Tuesday, April 21 1970, at 2:20 p.m. Hearing no objection, motion prevailed.

The Senate met pursuant to adjournment at 2:20 p.m. on Tuesday April 21, 1970, Lt. Gov. Bookhammer presiding.

Prayer by the Rev. J. Gordon Stapleton.

Flag Salute

By Roll Call the following Senators were present:

MEMBERS 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 Journal 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 read.

The following communications were read

April 15, 1970

Mr. Carroll B. Farlow
Secretary of the Senate
State of Delaware
Dover, Delaware
Dear Mr. Farlow

I read with a great deal of pleasure the Resolution passed by the 125th General Assembly of the State of Delaware to my appointment as United States Ambassador to Sweden. My family joins me in this expression of appreciation. I am deeply grateful to the members of the 125th General Assembly for their thoughtfulness and consideration. I consider it an honor to serve the President of the United States and the entire citizenry as a part of the Foreign Service in Sweden. I recognize the great responsibilities involved in this matter, yet I am quite confident that I will be able to serve effectively with the spirit and strength of the citizens of the United States working cooperatively with me. Please convey to Senator Reynolds duPont and Senator Herman Holloway my sincere appreciation for introducing this Resolution on my behalf. With sincere best wishes,

Very truly yours,

Jerome H. Holland
American Ambassador

P.S. I am having this Resolution framed and it will be placed in a most conspicuous place in my office.

Communications read from Donna Lee Harpster and Richard Kozel in reference to Educational Television. Senator Holloway requested return of letters.

Senator Melvin A. Slawik
3 Forest Circle Stratford
New Castle, Delaware
Sir,

It is with deep regret, yet with sincere urgency, that I address this message to you and, through you, to the State Assembly. A crisis has arisen on the campus of the University of Delaware. It must be dealt with quickly and effectively. The university has decided to abandon its traditional role in loco parentis. All dormitories will now be self-regulated.

After a dorm's by-laws are approved by a faculty-student committee the members of the dorm determine all regulations. Visitation hours are passed by eighty percent of the residents. Several dorms, including Belmont, are operating under twenty-four hours open dorm. This means, in effect, that men in these dorms may have female guests in their rooms overnight. I ask: What is the university, a school or a motel? President Trabant is shirking his duty. He, the trustees, and the faculty are responsible for the welfare of the campus community. They are giving up their authority without even notifying the parents of university students. To my knowledge the parents were never made aware of the possibility of twenty-four hours open dorms. As an example of the present state of affairs I cite one example. On April 14 a motion proposed the prohibition of sexual intercourse in Belmont. Some dorm members thought that the rule was useless because it would only be enforced on an honor system. Others felt that the dorm had no right to "legislate morals." The results were: four yes, thirteen no, and one abstain. An official record of the vote is enclosed. I am unable to say whether or not this vote is an indication of a general feeling on campus. It would be interesting, indeed, to see the vote on such a motion in other dorms. It seems clear that the situation warrants immediate attention. The State Assembly is called to a position of leadership. A moral obligation has fallen upon the shoulders of its members. They can, they must, answer the call to moral battle. I pray and hope that they do so.

Most Sincerely,

Thomas A. Flowers, ED3

11:45 p.m.

April 14, 1970

17 members present 1 proxy vote added Motion on the floor of Belmont Hall dorm meeting, proposed by Thomas Flowers. Resolved that within the confines of Belmont Hall, sexual intercourse be prohibited.

Secret ballot yes 4

No 13

Abstain 1

Validated Copy of Minutes: Signed, Joseph James, Anthony DiNorscia Secretary, Belmont Hall

OFFICE OF THE GOVERNOR

April 17, 1970

LEGISLATIVE ADVISORY NO. 37

FROM: Jerome O. Herlihy, Counsel to the Governor

The Governor approved the following legislation on the indicated dates:

HB 272 As Amended by HA 1 and SA 3 - 4-16-70 - relating to consent of minors to diagnostic and lawful therapeutic procedures.

HB 171 - 4-16-70 - increases the mileage rate for county employees from eight cents to ten cents.

HS 1 for HB 454 - 4-16-70 - making it unlawful for railroads to block highway intersections for longer than ten minutes.

HB 284 - 4-16-70 - empowering the Superior Court to send certain juveniles to youth correctional facilities.

SB 424 - 4-16-70 - permitting the University of Delaware to use \$200,000 for construction costs on the Business and Economics Building.

SB 526 - 4-16-70 - appropriating \$78,724 to the University of Delaware for employee pay rises.

SB 489 - 4-16-70 - authorizing the Highway Department to construct a grade crossing at the intersection of Sussex County Road 499 and the Penn Central tracks.

HB 544 As Amended by H. A. 1 - 4-16-70 - relating to interest on local school funds on deposit.

HB 631 - 4-16-70 - authorizing the sale of certain State-owned land to the Town of Smyrna for the construction of a sewage pumping station.

HB 620 - 4-16-70 - relating to vacancies on reorganized school districts.

HB 654 - 4-16-70 - appropriating \$8,404 to the Department of Civil Defense.

HB 558 - 4-16-70 - amending Charter of Seaford relating to taxes.

HB 647 - 4-16-70 - removing the 6 per cent ceiling on University of Delaware bonds.

April 21, 1970

Mr. President:

The House wishes to inform the Senate that it has passed House Bills No.: **637 w/HA1, HA2, 669 w/HA1, HA 2, 684, 686, 690** and requests the concurrence of the Senate. Senate Bill No.: **383, 435, 348 w/HA1** and is returning same to the Senate.

Senator Hale introduced **SB 599** entitled: "An Act proposing an amendment to Section 11, Article 4, of the Constitution relating to jurisdiction of the Supreme Court in criminal cases," which was given its first reading by title only, and Assigned to Committee on Judiciary.

Senator Schlor introduced **SA 1 to SB 100**.

Senator Schlor moved that **SA 1 to SB 100** be Placed with Bill. Motion prevailed without objection.

The Chair presented the following House Bills, which were given first reading and referred to Committee as follows:

HB 637 with HA 1, 2—"An Act to amend Section 1756, Title 24, Delaware Code, relating to Physicians and Surgeons."—To Committee on Health and Welfare.

HB 669 w/HA1 & 2, "An Act to amend Title 11, Delaware Code, Chapter 39, Sections 3911 and 3912 relating to habitual criminals," Committee on Miscellaneous

HB 684, "An Act to amend Title 17, Delaware Code, Chapter 17, relating to the Delaware-New Jersey Compact, by providing that construction of certain facilities adjacent to Big Stone Beach, Delaware be prohibited," Committee on Agriculture and Natural Resources.

HB 686, "An Act to amend Title 30, Delaware Code, Chapter 29, relating to reductions on Gross Purchases paid by retailers," Committee on Finance.

HB 690, "An Act to amend Chapter 10, Title 22, Delaware Code, relating to exemptions from Municipal Taxation on real property of residents of the age of 65 years or more," Committee on Finance.

Senator Steele introduced **SA 1 to SB 483**.

Senator Steele moved that **SA 1 to SB 483** be Placed with Bill. Motion prevailed without objection.

Senator Steele announced a Joint Hearing on the new Pension Bill on Tuesday, April 28, 1970, at 10 a.m. in the Senate Chamber.

Senator Isaacs moved that a meeting also be held at night. Motion prevailed without objection.

On motion of Senator Elliott, **SB 554** with Title as follows was taken up for consideration and read a second time by Title in order to pass the Senate.

SB 554—"An Act to amend Title 21, Delaware Code, Chapter 27, relating to the suspension of the drivers license of persons who have not paid fines."

Senator Elliott asked for the privilege of the floor for Mr. Jerome O. Herlihy to explain **SB 554**. Hearing no objection, the privilege was granted.

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

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

NOT VOTING—Messrs. McCullough, Robbins—2.

ABSENT—Messrs. Cicione, Isaacs—2.

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

On motion of Senator Castle, **HB 593** with Title as follows was taken up for consideration and read a second time by Title in order to pass the Senate.

HB 593—"An Act to repeal Title 9, Delaware Code, Sections 1902 and 2001, and 2005, relating to volunteer fire companies."

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, Schlor, Slawik, Steele—17.

ABSENT—Messrs. Cicione, 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.

On motion of Senator Castle, **HB 438** with Title as follows was taken up for consideration and read a second time by Title in order to pass the Senate: "An Act to amend Title 28, Delaware Code, to authorize residents of this state to purchase rifles and shotguns in states contiguous to this state."

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

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

NAYS—Mr. McCullough—1.

NOT VOTING—Mr. Cicione, (Mrs.) Conner—2.

ABSENT—Mr. Holloway—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was

ordered to the House.

Senator Foltz introduced **SA 1 to HB 188**.

Senator Foltz moved that **SA 1 to HB 188** be adopted.

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

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

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

On motion of Senator Foltz, **HB 188 with HA 1 and SA 1** with Title as follows was taken up for consideration and read a second time by Title in order to pass the Senate.

HB 188 with HA 1 and SA 1—"An Act to abolish the Orphans' Court; to transfer its jurisdiction over adoptions and terminations of parental rights to the Superior Court; to transfer its jurisdiction over all other cases to the Court of Chancery; and to abolish the office of Clerk of the Orphans Court."

Senator Foltz asked for the privilege of the floor for Rep. Warren B. Burt to explain **HB 188 with HA 1 and SA 1**. Hearing no objection, the privilege was granted.

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

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

NAYS—Mr. McCullough—1.

NOT VOTING—Messrs. Robbins, Slawik—2.

So the Question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was ordered to the House.

Senator Foltz moved for 5 minute recess. Motion prevailed without objection.

The Senate reconvened at 3:45 p.m.

On motion of Senator Steele, **HB 554** with Title as follows was taken up for consideration and read a second time by Title in order to pass the Senate: "An Act making a supplementary appropriation to the Delaware State Junior Chamber of Commerce for promotion of the State of Delaware at the 51st Annual national Convention of United States Jaycees in St. Louis, Missouri."

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

YEAS—Messrs. Cook, duPont, Foltz, Grier, Hart, Hickman, Holloway, Isaacs, Robbins, Schlor, Slawik—10.

NAYS—Mr. McCullough—1.

NOT VOTING—Messrs. Castle, Cicione, (Mrs.) Conner, Foltz, Hale, (Mrs.) Manning, Steele—7.

ABSENT—Mr. Elliott—1.

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

On the motion of Senator Cicione, **HB 619** with Title as follows was

taken up for consideration and read a second time by Title in order to pass the Senate: "An Act to amend Chapter 112, Volume 45, Laws of Delaware, relating to the regulation and control of various construction and the registration of persons engaged in such construction in New Castle County outside of the city of Wilmington."

Senator Cicione asked for the privilege of the floor for Rep. William L. Frederick to explain **HB 619**. Hearing no objection the privilege was granted.

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

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

NAYS—Messrs. Foltz, McCullough—2.

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

On motion of Senator Cicione, **HB 550** with title as follows was taken up for consideration and read a second time by Title in order to pass the Senate: "An Act to amend an Act being Chapter 227, Volume 49, Laws of Delaware, as amended entitled "An Act to reincorporate the town of Laurel" to permit the establishment of a pension plan or a health and welfare plan, or both, for municipal 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, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele—18.

ABSENT—Mr. Cicione—1.

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

On motion of Senator Steele, **HB 672** with Title as follows was taken up for consideration and read a second time by Title in order to pass the Senate: "An Act to permit Smyrna School Board to transfer certain funds from its local debt service account to its construction fund account."

Senator Steele asked for the privilege of the floor for Rep. Robert W. Riddagh to speak on **HB 672**. Hearing no objection, the privilege was granted.

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

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

ABSENT—Mr. Cicione—1.

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

Senator Conner on behalf of the Committee on Health and Welfare to whom had been referred **SB 569** reported the same back to the Senate; 6 on Merits.

Senator Cicione on behalf of the Committee on Labor and Industrial

Relations to whom had been referred **SB 592** reported the same back to the Senate; 4 on Merits.

Senator Cicione on behalf of the Committee on Government Operations to whom had been referred **SB 148** reported the same back to the Senate; 4 on Merits.

Senator Cicione on behalf of the Committee on Labor and Industrial Relations to whom had been referred **SB 590** reported the same back to the Senate; 4 on Merits.

Senator Cicione on behalf of the Committee on Government Operations to whom had been referred **SJR 17** reported the same back to the Senate; 4 on Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **HB 686** reported the same back to the Senate; 2 Favorable, 4 on Merits.

Senator Cicione on behalf of the Committee on Government Operations to whom had been referred **HB 634** reported the same back to the Senate; 4 on Merits.

Senator Castle on behalf of the Committee on Revised Statutes to whom had been referred **HB 635** reported the same back to the Senate; 1 Unfavorable, 5 on Merits.

Senator Castle on behalf of the Committee on Revised Statutes to whom had been referred **HB 625** reported the same back to the Senate; 3 Favorable, 3 on Merits.

Senator Conner on behalf of the Committee on Education to whom had been referred **HB 632** reported the same back to the Senate; 4 Favorable, 2 on Merits.

Senator Foltz on behalf of the Committee on Judiciary to whom had been referred **HB 659** reported the same back to the Senate; 1 Favorable, 5 on Merits.

On motion of Senator Manning, **SB 500 with SA 11,16,17,18,19,20,25,26,32,33** with Title as follows was taken up for consideration and read a final time by Title in order to pass the Senate: "An Act to establish a Family Court for the State of Delaware by merging into one Court the Family Court of the State of Delaware in and the Family Court of Kent and Sussex Counties and to provide for its organization, duties, powers, jurisdiction, and procedures."

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, McCullough, Robbins, Schlör, Steele—15.

NAYS—Messrs. Cook, Holloway, Isaacs, Slawik—4.

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

Senator Cicione introduced **SB 600** co-sponsored by Senator Slawik entitled:

SB 600 "An Act to amend Title 21, Chapter 41, Section 4178, Delaware Code, relating to stopping standing and parking," which was given its first reading by Title only, and assigned to Committee on Highways and Public Safety.

Senator Cicione introduced **SB 601** co-sponsored by Senator Slawik

entitled: "An Act to amend Title 21, Chapter 45, Delaware Code, by enacting a new Section 4508, relating to law enforcement weighing equipment, weighing procedures," which was given its first reading by Title only, and assigned to Committee on Highways and Public Safety.

Senator Cicione introduced **SB 602** co-sponsored by Senator Slawik entitled, "An Act to amend Title 21, Chapter 45, Section 4506, Delaware Code, relating to Police Officers authority to weigh vehicles and require removal of excess loads," which was given its first reading by Title only, and assigned to Committee on Highways and Public Safety.

Senator Cicione introduced **SB 603** co-sponsored by Senator Slawik entitled, "An Act to amend Title 21, Chapter 67, Section 6705, Delaware Code, relating to alterations of engine or serial number or sale of vehicle with altered numbers," which was given its first reading by Title only, and assigned to Committee on Highways and Public Safety.

Senator Cicione introduced **SB 604** co-sponsored by Senator Slawik entitled, "An Act to amend Title 21, Chapter 45, Delaware Code, by adding a new Section 4358, relating to carrying of flares or other emergency lights in certain vehicles; use thereof in event vehicle becomes disabled," which was given its first reading by Title only, and assigned to Committee on Highways and Public Safety.

Senator Cicione introduced **SB 605** co-sponsored by Senator Slawik entitled, "An Act to amend Title 21, Chapter 43, Section 4309, Delaware Code, relating to obstruction to view or windshields or windows," which was given its first reading by Title only, and assigned to Committee on Highways and Public Safety.

Senator Cicione introduced **SB 606** co-sponsored by Senator Slawik entitled, "An Act to amend Title 21, Chapter 67, Section 6706, Delaware Code, relating to seizure of vehicle where number is altered or removed," which was given its first reading by Title only, and assigned to Committee on Highways and Public Safety.

Senator Cicione introduced **SB 608** co-sponsored by Senator Slawik entitled, "An Act to amend Title 21, Chapter 41, Delaware Code, relating to pedestrian standing, lying or playing the roadway," which was given its first reading by Title only, and assigned to Committee on Highways and Public Safety.

Senator Hart introduced **SB 609** entitled, "An Act making a supplementary appropriation to the Public Service Commission," which was given its first reading by Title only, and assigned to Committee on Finance.

Senator Hart introduced **SA 1 to SB 547**.

Senator Hart moved that **SA 1 to SB 547** be Placed with Bill. Motion prevailed without objection.

Senator Steele on behalf of the Committee on Finance to whom had been referred **HB 606** reported the same back to the Senate; 5 on Merits.

On motion of Senator Hart, **SB 348 w/ HA1** was taken up for consideration in order to pass the Senate.

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

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

ABSENT—Mr. Cicione—1.

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

Senator Cook introduced **SA1 to HB 686**.

Senator Cook moved that **SA1 to HB 686** be placed with Bill. Motion prevailed without objection.

Senator Grier moved that the Senate adjourn until Wednesday, April 22, 1970, at 1:30 p.m. Hearing no objection, motion prevailed.

24th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:55 P.M. on Wednesday, April 22, 1970. Lt. Gov. Bookhammer presiding.

Prayer by the Chaplain Rev. J. G. Stapleton.

Flag salute.

By Roll Call the following Senators were present:

Members 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 Journal 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 read.

Senator duPont introduced **SB 610**, co-sponsored by Senators Grier, Elliott, Isaacs, Castle, Hickman, Cicione, Hale, Hart, and Cook, entitled "An Act to Amend Title 29, Delaware Code, by Creating a New Chapter to be Designated as Chapter 85 Relating to The Establishment of a Department of Labor, Defining its Organization, Powers, Duties and Functions and Providing for the Transfer of Materials and Equipment to said Department from Various State Agencies and Providing a Supplementary Appropriation to the Governor to Implement the Provisions of this Act," which was given its first reading by Title only and assigned to committee on Joint Committee on Reorganization.

Senator McCullough introduced **SB 611**, co-sponsored by Senator Foltz, entitled, "An Act to Amend Section 122, Subchapter 11, Chapter 1, Title 26, Delaware Code, relating to Jurisdiction of Public Service commission over Municipally owned Public Utilities, by Authorizing the Public Service Commission to Supervise or Regulate Rates and Charges for Water and Electricity Supplied Non-residents," which was given its first reading by title only and assigned to committee on Commerce and Corporations.

Senator Foltz introduced **SA 1 to SB 510**, co-sponsored by Senator McCullough.

Senator Foltz moved that **SA 1 to SB 510** be placed with bill. Motion prevailed without objection.

Senator Foltz introduced **SA 1 to SA 511**.

Senator Foltz moved that **SA 1 to SB 511** be placed with bill. Motion prevailed without objection.

Senator Foltz introduced **SA 1 to SB 512**.

Senator Foltz moved that **SA 1 to SB 512** be placed with bill. Motion prevailed without objection.

Senator Foltz introduced **SA 1 to SB 513**.

Senator Foltz moved that **SA 1 to SB 513** be placed with bill. Motion prevailed without objection.

Senator Foltz introduced **SA 1 to SB 514** be placed with bill. Motion prevailed without objection.

Senator Foltz introduced **SA 1 to SB 515**.

Senator Foltz moved that **SA 1 to SB 515** be placed with bill. Motion prevailed without objection.

Senator Foltz introduced **SA 1 to SB 516**.

Senator Foltz moved that **SA 1 to SB 516** be placed with bill. Motion prevailed without objection.

Senator Foltz introduced **SA 1 to SB 517**.

Senator Foltz moved that **SA 1 to SB 517** be placed with bill. Motion prevailed without objection.

Senator Foltz introduced **SA 1 to SB 508**.

Senator Foltz moved that **SA 1 to SB 508** be placed with bill. Motion prevailed without objection.

Senator Isaacs introduced **SA 1 to HB 585**.

Senator Isaacs moved that **SA 1 to HB 585** 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, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor Slawik, Steele—17.

ABSENT—Messrs. Cicione, Hickman—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 585 with SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 585 with SA 1—"An Act to Amend Section 2920, Title 24, Delaware Code, Relating to Real Estate Brokers and Salesman."

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

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

ABSENT—Messrs. Cicione, Hickman—2.

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

Senator Cook introduced **SA 1 to HB 613**, co-sponsored by Senator Isaacs.

Senator Cook moved that **SA 1 to HB 613** be adopted.

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

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

NAYS—Messrs. duPont, Hickman, Steele—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 613 with SA 1** with title as follows

was taken up for consideration and read a second time by title in order to pass the Senate.

HB 613 with SA 1—"An Act to Amend House Substitute 1 for House Bill 540 of the 125th General Assembly, being Volume 57 Delaware Laws, Chapter 331 Relating to the Salary of the Superintendent of the State Police."

On the motion of Senator Hart the bill was tabled. Motion prevailed without objection.

On motion of Senator Hart **HB 574** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 574—"An Act to Amend Title 21, Delaware Code, Section 4176 (a), Relating to Operation of Vehicle While Under the Influence of Intoxicating Liquor or Narcotics."

Senator Hart asked for the privilege of the floor for Rep. David S. Benson to explain **HB 574**. Hearing no objection the privilege was granted.

On the question "Shall the Bill Pass the Senate?" the yeas and nays were ordered which eing taken were as follows:

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

NAYS—Messrs. Cook, Elliott, Holloway, McCullough, Robbins, Schlor, Slawik—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.

Senator Isaacs introduced **SJR 16**, entitled "Requesting the Governor to Request the County Council of New Castle County and the County Executive to Review the Zoning and Building Codes with Reference to Mobile Homes."

Senator Isaacs moved that **SJR 16** be adopted.

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

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

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

President Pro Tem duPont took over as presiding officer of the Senate at 3:50 P.M.

Senator Cicione introduced **SJR 17**, entitled "Providing for a Joint Committee of the General Assembly to Study and Recommend Legislation Providing for Group Life Insurance for State Employees."

Senator Cicione moved that **SJR 17** be adopted.

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

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

ABSENT—Messrs. Cook, Slawik—2.

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

Senator Foltz asked for the privilege of the floor for Mr. Joseph

Del'Ollio of the Delaware Correctional Council to speak on the concept of indeterminate sentencing. Hearing no objection the privilege was granted.

On motion of Senator Foltz **SB 516** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 516—"An Act to Amend Title 11, Delaware Code, Chapter 43, Relating to the Composition and Powers of the Board of Parole and Making a Supplementary Appropriation to the Board to Implement the Act."

Senator Isaacs moved for delay of consideration of bill to consider an amendment to the bill. Motion prevailed without objection.

Senator Foltz moved that **SA 1 to SB 517** 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, Holloway, (Mrs.) Manning, Slawik, Steele—13.

NAYS—Messrs. McCullough, Schlor—2.

NOT VOTING—Messrs. Cook, Hickman, Isaacs, Robbins—4.

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

On motion of Senator Foltz **SB 517 with SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 517 with SA 1—"An Act Making a Supplementary Appropriation to the Board of Parole for the Purpose of Correcting a Deficit in the the Salaries and Wages of Members, and Costs, Accounts and for Employing a Chairman, Paying Members for Attending Meetings and for Defraying Miscellaneous Cost."

On the question "Shall the Bill Pall 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.

NAYS—Messrs. McCullough, Robbins, Schlor—3.

NOT VOTING—Mr. Cook—1.

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

Lt. Governor Bookhammer again presiding at 4:35 P.M.

Senator Foltz moved that **SA 1 to SB 511** 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, Slawik, Steele—15.

NAYS—Mr. Robbins—1.

NOT VOTING—Mr. Cook—1.

ABSENT—Messrs. McCullough, Schlor—2.

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

Senator Hart introduced **SA 2 to SB 511**.

Senator Hart moved that **SA 2 to SB 511** 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, Holloway, Isaacs, (Mrs.) Manning, McCullough, Steele—14.

NAYS—Messrs. Cook, Robbins, Schlor, Slawik—4.

NOT VOTING—Mr. Cicione—1.

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

Senator Foltz asked for the privilege of the floor for Mr. Jerome O. Herlihy to explain **SB 511**. Hearing no objection the privilege was granted.

On motion of Senator Foltz, **SB 511 with SA 1 and 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 511—"An Act to Amend Title 21, Delaware Code, Chapter 42, Relating to Penalties for Violations of the Motor Vehicle Code by Providing for Indeterminate Sentences."

On the motion of Senator Foltz, the Roll Call was tabled. Motion prevailed without objection.

Senator Isaacs introduced **SA 2 to SB 516**.

Senator Isaacs moved that **SA 2 to SB 516** be placed with bill. Motion prevailed without objection.

Senator Foltz moved that **SA 1 to SB 516** be adopted.

Senator Foltz moved that action on **SA 1 to SB 516** be deferred until following day to allow for additional amendments. Motion prevailed without objection.

Senator Isaacs, on behalf of the committee on Miscellaneous to whom had been referred **SB 71**, reported the same back to the Senate; 1 Favorable, 3 on Merits.

Senator Cicione, on behalf of the committee on Government Operations to whom had been referred **SB 548**, reported the same back to the Senate; 2 Favorable, 3 on Merits.

Senator Foltz, on behalf of the committee on Judiciary to whom had been referred **SB 596**, reported the same back to the Senate; 1 Unfavorable, 5 on Merits.

Senator Cicione, on behalf of the committee on Government Operations to whom had been referred **HB 608**, reported the same back to the Senate; 2 Favorable, 3 on Merits.

Senator Steele, on behalf of the committee on Finance to whom had been referred **HB 645**, reported the same back to the Senate; 5 on Merits.

Senator Isaacs, on behalf of the committee on Miscellaneous to whom had been referred **HB 669**, reported the same back to the Senate; 1 Favorable, 3 on Merits.

Senator Steele, on behalf of the committee on Finance to whom had been referred **HB 690**, reported the same back to the Senate; 5 on Merits.

Senator Grier moved that the Senate adjourn until April 23, 1970 at 1:30 P.M. Hearing no objection, motion prevailed.

25th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:20 p.m. on Thursday, April 23, 1970, Lt. Gov. Bookhammer presiding.

Prayer by the Rev. R.W. Coleman.

Flag Salute.

By Roll Call the following Senators were present:

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Mr. Hale—1.

The secretary proceeded to read the Journal 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 read.

The following communication or Memorials were read:

April 22, 1970

Mr. President:

The House wishes to inform the Senate that it has passed House Bills No. 626, HS 1 for HB 628, HB 671, HB 682 with HA 1, HB 683 with HA 1, HB 692, HB 694.

House Concurrent Resolution No.: 32.

House Joint Resolution No. 19, and requests the concurrence of the Senate.

Senate Bills No. 573, 577.

Senate Joint Resolution No. 13 and is returning same to the Senate.

April 22, 1970

Mr. President:

The House wishes to inform the Senate that it has passed House Bill No.: HS1 for HB 536, 640, 698 and requests the concurrence of the Senate.

Senate Bills No.: 284 w/SA1, HA1, 433 w/HA1 462 w/HA1, HA2, HA3, 484, 535 and is returning same to the Senate.

April 23, 1970

Mr. President:

The House wishes to inform the Senate that it has passed House Bills No.: 577, 699, 701, 704 w/HA1, 708 and requests the concurrence of the Senate.

Senate Bills No.: SS1 for SB 585 w/HA1, 529 and is returning same to the Senate.

Senator Cicione introduced SS 1 for SB 226 entitled, "An Act to amend and add new Chapter 86, Entitled, "High Voltage Line Act" to Title 16, Delaware Code, relating to safety regulations and precautions to be taken in the proximity of High Voltage Electric Lines for the prevention of accidents, and providing for the Administration and enforcement thereof by the Department of Public Safety, establishing penalties and liabilities for violation thereof.

Senator Cicione moved to have SS 1 for SB 226 placed with original bill. Motion prevailed without objection.

Senator Slawik introduced SB 612 entitled, "An Act to amend Section 502, Chapter 5, Delaware Code, relating to validity of acts on state legal holidays, by requiring all businesses to give employees time off for

voting on Election,” which was given its first reading by title only, and assigned to Committee on Revised Statutes.

Senator Hart introduced **SA 1 to SB 507**.

Senator Hart moved that **SA 1 to SB 507** be placed with bill. Motion prevailed without objection.

Senator Hart introduced **SA 2 to SB 508**.

Senator Hart moved that **SA 2 to SB 508** be placed with bill. Motion prevailed without objection.

Senator Hart introduced **SA 2 to SB 510**.

Senator Hart moved that **SA 2 to SB 510** be placed with bill. Motion prevailed without objection.

Senator Hart introduced **SA 2 to SB 512**.

Senator Hart moved that **SA 2 to SB 512** be placed with bill. Motion prevailed without objection.

Senator Cicione introduced **SA 3 to SB 516**.

Senator Cicione moved that **SA 3 to SB 516** be placed with bill. Motion prevailed without objection.

Senator Foltz introduced **SA 2 to SB 513**.

Senator Foltz moved that **SA 2 to SB 513** be placed with bill. Motion prevailed without objection.

Senator Hart introduced **SA 3 to SB 513**.

Senator Hart moved that **SA 3 to SB 513** be placed with bill. Motion prevailed without objection.

Senator Hart introduced **SA 2 to SB 514**.

Senator Hart moved that **SA 2 to SB 514** be placed with bill. Motion prevailed without objection.

Senator Hart introduced **SA 2 to SB 515**.

Senator Hart moved that **SA 2 to SB 515** be placed with bill. Motion prevailed without objection.

Senator Hart introduced **SA 1 to SB 518**.

Senator Hart moved that **SA 1 to SB 518** be placed with bill. Motion prevailed without objection.

Senator Elliott introduced **SA 1 to SB 556**.

Senator Elliott moved that **SA 1 to SB 556** be placed with bill. Motion prevailed without objection.

The Chair presented the following House Bills, Joint Resolutions, which were given first reading and referred to Committee as follows:

HS1 for HB 536—“An Act to amend Section 2303 and Section 2304, Chapter 23, Title 7, Delaware Code, relating to the sale, possession or use of hard shell, soft shell and peeler crabs taken from certain waters of this State,”—Committee on Fish, Oyster and Game.

HB 640—“An Act to amend Chapter 65, Title 29, Delaware Code, relating to fiscal regulations for state agencies by changing certain of the signature requirements on orders and approvals of bills,”—Committee on Government Operations.

HB 698—“An Act to amend Section 1701, Chapter 17, Title 7, Delaware Code, relating to Dog Licenses, by exempting owners of seeing-eye dogs and dogs which previously served in the Armed Forces from payment of the License Tax,”—Committee on Agriculture and Natural Resources.

HB 671—“An Act to amend Title 8, of the Delaware Code, relating to corporations by making certain changes in Sections 141, 145, 151, 214,

221, 243, 251, 254, 371, 372, 391, 502, 504, 506, and 618,"—Committee on Commerce and Corporations.

HS1 for HB 628—"An Act to amend Section 1703 and 1706, Title 14, Delaware Code, relating to units of pupils,"—Committee on Education.

HB 628 w/HA1—"An Act to amend Chapter 113, Volume 32, Laws of Delaware, entitled, "An Act providing for a Police Pension Fund: For members of the police force of the City of Wilmington," by eliminating the eligibility requirement that the period of service be continuous,"—Committee on Finance.

HB 683—"An Act to amend Chapter 118, Volume 33, Laws of Delaware, entitled, "An Act providing for a Firemen's Pension Fund for members of the Bureau of Fire of the City of Wilmington," by eliminating the eligibility requirement that the period of service be continuous,"—Committee on Finance.

HB 692—"An Act to permit New Castle - Gunning Bedford School Board of Education to transfer certain funds from its current expense account to its school construction account,"—Committee on Education.

HB 694—"An Act to amend Title 9, Section 9307, Delaware Code, relating to Deputy Comptrollers by providing for a Deputy Comptroller for Kent County,"—Committee on Government Operations.

HB 626—"An Act relating to street and highway lighting in Kent County,"—Committee on Government Operations.

HB 708—"An Act to amend Title 30, Delaware Code, Chapter 29, relating to the license fee paid by retailers by providing an increase in the reduction from gross purchases before computing said fee,"—Committee on Finance.

HJR 19—"Relating to requesting the Governors of the States through which the new "Metro-Liner" train and other high-speed trains pass to investigate the possibility of erecting and maintaining safety fences alongside the tracks on which such trains operate,"—Committee on Highways and Public Safety.

On motion of Senator Elliott, **SB 433 with HA 1** was taken up for consideration in order to pass the Senate.

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

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

ABSENT—Messrs. Hale, Holloway—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 Isaacs, **SB 462 with HA 1,2,3** was taken up for consideration in order to pass the Senate.

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

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

ABSENT—Mr. Hale—1.

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

Senator duPont introduced **HCR 32** entitled "Expressing

congratulations to the Delaware Federation of Business and Professional Women's Clubs on their 50th Anniversary."

Senator duPont moved that Rule 9 be suspended for the purpose of considering **HCR 32**.

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

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

ABSENT—Mr. Hale—1.

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

Senator duPont moved that **HCR 32** 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, Schlor, 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 Cicione introduced **SA 2 to HB 634**.

Senator Cicione moved that **SA 2 to HB 634** be placed with bill. Motion prevailed without objection.

Senator Cook introduced **SA 5 to HB 393**.

Senator Cook moved that **SA 5 to HB 393** be placed with bill. Motion prevailed without objection.

Senator Isaacs introduced **SA 1 to HS 1 for HB 536**.

Senator Isaacs moved that **SA 1 to HS 1 for HB 536** be placed with bill. Motion prevailed without objection.

Senator Isaacs on behalf of the Committee on Miscellaneous to whom had been referred **HB 430** reported the same back to the Senate; 4 on Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **HB 708** reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Isaacs on behalf of the Committee on Fish, Oyster, and Game to whom had been referred **HB 542** reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Isaacs on behalf of the Committee on Miscellaneous to whom had been referred **HB 595** reported the same back to the Senate; 4 on Merits.

Senator Isaacs on behalf of the Committee on Miscellaneous to whom had been referred **HB 594** reported the same back to the Senate; 4 on Merits.

Senator Hart on behalf of the Committee on Highways and Public Safety to whom had been referred **SB 586** reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Hart on behalf of the Committee on Highways and Public Safety to whom had been referred **SB 566** reported the same back to the Senate; 3 Favorable, 2 on Merits.

Senator Hart on behalf of the Committee on Highways and Public Safety to whom had been referred **HB 520** reported the same back to the

Senate; 2 Favorable, 2 on Merits.

Senator Steele moved to have Roll Call on **HB 554** rescinded. Motion prevailed without objection.

Senator Foltz moved to have the Roll Call on **SB 511 w/SA1, 2** lifted from the table. Motion prevailed 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. Cicione (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hickman, Holloway, (Mrs.) Manning, Slawik—10.

NAYS—Messrs. Castle, Cook, Elliott, Hart, Isaacs, Robbins, Steele—7.

ABSENT—Messrs. Schlor, McCullough—2.

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

Senator Isaacs moved that **SA 2 to SB 516** 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, Foltz, Grier, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlor, Slawik, Steele—16.

NOT VOTING—Mr. Castle—1.

ABSENT—Mr. Hale, (Mrs.) Manning—2.

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

Senator Cicione requested personal privilege of floor which was granted.

Senator Cicione requested that **SA 3 to SB 516** be stricken from the calendar. Motion prevailed without objection.

Senator Foltz moved that **SA 1 to SB 516** be adopted.

Senator Foltz moved to have action on **SA 1 to SB 516** tabled to correct error. Attorney Samuel Lewis checked the amendment and it was lifted from table.

Senator Foltz moved that **SA 1 to SB 516** 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, Hart, Hickman, Holloway, (Mrs.) Manning, Slawik, Steele—13.

NAYS—Messrs. Cook, Isaacs, McCullough, Robbins, Schlor—5.

ABSENT—Mr. Hale—1.

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

On motion of Senator Foltz, **SB 516 w/SA1, 2** with Title as follows was taken up for consideration and read a second time by Title in order to pass the Senate: "An Act to amend Title 11, Delaware Code, Chapter 43, relating to the composition and powers of the Board of Parole and making a supplementary appropriation to the Board to implement the act."

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

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

NAYS—Messrs. Cook, Isaacs, McCullough, Robbins, Schlor—5.

SENT—Mr. Hale—1.

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 moved that **SA 2 to SB 508** 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, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Slawik, Steele—14.

NAYS—Messrs. Cook, Robbins, Schlor—3.

ABSENT—Messrs. Cicione, Hale—2.

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

Senator Foltz moved that **SA 1 to SB 508** 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, Foltz, Grier, Hart, Hickman, Holloway, (Mrs.) Manning, McCullough, Slawik, Steele—13.

NAYS—Messrs. Cook, Elliott, Isaacs, Robbins, Schlor—5.

ABSENT—Mr. Hale—1.

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

On motion of Senator Foltz, **SB 508 with SA 1,2** with Title as follows was taken up for consideration and read a second time by Title in order to pass the Senate: "An Act to amend Title 11, Chapter 43, Delaware Code, relating to pardons and commutation of sentences and providing psychiatric examinations.

Senator Foltz asked for the privilege of the floor for Mr. Jerome O. Herlihy to answer questions on **SB 508 w/SA1, 2**. Hearing no objection the privilege was granted.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Foltz, Grier, Hart, Hickman, Holloway, (Mrs.) Manning, Slawik, Steele—12.

NAYS—Messrs. Cook, Elliott, McCullough, Robbins, Schlor—6.

ABSENT—Mr. Hale—1.

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

Senator Hart moved that **SA 2 to SB 512** 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, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Slawik, Steele—13.

NAYS—Messrs. Cook, Robbins, Schlor—3.

ABSENT—Messrs. Cicione, Hale, Holloway—3.

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

Senator Foltz moved that **SA 1 to SB 512** 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, Hart, Hickman, McCullough, Slawik, Steele—11.

NAYS—Messrs. Cook, Robbins, Schlor—3.

NOT VOTING—Mr. Isaacs—1.

ABSENT—Messrs. Cicione, Hale, Holloway, (Mrs.) Manning—4.

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

On motion of Senator Foltz, **SB 512 with SA 1,2** with Title as follows was taken up for consideration and read a second time by Title in order to pass the Senate: "An Act to amend Title 11, Chapter 43, Delaware Code, relating to paroles and providing psychiatric examinations."

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, Foltz, Grier, Hart, Hickman, (Mrs.) Manning, Slawik, Steele—10.

NAYS—Messrs. Cook, Elliott, Isaacs, McCullough, Robbins, Schlor—6.

ABSENT—Messrs. Cicione, Hale, Holloway—3.

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

Senator Hart moved that **SA 1 to SB 507** 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, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Slawik, Steele—15.

NAYS—Messrs. Robbins, Schlor—2.

ABSENT—Messrs. Cook, Hale—2.

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

On motion of Senator Foltz, **SB 507 with SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act to amend Title 16, Chpater 51, Delaware Code, relating to paroles, pardons, and commutation of sentences and requiring psychiatric examinations."

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, Slawik, Steele—12.

NAYS—Messrs. Cook, Elliott, Isaacs, McCullough, Robbins, Schlor—6.

ABSENT—Mr. Hale—1.

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

Senator Hart moved that **SA 2 to SB 510** 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, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Slawik, Steele—15.

NAYS—Messrs. Cook, Robbins, Schlor—3.

ABSENT—Mr. Hale—1.

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

Senator Foltz moved that **SA 1 to SB 510** be adopted.

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

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

NAYS—Messrs. Robbins, Schlor—2.

ABSENT—Mr. Hale—1.

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

On motion of Senator Foltz, **SB 510 with SA 1,2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act to amend Title 11, Chapter 43, Delaware Code, relating to pardons and commutation of sentences and providing use of services of Board of Parole."

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, McCullough, Slawik, Steele—13.

NAYS—Messrs. Cook, Elliott, Robbins, Schlor—4.

ABSENT—Messrs. Hale, Isaacs—2.

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

Senator Hart moved that **SA 2 to SB 514** be adopted.

Senator Foltz requested privilege of floor for Mr. Jerome O. Herlihy to discuss **SA 2 to SB 514**. No objection, request 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, Foltz, Grier, Hart, Hickman, Holloway, (Mrs.) Manning, McCullough, Slawik, Steele—14.

NAYS—Messrs. Cook, Robbins, Schlor—3.

ABSENT—Messrs. Hale, Isaacs—2.

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

Senator Foltz moved that **SA 1 to SB 514** be adopted.

Senator Foltz again requested privilege of floor for Mr. Jerome O. Herlihy to discuss **SA 2 to SB 514**. Hearing no objection, request 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, Foltz, Grier, Hickman, Holloway, (Mrs.) Manning, Slawik, Steele—11.

NAYS—Messrs. Cook, Elliott, Hart, Isaacs, McCullough, Robbins,

Schlor—7.

ABSENT—Mr. Hale—1.

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

On motion of Senator Foltz, **SB 514 with SA 1,2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate: "An Act to amend Title 11, Delaware Code, Chapter 39, relating to terms of imprisonment greater terms for previous convictions, and providing for repeal of provisions therefor."

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

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

NAYS—Messrs. Castle, Cook, Elliott, Hart, Isaacs, McCullough, Robbins, Schlor—8.

ABSENT—Mr. Hale—1.

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

Senator Hickman introduced **SB 613** entitled, "An Act to authorize the Governor of the State of Delaware to execute a quitclaim deed to remove a cloud on title to lands owned by Beebe Hospital of Sussex County, Inc," which was given its first reading by title only and assigned to Committee on Miscellaneous.

Senator Elliott introduced **SB 614** entitled, "An Act to amend Section 8105, Chapter 81, Title 9, Delaware Code, relating to exemption of real property from taxation owned by certain organizations by adding Cannon Grange No. 65 of H., BroadCreek Grange No. 59 P. of H., and Midland Grange No. 27 P. of H.," which was given its first reading by title only, and assigned to Committee on Miscellaneous.

Senator Slawik introduced **SB 615** co-sponsored by Senators McCullough, Isaacs, Castle, Cicione, and Schlor entitled, "An Act proposing an amendment to Article 10, Section 5 of the Delaware Constitution relating to payment of salaries of certain non-public school teachers and for the loan of certain books," which was given its first reading by title only and assigned to Committee on Joint Committee on Constitutional Revision.

Senator Conner on behalf of the Committee on Education to whom had been referred **HB 373** reported the same back to the Senate; 1 Favorable. 3 on Merits.

On motion of Senator Grier, **SS 1 for SB 585 with HA 1** was taken up for consideration in order to pass the Senate.

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

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

ABSENT—Messrs. Foltz, Hale, Isaacs—3.

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

The Chair presented the following House Bills which were given first reading referred to Committee as follows:

HB 577—"An Act to amend Title 21, Delaware Code, Section 4203 by increasing the amount of apparent property damage required before reporting accident from \$25 to \$100,"—Committee on Revised Statutes.

HB 699—"An Act making a supplementary appropriation to the Secretary of State,"—Committee on Finance.

HB 701—"An Act to permit the Board of Education of the Capital School District to transfer certain funds from its local Debt Service Account to its Construction Fund Account,"—Committee on Education.

HB 704 w/HA1—"An Act to amend Title 10, Delaware Code, Section 8903, and Title 9, Section 8429, relating to certain expenses connected with the Administration of Justice by providing for the transfer of responsibilities to the State from the several counties from the payment of these expenses,"—Committee on Revised Statutes.

Senator Holloway invited the members of the Senate to attend cocktail party at Tally Ho Restaurant on April 25, 1970.

Senator Grier moved the Senate recess until Tuesday, April 28, 1970, at 1:30 p.m. Hearing no objections, motion prevailed.

26th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:40 P.M. on Tuesday, April 28, 1970, Lt. Gov. Bookhammer presiding.

Prayer by Senator Foltz.

Flag Salute.

By roll call the following Senators were present:

MEMBERS PRESENT—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele-18.

MEMBERS ABSENT—Mr. Elliott-1.

The secretary proceeded to read the Journal 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 read.

The following communications were read:

The Chair announced that the House wishes to inform the Senate that it has passed **HB 605; HCR 34** and requests the concurrence of the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **SB 461, 542, 565, 584** and is returning same to the Senate.

The Chair announced that the House wishes to inform the Senate that it did not pass **SB 52 with SA 1, HA 1** and is returning same to the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **HB 664 with HA 2, 670** and requests the concurrence of the Senate.

The Chair announced that the House wishes to inform the Senate that it has passed **SB 567** and is returning same to the Senate.

Senator Cicione asked for the personal privilege of the floor to comment on a news article concerning the Mafia. Hearing no objection the privilege was granted.

Senator Castle introduced **SB 616** entitled, "An Act to amend Title 15, Delaware Code, relating to a portion of the election laws of the State of Delaware by amending Chapters 1, 3, 11, 13, 15, 17, 31, 33, 45, 49, 50, 55, and 57 and making certain changes in the commissioner, registration of voters, registration officers, registration procedures, primary elections and nomination of candidates, ballots election supplies, the conduct of elections, voting machines, absentee voting and canvass of the vote and proclamation of results of elections," which was given its first reading by title only and assigned to Committee on Elections.

Senator Isaacs on behalf of the Committee on Fish, Oyster and Game to whom had been referred **HB 575** reported the same back to the Senate; 1 Favorable, 3 Merits.

Senator Isaacs on behalf of the Committee on Fish, Oyster, and Game to whom had been referred **HB 489** reported the same back to the Senate; 4 Merits.

Senator Isaacs on behalf of the Committee on Miscellaneous to whom had been referred **HB 617** reported the same back to the Senate; 1 Favorable, 3 Merits.

Senator Isaacs on behalf of the Committee on Miscellaneous to whom had been referred **HB 424** reported the same back to the Senate; 1 Favorable, 4 Merits.

Senator Isaacs on behalf of the Committee on Fish, Oyster and Game to whom had been referred **HB 681** reported the same back to the Senate; 4 Merits.

Senator Isaacs on behalf of the Committee on Miscellaneous to whom had been referred **SB 428** and **SS 1** for **SB 428** reported the same back to the Senate; **SS1** for **SB 428** 1 Favorable, 4 Merits; **SB 428** 1 Favorable, 3 Merits.

Senator Isaacs on behalf of the Committee on Miscellaneous to whom had been referred **SB 614** reported the same back to the Senate; 1 Favorable, 3 Merits.

Senator Slawik introduced **SA 3** to **HB 634** co-sponsored by Senator Isaacs.

Senator Slawik moved that **SA 3** to **HB 634** be placed with bill. Motion prevailed without objection.

Senator Isaacs on behalf of the Committee on Miscellaneous to whom had been referred **SB 613** reported the same back to the Senate; 1 Favorable, 3 Merits.

Senator Hickman introduced **SA 1** to **SB 613**.

Senator Hickman moved that **SA 1** to **SB 613** be placed with bill. Motion prevailed without objection.

Senator Hart moved that **SA 1** to **SB 518** 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, 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 amendment having received the required constitutional majority was adopted.

On motion of Senator Foltz **SB 518** with **SA 1** with title as follows was taken up for consideration and read a second time by title in order to

pass the Senate.

“An Act to amend Title 11, Chapter 43, Delaware Code, by repealing subchapter VII relating to diminution of confinement.”

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, Hickman, Holloway, (Mrs.) Manning, Slawik, Steele-12.

NAYS—Messrs. Cook, Isaacs, McCullough, Robbins, Schlor-5.

ABSENT—Messrs. Elliott, Hart-2.

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

Senator Foltz moved that **SA 2 to SB 515** 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, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Schlor, Slawik, Steele-16.

NAYS—Mr. Robbins-1.

ABSENT—Messrs. Elliott, Hart-2.

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

Senator Foltz moved that **SA 1 to SB 515** 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, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Slawik, Steele-15.

NAYS—Messrs. Robbins, Schlor-2.

ABSENT—Messrs. Elliott, Hart-2.

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

On motion of Senator Foltz **SB 515 with SA 1 and 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Title 11, Delaware Code Chapter 43, relating to eligibility for parole.”

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, Hickman, Holloway, (Mrs.) Manning, Slawik, Steele-12.

NAYS—Messrs. Cook, Isaacs, McCullough, Robbins, Schlor-5.

ABSENT—Messrs. Elliott, Hart-2.

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

Senator Foltz moved that **SA 3 to SB 513** 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, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele-17.

ABSENT—Messrs. Elliott, Hart-2.

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

Senator Foltz requested that **SA 1 to SB 513** be stricken from the calendar. Motion prevailed without objection.

Senator Foltz moved that **SA 2 to SB 513** 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, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Slawik, Steele-16.

NAYS—Mr. Schlor-1.

ABSENT—Messrs. Elliott, Hart-2.

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

On motion of Senator Foltz **SB 513 with SA 2 and 3** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Title 11, Delaware Code, Chapter 43, abolishing fixed terms of imprisonment, and providing indeterminate sentences for crime and making a supplementary appropriation to the Division of Corrections of the Department of Health and Social Services to carry out the act.”

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

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

NAYS—Messrs. Cook, Isaacs, McCullough, Robbins, Schlor-5.

NOT VOTING—Mr. Castle-1.

ABSENT—Messrs. Elliott, Hart-2.

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

Senator Hickman moved that rule 9 be suspended for the purpose of considering **SB 613**.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlor, Slawik, Steele-16.

ABSENT—Messrs. Elliott, Hart, (Mrs.) Manning-3.

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

Senator Hickman moved that **SA 1 to SB 613** 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, Hale, Hickman, Holloway, McCullough, Robbins, Schlor, Slawik, Steele-13.

NOT VOTING—Messrs. Castle, Isaacs-2.

ABSENT—Messrs. (Mrs.) Conner, Elliott, Hart, (Mrs.) Manning-4.

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

On motion of Senator Hickman **SB 613 with SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to authorize the Governor of the State of Delaware to execute a quitclaim deed to remove a cloud on title to lands owned by Beebe Hospital of Sussex County, Inc.”

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

YEAS—Messrs. Cicione, Cook, duPont, Foltz, Grier, Hale, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlor, Slawik, Steele-14.

NOT VOTING—Mr. Castle-1.

ABSENT—Messrs. (Mrs.) Conner, Elliott, Hart, (Mrs.) Manning-4.

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

On motion of Senator Steele **HB 708** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Title 30, Del. Code, Chapter 29, relating to the license fee paid by retailers by providing an increase in the reduction from gross purchases before computing said fee.”

Senator Cook moved that action on **HB 708** be deferred.

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

YEAS—Messrs. Cicione, (Mrs.) Conner, Cook, Foltz, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik-11.

NAYS—Messrs. duPont, Grier, Steele-3.

NOT VOTING—Messrs. Castle, Hale, Hickman-3.

ABSENT—Messrs. Elliott, Hart-2.

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

On motion of Senator Cicione **HB 582** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend an act being Chapter 197, Volume 54, Laws of Delaware, as amended, entitled ‘An Act revising the prior charter of the City of Rehoboth Beach and establishing a new charter therefor and prescribing the powers and duties of the commissioners of Rehoboth Beach’ to permit certain lease-holders to hold elective office, to define the term lease-holder, to permit certain leaseholders to vote in the annual municipal election, to change the date when the tax rate is set, to change the date when the budget is adopted, to permit the borrowing of funds against anticipated revenues, to establish a salary for the elected officers.”

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, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Slawik, Steele-14.

NOT VOTING—Messrs. McCullough, Schlor-2.

ABSENT—Messrs. Cook, Elliott, Hart-3.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was

ordered to the House.

On motion of Senator Steele **HB 606 with HA 2** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Chapter 11, Title 30, Delaware Code, permitting a deduction of legal and agency fees incurred from the adoption of children.”

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, Foltz, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Slawik, Steele-15.

ABSENT—Messrs. Cicione, Cook, Elliott, Hart-4.

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

On motion of Senator Steele **HB 645** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act relating to a pension for Hettie D. Gardner, a former employee of the Governor Bacon Health Center and the State of Delaware.”

Senator Steele asked for the privilege of the floor for Representative John F. Kirk, Jr. to discuss **HB 645**. Hearing no objection the privilege was granted.

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

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlör, Steele-15.

ABSENT—Messrs. Cicione, Elliott, Hart, Slawik-4.

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

Senator Steele announced a meeting to be held on May 5, 1970, on pension bill.

On motion of Senator Steele **HB 690** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Chapter 10, Title 22, Delaware Code, relating to exemptions from municipal taxation on real property of residents of the age of 65 years or more.”

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

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele-15.

ABSENT—Messrs. Cicione, Elliott, Foltz, McCullough-4.

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

On motion of Senator Manning **SB 569** with title as follows was

taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Title 31, Delaware Code, Chapter 3, Relating to child welfare by providing for a new subchapter concerning the interstate compact on the placement of children.”

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

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele-15.

NAYS—Mr. McCullough-1.

ABSENT—Messrs. Cicione, Elliott, Hickman-3.

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

On motion of Senator Manning **SB 571** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Title 16, Delaware Code, by providing for a new chapter, to be designated as chapter 52, relating to the mentally disordered offender by entering into the Interstate Compact on the Mentally Disordered offender and providing for the implementation of the Compact.”

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

YEAS—Messrs. Castle, (Mrs.) Conner, Cook, duPont, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlör, Slawik, Steele-16.

NOT VOTING—Messrs. Cicione, McCullough-2.

ABSENT—Mr. Elliott-1.

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

On motion of Senator Cicione **SB 492** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Chapter 87, Title 3, Delaware Code relating to meat and poultry products inspection.”

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, (Mrs.) Manning, Schlör, Slawik, Steele-15.

NAYS—Messrs. McCullough, Robbins-2.

NOT VOTING—Mr. Isaacs-1.

ABSENT—Mr. Elliott-1.

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

3:55 P.M. President Pro-Tem duPont presiding.

Senator Cook moved that **SA 1 to HB 708** 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, Isaacs, McCullough, Robbins, Schlor, Slawik-6.
 NAYS—Messrs. Castle, (Mrs.) Conner, duPont, Grier, Hale, Hart,
 Hickman, (Mrs.) Manning, Steele-9.

NOT VOTING—Messrs. Cicione, Holloway-2.

ABSENT—Messrs. Elliott, Foltz-2.

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

On motion of Senator Steele **HB 708** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Title 30, Delaware Code, Chapter 29, relating to the license fee paid by retailers by providing an increase in the reduction from gross purchases before computing said 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, 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 bill having received the required constitutional majority passed the Senate and was ordered to the House.

On motion of Senator Cicione **SB 590** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Title 19, Delaware Code section 109 relating to duties of child labor inspectors.”

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, Robbins, Schlor, Slawik, Steele-18.

ABSENT—Mr. Elliott-1.

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

On motion of Senator Cicione **SB 592** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act to amend Title 19, Delaware Code, Chapter 5, Subchapter IV, relating to employment certificates and wages for children.”

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

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

ABSENT—Messrs. Elliott, Hickman—2.

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

On motion of Senator Cicione **HB 572** with title as follows was taken up for consideration and read a second time by title in order to pass the

Senate.

“An Act to extend the expiration date of the Wilmington Civic Center office building 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, Cook, duPont, Foltz, Grier, Hale, Hart, Hickman, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele-16.

ABSENT—Messrs. Elliott, Holloway, 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.

On motion of Senator Conner **HB 639** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act authorizing the division of corrections of the Department of Health and Social Services to pay certain obligations incurred in a prior fiscal year.”

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, 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 bill having received the required constitutional majority passed the Senate and was ordered to the House.

Senator Conner moved that **SA 1 to HB 267** be adopted. Letter was read concerning amendment.

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, 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 amendment having received the required constitutional majority was adopted.

On motion of Senator Conner **HB 267 with SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

“An Act relating to Uniform Anatomical Gift Act.”

Senator Conner asked for the privilege of the floor for Representative W. Neal Moerschel to explain **HB 267**. Hearing no objection the privilege was granted.

Senator Isaacs moved that action on **HB 267 with SA 1** be deferred.

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

YEAS—Messrs. Castle, Cook, duPont, Isaacs, McCullough, Robbins, Schlor, Slawik-8.

NAYS—Messrs. (Mrs.) Conner, Foltz, Grier, Hale, Hickman, (Mrs.) Manning, Steele-7.

NOT VOTING—Mr. Cicione-1.

ABSENT—Messrs. Elliott, Hart, Holloway-3.

So the question was decided in the negative and the motion was lost. Senator Isaacs moved that Senate recess.

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

YEAS—Messrs. Cook, Isaacs, McCullough, Robbins, Schlor, Slawik-6.

NAYS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Foltz, Grier, Hale, Hickman, (Mrs.) Manning, Steele-10.

ABSENT—Messrs. Elliott, Hart, Holloway-3.

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

Senator Conner moved that roll call on **HB 267 with SA 1** be tabled.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Foltz, Grier,

Hale, Hickman, (Mrs.) Manning, Steele-10.

NAYS—Messrs. Cook, Isaacs, McCullough, Robbins, Schlor-5.

NOT VOTING—Mr. Slawik-1.

ABSENT—Messrs. Elliott, Hart, Holloway-3.

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

Senator Slawik introduced **SB 617** co-sponsored by Senator McCullough, entitled, "An Act to amend Chapter 17, Title 16, Delaware Code, entitled, 'Refuse and garbage' to prohibit the dumping of garbage or refuse with a certain distance of schools," which was given its first reading by title only and assigned to Committee on Health and Welfare.

Senator Slawik introduced **SB 618** co-sponsored by others, entitled, "An Act proposing an amendment to Article X, of the constitution of the State of Delaware, relating to State aid to nonpublic schools," which was given its first reading by title only and assigned to Committee on Constitutional Revision.

Senator Slawik introduced **SB 619** co-sponsored by others, entitled, "An Act proposing an amendment to Article X, Section 3 of the Constitution of the State of Delaware, relating to the prohibition against the use of public funds for religious education," which was given its first reading by title only and assigned to Committee on Constitutional Revision.

Senator Holloway introduced **SB 620** entitled, "An Act to amend Chapter 43, Title 21, Delaware Code relating to special motor vehicle provisions, by providing for the arrest of those operating motor vehicles producing heavy and abnormal emission of exhaust fumes," which was given its first reading by title only and assigned to Committee on Health and Welfare.

Senator Manning introduced **SJR 18** entitled, "Relative to the establishment of a committee to review the 'rules of the road,'" which was assigned to Committee on Highways and Public Safety.

Senator Slawik introduced **SA 1 to SB 593**.

Senator Slawik moved that **SA 1 to SB 593** be placed with bill. Motion prevailed without objection.

Senator Steele introduced **SA 1 to SB 692** co-sponsored by Senator McCullough.

Senator Steele moved that **SA 1 to SB 692** be placed with bill. Motion prevailed without objection.

Senator Castle introduced **SA 1 to SB 616**.

Senator Castle moved that **SA 1 to SB 616** be placed with bill. Motion prevailed without objection.

Senator Slawik introduced **SA 4 to HB 634** co-sponsored by Senator Isaacs.

Senator Slawik moved that **SA 4 to HB 634** be placed with bill. Motion prevailed without objection.

Senator Castle on behalf of the Committee on Revised Statutes to whom had been referred **HB 577** reported the same back to the Senate; 5 Merits.

Senator Conner on behalf of the Committee on Health and Welfare to whom had been referred **HB 637** reported the same back to the Senate; 2 Favorable, 3 Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **HB 682** reported the same back to the Senate; 6 Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **HB 683** reported the same back to the Senate; 6 Merits.

Senator Steele on behalf of the Committee on Finance to whom had been referred **HB 699** reported the same back to the Senate; 6 Merits.

Senator Castle on behalf of the Committee on Revised Statutes to whom had been referred **HB 704** reported the same back to Senate.

Senator Conner on behalf of the Committee on Education to whom had been referred **SB 593** reported the same back to the Senate; 1 Favorable, 5 on Merits.

The Chair presented the following House Bills and Concurrent Resolutions, which were given first reading and referred to Committee as follows:

HB 670—"An Act to amend Title 7, Delaware Code, Chapter 65, relating to the interest rate on bonds issued by the Delaware River Basin Commission," Committee on Finance.

HB 664—"An Act to amend Title 10, Delaware Code, relating to certain judicial salaries,"—Committee on Finance.

HB 605—"An Act to amend Subchapter II, Section 522 (c), Title 28, Delaware Code, relating to licenses to conduct harness racing meets,"—Committee on Miscellaneous.

HCR 34—"Appropriating money out of the general fund of the State Treasury to pay certain expenses of members of the Legislative Council,"—Committee on Finance.

The following letters of appointment from the Governor were read and referred to Executive Committee.

April 28, 1970

To the Senate of the 125th 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:

Associate Judge Alfred Fraczkowski, 1402 Wooklawn Avenue, Wilmington, Delaware; to be Chief Judge of the Municipal Court for the City of Wilmington for the remainder of his term, expiring on August 7, 1981.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Russell W. Peterson
Governor

April 28, 1970

To the Senate of the 125th 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:

James H. Kennedy, 114 Broadbent Road, Northminister, Wilmington, Delaware; to be State Tax Commissioner for the State of Delaware, for a term of four years to expire November 1, 1973, succeeding E. Hobson Davis.

Your consideration of this nomination will be appreciated.

Respectfully submitted
Russell W. Peterson
Governor

April 28, 1970

To the Senate of the 125th 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:

Dr. Henry J. Donnelly, Jr., 68 Welsh Tract Road, Apartment 311, Newark, Delaware, 19711; to be a member of the State Tax Board, for a term of four years from date of confirmation, succeeding Henry Herndon, Jr.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Russell W. Peterson
Governor

April 28, 1970

To the Senate of the 125th 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:

Mr. G. Wallace Caulk, Woodside, Delaware; to be Secretary of the Department of Agriculture for the State of Delaware, to serve during the pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Russell W. Peterson
Governor

April 28, 1970

To the Senate of the 125th 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:

Carl Goldstein, 623 Delaware Avenue, Wilmington, Delaware; to be an Associate Judge of the Municipal Court for the City of Wilmington to serve a term of twelve years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Russell W. Peterson
Governor

April 28, 1970

To the Senate of the 125th 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:

W. Harley Funk, 2901 Faulkland Road, Wilmington, Delaware; to be a member of the Board of Trustees, University of Delaware, for a six-year term from date of confirmation, succeeding Ernest S. Wilson, Sr., resigned.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Russell W. Peterson
Governor

April 28, 1970

To the Senate of the 125th 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:

Albert L. Tanyer, 106 West Sixth Street, Laurel, Delaware; to be a member of the Delaware Industrial Building Commission, for a term of four years from February 20, 1970. (Reappt.)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Russell W. Peterson
Governor

April 28, 1970

To the Senate of the 125th 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:

Gene Derrickson, 406 Harvey Road, Claymont, Delaware; to be a Trustee of the Delaware Institute of Technology, for a term of three years from date of confirmation.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Russell W. Peterson
Governor

Senator Grier moved that the Senate adjourn until April 29, 1970 at 1:30 P.M. Hearing no objection, motion prevailed.

27th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:40 P.M. on April 29, 1970, President Pro Tem duPont presiding.

Prayer by Senator Foltz.

By roll call the following senators were present:

Members Present—Messrs.—Cicione, (Mrs.) Conner, Cook, du Pont Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele—19.

Members Absent—0.

The Secretary proceeded to read the Journal 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 read.

Senator Hale introduced **SB 621** which given its first reading by Title only, entitled "An Act to amend Section 1301(3)(b), Chapter 13, Title 19, Delaware Code, relating to the exemption of certain employees from the definition of Public Employees." Assigned to committee Labor and Industrial Relations.

Senator Steele introduced **SR 109**.

Relative to House Bill No. 554.

WHEREAS, the Senate failed to pass House Bill No. 554, and it has been sent back to the House of Representatives; and

WHEREAS, the members of the Senate request that said House Bill No. 554 be reconsidered; and

WHEREAS, the members of the Senate request that the House of Representatives return House Bill No. 554 to the Senate for reconsideration.

NOW THEREFORE,

BE IT RESOLVED by the Senate of the 125th General Assembly of the State of Delaware that the members thereof desire to reconsider House Bill No. 554.

BE IT FURTHER RESOLVED that the House of Representatives is requested to return House Bill No. 554 to the Senate for reconsideration.

BE IT FURTHER RESOLVED that a copy of this Resolution be delivered to the Clerk of the House of Representatives and the Speaker of the House of Representatives.

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

Senator Steele moved that **SR 109** be adopted.

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

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

NAYS—0.

NOT VOTING—0.

ABSENT—Mr. Hickman, (Mrs.) Manning—2.

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

Senator Schlor moved that **SA 1 to SB 100** 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, duPont, Elliott, Foltz, Hale, Hart, Holloway, Isaacs, McCullough, Robbins, Schlor, Slawik—14.

NAYS—Messrs. Grier, Steele—2.

NOT VOTING—(Mrs.) Conner—1.

ABSENT—Mr. Hickman, (Mrs.) Manning—2.

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

On motion of Senator Schlor, **SB 100** to SA 1 with title as follows was taken up for consideration and read a second time by title in order to pass the Senate. "An Act to amend Title 30, Section 1117(a), relating to exemptions and credits against net income by increasing the amount from \$600.00 to \$800.00."

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

YEAS—Messrs. Cicione, Cook, Elliott, Foltz, Hart, Holloway, Isaacs, McCullough, Robbins, Schlor, Slawik—11.

NAYS—Messrs. (Mrs.) Conner, du Pont, Grier, Hale, Steele—5.

NOT VOTING—Mr. Castle—1.

ABSENT—Mr. Hickman, (Mrs.) Manning—2.

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

Senator Holloway introduced **SR 110** co-sponsored by Senators Castle and Schlor.

Relative to the Death of Dr. B. Napoleon Gupton.

WHEREAS, the Senate of the 125th General Assembly of the State of Delaware has learned with regret of the passing of Dr. B. Napoleon Gupton, City Councilman of Wilmington; and

WHEREAS, Dr. Gupton has served the people of Wilmington as Councilman since being elected in 1964 by the old 6th Ward; and

WHEREAS, Dr. Gupton was universally respected and admired by the people of Wilmington and his fellow Councilmen; and

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

NOW THEREFORE,

BE IT RESOLVED that the family of the deceased has the full sympathy of the members of the Senate of the 125th General Assembly of the State of Delaware which is extended by sending a copy of this Resolution to the family of the deceased.

BE IT FURTHER RESOLVED that the text of this Resolution be made a part of the Journal of the proceedings of the Senate of the 125th General Assembly of the State of Delaware.

Senator Holloway moved that **SR 110** be adopted.

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, duPont, Elliott,

Foltz, Grier, Hale, Hart, Holloway, Isaacs, McCullough, Robbins, Schlor, Slawik, Steele—17.

NAYS—0.

NOT VOTING—0.

ABSENT— Mr. Hickman, (Mrs.) Manning—2.

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

On motion of Senator Conner, roll call on **HB 267 with SA 1** was lifted from table.

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, Foltz, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, Steele—11.

NAYS—Messrs. du Pont, Isaacs, McCullough, Robbins, Schlor—5.

NOT VOTING—Messrs. Cicione, Elliott, Slawik, Steele—3.

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

On motion of Senator Conner, **HB 632** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate. “An Act to amend Title 14, Delaware Code, Section 1321, relating to the employment of driver education teachers.”

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

YEAS—Messrs. Castle, (Mrs.) Conner, du Pont, Elliott, Foltz, Grier, Hale, Hart, Isaacs, McCullough, Robbins, Schlor, Slawik, Steele—14.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Cicione, Cook, Hickman, Holloway, (Mrs.) Manning—5.

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

On motion of Senator Castle, roll call on **SB 416** was lifted from table.

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, du Pont, Elliott, Foltz, Hale, Hart, Holloway, (Mrs.) Manning—10.

NAYS—Messrs. Cook, Grier, Hickman, McCullough, Robbins, Schlor—6.

NOT VOTING—Messrs. Isaacs, Slawik, Steele—3.

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

On motion of Senator Castle **HB 139** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate. “An Act proposing an amendment to Article 2, Section 15, of the Constitution of the State of Delaware, relating to the compensation, expenses and allowances of members of the General Assembly.

On the Motion of Senator Castle, the roll call was tabled.

Motion prevailed, without objection.

On motion of Senator Castle, **HB 627 with HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate. "An Act to amend Section 4302, Chapter 43, Title 30, Delaware Code, relating to use tax on leases of tangible personal property to provide for the exemption of certain property."

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

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, Cook, du Pont, Elliott, Foltz, Grier, Hart, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele—16.

NAYS—0.

NOT VOTING—0.

ABSENT—Messrs. Hale, Hickman, Holloway—3.

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

On motion of Senator Slawik, **SB 466** with Title as follows was taken up for consideration and read a second time by Title in order to pass the Senate. "An Act to amend Chapter 5, Title 21, Delaware Code, relating to the marking of highways and erection of traffic signals and other signs, by adding a new subchapter to provide for contracts between municipalities and other political subdivisions and owners of shopping centers to regulate parking and traffic at shopping centers."

Senator Slawik asked for the privilege of the floor for Senate Attorney, Joseph Yucht, too clarify **SB 466**. Hearing no objection the privilege was granted.

On motion of Senator Slawik, action on **SB 466** was deferred for legal opinions. Motion prevailed without objection.

On motion of Senator Isaacs, **HB 578** with Title as follows was taken up for consideration and read a second time by Title in order to pass the Senate. "An Act to amend Chapter 81, Title 9, Delaware Code, relating to the limitations upon taxing power, by exempting lands and improvements of Penn Acres Swim Club, Inc., from assessment and taxation.

Senator Isaacs asked for the privilege of the floor for Rep. Ernest S. Spence, Jr., to explain **HB 578**. Hearing no objection the privilege was granted.

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

YEAS—(Mrs.) Conner, Messrs. Cook, duPont, Elliott, Foltz, Grier, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Steele—14.

NOT VOTING—Mr. Castle—1.

ABSENT—Messrs. Cicione, Hale, Hickman, Slawik—4.

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

On motion of Senator Isaacs, **HB 617 with HA 1** with Title as follows was taken up for consideration and read a second time by title in order to pass the Senate. "An Act to amend Title 4, Delaware Code, Section 701 relating to the sale and delivery of alcoholic liquor."

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, du Pont, Foltz, Grier, Hart, Holloway, Isaacs, (Mrs.) Manning, Schlor, Steele—12.

NAYS—Mr. Elliott—1.

NOT VOTING—Mr. Robbins—1.

ABSENT—Messrs. Cicione, Hale, Hickman, McCullough, Slawik—5.

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

On motion of Senator Conner, **HB 637 with HA 1 and 2** with Title as follows was taken up for consideration and read a second time by title in order to pass the Senate. "An Act to amend Section 1756, Title 24, Delaware Code, relating to physicians and surgeons."

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, du Pont, Elliott, Foltz, Grier, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlor, Steele—15.

NAYS—Mr. McCullough—1.

NOT VOTING—0.

ABSENT—Messrs. Cicione, Hickman, Slawik—3.

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

Miss Carmella Zinnie, Delaware Junior Miss of 1970, was granted privilege of floor.

On motion of Senator Hart, **SB 587** with Title as follows was taken up for consideration and read a second time by title in order to pass the Senate. "An Act making a supplementary appropriation to the Delaware Junior Miss Pageant for the purpose of providing funds for Delaware's Junior Miss to attend the National Junior Miss Pageant and to defray related expenses."

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, du Pont, Elliott, Grier, Hale, Hart, Holloway, Isaacs, Robbins, Schlor, Slawik, Steele—15.

NAYS—0.

NOT VOTING—Messrs. Foltz, McCullough—2.

ABSENT—Mr. Hickman, (Mrs.) Manning—2.

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

Senator Foltz requested that **SA 1** to **HB 25** be stricken from the calendar. Motion prevailed without objection.

On motion of Senator Foltz, **HB 25 with HA 2** with Title as follows was taken up for consideration and read a second time by title in order to pass the Senate. "An Act to amend Subchapter IX, Title 11, Delaware Code, relating to burglary and breaking and entering."

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

YEAS—Messrs. Cook, Hart, Isaacs, McCullough, Robbins, Schlor, Steele—7.

NAYS—Messrs. (Mrs.) Conner, duPont, Foltz, Hale, Holloway, (Mrs.) Manning, Slawik—7.

NOT VOTING—Messrs. Castle, Elliott, Grier—3.

ABSENT—Messrs. Cicione, Hickman—2.

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

Senator Foltz requested that **SA 1 to HB 28** be stricken from the calendar. Motion prevailed without objection.

On motion of Senator Foltz, **HB 28** with Title as follows was taken up for consideration and read a second time by title in order to pass the Senate. “An Act to amend Title 11, Delaware Code Subchapter XLIV, relating to rape.”

Senator McCullough moved that roll call on **HB 28** be tabled.

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

YEAS—Messrs. Cook, Elliott, Hart, Isaacs, McCullough, Robbins, Schlor, Slawik, Steele—9.

NAYS—Messrs. Castle, (Mrs.) Conner, du Pont, Foltz, Grier, Hale, Holloway, (Mrs.) Manning—8.

NOT VOTING—0.

ABSENT—Messrs. Cicione, Hickman—2.

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

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

YEAS—Messrs. Elliott, Hart, Isaacs, McCullough, Robbins, Schlor, Slawik, Steele—8.

NAYS—Messrs. (Mrs.) Conner, du Pont, Foltz, Hale, Holloway—5.

NOT VOTING—Messrs. Castle, Grier, (Mrs.) Manning—3.

ABSENT—Messrs. Cicione, Cook, Hickman—3.

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

Senator Foltz requested that **SA 1 to HB 29** be stricken from the calendar. Motion prevailed without objection.

Senator Foltz asked for the privilege of the floor for Rep. David S. Benson to discuss **HB 29**. Hearing no objection the privilege was granted.

On motion of Senator Foltz, **HB 29 with HA 1** with Title as follows was taken up for consideration and read a second time by title in order to pass the Senate. “An Act to amend Title II, Subchapter V, Delaware Code, relating to arson and burning of property.”

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

YEAS—Messrs. Cook, Elliott, Hart, Isaacs, McCullough, Robbins, Schlor, Steele—8.

NAYS—Messrs. (Mrs.) Conner, du Pont, Foltz, Hale, Holloway, (Mrs.) Manning—6.

NOT VOTING—Messrs. Castle, Cicione, Grier, Slawik—4.

ABSENT—Mr. Hickman—1.

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

On motion of Senator Foltz, **HB 33 with HA 1** with Title as follows was taken up for consideration and read a second time by title in order to pass the Senate. “An Act to amend Section 2310(c), Title II, Delaware Code, relating to night time search warrants.”

Senator Foltz moved that roll call on **HB 33 with HA 1** tabled. Hearing no objection the privilege was granted.

Senator Foltz asked for the privilege of the floor for Rep. Benson to speak on **HB 67**. Hearing no objection the privilege was granted.

On motion of Senator Foltz, **HB 67 with HA 1** with Title as follows was taken up for consideration and read a second time by title in order to pass the Senate. "An Act to amend Title 11, Section 571, Delaware Code, relating to murder."

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

YEAS—Messrs. Cook, Elliott; Hart, McCullough, Robbins, Schlor, Steele—7.

NAYS—Messrs. (Mrs.) Conner, du Pont, Foltz, Hale, Holloway, (Mrs.) Manning—6.

NOT VOTING—Messrs. Castle, Cicione, Grier—3.

ABSENT—Messrs. Hickman, Isaacs, Slawik—3.

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

Senator Foltz requested that **SA 1 to HS 1 for HB 61** be stricken from the calendar. Motion prevailed without objection.

Senator Foltz asked for the privilege of the floor for Rep. Benson to explain **HS 1 for HB 61**. Hearing no objection the privilege was granted.

On motion of Senator Foltz, **HS 1 for HB 61** for Title as follows was taken up for consideration and read a second time by title in order to pass the Senate. "An Act to amend Title II, Section 4346, Delaware Code, relating to parole."

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

YEAS—Messrs. Cook, Elliott, McCullough, Robbins, Schlor, Steele—6.

NAYS—Messrs. (Mrs.) Conner, du Pont, Foltz, Hale, Holloway—5.

NOT VOTING—Messrs. Castle, Cicione, Grier, Hickman, Slawik—5.

ABSENT—Messrs. Hart, Isaacs, (Mrs.) Manning—3.

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

Senator Foltz asked for the privilege of the floor for Rep. Benson to speak on **HB 221 with HA 1 and 2**. Hearing no objection the privilege was granted.

On motion of Senator Foltz, **HB 221 with HA 1 and 2** with Title as follows was taken up for consideration and read a second time by title in order to pass the Senate. "An Act to amend Section 394, Title II, Delaware Code, relating to burglary."

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

YEAS—Messrs. Cook, Isaacs, McCullough, Robbins, Schlor, Steele—6.

NAYS—Messrs. (Mrs.) Conner, du Pont, Foltz, Hale, Hickman, Holloway—6.

NOT VOTING—Messrs. Castle, Cicione, Elliott, Grier—4.

ABSENT—Messrs. Hart, (Mrs.) Manning, Slawik—3.

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

Senator Foltz asked for the privilege of the floor for Rep. Benson to speak on **HB 222 with HA 1**. Hearing no objection the privilege was granted.

On motion of Senator Foltz, **HB 222 with HA 1** with Title as follows was taken up for consideration and read a second time by title in order to pass the Senate. "An Act to amend section 395, Title II, Delaware Code,

relating to burglary.”

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

YEAS—Messrs. Cook, Isaacs, McCullough, Robbins, Schlor, Steele—6.

NAYS—Messrs. (Mrs.) Conner, du Pont, Foltz, Hale, Hickman, Holloway, (Mrs.) Manning—7.

NOT VOTING—Messrs. Castle, Cicione, Elliott, Slawik—5.

ABSENT—Mr. Hart—1.

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

Senator Foltz asked for the privilege of the floor for Rep. Benson to speak on **HB 227**. Hearing no objection the privilege was granted.

On Motion of Senator Foltz **HB 227** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 227—“An Act to Amend Title 11, Section 4332, Relating to Parole of Prisoners.”

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

YEAS—Messrs. Cook, Elliott, Hart, Isaacs, McCullough, Robbins, Schlor, Slawik, Steele—9.

NAYS—Messrs. (Mrs.) Conner, duPont, Foltz, Hale, Holloway—5.

NOT VOTING—Messrs. Castle, Cicione, Grier, Hickman—4.

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

Senator Foltz requested that **SA 1 to HB 279** be stricken from the calendar. Motion prevailed without objection.

Senator Foltz asked for the privilege of the floor for Representative Benson to speak on **HB 279**. Hearing no objection the privilege was granted.

On Motion of Senator Foltz, **HB 279** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 279—“An Act to Amend Section 811, Title 11, Delaware Code, Relating to Robbery.”

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

YEAS—Messrs. Cook, Hart, Isaacs, McCullough, Robbins, Schlor, Steele—7.

NAYS—Messrs. (Mrs.) Conner, duPont, Foltz, Hale, Holloway, (Mrs.) Manning—6.

NOT VOTING—Mr. Castle—1.

ABSENT—Messrs. Cicione, Elliott, Grier, Hickman, Slawik—5.

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

Senator Foltz requested that **SA 1 to HB 280** be stricken from the calendar. Motion prevailed without objection.

Senator Foltz asked for the privilege of the floor for Representative Benson to speak on **HB 280**. Hearing no objection the privilege was granted.

On Motion of Senator Foltz, **HB 280** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 280—“An Act to Amend Section 812, Title 11, Delaware Code,

Relating to Assault with intent to Commit Robbery.”

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

YEAS—Messrs. Cook, Hart, Isaacs, McCullough, Robbins, Schlor, Steele—7.

NAYS—Messrs. (Mrs.) Conner, duPont, Foltz, Hale, Holloway—5.

NOT VOTING—Messrs. Castle, Grier—2.

ABSENT—Messrs. Cicione, Elliott, Hickman, (Mrs.) Manning, Slawik—5.

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

On Motion of Senator Foltz, roll call on **HB 33 with HA 1** was lifted from table.

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, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele—16.

NAYS—Mr. Holloway—1.

NOT VOTING—Messrs. Cicione, Hickman—2.

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

Senator Slawik moved that **SA 1 to SB 466** 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, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Slawik, Steele—16.

ABSENT—Messrs. Elliott, Hickman, Schlor—3.

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

On Motion of Senator Slawik, **SB 466 with SA 1** follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 466 with SA 1—“An Act to Amend Title 30, Delaware Code, by adding a New Chapter 4, Relating to Extraordinary Tax Relief.”

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

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

ABSENT—Messrs. Elliott, Hickman, McCullough, 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.

Senator Slawik asked for the privilege of the floor for Mr. Thomas Herlihy, III to speak on **HB 634**. Hearing no objection the privilege was granted.

Senator Slawik requested that **SA 1, 3, 4, to HB 634** be stricken from the calendar. Motion prevailed without objection.

Senator Slawik moved that **SAs to HB 634** 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, Hale, Hart, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Slawik, Steele—16.

NOT VOTING—Mr. Elliott—1.

ABSENT—Messrs. Hickman, Schlor—2.

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

Senator Cicione moved that **SA 2 to HB 634** be adopted.

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

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

NOT VOTING—Messrs. Hickman, McCullough, Robbins—3.

ABSENT—Mr. Schlor—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, **HB 634 with HA 3 and SA 2 and 5** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 634 with HA 3 and with SA 2 and 5—“An Act to Amend Title 4, Delaware Code, Authorizing the Alcoholic Beverage Control Commission to Impose Fines Against licensees Found Guilty of a Violation of the Rules of the Commission or of the Rules of the Commission of the Delaware Liquor Control Act.”

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

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

NOT VOTING—Messrs. Isaacs, McCullough, Robbins—3.

ABSENT—(Mrs.) Conner, Mr. Schlor—2.

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

Senator Castle asked for the privilege of the floor for Mr. Herlihy to speak on **HB 635**. Hearing no objection the privilege was granted.

On Motion of Senator Castle, **HB 635** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 635—“An Act to Amend Title 4, Delaware Code, Relating to Location of the Head Office of the Delaware Alcoholic Beverage Control Commission, Annual Renewal of Licenses, Establishing an Application Process Fee, and Allowing the Commission to Assess Costs in Hearing.”

On the Question “Shall the Bill Pass the Senate?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, duPont, Foltz, Grier, Hale, Hart, Hickman, Holloway, (Mrs.) Manning, Slawik, Steele—12.

NAYS—Messrs. Isaacs, McCullough—2.

NOT VOTING—Messrs. Cook, Elliott, Robbins—3.

ABSENT—Messrs. Cicione, Schlor—2.

So the question was decided in the affirmative and the Bill having

received the required constitutional majority passed the Senate and was ordered to the House.

Senator Hart, on behalf of the Committee on Highways and Public Safety to whom had been referred **HB 503** reported the same back to the Senate; 1 Unfavorable, 4 Merits.

Senator Hart, on behalf of the Committee on Highways and Public Safety to whom had been referred **SB 608**, reported the same back to the Senate; 3 Favorable, 2 Merits.

Senator Hart, on behalf of the Committee on Highways and Public Safety to whom had been referred **SB 607**, reported the same back to the Senate; 3 Favorable, 2 Merits.

Senator Hart, on behalf of the Committee on Highways and Public Safety to whom had been referred **SB 606**, reported the same back to the Senate; 3 Favorable, 2 Merits.

Senator Hart, on behalf of the Committee on Highways and Public Safety to whom had been referred **SB 605**, reported the same back to the Senate; 3 Favorable, 2 Merits.

Senator Hart, on behalf of the Committee on Highways and Public Safety to whom had been referred **SB 604**, reported the same back to the Senate; 3 Favorable, 2 Merits.

Senator Hart, on behalf of the Committee on Highways and Public Safety to whom had been referred **SB 603**, reported the same back to the Senate; 3 Favorable, 2 Merits.

Senator Hart, on behalf of the Committee on Highways and Public Safety to whom had been referred **SB 602**, reported the same back to the Senate; 3 Favorable, 2 Merits.

Senator Hart, on behalf of the Committee on Highways and Public Safety to whom had been referred **SB 601**, reported the same back to the Senate; 3 Favorable, 2 Merits.

Senator Hart, on behalf of the Committee on Highways and Public Safety to whom had been referred **SB 600**, reported the same back to the Senate; 3 Favorable, 2 Merits.

Senator Hart, on behalf of the Committee on Highways and Public Safety to whom had been referred **SB 591** reported the same back to the Senate; 3 Favorable, 2 Merits.

On motion of Senator Hart, **SB 622** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate. "An Act to amend Chapter 5, Title 4, Delaware Code, relating to grounds for cancellation or suspension of license."

Senator Hart moved that **SB 622** be laid on table for correction. Motion prevailed with objection.

Senator Hart introduced **SJR 19** co-sponsored by Senators duPont, Manning, et al, entitled: "Relating to proclaiming the Month of May 1970 as Older Americans Month."

Senator Hart moved that **SJR 19** be adopted.

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

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

NAYS—0.

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Cicione, Isaacs, Schlor—3.

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

Senator Isaacs introduced SA 1 to SB 125.

Senator Isaacs moved that SA 1 to SB 125 be placed with bill.

Motion prevailed without objection.

Senator Cook introduced SA 1 to HB 180.

Senator Cook moved that SA 1 to HB 180 be placed with bill.

Motion prevailed without objection.

Senator Elliott introduced SR 111.

RELATIVE TO SENATE BILL NO. 365.

WHEREAS, the Senate and the House of Representatives have passed Senate Bill No. 365 and it has been sent to His Excellency, the Governor; and

WHEREAS, The members of the Senate request that said Senate Bill No. 365 be reconsidered; and

WHEREAS, the members of the Senate request that His Excellency, the Governor return Senate Bill No. 365 to the Senate for reconsideration.

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 125th General Assembly of the State of Delaware that the members thereof desire to reconsider Senate Bill No. 365.

BE IT FURTHER RESOLVED that His Excellency, the Governor, is requested to return Senate Bill No. 365 to the Senate for reconsideration.

BE IT FURTHER RESOLVED that a copy of this Resolution be delivered to The Governor.

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

Senator Elliott moved that the Resolution be adopted.

On the question "Shall the Bill 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, (Mrs.) Manning, Robbins, Slawik, Steele—15.

NAYS—0.

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Isaacs, Cicione, Schlor—3.

So the question was decided in the affirmative and the resolution having recieved the required constitutional majority was adopted.

The following appointment letter from the Governor was read and referred to Executive Committee.

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

April 28, 1970

To the Senate of the 125th 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:

Daniel J. McEvoy, 2605 Washington Street, Wilmington, Delaware, to be Commissioner of the Wilmington Municipal Court, to serve four years from date of confirmation, succeeding Clarence A. Lynn, (resigning May 2, 1970).

Charles R. Lee, 3103 North VanBuren Street, Wilmington, Delaware, to be Commissioner of the Wilmington Municipal Court, to serve four years from date of confirmation. (New)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
/s/ Russell W. Peterson
Russell W. Peterson
Governor

Legislative Advisory No. 38 from the office of the Governor was read.

OFFICE OF THE GOVERNOR

April 24, 1970

LEGISLATIVE ADVISORY NO. 38

FROM: Jerome O. Herlihy, Counsel to the Governor

The Governor approved the following legislation on the indicated dates:

SB 442 as Amended by **SA 1, 2, 3 and HA 3**, 4-22-70, creating a Department of Public Safety.

SB 559, 4-23-70, clarifying the authority of school personnel over students.

SB 415, 4-23-70, creating the powers in the Elections Commissioner to quickly assemble and disseminate results of elections.

SB 532, 4-23-70, appropriating \$15,000 to the National Guard.

SB 436, As Amended by **SA 1 and HA 1**, 4-23-70, appropriating \$7,500 to certain Corrections personnel for shift differential pay.

HB 303 As Amended by **SA 1**, 4-23-70, doubling fines for convictions of cruelty to animals.

Senator Grier moved that the Senate adjourn until 4-30-70 at 1:30 P.M. Hearing no objection, motion prevailed.

28th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:15 P.M. on Thursday, April 30, 1970, Lt. Gov. Bookhammer presiding.

Prayer by the Chaplain Rev. O.H. Spence.

By roll call the following Senators were present:

Members Present—Messrs. Castle, Cicone, (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 Journal 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 read.

Senator duPont moved that Senate go into Executive Session. Motion prevailed without objection.

The Senate reconvened in regular session at 3:15 P.M.

The following communication was read.

"The Wilmington Savings Fund Society today issued a rebuttal to the introduction of **HB 693** in the General Assembly that would allow the conversion of mutual savings banks to commercial banks.

Fredd T. O'Donnell, bank president, in a letter to Representative Robert J. Berndt, R—Hillcrest, claimed that WSFS had no knowledge of the bill nor did the savings bank ask for its introduction. The bill, introduced Wednesday by Representative Berndt, has been sent to the House Financial Institutions Committee.

O'Donnell emphasized that at no time has WSFS requested commercial bank status. S.B. 301 and S.B. 302, introduced more than a year ago, asked for WSFS charter changes that would permit checking accounts and personal loans. These bills await final action by the legislature.

HB 693 is a tactic clearly intended to be diversionary and confusing." "Our intent," O'Donnell said, "and that of mutual savings banks throughout the country is to be allowed to offer personal banking services to our customers. This is a right which the charters of many mutual savings banks now grant. **HB 693** does not add anything to our present laws. It is not needed."

"We must recognize the inherent difficulty of converting a mutual association into a stock company, especially in the magnitude that would be required for WSFS. What is wrong with the present mutual ownership by the depositors? What makes a stockholder corporation more blessed than a mutual?", O'Donnell queried.

He stated that where such conversion has been affected, the dissatisfaction with the result provoked many lawsuits at depositors' expense and cited prolonged litigation in Ohio which has received extensive press coverage.

According to Berndt, **HB 693** is his solution to the year-long battle that has raged in the legislature by commercial banking interests and mutual savings banks."

Senator Hale introduced **SA 2 to SB 483**.

Senator Hale moved that **SA 2 to SB 483** be placed with bill. Motion prevailed without objection.

Senator Hale introduced **SA 3 to SB 483**.

Senator Hale moved that **SA 3 to SB 483** be placed with bill. Motion prevailed without objection.

Senator Hart on behalf of the committee on Highways and Public Safety to whom had been referred **SJR 18** reported the same back to the Senate; 5 Favorable.

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **HB 331** reported the same back to the Senate; 1 Favorable, 5 on Merits.

Senator Foltz introduced **SB 623** entitled, "An Act to Amend Title 29, Delaware Code, by creating a New Chapter to be designated as Chapter 87

relating to the establishment of a Department of State, defining its organization, powers, duties and functions and providing a supplementary appropriation to the Governor to implement the provisions of this Act," which was given its first reading by title only and assigned to Joint Committee on Reorganization.

Senator Hart introduced **SB 622** entitled, "An Act to Amend Chapter 5, Title 4, Delaware Code, relating to grounds for cancellation or suspension of license," which was given its first reading by title only and assigned to committee on Commerce and Corporations.

On motion of Senator Steele **HB 699** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 699 "An Act making a supplementary appropriation to the Secretary of State."

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

NOT VOTING—Mr. Isaacs—1.

ABSENT—Messrs. Cicione, 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.

On motion of Senator Conner **HB 373** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 373—"An Act making an appropriation to the Historical Society of Delaware."

Senator Conner moved that roll call on **HB 373** be tabled. Motion prevailed without objection.

On motion of Senator Isaacs **HB 594 with HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 594 with HA 1—"An Act to Amend Title 4, Section 512, Delaware Code, relating to the purchasing, sale and dispensing of alcoholic liquors by providing for the consumption of alcoholic liquors on the premises at dinner theaters."

Senator Isaacs asked for the privilege of the floor for Mr. Harold Shaeffer, attorney representing Candlelight Music Theater, to speak on **HB 594 with HA 1**. Hearing no objection the privilege was granted.

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

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

NAYS—Mr. McCullough—1.

NOT VOTING—Messrs. Elliott, Robbins—2.

ABSENT—Messrs. Hickman, Slawik—2.

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

On motion of Senator Isaacs **HB 595** with title as follows was taken up

for consideration and read a second time by title in order to pass the Senate.

HB 595—"An Act to Amend Title 4, Delaware Code, Section 555 relating to license fees for the sale of alcoholic liquors."

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

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

NOT VOTING—Messrs. Elliott, McCullough, Robbins—3.

ABSENT—Mr. Hickman—1.

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

On motion of Senator Elliott **SB 614** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 614—"An Act to Amend Section 8105, Chapter 81, Title 9, Delaware Code, relating to exemption of real property from taxation owned by certain organizations, by adding Cannon Grange No. 65 P. of H., Broadcreek Grange No. 59 P. of H., and Midland Grange No. 27 P. of H."

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, (Mrs.) Manning, Robbins, Schlor, Slawik, Steele—12.

ABSENT—Messrs. (Mrs.) Conner, Cook, Hart, Hickman, Holloway, Isaacs, McCullough—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 **HB 682 with HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 682 with HA 1—"An Act to Amend Chapter 113, Volume 32, Laws of Delaware, entitled, "An Act providing for a police pension fund: for members of the Police force of the City of Wilmington", by eliminating the eligibility requirement that the period of service be continuous."

Senator Slawik moved that Senate recess for 5 minutes.

On the question "Shall the Motion Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

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

ABSENT—Messrs. Cook, Hickman, Isaacs—3.

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

The Senate reconvened at 4 P.M.

On motion of Senator Steele **HB 682 with HA 1** was taken up for consideration.

HB 682 with HA 1—"An Act to Amend Chapter 113, Volume 32, Laws of Delaware, entitled, 'An Act providing for a police

pension fund: for members of the Police force of the City of Wilmington," by eliminating the eligibility requirement that the period of service be continuous."

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, Holloway, Isaacs, (Mrs.) Manning, Robbins, Schlor, Slawik, Steele—16.

NOT VOTING—Messrs. Cook, McCullough—1.

ABSENT—Mr. Hickman—1.

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

On motion of Senator Steele **HB 554** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 554—"An Act making a supplementary appropriation to the Delaware State Junior Chamber of Commerce for promotion of the State of Delaware at the 51st Annual National Convention of United States Jaycees in St. Louis, Missouri."

Senator Steele moved that roll call on **HB 554** be tabled. Motion prevailed without objection.

On motion of Senator Steele **HB 683 with HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 683 with HA 1—"An Act to Amend Chapter 118, Volume 33, Laws of Delaware, entitled, 'An Act providing for firemen's pension fund for members of the Bureau of Fire of the City of Wilmington', by eliminating the eligibility requirement that the period of service be continuous."

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, Schlor, Slawik, Steele—16.

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

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

On motion of Senator Cicione **HB 522 with HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 522 with HA 1—"An Act relating to the jurisdiction of the Superior Court and the Court of Common Pleas in Kent and Sussex Counties."

Senator Cicione asked for the privilege of the floor for Representative Warren B. Burt to discuss **HB 522 with HA 1**. Hearing no objection the privilege was granted.

Senator Elliott moved that action on **HB 522 with HA 1** be deferred.

On the question "Shall the Motion be Adopted?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, duPont, Elliott, Grier, Hale, Holloway, Isaacs,

Robbins, Slawik—9.

NAYS—Messrs. Foltz, (Mrs.) Manning, Steele—3.

NOT VOTING—Messrs. Castle, Cicione, Hickman, (Mrs.) Conner—4.

ABSENT—Messrs. Hart, McCullough, Schlor—3.

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

Senator Cicione moved that roll call on **HB 522** with **HA 1** be tabled.

On the question “Shall the Motion be Adopted?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Foltz, Grier, Hale, (Mrs.) Manning, Steele—9.

NAYS—Messrs. Cook, Elliott, Isaacs, McCullough, Robbins, Slawik—6.

NOT VOTING—Messrs. Hart, Hickman—2.

ABSENT—Messrs. Holloway, Schlor—2.

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

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, (Mrs.) Manning, Steele—7.

NAYS—Messrs. Cook, Elliott, Isaacs, Robbins—4.

NOT VOTING—Messrs. Castle, Hale, Hart, Hickman, Holloway, Slawik—6.

ABSENT—Messrs. McCullough, Schlor—2.

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

On motion of Senator Cicione **HB 608** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 608—“An Act to Amend Title 9, Chapter 65, Delaware Code, relating to the establishment of sanitary and water districts and qualifications for voters.”

Senator Cicione asked for the privilege of the floor for Representative Robert M. Dodge to explain **HB 608**. Hearing no objection the privilege was granted.

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

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

NAYS—Mr. Isaacs—1.

NOT VOTING—Mr. McCullough—1.

ABSENT—Mr. Schlor—1.

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

Senator Castle moved that **HB 522** be restored to calendar. Seconded by Senator Hale.

On the question “Shall the Motion be Adopted?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, (Mrs.) Conner, duPont, Elliott, Foltz, Grier, Hale, Hart, Holloway, (Mrs.) Manning, Steele—12.

NAYS—Mr. McCullough—1.

NOT VOTING—Messrs. Cook, Hickman, Isaacs, Robbins, Slawik—5.

ABSENT—Mr. Schlor—1.

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

On motion of Senator Castle **HB 577** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 577—"An Act to Amend Title 21, Delaware Code, Section 4203 by increasing the amount of apparent property damage required before reporting accident from \$25 to \$100."

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, Slawik, Steele—18.

ABSENT—Mr. Schlor—1.

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

On motion of Senator Castle **HB 625** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 625—"An Act to Amend Chapter 27, Title 24, Delaware Code, relating to the qualifications of professional engineers."

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, Slawik, Steele—17.

ABSENT—Messrs. Cicione, Schlor—2.

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

On motion of Senator Castle **HB 704 with HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 704 with HA 1—"An Act to Amend Title 10, Delaware Code, Section 8903, and Title 9, Section 8429, relating to certain expenses connected with the administration of justice by providing for the transfer of responsibilities to the State from the several Counties for the payment of these expenses."

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

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

ABSENT—Messrs. duPont, Hickman, (Mrs.) Manning, 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.

On motion of Senator Hart **HB 553** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 553—"An Act to Amend Chapter 9, Title 26, Delaware Code,

relating to the laying of pipes, conduits or wires by electric utility corporations.”

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, Slawik, Steele—18.

ABSENT—Mr. Schlor—1.

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

Senator duPont announced meeting on **SB 610** and **HB 709** to be held Wednesday, May 6, 1970, 7 P.M. in Legislative Hall.

Senator Cicione announced open meeting of Government Operations Committee on Eminent Domain on May 7, 1970, at 8 P.M. Legislative Hall.

Senator Castle announced hearing on Election Reform on Tuesday, May 5, 1970, 10:30 A.M. to 12 P.M. in Legislative Hall.

Senator Steele announced Pension hearing on May 5, 1970 at 8 P.M. Legislative Hall.

Senator Elliott requested that **SB 365** be stricken from the calendar. Motion prevailed without objection.

Senator Cicione announced hearing on **SB 476** at 8 P.M. on Tuesday, May 5, 1970, to be held at the Art League, Henlopen Acres, Rehoboth Beach.

Senator Slawik requested that **SB 561** be stricken from the calendar. Motion prevailed without objection.

Senator Foltz requested that his name be added to **SB 611** as co-sponsor. Request granted.

Senator Cook introduced **SR 112** co-sponsored by Senators Hale, Hart, Hickman, Cicione, Castle, Isaacs, Conner, et al.

RELATIVE TO THE DEATH OF RANDOLPH HUGHES.

WHEREAS, the Senate of the 125th General Assembly of the State of Delaware has learned with regret of the passing of Randolph Hughes, and

WHEREAS, Randolph Hughes has served well the people of the State of Delaware and the community in which he lived as a member of the Dover City Council for eight years and as a Representative of the 105th General Assembly; and

WHEREAS, Randolph Hughes served the State of Delaware as the State Bank Commissioner since 1951; and

WHEREAS, Randolph Hughes was universally respected and admired by the people of Kent County and the State of Delaware; and

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

NOW THEREOFRE,

BE IT RESOLVED by the Senate of the 125th General Assembly of the State of Delaware that the members thereof wish to express their

regret at the passing of Randolph Hughes, a prominent figure in his community; and

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

BE IT FURTHER RESOLVED that the text of this resolution be made a part of the Journal of the proceedings of the Senate of the 125th General Assembly.

Senator Cook moved that **SR 112** 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, Cicone, (Mrs.) Conner, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, (Mrs.) Manning, McCullough, Robbins, Slawik, Steele—18.

ABSENT—Mr. Schlor—1.

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

Senator Manning requested personal privilege of floor. Granted without objection.

Senator Foltz on behalf of the committee on Judiciary to whom had been referred **HB 495** reported the same back to the Senate; 6 on Merits.

Senator Foltz on behalf of the committee on Judiciary to whom had been referred **HB 496** reported the same back to the Senate; 6 on Merits.

Senator Cicione on behalf of the Committee on Government Operations to whom had been referred **HB 626** reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Cicione on behalf of the committee on Government Operations to whom had been referred **HB 694** reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Hart introduced **SB 624** co-sponsored by Senator Isaacs entitled, "An Act to Amend Title 29, Delaware Code, Section 8031, relating to orders of the division of environmental control by providing that certain orders of the division must be entered in writing within thirty (30) days from the date of the application, otherwise an application shall be deemed and taken as approved," which was given its first reading by title only and assigned to committee on Miscellaneous.

Senator Cicione introduced **SB 625** co-sponsored by Senator Slawiik entitled, "An Act to Amend Title 19, Delaware Code, relating to wages and unemployment compensation," which was given its first reading by title only and assigned to committee on Labor and Industrial Relations."

Senator Hickman introduced **SB 626** entitled, "An Act to Amend Chapter 9, Title 28, and Chapter 23, Title 30, Delaware Code, by providing for the issuance of permits, license and license taxes for outdoor musical festivals and providing penalties for the violation thereof," which was given its first reading by title only.

Senator Hickman moved that Rule 9 be suspended for the purpose of considering **SB 626**.

On the question "Shall the Motion Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

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

Steele—15.

ABSENT—Messrs. Cicione, (Mrs.) Conner, Robbins, Schlor—4.

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

Senator Hickman asked for the privilege of the floor for Mr. Joseph Yucht to explain **HB 626**. Hearing no objection the privilege was granted.

On motion of Senator Hickman **SB 626** was taken up for consideration in order to pass the Senate.

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

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

NAYS—Messrs. Foltz, Holloway—2.

NOT VOTING—Mr. Hart—1.

ABSENT—Mr. Schlor—1.

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

Senator Steele moved that roll call on **HB 554** be lifted. Motion prevailed without objection.

On the question “Shall **HB 554** 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, Isaacs, McCullough, Robbins, Slawik, Steele—15.

NOT VOTING—Messrs. Foltz, Holloway, Schlor—3.

ABSENT—(Mrs.) Manning—1.

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

Senator Isaacs introduced **SB 627** entitled, “An Act to Amend Sub-section 8323, Title 11, Delaware Code, relating to the eligibility for pensions for members of the State Police,” which was given its first reading by title only and assigned to committee on Judiciary.

Senator Grier moved the Senate recess until Tuesday, May 5, 1970, at 1:30 P.M. Hearing no objection motion prevailed.

29th LEGISLATIVE DAY

Senator Grier moved that the Senate adjourn until Tuesday, May 5, 1970, at 1:40 P.M. Hearing no objection motion prevailed.

The Senate met pursuant to adjournment at 1:45 P.M. on Tuesday, May 5, 1970, Lt. Gov. Bookhammer presiding.

Prayer by the Rev. O.H. Spence.

By roll call the following Senators were present:

Members 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 Journal 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 read.

The following communications were read:

The Chair announced that the House wishes to inform the Senate it has passed **HB 519**, **HB 583**, **HB 687**, **HCR 33** and requests the concurrence of the Senate; also **SB 613 with SA 1** and is returning same to the Senate.

The Chair announced that the House wishes to inform the Senate it has passed **HB 666**, **HB 571 with HA 1**, **HB 722**, **HCR 35** and requests the concurrence of the Senate; also **SB 475**, **SB 43**, **SB 587** and is returning same to the Senate.

Senator Steele on behalf of the committee on Finance to whom had been referred **HB 670** reported the same back to the Senate; 4 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **HCR 34** reported the same back to the Senate; 4 on Merits.

Senator Isaacs on behalf of the committee on Miscellaneous to whom had been referred **SJR 19** reported the same back to the Senate; 2 Favorable, 2 on Merits.

Senator Hart moved that Rule 9 be suspended for the purpose of considering **SJR 19**.

On the question "Shall the Motion Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

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

ABSENT—Messrs. Elliott, Holloway, Slawik—3.

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

On motion of Senator Hart, **SJR 19** with title as follows was taken up for consideration and read a second time by title only in order to pass the Senate:

SJR 19—"Relating to proclaiming the month of May 1970 as Older Americans Month."

Senator Hart moved that **SJR 19** be adopted.

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

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

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. (Mrs.) Conner, Holloway, Slawik—3.

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

Senator Castle on behalf of the committee on Revised Statutes to whom had been referred **HB 277** reported the same back to the Senate; 5 on Merits.

Senator Foltz on behalf of the committee on Judiciary to whom had been referred **SB 597** reported the same back to the Senate; 1 Favorable, 5 on Merits.

Senator Isaacs on behalf of the committee on Miscellaneous to whom had been referred **SB 624** reported the same back to the Senate; 1 Favorable, 3 on Merits.

On motion of Senator Hart, **HB 340 with HA 1** with title as follows

was taken up for consideration and read a second time by title in order to pass the Senate:

HB 340 with HA 1—"An Act to Amend Subchapter III, Chapter 41, Title 21, Delaware Code, relating to toll evasion on the Delaware Turnpike; penalty; right of appeals; jurisdiction of Justice of the Peace."

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, Steele—14.

NAYS—Messrs. McCullough, Robbins—2.

NOT VOTING—Mr. Schlor—1.

ABSENT—Messrs. Holloway, Slawik—2.

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

Senator Hart requested that **SA 1 to HB 340** be stricken from the calendar. Motion prevailed, without objection.

On motion of Senator Isaacs, **HB 430 with HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 430 with HA 1—"An Act to Amend Chapter 69, Title 29, Delaware Code, relating to the procurement of material and award of contracts for public works by state agencies.

On motion of Senator Isaacs, **HB 542** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

HB 542—"An Act to Amend Title 7, Section 502, Delaware Code, relating to fishing licenses for 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, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, (Mrs.) Manning, McCullough, Robbins, Schlor, Slawik, Steele—16.

ABSENT—Messrs. Cicione, (Mrs.) Conner, Cook, Holloway—3.

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

On motion of Senator Isaacs, **HB 611** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 611—"An Act to Amend Title 7, Sections 106 and 2943, Delaware Code, relating to the power of the Chief Game and Fish Warden and State Forest Officer to arrest for littering."

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

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

ABSENT—Messrs. Cicione, Foltz, Holloway—3.

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

On motion of Senator Isaacs, **SB 358 with HA 1** was taken up for consideration in order to pass the Senate.

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

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

ABSENT—Messrs. Foltz, Hickman, Holloway—3.

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

On motion of Senator Isaacs, **HB 522 with HA 1** was taken up for consideration in order to pass the Senate.

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

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

ABSENT—Mr. Foltz—1.

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

On motion of Senate Cicione, **SB 601** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 601—"An Act to Amend Title 21, Chapter 45, Delaware Code, by enacting a new Section 4508, relating to law enforcement weighing equipment, weighing procedures."

Senator Cicione asked for the privilege of the floor for Capt. Martin Johnson of the State Police to explain **SB 601**. Hearing no objection the privilege was granted.

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

YEAS—Messrs. Castle, Cicione, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlor, Slawik, Steele—16.

ABSENT—(Mrs.) Conner, Mr. Cook, (Mrs.) Manning—3.

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

On motion of Senator Cicione, **SB 603** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate.

SB 603—"An Act to Amend Title 21, Chapter 67, Section 6705, Delaware Code, relating to alternations of engine or serial number or sale of vehicle with altered numbers.

Senator Cicione asked for the privilege of the floor for Captain Johnson of the State Police to speak on **SB 603**. Hearing no objection, the privilege was granted.

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

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

Schlor, Slawik, Steele—17.

ABSENT—Mr. Hart, (Mrs.) Manning—2.

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

On motion of Senator Cicione, **SB 604** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 604—“An Act to Amend Title 21, Chapter 45, Delaware Code, by adding a new Section 4358, relating to carrying of flares or other emergency lights in certain vehicles; use thereof in event vehicle becomes disabled.”

Senator Cicione asked for the privilege of the floor for Captain Johnson to speak on **SB 604**. Hearing no objection, the privilege was granted.

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

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

ABSENT—Messrs. Foltz, Hart, (Mrs.) Manning—3.

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

On motion of Senator Cicione, **SB 605** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 605—“An Act to Amend Title 21, Chapter 43, Section 4309, Delaware Code, relating to obstruction to view on windshields or windows.”

Senator Cicione asked for the privilege of the floor for Captain Johnson to speak on **SB 605**. Hearing no objection, the privilege was granted.

Senator duPont moved that action on **SB 605** be deferred.

On the question “Shall the Motion Pass the Senate?” the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Cook, duPont, Elliott, Hickman, Holloway, Isaacs, Robbins—7.

NAYS—Messrs. Castle, Cicione, Foltz, Grier, Hart, Schlor, Slawik, Steele—8.

NOT VOTING—Mr. Hale—1.

ABSENT—Mr. (Mrs.) Conner, (Mrs.) Manning, McCullough—3.

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

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

YEAS—Messrs. Castle, Cicione, Cook, Elliott, Foltz, Grier, Hale, Holloway, Schlor, Slawik, Steele—11.

NOT VOTING—Messrs. duPont, Hart, Hickman, Isaacs, Robbins—5.

ABSENT—(Mrs.) Conner, (Mrs.) Manning, Mr. 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 Cicione, **SB 606** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 606—"An Act to Amend Title 21, Chapter 67, Section 6706, Delaware Code, relating to seizure of vehicle where number is altered or removed."

Senator Cicione asked for the privilege of the floor for Captain Johnson to discuss **SB 606**. Hearing no objection, the privilege was granted.

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

YEAS—Messrs. Castle, Cicione, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Holloway, Isaacs, Robbins, Schlor, Slawik, Steele—15.

ABSENT—Messrs. (Mrs.) Conner, Hickman, (Mrs.) Manning, McCullough—4.

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

On motion of Senator Cicione, **SB 607** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 607—"An Act to Amend Title 21, Chapter 67, Section 6704, Delaware Code, relating to receiving or transferring stolen vehicle.

Senator Cicione asked for the privilege of the floor for Captain Johnson to discuss **SB 607**. Hearing no objection, the privilege was granted.

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

YEAS—Messrs. Castle, Cicione, Cook, duPont, Elliott, Foltz, Grier, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlor, Slawik, Steele—16.

ABSENT—Mr. (Mrs.) Conner, Hale, (Mrs.) Manning—3.

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

On motion of Senator Cicione, **SB 608** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 608—"An Act to Amend Title 21, Chapter 41, Delaware Code, relating to pedestrain standing or playing in the roadway.

Senator Cicione asked for the privilege of the floor for Captain Johnson to speak on **SB 608**. Hearing no objection, the privilege was granted.

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

YEAS—Messrs. Castle, Cicione, Cook, duPont, Elliott, Grier, Hale, Hart, Hickman, Holloway, McCullough, Robbins, Schlor, Slawik, Steele—15.

NOT VOTING—Messrs. Foltz, Isaacs—2.

ABSENT—(Mrs.) Conner, (Mrs.) Manning—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was

ordered to the House for concurrence.

Senator Cicione asked for the privilege of the floor for Captain Johnson to speak on **SA 1 to SB 600**. Hearing no objection, the privilege was granted.

Senator Cicione moved that **SA 1 to SB 600** 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, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlor, Slawik, Steele—17.

ABSENT—(Mrs.) Conner, (Mrs.) Manning—2.

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

On motion of Senator Cicione, **SB 600 with SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 600 with SA 1—"An Act to Amend Title 21, Chapter 41, Section 4178, Delaware Code, relating to stopping and parking."

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

YEAS—Messrs. Castle, Cicione, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlor, Slawik, Steele—17.

ABSENT—(Mrs.) Conner, Manning—2.

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

Senator Cicione asked for the privilege of the floor for Captain Johnson to speak on **SA 1 to SB 602**. Hearing no objection, the privilege was granted.

Senator Cicione moved that **SA 1 to SB 602** 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, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlor, Slawik, Steele—17.

ABSENT—(Mrs.) Conner, (Mrs.) Manning—2.

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

On motion of Senator Cicione, **SB 602 with SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 602 with SA 1—"An Act to Amend Title 21, Chapter 45, Section 4506, Delaware Code, relating to police officers authority to weigh vehicles and require removal of excess loads."

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

YEAS—Messrs. Castle, Cicione, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, McCullough, Schlor, Steele—15.

NOT VOTING—Messrs. Isaacs, Robbins—2.

ABSENT—(Mrs.) Conner, (Mrs.) Manning—2.

So the question was decided in the affirmative and the bill having

received the required constitutional majority passed the Senate and was ordered to the House for concurrence.

Senator Schlor moved that **SA 1 to SB 406** be adopted.

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

YEAS—Messrs. Holloway, Schlor, Slawik—3.

NAYS—Messrs. Castle, Foltz, Grier, Hale, Hickman—5.

NOT VOTING—Messrs. Cook, duPont, Elliott, Hart, Isaacs, McCullough, Robbins, Steele—8.

ABSENT—Mr. Cicione, (Mrs.) Conner, (Mrs.) Manning—3.

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

On motion of Senator Schlor, **SB 406** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 406—"An Act to Amend Section 1902, Title 14, Delaware Code, by exempting residential property owned by certain persons over the age of 65 from the payment of school taxes."

Senator Isaacs moved that action on **SB 406** be deferred.

On the question "Shall the Motion Pass the Senate?" the yeas and nays were ordered which being taken were as follows:

YEAS—Messrs. Castle, Cicione, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Isaacs, Steele—11.

NAYS—Messrs. Cook, Holloway, McCullough, Robbins, Schlor, Slawik—6.

ABSENT—(Mrs.) Conner, (Mrs.) Manning—2.

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

Senator Slawik moved that **SA 1 to SB 593** 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, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlor, Slawik, Steele—17.

ABSENT—(Mrs.) Conner, (Mrs.) Manning—2.

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

On motion of Senator Slawik, **SB 593 with SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 593 with SA 1—"An Act making an appropriation to the New Castle—Gunning Bedford reorganized School District for the purpose of constructing two pedestrian overpasses over U.S. Route 13 in Wilmington Manor and acquiring the necessary rights-of way therefor."

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

YEAS—Messrs. Castle, Cicione, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlor, Slawik, Steele—17.

ABSENT—(Mrs.) Conner, (Mrs.) Manning—2.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate and was

ordered to the House for concurrence.

Lt. Gov. Bookhammer acknowledged members of the Rotary Club from Canada as guests in the Senate Chamber.

On motion of Senator Foltz, **HB 659 with HA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 659 with HA 1—"An Act to Amend Title 11, Delaware Code, Chapter 3, Section 461, relating to licenses to carry concealed deadly weapons by providing for the automatic renewal of licenses for the period of one year upon certain conditions."

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

YEAS—Messrs. Castle, Cicione, Cook, duPont, Elliott, Foltz, Grier, Hale, Hart, Hickman, Holloway, Isaacs, McCullough, Robbins, Schlör, Slawik, Steele—17.

ABSENT—(Mrs.) Conner, (Mrs.) Manning—2.

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

The following advisory from the Governor was read:

OFFICE OF THE GOVERNOR

May 4, 1970

LEGISLATIVE ADVISORY NO. 39

From: Jerome O. Herlihy, Counsel to the Governor

The Governor approved the following legislation on the indicated dates:

HB 562 - 4-27-70 - appropriating \$5500 to the salary account of the Executive Director of the Youth Services Commission.

HB 150 As Amended by HA 1, SA 3 and HA 3 - 4-30-70 - relating to the distribution of unsolicited credit cards.

HB 619 - 4-30-70 - making certain changes in the exemptions from the New Castle County Plumbing Code.

HB 438 - 4-30-70 - relating to the sale and purchase of shotguns and rifles.

HB 593 - 4-30-70 - relating to aid to fire companies and ambulance companies.

HB 550 - 4-30-70 - making an amendment to the Charter of Laurel.

HB 672 - 4-30-70 - authorizing the Smyrna School District to transfer certain funds to its construction fund account.

SB 348 As Amended by HA 1 - 4-30-70 - relating to the licensing of undertakers.

SB 253 - 4-30-70 - amending the law requiring bonds in replevin cases.

SB 435 - 4-30-70 - exempting certain veterans and pensioners over 65 from obtaining a fishing license.

SB 528 - 4-30-70 - relating to the payment of costs of safety devices at railroad crossings.

The Chair presented the following House Bills and Concurrent Resolutions, which were given first reading and referred to committee as follows:

HB 571 with HA 1—"An Act to Amend Title 9, Delaware Code, relating to the adoption of budget by the Levy Court of Kent County and the taxation of real property within an incorporated municipality of the

County.”—Government Operations.

HB 722—“An Act making a supplementary appropriation to the Secretary of State.”—Government Operations.

HB 687—“An Act to Amend Title 24, Section 314, Delaware Code, relating to fees payable to the Board of Examiners and registration of architects.”—Labor and Industrial Relations.

HB 666—“An Act to require a certificate of origin to accompany applications for title to new motor vehicles.”—Highways and Public Safety.

HB 583—“An Act to Amend Chapter 81, Title 9, Delaware Code, relating to the limitations upon taxing power, by exempting lands and improvements of the Viola — Canterbury — Felton Ruritan Club from assessment and taxation.”—Finance.

HB 519—“An Act to Amend Chapter 13, Title 14, Delaware Code, entitled, “State supposed salary schedules for school employees.”—Education.

HCR 35—“Relating to the Governor requesting the Delaware River and Bay authorizing police force to assist other police forces in northern New Castle County.”—Miscellaneous.

HCR 33—“Providing for the establishment of a joint committee to study the feasibility of a House-Senate Conference Committee System and preparing proposed legislation to that end.”—Senate Administration.

Senator Conner on behalf of the committee on Education to whom had been referred **HS 1 for HB 628 with HA 1** reported the same back to the Senate; 1 Favorable, 5 on Merits.

Senator Foltz on behalf of the committee on Judiciary to whom had been referred **SB 627** reported the same back to the Senate; 2 Favorable, 4 on Merits.

Senator Steele on behalf of the committee on Finance to whom had been referred **SB 609** reported the same back to the Senate; 5 on Merits.

Senator Cook introduced **SB 628** entitled, “An Act to Amend Title 30, Delaware Code, relating to use tax on leases of tangible property,” which was given its first reading by title only and assigned to committee on Finance.

Senator McCullough introduced **SA 1 to SB 611**.

Senator McCullough moved that **SA 1 to SB 611** be placed with bill. Motion prevailed without objection.

Senator Hart introduced **SA 2 to HB 613** co-sponsored by Senators, Isaacs, and Steele.

Senator Hart moved that **SA 2 to HB 613** be placed with bill. Motion prevailed without objection.

Senator Grier moved that the Senate adjourn until Wednesday, May 6, 1970, at 1:30 P.M. Hearing no objection, motion prevailed.

30th LEGISLATIVE DAY

The Senate met pursuant to adjournment at 2:40 P.M. on Wednesday, May 6, 1970, Lt. Gov. Bookhammer presiding.

Prayer by the Rev. O.H. Spence.

By roll call the following Senators were present:

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

The Secretary proceeded to read the Journal 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 read.

The following Communication was read:

The Chair announced that the House wishes to inform the Senate it has passed **HB 720**, **HB 725**, **HB 729**, **HCR 36** and requests the concurrence of the Senate; also **SB 503**, **SB 504** and is returning same to the Senate.

The Chair presented the following House Bills and Concurrent Resolutions, which were given first reading and referred to Committee as follows:

HB 729—"An Act to Amend Section 4332, Title 11, Delaware Code, relating to sentence and modification,"— Judiciary.

HB 720—"An Act to authorize the Secretary of State to procure a new seal, to be used as the great seal of the State of Delaware, and for other purposes,"—Government Operations.

HB 725—"An Act to Amend Title 5A, Section 2-201 Delaware Code, relating to the requirement of a written contract for the payment of a commission for the sale or purchase of real estate,"—Labor and Industrial Relations.

HCR 36—"Relating to the Governor requesting the Board of Trustees of the Delaware Technical and Community College to conduct a study for the purpose of establishing a central branch of the community college in Kent County,"— Education.

Senator Hart on behalf of the committee on Commerce and Corporations to whom had been referred **SB 622** reported the same back to the Senate; 4 on Merits.

Senator Hart on behalf of the committee on Commerce and Corporations to whom had been referred **HB 671** reported the same back to the Senate; 1 Favorable, 4 on Merits.

Senator Cicione introduced **SB 629** co-sponsored by Senator Slawik, entitled, "An Act to Amend Title 21, Chapter 41, Delaware Code, by adding a new Section 4135, relating to entering or crossing a divided highway," which was given its first reading by title only and assigned to committee on Highways and Public Safety.

Senator Cicione introduced **SB 630** co-sponsored by Senator Slawik, entitled, "An Act to Amend Title 21, Chapter 43, Delaware Code, by enacting a new Section 4359, relating to vehicle rear wheel flaps and shields," which was given its first reading by title only and assigned to committee on Highways and Public Safety.

On motion of Senator Castle, **HB 277** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 277—"An Act to Amend Chapter 43, Title 10, Delaware Code, relating to payments made as an accommodation upon a personal injury claim and admissibility thereof as evidence."

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

YEAS—Messrs. Castle, Cicione, Cook, duPont, Elliott, Foltz, Grier,

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

NOT VOTING—Mr. Slawik—1.

ABSENT—(Mrs.) Conner—1.

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

On motion of Senator Castle, **HB 331** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

HB 331—“An Act to Amend Section 7502, Chapter 75, Title 16, Delaware Code, relating to the inspection of fire escapes.

Senator Castle asked for the privilege of the floor for Mr. Fred Brown, Wilmington, to explain **HB 331**. Hearing no objection the privilege was granted.

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

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

ABSENT—Mr. Hart—1.

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

On motion of Senator Steele, **SS 2 for SB 443** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SS 2 for SB 443—“An Act to Amend Chapter 469, Volume 56, Laws of Delaware, entitled “An Act authorizing the State of Delaware to borrow money to be used for Capital improvements and expenditures in the nature of Capital Investment and to issue bonds and notes therefor and appropriating the moneys to various Agencies of the State.”

Senator Steele asked for the privilege of the floor for Mr. Charles Eller, Chairman, State Highway Commission, to explain **SS 2 for SB 443**. Hearing no objection, the privilege was granted.

Senator Steele asked for the privilege of the floor for Mrs. Charles Stump, Administrative Assistant to Director of Operations, State Highway Department, to explain **SS 2 for SB 443**. Hearing no objection the privilege was granted.

Senator Steele asked for the privilege of the floor for Mr. Joe Robinson, Chief Engineer, State Highway Department, to discuss **SS 2 for SB 443**. Hearing no objection, the privilege was granted.

Senator Steele moved that action on **SS 2 for SB 443** be deferred. Motion prevailed without objection.

Senator Steele yielded the floor to Senator Hart.

Senator Hart moved that Rule 9 be suspended for the purpose of considering **SB 622**.

On the question “Shall the Motion Pass the Senate?” the yeas and nays were ordered which being taken were as follows:

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

ABSENT—Messrs. Foltz, Hale, (Mrs.) Manning, McCullough—4.

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

Senator Hart introduced **SA 1 to SB 622**.

Senator Hart moved that **SA 1 to SB 622** be adopted.

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

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

NOT VOTING—Mr. McCullough—1.

ABSENT—Mr. Foltz—1.

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

On motion of Senator Hart, **SB 622 with SA 1** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 622 with SA 1—“An Act to Amend Chapter 5, Title 4, Delaware Code, relating to grounds for cancellation or suspension of license.”

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

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

NOT VOTING—Mr. Robbins—1.

ABSENT—Mr. Foltz—1.

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

Senator Steele asked for the privilege of the floor for Mr. Eller, Mr. Stump and Mr. Robinson to speak on **SB 537**. Hearing no objection the privilege was granted.

On motion of Senator Steele, **SB 537** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 537—“An Act to Amend Chapter 469, Volume 56, Laws of Delaware, entitled, “An Act authorizing the State of Delaware to borrow money to be used for capital investments and to issue bonds and notes therefor and appropriating the moneys to various agencies of the State” relating to restrictions on Highway programs.

On motion of Senator Steele the roll call was tabled. Motion prevailed, without objection.

On motion of Senator Steele, **SB 538** with title as follows was taken up for consideration and read a second time by title in order to pass the Senate:

SB 538—“An Act to Amend Chapter 299, Volume 57, Laws of Delaware, entitled, “An Act authorizing the State of Delaware to borrow money to be used for capital improvements and expenditures in the nature of capital investments and to issue bonds and notes therefor appropriating the moneys to various agencies of the State,” relating to a restriction on a highway program.

On the motion of Senator Steele the roll call was tabled.